

# HB3396



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3396

Introduced 2/17/2023, by Rep. Lance Yednock

### SYNOPSIS AS INTRODUCED:

820 ILCS 5/1.4

Amends the Labor Dispute Act. Provides that a person who, with the intent of interfering with, obstructing, or impeding a picket or other demonstration or protest, places any object in the public way commits a Class A misdemeanor with a minimum fine of \$500.

LRB103 26352 SPS 52713 b

A BILL FOR

1 AN ACT concerning employment.

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

4 Section 5. The Labor Dispute Act is amended by changing  
5 Section 1.4 as follows:

6 (820 ILCS 5/1.4)

7 Sec. 1.4. Use of public right of way.

8 (a) Persons engaged in picketing shall be allowed to use  
9 public rights of way to apprise the public of the existence of  
10 a dispute for the following:

11 (1) The purposes of picketing.

12 (2) The erection of temporary signs announcing their  
13 dispute.

14 (3) The parking of at least one vehicle on the public  
15 right of way. Nothing in this Section shall require the  
16 accommodation of parking more than 10 vehicles on the  
17 public right of way. This Section shall not be construed  
18 to allow the blocking of fire hydrants. Picketers shall  
19 ensure that water mains, sewers, and other utilities are  
20 accessible for construction, maintenance, and emergency  
21 repair work.

22 (4) The erection of tents or other temporary shelter  
23 for the health, welfare, personal safety, and well-being

1 of picketers.

2 (b) Any signs, tents, or temporary shelters shall be  
3 removed at the end of each day when the picketing has ceased.  
4 Signs, tents, or temporary shelters may be maintained so long  
5 as individuals participating in the labor dispute are present.

6 (c) This Section shall not be construed to allow the  
7 erection of a tent or shelter or parking of a vehicle where  
8 there is insufficient space on the public right of way. This  
9 Section shall not be construed to allow the erection of a tent  
10 or shelter on the right of way of any Class I highway as  
11 defined in Section 1-126.1 of the Illinois Vehicle Code.  
12 Picketers shall ensure that a reasonable walkway exists for  
13 pedestrians and others to pass by the picketing activities.  
14 Persons using the right of way under this Section shall make  
15 reasonable attempts to keep the area free from garbage and  
16 significant damage.

17 (d) No sign, tent, or temporary shelter may be erected or  
18 maintained in such a manner as to obscure or otherwise  
19 physically interfere with an official traffic sign, signal, or  
20 device or to obstruct or physically interfere with a driver's  
21 view of approaching, merging, or intersecting traffic. The  
22 burden of proof shall rest on the unit of local government  
23 making such a claim. If a court determines that a sign, tent,  
24 or temporary shelter does not obscure or otherwise physically  
25 interfere with an official traffic sign, signal, or device or  
26 obstruct or physically interfere with a driver's view of

1 approaching, merging, or intersecting traffic, the unit of  
2 local government is liable for all costs and attorney's fees.

3 (e) A person who, with the intent of interfering with,  
4 obstructing, or impeding a picket or other demonstration or  
5 protest, places any object in the public way commits a Class A  
6 misdemeanor with a minimum fine of \$500.

7 (Source: P.A. 94-321, eff. 1-1-06.)