



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2875

Introduced 2/19/2021, by Rep. Martin McLaughlin

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-12022 new

Amends the Counties Code. Provides that each county shall regulate and restrict the location and use of livestock management facilities at a minimum standard of the setbacks, evaluation, calculations, definitions, construction standards, certification, and inspection provisions of the Livestock Management Facilities Act. Provides that a county's review and approval of such facilities shall include at least one public hearing, witness testimony, and the opportunity for the public to comment. Provides that each county shall cooperate with the Department of Agriculture to fully comply with the provisions and standards of the Livestock Management Facilities Act, including, but not limited to, the provisions concerning public informational meetings and final determinations. Effective immediately.

LRB102 13617 AWJ 18967 b

1 AN ACT concerning local government.

2 WHEREAS, There is a proliferation of litigation pertaining
3 to the alleged public hazard and nuisance of livestock
4 management facilities with a public and private cost to
5 taxpayers and an excessive burden of the resources of our
6 judicial system; and

7 WHEREAS, The costly litigiousness of this important and
8 necessary industry may be reduced by an increased public and
9 governmental engagement and compliance with the statutory
10 guidelines that have already been provided by State law, and
11 local zoning authority; and

12 WHEREAS, It is essential that county governments comply
13 with the requirements of the Livestock Management Facilities
14 Act when siting, locating, zoning, and approving such
15 facilities; and

16 WHEREAS, Counties should utilize the authority granted
17 under Division 5-12 of the Counties Code and adopt a system of
18 regulation and location of livestock management facilities
19 that is compatible with the State's Livestock Management
20 Facilities Act; therefore

21 **Be it enacted by the People of the State of Illinois,**

1 **represented in the General Assembly:**

2 Section 5. The Counties Code is amended by adding Section
3 5-12022 as follows:

4 (55 ILCS 5/5-12022 new)

5 Sec. 5-12022. Regulation of livestock management
6 facilities. Notwithstanding any other provision of law, each
7 county shall regulate and restrict the location and use of
8 livestock management facilities at a minimum standard of the
9 setbacks, evaluation, calculations, definitions, construction
10 standards, certification, and inspection provisions of the
11 Livestock Management Facilities Act. a county's review and
12 approval of such facilities shall include at least one public
13 hearing, witness testimony, and the opportunity for the public
14 to comment.

15 Each county shall cooperate with the Department of
16 Agriculture to fully comply with the provisions and standards
17 of the Livestock Management Facilities Act, including, but not
18 limited to, the provisions concerning public informational
19 meetings and final determinations.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.