



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3564

Introduced 2/14/2020, by Sen. John F. Curran

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1077

from Ch. 34, par. 5-1077

Amends the Counties Code. Provides that a county board may adopt reasonable regulations for the control and eradication of diseased, damaged, dead, or insect-infested trees, including trees: with Dutch elm disease or elm blight; infested by the Emerald Ash Borer, Asian Longhorn Beetle, Gypsy Moth, or other parasitic organisms; or that have been severely damaged or at a risk of falling (currently, the county board may regulate for the control and eradication of Dutch elm disease or elm blight). Provides that a county board may adopt an ordinance declaring it to be a nuisance to keep or maintain any diseased, damaged, dead, or insect-infested tree which presents a risk of falling onto any public way or public property, including utility easements and watercourses. Provides that the ordinance may authorize the county to remove nuisance trees when the property owner fails to do so in a timely manner after receiving notice thereof and to have a lien placed on the subject property for the costs of the tree removal.

LRB101 18574 AWJ 68029 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Counties Code is amended by changing Section
5 5-1077 as follows:

6 (55 ILCS 5/5-1077) (from Ch. 34, par. 5-1077)

7 Sec. 5-1077. Eradication of nuisance trees ~~fungous elm~~
8 ~~disease~~. A county board may adopt reasonable regulations for
9 the control and eradication of diseased, damaged, dead or
10 insect infested trees, including trees: (i) with a fungous
11 disease of elms caused by Graphium ulmi, (commonly known as
12 Dutch elm disease or elm blight); (ii) infested by the Emerald
13 Ash Borer, Asian Longhorn Beetle, Gypsy Moth, or other
14 parasitic organism; or (iii) that have been severely damaged or
15 at a risk of falling. A county board may adopt an ordinance
16 declaring it to be a nuisance to keep or maintain any diseased,
17 damaged, dead, or insect-infested tree which presents a risk of
18 falling onto any public way or public property, including
19 utility easements and watercourses. The ordinance may
20 authorize the county to remove nuisance trees when the property
21 owner fails to do so in a timely manner after receiving notice
22 thereof and to have a lien placed on the subject property for
23 the costs of the tree removal. Such regulations shall be

1 applicable to all area outside the corporate limits of any
2 municipality. No such regulation shall permit the use of
3 poisonous sprays.

4 (Source: P.A. 86-962.)