

1 AN ACT concerning regulation.

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

4 Section 5. The Illinois Underground Utility Facilities  
5 Damage Prevention Act is amended by changing Sections 1, 2, 3,  
6 4, 6, 7, 8, 9, 10, 11, 11.3, 11.5, 12, 13, and 14 and by adding  
7 Sections 4.1, 5.1, 5.2, 5.3, 5.4, and 7.5 as follows:

8 (220 ILCS 50/1) (from Ch. 111 2/3, par. 1601)

9 Sec. 1. This Act shall be known, and may be cited, as the  
10 Illinois Underground Utility Facilities Damage Prevention Act,  
11 and for the purposes of participating in the State of Illinois  
12 Joint Purchasing Program, the ~~State-Wide~~ One-Call Notice  
13 System, commonly referred to as "JULIE, Inc.", shall be  
14 considered as created by this Act.

15 (Source: P.A. 96-714, eff. 1-1-10.)

16 (220 ILCS 50/2) (from Ch. 111 2/3, par. 1602)

17 Sec. 2. Definitions. As used in this Act, unless the  
18 context clearly otherwise requires, the terms specified in  
19 this Section ~~Sections 2.1 through 2.11~~ have the meanings  
20 ascribed to them in this Section ~~in those Sections~~.

21 "Approximate location" means the location of the marked  
22 facility that lies entirely within the tolerance zone.

1       Circumstances that are "beyond the reasonable control" of  
2 a party include, but are not limited to, severe weather,  
3 unforeseen mechanical issues, or site conditions. As used in  
4 Section 11, "beyond the reasonable control" also includes, but  
5 is not limited to, notice volumes or dig site notification  
6 areas that exceed historical averages, as determined by the  
7 reasonable control measurement, created as a result of  
8 underground utility facility owners or operators or their  
9 contractors or subcontractors' non-emergency requests for  
10 utility excavation work for underground utility facility  
11 owners or operators, that is not part of a large project that  
12 has provided at least 60 days notice, and only applies to the  
13 requests submitted by underground utility facility owners or  
14 operators or their contractors or subcontractors'  
15 non-emergency utility excavation work for underground utility  
16 facility owners or operators.

17       "Damage" means the contact or dislocation of a facility  
18 during excavation or demolition that necessitates immediate or  
19 subsequent repair by the underground utility facility owner or  
20 operator due to any partial or complete destruction of the  
21 facility, including, but not limited to, the protective  
22 coating, tracer wire, lateral support, cathodic protection, or  
23 housing for the line or device of the facility.

24       "Damage notification" means a notification through JULIE  
25 to the underground utility facility owner or operator that  
26 damage to a facility has occurred in the area of the excavation

1 or demolition.

2 "Day" means any day, beginning at 12:00 a.m. and ending at  
3 11:59 p.m. "Day" does not include holidays recognized by  
4 JULIE, Saturdays, Sundays, and the day of the actual notice.

5 "Demolition" means the wrecking, razing, rending, moving,  
6 or removing of a structure by means of any power tool, power  
7 equipment (exclusive of transportation equipment), or  
8 explosives.

9 "Emergency request" means a request involving a condition  
10 (1) that constitutes an imminent danger to life, health, or  
11 property or a utility service outage (2) and that requires  
12 repair or action before the expiration of 2 days.

13 "Excavation" means:

14 (1) any operation in which earth, rock, or other  
15 material in or on the ground is moved, removed, or  
16 otherwise displaced by means of any tools, power equipment  
17 or explosives, and includes, without limitation, grading,  
18 trenching, digging, ditching, drilling, augering, boring,  
19 tunneling, scraping, cable or pipe plowing, saw cutting or  
20 roadway surface milling when penetrating into the base or  
21 subbase of a paved surface, and driving, but does not  
22 include:

23 (A) farm tillage operations;

24 (B) railroad right-of-way maintenance;

25 (C) coal mining operations regulated under the  
26 federal Surface Mining Control and Reclamation Act of

1           1977 or any State law or rules or regulations adopted  
2           under the federal statute;

3           (D) land surveying operations as defined in the  
4           Illinois Professional Land Surveyor Act of 1989 when  
5           not using power equipment;

6           (E) roadway surface milling;

7           (F) manually inserting, without the use of power  
8           equipment, a temporary round-tipped ground or probe  
9           rod as part of facility locating;

10          (G) manually inserting, without the use of power  
11          equipment, a temporary round-tipped probe rod for bar  
12          holing to determine the area of a potential leak from a  
13          facility transporting hazardous gases or liquids; or

14          (H) manually inserting, without the use of power  
15          equipment, a round-tipped ground rod for the purpose  
16          of grounding utility equipment when an emergency  
17          exists and no other ground source is available.

18          (2) An exclusion to this Section in no way prohibits a  
19          request from being made for the marking of facilities.

20          (3) Any exception to excavation contained within this  
21          Section is not intended to remove liability that may be  
22          imposed against an individual or entity because of damage  
23          caused to a facility.

24          "Excavator" means any person or legal entity, public or  
25          private, that engages in excavation or demolition work.

26          "Exposed notification" means a notification through JULIE

1 to the underground utility facility owner or operator that an  
2 unmarked facility has been exposed in the area of the  
3 excavation or demolition but has not been damaged.

4 "Extension" means a request made by an excavator, to  
5 extend the expiration date of a normal notice to allow  
6 additional time to continue or complete the excavation or  
7 demolition project.

8 (1) An extension request may be made no earlier than  
9 the 20th day from the initial normal notice request or  
10 latest extension request.

11 (2) An extension request shall extend the expiration  
12 of the initial normal notice request or latest extension  
13 request by 25 days.

14 (3) An extension request may not be made simply to  
15 keep a prior notice open without continued excavation  
16 occurring within the period of that subsequent notice.

17 "Geographic information system data" means data to be  
18 applied to JULIE software to facilitate a more clearly defined  
19 notification area for notices sent to the system underground  
20 utility facility owners or operators. "Geographic information  
21 system data" includes, but is not limited to:

22 (1) address points with site addresses;

23 (2) parcels with site addresses;

24 (3) road center lines with names and address range;

25 (4) city limits with names;

26 (5) political townships with names;

- 1           (6) railroads with names;  
2           (7) streams with names; and  
3           (8) water bodies with names.

4           "Historical averages" are used to determine benchmark  
5 notice volumes or dig site notification areas for a particular  
6 place. The notice volume is calculated for new and updated  
7 requests requiring an underground utility facility owner or  
8 operator response. It shall not include notices with a header  
9 of noshow, incomplete, or noremark. The dig site notification  
10 area is calculated using the dig site polygon on the notice.  
11 The 7 day look back shall be calculated once daily at the  
12 conclusion of the previous calendar day. "Historic averages"  
13 shall be determined by comparing notice volumes or dig site  
14 notification areas over the immediate past 7 calendar days to  
15 the same 7 calendar day period for the past 5 years. A 5-year  
16 trimmed mean, removing the highest and lowest years, and  
17 averaging the remaining 3 years, shall be the final  
18 determinate of this measurement. The official measurement of  
19 the notice volumes or dig site notification areas shall be  
20 provided by JULIE.

21           "Incomplete request" means a notice initiated by an  
22 excavator through JULIE to the underground utility facility  
23 owners or operators notified in a prior request that such  
24 underground utility facility owners or operators, as  
25 identified by the excavator and confirmed, through the  
26 positive response system once implemented, in accordance with

1 subsection (a) of Section 5.1, did not completely mark the  
2 entire extent or the entire segment of the proposed  
3 excavation, as identified on the prior notice or as previously  
4 documented and mutually agreed upon.

5 "Joint meet notification" means a notice of a meeting held  
6 prior to the excavation phase to discuss projects that cannot  
7 be adequately communicated within a normal notice request. The  
8 meeting is intended to allow the exchange of maps, plans, or  
9 schedules. It is not a locating session and shall be held at or  
10 near the excavation site, or through electronic means, if  
11 available and agreed to by all parties. "Joint meet  
12 notification" are not to be used in lieu of valid normal notice  
13 requests and are required for, but not limited to, large  
14 projects.

15 "JULIE, Inc." or "JULIE" means the communication system  
16 known as "JULIE, Inc." or "JULIE", utilized by excavators,  
17 designers, or any other entities covered by this Act to notify  
18 underground utility facility owners or operators of their  
19 intent to perform excavation or demolition or similar work as  
20 defined by this Act and shall include all underground utility  
21 facilities owned or operated outside the city limits of the  
22 City of Chicago.

23 "Large project" means a single excavation that exceeds the  
24 expiration date of a normal notice request, or involves a  
25 series of repetitive, related-scope excavations.

26 "Normal notice request" means a notification made by an

1 excavator, through JULIE, in advance of a planned excavation  
2 or demolition.

3 (1) The notification shall be made at least 2 days,  
4 but no more than 10 days, before beginning the planned  
5 excavation or demolition.

6 (2) Excavation or demolition on a normal notice  
7 request is valid for 25 days from the date of the initial  
8 request unless a subsequent extension request is made.

9 (3) Normal notice requests shall be limited to one  
10 quarter of a contiguous mile within a municipality and one  
11 contiguous mile within any unincorporated area, which  
12 includes townships.

13 (4) Normal notice requests are valid for a single  
14 right-of-way with an exception for intersecting  
15 rights-of-way of 250 feet in all directions. Any  
16 excavation continuing beyond 250 feet on a connecting  
17 right-of-way shall require an additional request.

18 "No show request" means a notice initiated by an excavator  
19 through JULIE to the underground utility facility owners or  
20 operators notified in the prior notice that such underground  
21 utility facility owners or operators, as identified by the  
22 excavator and confirmed, once implemented, in accordance with  
23 subsection (a) of Section 5.1, either failed to mark their  
24 facilities or to communicate their non-involvement with the  
25 excavation prior to the dig start date and time on the notice.

26 "Notice" means any record transmitted to an underground



1 utility facility owner or operator of JULIE which shall  
2 include, but not be limited to, cancel, damage, emergency,  
3 exposed, extension, incomplete, joint meet, no show, normal,  
4 planning design, or re-mark.

5 "Open cut utility locate" means a method of locating  
6 facilities that requires excavation by the underground utility  
7 facility owner or operator, or their contractor or  
8 subcontractor.

9 "Place" means any incorporated city, village or town, or  
10 unincorporated township or road district, listed within the  
11 JULIE database.

12 "Planning design request" means the process prior to the  
13 excavation phase of a project where information is gathered  
14 and decisions are made regarding the route or location of a  
15 proposed excavation. The use of the information that is  
16 obtainable pursuant to this Section is intended to minimize  
17 delays of future construction projects and not for imminent  
18 excavation. The underground utility facility owner or operator  
19 may indicate any portion of the information that is  
20 proprietary and require the planner or designer to protect the  
21 proprietary information.

22 "Positive response system" means an automated system  
23 facilitated by JULIE allowing underground utility facility  
24 owners or operators to communicate to an excavator the  
25 presence, absence, or response status of any conflict between  
26 the existing facilities in or near the area of excavation or

1 demolition on each notice received.

2 "Pre-mark" means the use of white paint, chalk, lathe,  
3 whiskers, flags, or electronic white lining using lines or  
4 polygons to delineate the work area at the site of the proposed  
5 excavation or demolition. Unless otherwise stated on the  
6 request, all pre-marks are considered a request for a 5-foot  
7 radius of an above ground fixed structure or single point  
8 pre-mark, or a 10-foot-wide path for linear work.

9 (1) Physical pre-marking for the area of the planned  
10 excavation or demolition shall be accomplished prior to  
11 notifying JULIE if the area of excavation cannot be  
12 clearly and adequately identified in the normal notice  
13 request.

14 (2) Electronic white lining may be used when  
15 available. Electronic white lining provides an alternative  
16 method where an excavator may indicate their defined dig  
17 area visually by electronic data entry, including lines or  
18 polygons, without the need for a physical site visit. The  
19 technology allows the excavator to identify for the  
20 underground utility facility owner or operator a clear  
21 delineation of their proposed excavation area.

22 (3) A verbal or written pre-mark is adequate when the  
23 scope requested to be marked is narrow and explicit enough  
24 to prevent marking beyond the actual area of excavation or  
25 demolition. An existing above ground fixed structure may  
26 be referenced as a verbal or written pre-mark.

1       "Project owner" means the person or legal entity, public  
2 or private, that is financially responsible for the  
3 undertaking of a project that involves excavation or  
4 demolition.

5       "Reasonable control measurement" shall use the historical  
6 averages and add to the calculation either of the following  
7 conditions that shall be met for the place to be considered  
8 beyond the reasonable control of the underground utility  
9 facility owner or operator:

10           (1) the total notice volume count over the previous 7  
11 calendar days shall increase by more than 15% of the  
12 historic average, and increase by not less than 25  
13 additional notices over the previous 7 calendar days; or

14           (2) the total dig site notification area over the  
15 previous 7 calendar days shall increase by more than 15%  
16 of the historic average, and not less than 0.4 additional  
17 square miles over the previous 7 calendar days.

18       The official measurement shall be provided by JULIE.

19       "Residential property owner" means any individual or  
20 entity that owns or leases real property that is used by the  
21 individual or entity as its residence or dwelling. Residential  
22 property owner does not include any persons who own or lease  
23 residential property for the purpose of holding or developing  
24 such property or for any other business or commercial  
25 purposes.

26       "Roadway surface milling" means the removal of a uniform

1 pavement section by rotomilling, grinding, saw cutting, or  
2 other means that does not penetrate into the roadway base or  
3 subbase.

4 "Service lateral" means underground facilities located in  
5 a public right-of-way or utility easement that connects an end  
6 user's building or property to an underground utility facility  
7 owner's or operator's facility.

8 "Submerged" means any facility installed below the surface  
9 of a lake, river, or navigable waterway.

10 "Tolerance zone" means:

11 (1) if the diameter of the underground utility  
12 facility is indicated, the distance of one-half of the  
13 known diameter plus one and one-half feet on either side  
14 of the designated center line of the underground utility  
15 facility marking;

16 (2) if the diameter of the underground utility  
17 facility is not indicated, one and one-half feet on either  
18 side of the outside edge of the underground utility  
19 facility marking; or

20 (3) if submerged, a distance of 30 feet on either side  
21 of the indicated facility.

22 The underground utility facility markings provided  
23 shall not indicate that the width of the marked  
24 underground utility facility is any greater than the  
25 actual width of the underground utility facility or 2  
26 inches, whichever is greater. The tolerance zone shall

1 also apply to visible utility structures, including, but  
2 not limited to, poles with overhead to underground  
3 transitions, pedestals, transformers, meters, hydrants,  
4 and valve boxes. There shall be a one and one-half foot  
5 tolerance zone horizontally around such facilities.

6 "Underground utility facility" or "facility" means and  
7 includes wires, ducts, fiber optic cable, conduits, pipes,  
8 sewers, and cables and their connected appurtenances installed  
9 or existing beneath the surface of the ground or submerged and  
10 either owned, operated, or controlled by:

11 (1) a public utility as defined in the Public  
12 Utilities Act;

13 (2) a municipally owned or mutually owned utility  
14 providing a similar utility service;

15 (3) a pipeline entity transporting gases, crude oil,  
16 petroleum products, or other hydrocarbon materials within  
17 the State;

18 (4) a telecommunications carrier as defined in the  
19 Universal Telephone Service Protection Law of 1985, or by  
20 a company described in Section 1 of the Telephone Company  
21 Act;

22 (5) a community antenna television system, as defined  
23 in the Illinois Municipal Code or the Counties Code;

24 (6) a holder or broadband service, as those terms are  
25 defined in the Cable and Video Competition Law of 2007;

26 (7) any other entity owning or operating underground

1 facilities that transport or generate electrical power to  
2 other utility owners or operators;

3 (8) an electric cooperative as defined in the Public  
4 Utilities Act; and

5 (9) any other active member of JULIE.

6 (Source: P.A. 94-623, eff. 8-18-05.)

7 (220 ILCS 50/3) (from Ch. 111 2/3, par. 1603)

8 Sec. 3. JULIE Membership. The owners or operators of  
9 underground utility facilities are required to be members of  
10 JULIE. JULIE shall require that all facility information  
11 needed to operate JULIE within each underground utility  
12 facility owner's or operator's domain be identified and  
13 provided by the underground utility facility owner or operator  
14 to JULIE ~~or CATS facilities that are not currently~~  
15 ~~participants in the State Wide One Call Notice System shall,~~  
16 ~~within 6 months of the effective date of this Act, join the~~  
17 ~~State Wide One Call Notice System. This Section shall not~~  
18 ~~apply to utilities operating facilities or CATS facilities~~  
19 ~~exclusively within the boundaries of a municipality with a~~  
20 ~~population of at least one million persons.~~

21 (Source: P.A. 86-674.)

22 (220 ILCS 50/4) (from Ch. 111 2/3, par. 1604)

23 Sec. 4. Required activities. Every excavator ~~person~~ who  
24 engages in nonemergency excavation or demolition shall:

1 (a) take reasonable action to inform the excavator  
2 ~~himself~~ of the location of any ~~underground utility~~  
3 facilities in and near the area for which such operation  
4 is to be conducted;

5 (b) plan the excavation or demolition to avoid or  
6 minimize interference with ~~underground utility~~ facilities  
7 within the tolerance zone by utilizing such precautions  
8 that include, but are not limited to, hand or excavation,  
9 vacuum excavation methods to the depth of the proposed  
10 excavation or demolition, and visually inspecting the  
11 excavation while in progress until clear of the  
12 approximate location of the existing marked facility;

13 (c) pre-mark the area of excavation ~~if practical, use~~  
14 ~~white paint, flags, stakes, or both, to outline the dig~~  
15 ~~site;~~

16 (d) provide notice not less than 2 days ~~48 hours~~ but no  
17 more than 10 ~~14 calendar~~ days in advance of the start of  
18 the excavation or demolition to the owners or operators of  
19 the underground utility facilities at or in ~~and~~ near the  
20 excavation or demolition area through JULIE ~~the State-Wide~~  
21 ~~One-Call Notice System or, in the case of nonemergency~~  
22 ~~excavation or demolition within the boundaries of a~~  
23 ~~municipality of at least one million persons which~~  
24 ~~operates its own one-call notice system, through the~~  
25 ~~one-call notice system which operates in that~~  
26 ~~municipality.~~

1           At a minimum, the notice required under this  
2 subsection (d) shall provide:

3           (1) the excavator's ~~person's~~ name, address, phone  
4 number at which the excavator ~~a person~~ can be reached,  
5 and ~~fax number~~, if available, a fax number and email  
6 address;

7           (2) the start date and time of the planned  
8 excavation or demolition;

9           (3) the county and place or places ~~all counties,~~  
10 ~~cities, or townships, or any combination thereof,~~  
11 where the proposed excavation shall take place;

12           (4) the address or location at which the  
13 excavation or demolition shall take place;

14           (5) the type of work, and extent, and description  
15 of the area where the excavation or demolition is to  
16 occur ~~of the work involved; and~~

17           (6) the section or quarter sections when the  
18 information in items (1) through (5) of this  
19 subsection (d) does not allow JULIE ~~the State Wide~~  
20 ~~One-Call-Notice-System~~ to determine the appropriate  
21 excavation or demolition site. This item (6) does not  
22 apply to residential property owners;

23           (7) an indication of whether directional boring or  
24 horizontal directional drilling will be used;

25           (8) an indication of whether the excavation will  
26 exceed 7 feet in depth;



1           (9) an indication of how the proposed excavation  
2           or demolition has been pre-marked;

3           (10) the identity of the project owner; and

4           (11) the latitude and longitude of the relevant  
5           area, if available.

6           The information specified in items (1) through (10) is  
7           still required when providing latitude and longitude;

8           (e) provide, during and following excavation or  
9           demolition, such support for existing ~~underground utility~~  
10          facilities in and near the excavation or demolition area  
11          as may be reasonably necessary for the protection of such  
12          facilities and known service laterals unless otherwise  
13          agreed to by the owner or operator of the underground  
14          facility or owners of any known service laterals;

15          (f) backfill all excavations in such manner and with  
16          such materials as may be reasonably necessary for the  
17          protection of existing ~~underground utility~~ facilities in  
18          and near the excavation or demolition area;

19          (g) ~~after February 29, 2004,~~ when the excavation or  
20          demolition project will extend past ~~29 calendar days from~~  
21          the 25-day expiration date of the original notice provided  
22          under clause (d) or a subsequent extension notice, if  
23          marks are requested, the excavator shall pre-mark prior to  
24          requesting any subsequent extension notice, ~~the excavator~~  
25          ~~shall provide a subsequent notice to the owners or~~  
26          ~~operators of the underground utility facilities in and~~

1 ~~near the excavation or demolition area through the~~  
2 ~~State Wide One Call Notice System or, in the case of~~  
3 ~~excavation or demolition within the boundaries of a~~  
4 ~~municipality having a population of at least 1,000,000~~  
5 ~~inhabitants that operates its own one call notice system,~~  
6 ~~through the one call notice system that operates in that~~  
7 ~~municipality informing utility owners and operators that~~  
8 ~~additional time to complete the excavation or demolition~~  
9 ~~project will be required. The notice will provide the~~  
10 ~~excavator with an additional 28 calendar days from the~~  
11 ~~date of the subsequent notification to continue or~~  
12 ~~complete the excavation or demolition project;~~

13 (h) exercise due care at all times to protect  
14 ~~underground utility~~ facilities and known service laterals.  
15 If, after proper notification through JULIE ~~the State Wide~~  
16 ~~One Call Notice System~~ and upon arrival at the site of the  
17 proposed excavation, the excavator observes clear evidence  
18 of the presence of an unmarked or incompletely marked  
19 facility ~~utility~~ in the area of the proposed excavation,  
20 the excavator shall provide subsequent notice through  
21 JULIE of the unmarked or incompletely marked area and  
22 shall not begin excavating until all affected facilities  
23 have been marked or 2 hours, whichever is shorter, unless  
24 a greater time is provided by the excavator through JULIE  
25 ~~after an additional call is made to the State Wide~~  
26 ~~One Call Notice System for the area.~~ The underground

1 utility facility owner or operator of the facility utility  
2 shall respond within 2 hours unless a greater time is  
3 provided by the excavator through JULIE ~~of the excavator's~~  
4 ~~call to the State Wide One Call Notice System; and~~

5 (i) when factors, including, but not limited to,  
6 weather, construction activity, or vandalism, at the  
7 excavation site have caused the facility utility markings  
8 to become faded or indistinguishable, the excavator shall  
9 pre-mark again and provide a re-mark request ~~an additional~~  
10 ~~notice~~ through JULIE ~~the State Wide One Call Notice System~~  
11 requesting that only the affected areas where excavation  
12 or demolition is to continue be re-marked. Underground  
13 utility facility Facility owners or operators must respond  
14 to the notice to re-mark by the dig start date and time on  
15 the notice; and ~~according to the requirements of Section~~  
16 ~~10 of this Act.~~

17 (j) for informational and planning purposes only,  
18 prior notice of large projects may be provided to  
19 underground utility facility owners or operators through  
20 JULIE greater than 10 days in advance of the large project  
21 commencing.

22 Nothing in this Section prohibits the use of any method of  
23 excavation if conducted in a manner that would avoid  
24 interference with ~~underground utility~~ facilities.

25 (Source: P.A. 96-714, eff. 1-1-10.)

1 (220 ILCS 50/4.1 new)

2 Sec. 4.1. Watch and protect.

3 (a) If, upon notice from JULIE, an underground utility  
4 facility owner or operator determines that the facility is  
5 within the proposed excavation area and the underground  
6 utility facility owner or operator desires to have an  
7 authorized representative present during excavation near the  
8 facility, the underground utility facility owner or operator  
9 shall contact the excavator prior to the dig start date and  
10 time provided on the notice to schedule a date and time for the  
11 underground utility facility owner or operator to be present  
12 when excavation will occur near the facility.

13 (b) All excavators shall comply with the underground  
14 utility facility owner's or operator's request to be present  
15 during excavation near a owner or operator's facilities. In  
16 lieu of having an authorized representative present, the  
17 underground utility facility owner or operator may choose to  
18 perform an open cut utility locate of the facility to expose  
19 its location. The underground utility facility owner or  
20 operator shall comply with the excavator's schedule for when  
21 excavation will occur near the facility.

22 (c) After excavation has started, if excavation near the  
23 underground utility facilities stops by more than one day and  
24 then recommences, the excavator shall establish direct contact  
25 with the underground utility facility owner or operator not  
26 less than one day prior to the excavation, each time the

1 excavation is to occur, to advise the underground utility  
2 facility owner or operator of the excavation taking place.

3 (d) Nothing in this Section shall prohibit an excavator  
4 from excavating prudently and carefully near the underground  
5 utility facility without the underground utility facility  
6 owner or operator present if the underground utility facility  
7 owner or operator waives the request to be present or to  
8 complete an open cut utility locate exposing the facility or  
9 is unable to comply with the excavator's schedule.

10 (220 ILCS 50/5.1 new)

11 Sec. 5.1. Positive response system.

12 (a) Beginning January 1, 2026, an excavator shall confirm  
13 through the positive response system prior to excavation or  
14 demolition that all underground utility facility owners or  
15 operators that are identified on the notice have provided a  
16 status update, responded, or marked or provided an all-clear  
17 notification.

18 (b) Beginning January 1, 2026, an underground utility  
19 facility owner or operator shall respond through the positive  
20 response system by the dig start date and time on the notice  
21 with an appropriate and accurate system code. A minimal delay  
22 not to exceed one hour or when the marking of the facilities is  
23 complete, whichever is longer, in reporting a system code in  
24 response to an emergency request shall not be a violation of  
25 this Section.

1       (c) If an underground utility facility owner or operator  
2 fails to respond or provide a status update through the  
3 positive response system by the dig start date and time on the  
4 notice, or a later time as otherwise agreed upon and submitted  
5 through the positive response system, JULIE shall transmit an  
6 additional notification to that underground utility facility  
7 owner or operator and shall continue to send out daily  
8 notifications until the positive response system receives a  
9 response confirming compliance with this Section.

10       (d) If an underground utility facility owner or operator  
11 fails to respond or provide a status update to the positive  
12 response system, the excavator may proceed after providing a  
13 no show or incomplete request through JULIE. The notified  
14 underground utility facility owners or operators shall respond  
15 by the dig start date and time on the notice.

16       (e) If all notified underground utility facility owners or  
17 operators have responded as "marked" or "clear" prior to the  
18 expiration of the dig start date and time on the notice, the  
19 wait time shall be considered expired and no additional wait  
20 time is required prior to commencing with the excavation or  
21 demolition work listed on the notice.

22       (220 ILCS 50/5.2 new)

23       Sec. 5.2. Planning design request.

24       (a) An underground utility facility owner or operator  
25 shall have the following responsibilities:

1           (1) respond to a valid planning design request within  
2           10 days after receiving the request or by such other date  
3           as shall be mutually agreed upon between the underground  
4           utility facility owner or operator and the designer or  
5           planner. The underground utility facility owner or  
6           operator shall provide information regarding the location,  
7           size, if greater than 1.5 inches in diameter, which shall  
8           be generically listed as communication, electric, gas,  
9           water, sewer, streetlight, or traffic control and if  
10           direct buried or in conduit or a duct package, of  
11           facilities based on the best information available to the  
12           underground utility facility owner or operator within the  
13           scope of the proposed project;

14           (2) respond to a planning design request in one of the  
15           following methods:

16           (A) provide the most current digital, KMZ file or  
17           shapefile, or paper drawings or prints, that are drawn  
18           to scale, when available, and include visible utility  
19           structures, including measurements from back of curb,  
20           sidewalk, edge of pavement, centerline of ditch,  
21           property lines, and other similar items;

22           (B) request the proposed plans or drawings from  
23           the designer or planner and illustrate the location of  
24           the underground utility facility owner's or operator's  
25           facilities, drawn to scale, and, if available, provide  
26           the type and size, as described in paragraph (1), of

1 the facilities, including visible structures on the  
2 plans;

3 (C) locate and mark the underground utility  
4 facility owner's or operator's facilities within the  
5 scope of the proposed project, as agreed to with the  
6 planner or designer;

7 (D) if the responding underground utility facility  
8 owner or operator is unable to comply with paragraph  
9 (A) or (B), then the underground utility facility  
10 owner or operator shall mark the facilities within the  
11 scope of the proposed project, as agreed to with the  
12 planner or designer; or

13 (E) if marking of infrastructure is the preferred  
14 or required response of the underground utility  
15 facility owner or operator, the underground utility  
16 facility owner or operator need only mark main line  
17 facilities or any service lines that would otherwise  
18 be considered main line due to size or type, as  
19 described in paragraph (1); and

20 (3) may charge a nominal fee to locate and mark the  
21 proposed project, as described in subparagraph (C) or (D)  
22 of paragraph (2).

23 (b) The planner or designer shall have the following  
24 responsibilities:

25 (1) follow the guidelines set forth in CI/ASCE 38-02  
26 Standard Guidelines for the Collection and Depiction of



1 Existing Subsurface Utility Data, as from time to time  
2 amended, when preparing plans or drawings;

3 (2) illustrate on all appropriate documents the  
4 position, size, and type, as described in paragraph (1) of  
5 subsection (a), of all known facilities obtained in the  
6 planning design request process and include the valid  
7 planning design request number provided by JULIE on any  
8 plans or drawings; and

9 (3) make all reasonable efforts to prepare the plans  
10 or drawings to minimize interference with known existing  
11 and proposed facilities in the proposed project area.

12 (c) A planning design request shall include the following  
13 information:

14 (1) name, address, telephone number, office and cell  
15 phone, and, if available, email address of the designated  
16 contact requesting the information;

17 (2) name, address, telephone number, office and cell  
18 phone, and, if available, email address of the project  
19 owner;

20 (3) the approximate date when the facility information  
21 is required; and

22 (4) the specific area requiring facility information  
23 by one or more of the following means:

24 (A) the county and place or places involved in the  
25 proposed project;

26 (B) street names involved in the proposed project

1 or the north, south, east, and west boundaries of the  
2 proposed project or the section number or numbers  
3 involved in the proposed project;

4 (C) latitude and longitude coordinates of the  
5 outside edges of the proposed project;

6 (D) digital data such as, but not limited to,  
7 shapefiles when technology and software allow; and

8 (E) the type of work projected to take place  
9 within the proposed project.

10 Any known site-specific facility information shall be made  
11 available to the project owner to be delivered to qualified  
12 bidders of the proposed project.

13 (220 ILCS 50/5.3 new)

14 Sec. 5.3. Joint meet notification.

15 (a) A joint meet notification shall include the following  
16 information:

17 (1) the excavator's name, address, phone number at  
18 which the excavator can be reached, and, if available, a  
19 fax number and email address;

20 (2) the county and place or places where the work will  
21 be performed;

22 (3) street names involved in the project or the north,  
23 south, east, and west boundaries of the project or the  
24 section number or numbers involved in the project;

25 (4) the date, time, and location where the joint meet

1 will take place, which shall be near the project site; and

2 (5) a minimum advance notice of the joint meet of 2  
3 days, but no more than 60 days prior to the planned start  
4 of excavation or demolition.

5 (b) Upon the receipt of a joint meet notification, an  
6 underground utility facility owner or operator shall attend  
7 the joint meet, either in-person or remotely, at the specified  
8 time and location. If there is a conflict between joint meet  
9 notifications, an excavator that provided a joint meet  
10 notification may receive a communication from an underground  
11 utility facility owner or operator requesting an alternate  
12 meeting time or date.

13 (c) When a joint meet notification occurs as part of a  
14 large project, the excavator shall notify the project owner  
15 and the designer or planner when and where the joint meet is to  
16 occur.

17 (d) Multiple joint meets shall be required in the case of a  
18 large project that extends into multiple places. The excavator  
19 shall schedule, at a minimum, one joint meet per place to  
20 accommodate travel restrictions of responding underground  
21 utility facility owners or operators. A single electronic  
22 meeting covering multiple places is also acceptable.

23 (e) Prior to the meeting, the excavator shall physically  
24 or electronically pre-mark the extent of the initial request  
25 for the proposed excavation area or route if normal notice  
26 requests are planned to be submitted with excavation beginning

1 after the minimum advance notice of 2 days after the joint  
2 meet. The minimum advance notice for a large project is 5 days.

3 (f) The individuals participating in the joint meet shall  
4 agree to their individual obligations consistent with the  
5 project. The underground utility facility owner or operator,  
6 along with the excavator involved, shall work in a cooperative  
7 manner to negotiate in good faith. These obligations may vary  
8 from project to project. The individuals participating at the  
9 joint meet shall have the flexibility to make decisions  
10 consistent with the project's parameters. The individuals  
11 participating in the joint meet are not required to set  
12 specific standards for all projects.

13 (g) The scope of the project shall be defined at the joint  
14 meet and specific project details, including, but not limited  
15 to, the number of phases, and the number of excavation crews  
16 working for the contractor or subcontractors, to the extent  
17 that the information can be determined.

18 (h) The size and number of normal notice requests agreed  
19 to be submitted at one time at the joint meet shall be  
20 documented by the excavator in the meeting notes and made  
21 available to those participating in the joint meet. Any  
22 mutually agreed upon initial or amended meeting notes shall,  
23 at a minimum, include: (1) the date and time of the  
24 interaction; (2) all names of the individuals involved, and  
25 (3) an acknowledgment by the individuals that agreed to the  
26 meeting notes. Meeting notes shall be retained by the

1 excavator through JULIE, Inc., for at least 5 years after the  
2 date of the joint meet.

3 (i) If an underground utility facility owner or operator  
4 fails to attend the joint meet and does not request an  
5 alternate time or date to meet prior to commencement of  
6 excavation, the excavator may proceed according to the  
7 agreement reached with those attending the meeting.

8 (j) Within 60 days after the joint meet, the excavator  
9 shall submit the normal notice requests consistent with the  
10 agreements reached at the joint meet.

11 (k) The initial normal notice requests submitted after the  
12 joint meet shall require a minimum of 2 days advance notice and  
13 5 days advance notice for large projects. All remaining normal  
14 notice requests shall be submitted in agreement with the joint  
15 meet schedule and provide a minimum advance notice of 2 days.  
16 The excavator shall not submit normal notice requests until  
17 after the joint meet.

18 (l) If the project start is delayed more than 60 days, or  
19 the scope of the project changes after the joint meet has been  
20 held and the locate schedule agreed to, a new joint meet  
21 notification shall be required.

22 (m) If an excavator creates multiple normal notice  
23 requests for a single project without a joint meet being held,  
24 an affected underground utility facility owner or operator may  
25 contact the excavator and recommend the excavator follow the  
26 joint meet process to assist in working out a locate schedule.

1 A notified excavator that fails to follow the joint meet  
2 process may realize delays in marking of facilities on their  
3 project. In accordance with subsection (e) of Section 10, a  
4 delay in marking is not necessarily deemed a violation of this  
5 Act.

6 (220 ILCS 50/5.4 new)

7 Sec. 5.4. Geographic information system data. Geographic  
8 information system data shall be provided to JULIE by any  
9 county or State agency that has provided substantially similar  
10 data to any other not-for-profit or State agency utilizing  
11 such data for public display of information or to be utilized  
12 by a not-for-profit or agency in the interest of public  
13 safety. This data shall be provided to JULIE at a cost not to  
14 exceed the actual cost of transmission of the data.

15 (220 ILCS 50/6) (from Ch. 111 2/3, par. 1606)

16 Sec. 6. Emergency excavation or demolition.

17 (a) Every excavator ~~person~~ who engages in emergency  
18 excavation or demolition ~~outside of the boundaries of a~~  
19 ~~municipality of at least one million persons which operates~~  
20 ~~its own one call notice system~~ shall take all reasonable  
21 precautions to avoid or minimize interference between the  
22 emergency work and existing ~~underground utility~~ facilities in  
23 and near the excavation or demolition area, ~~through the~~  
24 ~~State Wide One Call Notice System~~, and shall notify, as far in

1 advance as possible, the underground utility facility owners  
2 or operators ~~of such underground utility facilities~~ in and  
3 near the emergency excavation or demolition area, through  
4 JULIE ~~the State Wide One Call Notice System~~. At a minimum, the  
5 notice required under this subsection (a) shall provide:

6 (1) the excavator's ~~person's~~ name, address, and ~~(i)~~  
7 phone number at which the excavator with knowledge of the  
8 emergency excavation or demolition ~~a person~~ can be reached  
9 and ~~(ii) fax number, if available,~~ a fax number and email  
10 address;

11 (2) the start date and time of the ~~planned~~ emergency  
12 excavation or demolition;

13 (3) the address or location at which the emergency  
14 excavation or demolition will take place; ~~and~~

15 (4) the type of work, extent, and description of the  
16 area where the emergency excavation or demolition is to  
17 occur; and

18 (5) the county and place or places where the emergency  
19 excavation or demolition will take place ~~and extent of the~~  
20 ~~work involved.~~

21 (b) There is a minimum wait time of 2 hours ~~or the date and~~  
22 ~~time requested on the notice, whichever is longer,~~ after an  
23 emergency ~~locate notification~~ request is made through JULIE  
24 ~~the State Wide One Call Notice System~~. If the conditions at  
25 the site dictate an earlier start than the date and time on the  
26 notice ~~required wait time,~~ it is the responsibility of the

1 excavator to demonstrate that site conditions warranted this  
2 earlier start time.

3 (c) Upon notice by the excavator ~~person~~ engaged in  
4 emergency excavation or demolition, the underground utility  
5 facility owner or operator ~~owner or operator of an underground~~  
6 ~~utility facility~~ in or near the excavation or demolition area  
7 shall communicate with the excavator ~~person~~ engaged in  
8 emergency excavation or demolition within 2 hours or by the  
9 date and time requested on the notice, whichever is longer by:

10 (1) marking the approximate location of ~~underground~~  
11 facilities;

12 (2) advising the excavator ~~person excavating~~ that  
13 their ~~underground~~ facilities are not in conflict with the  
14 emergency excavation or demolition; or

15 (3) notifying the excavator ~~person excavating~~ that the  
16 underground utility facility owner or operator shall be  
17 delayed in marking because of conditions as referenced in  
18 subsection (g) of Section 11 of this Act.

19 (d) The notice by the underground utility facility owner  
20 or operator to the excavator shall be provided utilizing the  
21 positive response system, in accordance with Section 5.1, and  
22 prior to January 1, 2026 may also ~~person engaged in emergency~~  
23 ~~excavation or demolition may~~ be provided by phone or phone  
24 message or by marking the excavation or demolition area. The  
25 underground utility facility owner or operator has discharged  
26 the underground utility facility owner's or operator's



1 obligation to provide notice under this Section if the  
2 underground utility facility owner or operator attempts to  
3 provide notice by positive response or by telephone but is  
4 unable to do so because the excavator ~~person engaged in the~~  
5 ~~emergency excavation or demolition~~ does not answer the ~~his or~~  
6 ~~her~~ telephone or does not have an answering machine, ~~or~~  
7 answering service, or voicemail to receive the telephone call  
8 or positive response, in accordance with Section 5.1. If the  
9 underground utility facility owner or operator attempts to  
10 provide additional notice by telephone ~~or by facsimile~~ but  
11 receives a busy signal, that attempt shall not discharge the  
12 underground utility facility owner or operator from the  
13 obligation to provide notice under this Section.

14 ~~(b) Every person who engages in emergency excavation or~~  
15 ~~demolition within the boundaries of a municipality of at least~~  
16 ~~one million persons which operates its own one call notice~~  
17 ~~system shall take all reasonable precautions to avoid or~~  
18 ~~minimize interference between the emergency work and existing~~  
19 ~~underground utility facilities in and near the excavation or~~  
20 ~~demolition area, through the municipality's one call notice~~  
21 ~~system, and shall notify, as far in advance as possible, the~~  
22 ~~owners and operators of underground utility facilities in and~~  
23 ~~near the emergency excavation or demolition area, through the~~  
24 ~~municipality's one call notice system.~~

25 (e) ~~(e)~~ The reinstallation of traffic control devices  
26 shall be deemed an emergency for purposes of this Section.

1        (f) ~~(d)~~ An open cut utility locate shall be deemed an  
2 emergency for purposes of this Section.

3        (g) During an emergency situation, where the underground  
4 utility facility owner or operator has a widespread emergency  
5 situation beyond the equipment or personnel capabilities to  
6 facilitate a timely repair or correction of the emergency, the  
7 underground utility facility owner or operator may utilize  
8 subcontractors to facilitate the work without a separate  
9 emergency notice by the subcontractor. The underground utility  
10 facility owner or operator shall be responsible for the  
11 actions of the subcontractor, unless the subcontractor has  
12 obtained the subcontractor's own emergency notice.

13        (h) Emergency notices provided through JULIE shall expire  
14 10 days after the date of the notice.

15        (Source: P.A. 96-714, eff. 1-1-10.)

16        (220 ILCS 50/7) (from Ch. 111 2/3, par. 1607)

17        Sec. 7. Damage or dislocation.

18        (a) In the event of any damage to or dislocation of any  
19 ~~underground utility~~ facilities in connection with any  
20 excavation or demolition, emergency or nonemergency, the  
21 excavator person responsible for the excavation or demolition  
22 operations shall immediately notify the affected underground  
23 utility facility owner or operator and JULIE ~~utility and the~~  
24 ~~State Wide One Call Notice System~~ and cease excavation in the  
25 area of the damage when the damaged facility is a threat to

1 life or property or if otherwise required by law ~~or, in the~~  
2 ~~ease of damage or dislocation in connection with any~~  
3 ~~excavation or demolition within the boundaries of a~~  
4 ~~municipality having a population of at least 1,000,000~~  
5 ~~inhabitants that operates its own one call notice system,~~  
6 ~~notify the affected utility and the one call notice system~~  
7 ~~that operates in that municipality.~~

8 (b) The excavator ~~person~~ responsible for the excavation or  
9 demolition shall not attempt to repair, clamp, or constrict  
10 the damaged ~~utility~~ facility unless under the direct  
11 supervision or advisement of the underground utility facility  
12 owner or operator. At no time shall an excavator ~~a person~~ under  
13 this Act be required by an underground ~~a~~ utility facility  
14 owner or operator to attempt to repair, clamp, or constrict a  
15 damaged ~~utility~~ facility. In the event of any damage to any  
16 ~~underground utility~~ facility that results in the escape of any  
17 flammable, toxic, or corrosive gas or liquid, the excavator  
18 ~~person~~ responsible for the excavation or demolition shall call  
19 9-1-1 and notify authorities of the damage.

20 (c) Underground utility facility owners ~~Owners~~ and  
21 ~~operator of underground utility facilities~~ that are damaged,  
22 and the excavator involved, shall work in a cooperative and  
23 expeditious manner to repair the affected facility ~~utility~~.

24 (d) The underground utility facility owner or operator  
25 shall provide to JULIE a phone number with a dedicated  
26 extension, if applicable, that can be provided to the

1 excavator allowing immediate notification by the excavator to  
2 the underground utility facility owner or operator of the  
3 potential damage.

4 (e) At a minimum, the notice required under this Section  
5 shall provide:

6 (1) a reference to the original excavation or  
7 demolition notice, if one exists;

8 (2) the type of facility damaged, if known;

9 (3) the name of the affected underground utility  
10 facility owner or operator, if known; and

11 (4) the location of the damaged facility at the  
12 excavation or demolition site.

13 (Source: P.A. 96-714, eff. 1-1-10.)

14 (220 ILCS 50/7.5 new)

15 Sec. 7.5. Exposed facility.

16 (a) If any previously unmarked facility is exposed during  
17 excavation or demolition, emergency or nonemergency, the  
18 excavator responsible for the excavation or demolition  
19 operations shall immediately notify JULIE.

20 (b) At a minimum, the notice required under this Section  
21 shall provide:

22 (1) a reference to the original excavation or  
23 demolition notice, if one exists;

24 (2) the type of exposed facility, if known;

25 (3) the name of the affected underground utility

1 facility owner or operator, if known; and

2 (4) the location of the exposed facility at the  
3 excavation or demolition site.

4 (220 ILCS 50/8) (from Ch. 111 2/3, par. 1608)

5 Sec. 8. Liability or financial responsibility.

6 (a) Nothing in this Act shall be deemed to affect or  
7 determine the financial responsibility for any operation under  
8 this Act or liability of any entity or individual ~~person~~ for  
9 any damages that occur unless specifically stated otherwise.

10 (b) Nothing in this Act shall be deemed to provide for  
11 liability or financial responsibility of the Department of  
12 Transportation, its officers and employees concerning any  
13 ~~underground utility facility or CATS~~ facility located on  
14 highway right-of-way by permit issued under the provisions of  
15 Section 9-113 of the Illinois Highway Code. It is not the  
16 intent of this Act to change any remedies in law regarding the  
17 duty of providing lateral support.

18 (c) Neither JULIE ~~the State Wide One Call Notice System~~  
19 nor any of its officers, agents, or employees shall be liable  
20 for damages for injuries or death to persons or damage to  
21 property caused by acts or omissions in the receipt,  
22 recording, or transmission of notices ~~locate requests~~ or other  
23 information in the performance of its duties as JULIE ~~the~~  
24 ~~State Wide One Call Notice System~~, unless the act or omission  
25 was the result of willful and wanton misconduct.

1 (d) Any residential property owner who fails to comply  
2 with any provision of this Act and damages ~~underground utility~~  
3 ~~facilities or CATS~~ facilities while engaging in excavation or  
4 demolition on such residential property shall not be subject  
5 to a penalty under this Act, but shall be liable for the damage  
6 caused to the underground utility facility owners or operators  
7 ~~owner or operator of the damaged underground utility~~  
8 ~~facilities or CATS facilities.~~

9 (Source: P.A. 92-179, eff. 7-1-02.)

10 (220 ILCS 50/9) (from Ch. 111 2/3, par. 1609)

11 Sec. 9. Negligence.

12 (a) When it is shown by competent evidence in any action  
13 for damages to ~~underground utility facilities or CATS~~  
14 facilities that such damages resulted from excavation or  
15 demolition and that the excavator ~~person~~ engaged in such  
16 excavation or demolition failed to comply with the provisions  
17 of this Act, that excavator ~~person~~ shall be deemed prima facie  
18 guilty of negligence.

19 (b) When it is shown by competent evidence in any action  
20 for damages to excavators ~~persons~~, material, or equipment  
21 brought by excavators ~~persons~~ undertaking excavation or  
22 demolition acting in compliance with the provisions of this  
23 Act that such damages resulted from the failure of underground  
24 utility facility owners or ~~and operators of underground~~  
25 ~~facilities or CATS facilities~~ to comply with the provisions of

1 this Act, those underground utility facility owners or ~~and~~  
2 operators shall be deemed prima facie guilty of negligence.

3 (Source: P.A. 86-674.)

4 (220 ILCS 50/10) (from Ch. 111 2/3, par. 1610)

5 Sec. 10. Record of notice; marking of facilities.

6 (a) Upon notice by the excavator ~~person engaged in~~  
7 ~~excavation or demolition,~~ the underground utility facility  
8 owners or operators ~~person owning or operating underground~~  
9 ~~utility facilities~~ in or near the excavation or demolition  
10 area shall cause a ~~written~~ record to be made of the notice and  
11 shall mark, ~~within 48 hours of receipt of notice or~~ by the dig  
12 start ~~requested~~ date and time indicated on the notice,  
13 ~~whichever is later,~~ the approximate locations of such  
14 facilities so as to enable the excavator ~~person excavating or~~  
15 ~~demolishing~~ to establish the location of the underground  
16 utility facilities.

17 For submerged facilities, when the owner or operator of  
18 the submerged facilities determines that a proposed excavation  
19 or demolition which could include anchoring, pile driving,  
20 dredging, or any other water bottom contact for any means  
21 performed is in proximity to or in conflict with, submerged  
22 facilities located under a lake, river, or navigable waterway,  
23 the owner or operator of the submerged facilities shall  
24 identify the estimated horizontal route of the submerged  
25 facilities, within 15 days or by a date and time mutually

1 agreed to, using marking buoys, other suitable devices, or GPS  
2 location data unless directed otherwise by an agency having  
3 jurisdiction over the waters under which the submerged  
4 facilities are located.

5 (b) Underground utility facility owners or ~~Owners and~~  
6 operators of ~~underground~~ sewer facilities ~~that are located~~  
7 ~~outside the boundaries of a municipality having a population~~  
8 ~~of at least 1,000,000 inhabitants~~ shall be required to respond  
9 and mark the approximate location of those sewer facilities  
10 when the excavator indicates, in the notice required in  
11 Section 4, that the excavation or demolition project will  
12 exceed a depth of 7 feet. "Depth", in this case, is defined as  
13 the distance measured vertically from the surface of the  
14 ground to the top of the sewer facility.

15 (c) Underground utility facility owners or operators of  
16 ~~Owners and operators of underground~~ sewer facilities ~~that are~~  
17 ~~located outside the boundaries of a municipality having a~~  
18 ~~population of at least 1,000,000 inhabitants~~ shall be required  
19 at all times to mark ~~locate~~ the approximate location of those  
20 sewer facilities when:

21 (1) directional boring is the indicated type of  
22 excavation work being performed within the notice;

23 (2) the ~~underground~~ sewer facilities owned are  
24 non-gravity, pressurized force mains; or

25 (3) the excavation indicated will occur in the  
26 immediate proximity of known ~~underground~~ sewer facilities



1 that are less than 7 feet deep.

2 (d) Underground utility facility owners ~~Owners~~ or  
3 operators of ~~underground~~ sewer facilities ~~that are located~~  
4 ~~outside the boundaries of a municipality having a population~~  
5 ~~of at least 1,000,000 inhabitants~~ shall not hold an excavator  
6 liable for damages that occur to sewer facilities that were  
7 not required to be marked under this Section, provided that  
8 prompt notice of known ~~the~~ damage is made to JULIE ~~the~~  
9 ~~State Wide One Call Notice System~~ and the underground utility  
10 facility owners or operators ~~utility owner~~ as required in  
11 Section 7.

12 (e) All entities ~~persons~~ subject to the requirements of  
13 this Act shall plan and conduct their work consistent with  
14 reasonable business practices.

15 (1) Conditions may exist making it unreasonable to  
16 request that locations be marked by the dig start ~~within~~  
17 ~~48 hours or by the requested~~ date and time indicated on the  
18 notice, ~~whichever is later~~.

19 (A) In such situations, the excavator and the  
20 underground utility facility owner or operator shall  
21 interact in good faith to establish a mutually  
22 agreeable date and time for the completion of the  
23 request.

24 (B) All mutually agreed upon modifications to the  
25 dig start date and time shall be fully documented by  
26 the underground utility facility owner or operator and

1 include, at a minimum, the date and time of the  
2 interaction, the names of the individuals involved,  
3 and acknowledgment by the individuals that agreed to  
4 the modification and the new dig start date and time  
5 that was mutually agreed upon by both parties. The  
6 underground utility facility owner or operator shall  
7 retain through JULIE, Inc., the documentation for at  
8 least 5 years after the date of the expiration of the  
9 notice.

10 (2) It is unreasonable to request underground utility  
11 facility owners or ~~and~~ operators ~~of underground utility~~  
12 ~~facilities~~ to mark locate all of their facilities in an  
13 affected area upon short notice in advance of a large ~~or~~  
14 ~~extensive~~ nonemergency project. ~~or~~

15 (3) It is unreasonable to request extensive notices  
16 ~~locates~~ in excess of a reasonable excavation or demolition  
17 work schedule. ~~or~~

18 (4) It is unreasonable to request notices locates  
19 under conditions where a repeat request is likely to be  
20 made because of the passage of time or adverse job  
21 conditions.

22 (5) During periods where the notice volumes or dig  
23 site notification areas exceed the historical averages as  
24 determined by the reasonable control measurements for the  
25 place, only those additional non-emergency requests that  
26 are not part of a large project, when that large project

1 has been submitted at least 60 days in advance of the start  
2 of the large project by underground utility facility  
3 owners or operators or their contractors or subcontractors  
4 for excavation work for the underground utility facility  
5 owners or operators within the place, may be subject to a  
6 request from the underground utility facility owner or  
7 operator or the owner or operator's locate contractors or  
8 subcontractors for an additional wait time of up to 2 days  
9 for the underground utility facility owner or operator,  
10 whether utilizing in-house or contract locators, to  
11 respond to locate and mark, or provide a no conflict  
12 response. It is the responsibility of the requesting  
13 underground utility facility owner or operator to document  
14 any modification as outlined in paragraph (1) of  
15 subsection (e) of Section 10.

16 (f) Underground utility facility owners or ~~Owners and~~  
17 operators, whether utilizing in-house or contract locators,  
18 and the owner or operator's locate contractors or  
19 subcontractors ~~of underground utility facilities~~ must  
20 reasonably anticipate seasonal fluctuations in the number of  
21 notices ~~locate requests~~ and staff accordingly.

22 Seasonal fluctuations shall not be considered within the  
23 reasonable control of underground utility facility owners or  
24 operators and the owner or operator's locate contractors or  
25 subcontractors within a place or places, when the notice  
26 volumes exceed the historical averages as determined by the

1 reasonable control measurement, for non-emergency requests for  
2 utility excavation work for underground utility facility  
3 owners or operators, that is not part of a large project that  
4 has provided at least a 60 day advance notice.

5 Only utility excavators when doing utility work may be  
6 impacted by this subsection and may incur an additional wait  
7 time of up to 2 days.

8 (g) If an underground utility facility owner or operator a  
9 ~~person owning or operating underground utility facilities~~  
10 receives a notice under this Section but does not own or  
11 operate any ~~underground utility~~ facilities within the proposed  
12 excavation or demolition area described in the notice, that  
13 underground utility facility owner or operator, by the dig  
14 start date and time on the notice ~~person, within 48 hours or by~~  
15 ~~the requested date and time indicated on the notice, whichever~~  
16 ~~is later, after receipt of the notice,~~ shall so notify the  
17 excavator who initiated the notice in accordance with Section  
18 5.1, and prior to January 1, 2026, may ~~person engaged in~~  
19 ~~excavation or demolition who initiated the notice, unless the~~  
20 ~~person who initiated the notice expressly waives the right to~~  
21 ~~be notified that no facilities are located within the~~  
22 ~~excavation or demolition area. The notification by the owner~~  
23 ~~or operator of underground utility facilities to the person~~  
24 ~~engaged in excavation or demolition may be provided in any~~  
25 reasonable manner including, but not limited to, notification  
26 in any one of the following ways:

- 1           (1) by face-to-face communication;
- 2           (2) by phone or phone message;
- 3           (3) by facsimile or email;
- 4           (4) by posting in the excavation or demolition area;
- 5           or
- 6           (5) by marking the excavation or demolition area.

7           (h) The underground utility facility owner or operator ~~of~~  
8 ~~those facilities~~ has discharged the underground utility  
9 facility owner's or operator's obligation to provide notice  
10 under this Section if the underground utility facility owner  
11 or operator attempts to provide notice utilizing the positive  
12 response system, in accordance with Section 5.1, and prior to  
13 January 1, 2026, by:

14           (1) telephone ~~or by facsimile, if the person has~~  
15 ~~supplied a facsimile number, but is unable to do so~~  
16 because the excavator ~~person engaged in the excavation or~~  
17 ~~demolition~~ does not answer the ~~his or her~~ telephone and ~~or~~  
18 does not have the ability to receive telephone messages;

19           (2) facsimile, if the excavator has supplied a  
20 facsimile number and does not have a facsimile machine in  
21 operation to receive the facsimile transmission; or

22           (3) email, if the excavator has supplied an email  
23 address and the message is electronically undeliverable ~~an~~  
24 ~~answering machine or answering service to receive the~~  
25 ~~telephone call or does not have a facsimile machine in~~  
26 ~~operation to receive the facsimile transmission.~~

1           If the underground utility facility owner or operator  
2 attempts to provide additional notice by telephone or by  
3 facsimile but receives a busy signal, that attempt shall not  
4 serve to discharge the underground utility facility owner or  
5 operator of the obligation to provide notice under this  
6 Section.

7           (i) Any excavator or legal entity, public or private, who,  
8 on or after January 1, 2026, installs a nonconductive service  
9 lateral shall ensure that the installation is locatable by  
10 electromagnetic means or other equally effective means for  
11 marking the location of the service lateral. This subsection  
12 does not apply to minor repairs to, or partial replacements  
13 of, service laterals installed prior to January 1, 2026.

14           ~~A person engaged in excavation or demolition may expressly~~  
15 ~~waive the right to notification from the owner or operator of~~  
16 ~~underground utility facilities that the owner or operator has~~  
17 ~~no facilities located in the proposed excavation or demolition~~  
18 ~~area. Waiver of notice is only permissible in the case of~~  
19 ~~regular or nonemergency locate requests. The waiver must be~~  
20 ~~made at the time of the notice to the State Wide One Call~~  
21 ~~Notice System. A waiver made under this Section is not~~  
22 ~~admissible as evidence in any criminal or civil action that~~  
23 ~~may arise out of, or is in any way related to, the excavation~~  
24 ~~or demolition that is the subject of the waiver.~~

25           (j) For the purposes of this Act, the following color  
26 coding shall be used to mark the approximate location of

1 facilities by the underground utility facility owners or  
 2 operators who ~~underground facility operators~~ may utilize a  
 3 combination of flags, lathe with colored ribbon, chalk,  
 4 whiskers, or stakes, and paint as ~~when possible on non-paved~~  
 5 ~~surfaces and when~~ dig site and seasonal conditions warrant. ~~If~~  
 6 ~~the approximate location of an underground utility facility is~~  
 7 ~~marked with stakes or other physical means, the following~~  
 8 ~~color coding shall be employed:~~

9 ~~Underground Facility~~ type Identification Color

10 Underground utility facility owner or  
 11 operator or contract locator use only  
 12 ~~Facility Owner or Agent Use Only~~

13  
 14 Electric Power, Distribution and

15 Transmission ..... Safety Red

16 Municipal Electric Systems ..... Safety Red

17 Gas Distribution and Transmission ..... High Visibility

Safety Yellow

18 Oil Distribution and Transmission ..... High Visibility

Safety Yellow

19 Communication Systems ..... Safety Alert Orange

20 ~~Telephone and Telegraph Systems~~ ..... ~~Safety Alert Orange~~

21 ~~Community Antenna Television Systems~~ .. ~~Safety Alert Orange~~

- 1 Water Systems ..... Safety Precaution  
Blue
- 2 Sewer Systems ..... Safety Green
- 3 Non-potable Water and Slurry Lines .... Safety Purple
- 4
- 5 Excavator Use Only
- 6
- 7 Temporary Survey ..... Safety Pink
- 8 Proposed Excavation..... Safety White (Black  
9 when snow is on the  
ground)

10 (Source: P.A. 96-714, eff. 1-1-10.)

11 (220 ILCS 50/11) (from Ch. 111 2/3, par. 1611)

12 Sec. 11. Penalties; liability; fund.

13 (a) Every excavator ~~person~~ who, while engaging in  
 14 excavation or demolition, willfully ~~wilfully~~ fails to comply  
 15 with the Act by failing to provide the notice to the  
 16 underground utility facility owners or operators in and ~~of the~~  
 17 ~~underground facilities~~ near the excavation or demolition area  
 18 through JULIE ~~the State Wide One Call Notice System~~ as  
 19 required by Section 4, 5, or 6 of this Act shall be subject to  
 20 a penalty of not more than ~~up to~~ \$5,000 for each separate  
 21 offense and shall be liable for the damage caused to the  
 22 underground utility facility owners or operators ~~of the~~  
 23 ~~facility~~. Every excavator ~~person~~ who fails to provide notice



1 and willfully fails to comply with other provisions of this  
2 Act shall be subject to additional penalties of not more than  
3 ~~up to~~ \$2,500 for each separate offense and shall be liable for  
4 the damage caused to the underground utility facility owners  
5 or operators ~~of the facility~~.

6 (b) Every excavator person who has provided the notice to  
7 the underground utility facility owners or operators ~~of the~~  
8 ~~underground utility facilities~~ in and near the excavation or  
9 demolition area through JULIE ~~the State Wide One Call Notice~~  
10 ~~System~~ as required by Section 4 or 6 of this Act, but otherwise  
11 willfully ~~wilfully~~ fails to comply with this Act, shall be  
12 subject to a penalty of not more than ~~up to~~ \$2,500 for each  
13 separate offense and shall be liable for the damage caused to  
14 the underground utility facility owners or operators ~~of the~~  
15 ~~facility~~.

16 (c) Every excavator person who, while engaging in  
17 excavation or demolition, has provided the notice to the  
18 underground utility facility owners or operators ~~of the~~  
19 ~~underground utility facilities~~ in and near the excavation or  
20 demolition area through JULIE ~~the State Wide One Call Notice~~  
21 ~~System~~ as required by Section 4 or 6 of this Act, but  
22 otherwise, while acting reasonably, damages any ~~underground~~  
23 ~~utility~~ facilities, shall not be subject to a penalty, but  
24 shall be liable for the damage caused to the underground  
25 utility facility owners or operators ~~of the facility~~ provided  
26 the ~~underground~~ utility facility is properly marked as

1 provided in Section 10 of this Act.

2 (d) Every excavator ~~person~~ who provides notice to the  
3 underground utility facility owners or operators ~~of the~~  
4 ~~underground utility facilities~~ through JULIE ~~the State-Wide~~  
5 ~~One Call Notice System~~ as a no show, incomplete, or an  
6 emergency ~~locate~~ request and the ~~locate~~ request is not a no  
7 show, incomplete, or an emergency ~~locate~~ request ~~as defined in~~  
8 ~~Section 2.6 of this Act~~ shall be subject to a penalty of not  
9 more than up to \$2,500 for each separate offense.

10 (e) Underground utility facility owners or operators  
11 ~~Owners and operators of underground utility facilities~~ who  
12 willfully fail to comply with this Act, unless otherwise  
13 stated in this Section, shall be subject to a penalty of not  
14 more than \$2,500 for each separate offense. A by a failure to  
15 respond or mark the approximate location of facilities by the  
16 dig start date and time on the notice ~~an underground utility~~ as  
17 required by subsection (h) of Section 4, subsection (c) ~~(a)~~ of  
18 Section 6, or Section 10 of this Act after being notified of  
19 planned or emergency excavation or demolition through JULIE  
20 ~~the State-Wide One Call Notice System~~, shall be subject to a  
21 penalty of not more than up to \$5,000 for each separate  
22 offense.

23 (1) Underground utility facility owners or operators  
24 who fail to provide a response to the positive response  
25 system by the dig start date and time on the notice, as  
26 required in subsection (b) of Section 5.1, on more than

1       10% of their weekly required responses for 4 or more  
2       consecutive weeks, shall be subject to a penalty of not  
3       more than \$250 for each separate offense.

4       (2) Underground utility facility owners or operators  
5       shall not be subject to a penalty where a delay in  
6       responding through the positive response system is caused  
7       by conditions beyond the reasonable control of such  
8       underground utility facility owners or operators.

9       (f) As provided in Section 3 of this Act, all underground  
10      utility facility owners or operators ~~of underground utility~~  
11      ~~facilities~~ who fail to join JULIE ~~the State Wide One Call~~  
12      ~~Notice System~~ by January 1, 2003 shall be subject to a penalty  
13      of \$100 per day for each separate offense. Every day an  
14      underground utility facility owner or operator fails to join  
15      JULIE ~~the State Wide One Call Notice System~~ is a separate  
16      offense. ~~This subsection (f) does not apply to utilities~~  
17      ~~operating facilities exclusively within the boundaries of a~~  
18      ~~municipality with a population of at least 1,000,000 persons.~~

19      (g) No underground utility facility owner or operator ~~of~~  
20      ~~underground utility facilities~~ shall be subject to a penalty  
21      where a delay in marking or a failure to mark or properly mark  
22      the location of a facility ~~an underground utility~~ is caused by  
23      conditions beyond the reasonable control of such underground  
24      utility facility owner or operator. It is the responsibility  
25      of the underground utility facility owners or operators to  
26      demonstrate how the condition affected their ability to

1 respond and caused it to become beyond the reasonable control.

2 Each underground utility facility owner or operator shall  
3 staff in a manner that such underground utility facility owner  
4 or operator can respond by the dig start date and time on the  
5 notices within the underground utility facility owner's or  
6 operator's reasonable control.

7 (h) Any entity that ~~person who~~ is neither an agent,  
8 employee, or authorized locating contractor of the underground  
9 utility facility owner or operator ~~of the underground utility~~  
10 ~~facility~~ nor an excavator involved in the excavation or  
11 demolition activity that ~~who~~ removes, alters, or otherwise  
12 damages markings, flags, lathe with color ribbon, chalk,  
13 whiskers, or paint ~~or stakes~~ used to mark the location of  
14 facilities ~~an underground utility~~ other than during the course  
15 of the excavation or demolition for which the markings were  
16 made or before completion of the project shall be subject to a  
17 penalty up to \$1,000 for each separate offense.

18 (i) (Blank).

19 (i-5) All parties who submit alleged violations to the  
20 Illinois Commerce Commission shall use the forms provided and  
21 should submit not later than 65 days after the discovery of the  
22 alleged violation. Any alleged violation submission received  
23 after the 65-day period shall be subject to a penalty of not  
24 more than \$500 but not less than \$100 per occurrence.  
25 Excavators shall not be subject to a penalty under this  
26 subsection when their decision to submit an alleged violation

1 form later than the 65-day period is a result of receiving a  
2 damage claim from an underground utility facility owner or  
3 operator after the expiration of the excavator's 65-day period  
4 for submitting an alleged violation.

5 (j) The Illinois Commerce Commission shall have the power  
6 and jurisdiction to, and shall, enforce the provisions of this  
7 Act. The Illinois Commerce Commission may impose  
8 administrative penalties as provided in this Section. The  
9 Illinois Commerce Commission may promulgate rules and develop  
10 enforcement policies in the manner provided by the Public  
11 Utilities Act in order to implement compliance with this Act.  
12 When a penalty is warranted, the following criteria shall be  
13 used in determining the magnitude of the penalty:

14 (1) gravity of noncompliance;

15 (2) culpability of offender;

16 (3) history of noncompliance for the 18 months prior  
17 to the date of the incident; however, when determining  
18 noncompliance ~~non-compliance~~ the alleged violator's roles  
19 as underground utility facility operator or owner and the  
20 excavator ~~person engaged in excavating~~ shall be treated  
21 separately;

22 (4) (blank); ~~ability to pay penalty;~~

23 (5) show of good faith of offender;

24 (6) (blank); ~~and ability to continue business; and~~

25 (7) other special circumstances.

26 (k) There is hereby created in the State treasury a

1 special fund to be known as the Illinois Underground Utility  
2 Facilities Damage Prevention Fund. All penalties recovered by  
3 the Illinois Commerce Commission in any action under this  
4 Section shall be paid into the Fund and shall be distributed  
5 annually as a grant to JULIE ~~the State Wide One Call Notice~~  
6 ~~System~~ to be used in safety and informational programs to  
7 reduce the number of incidents of damage to ~~underground~~  
8 ~~utility~~ facilities in Illinois. The distribution shall be made  
9 during January of each calendar year based on the balance in  
10 the Illinois Underground Utility Facilities Damage Prevention  
11 Fund as of December 31 of the previous calendar year. In all  
12 such actions under this Section, the procedure and rules of  
13 evidence shall conform with the Code of Civil Procedure, and  
14 with rules of courts governing civil trials.

15 (1) The Illinois Commerce Commission shall establish an  
16 Advisory Committee consisting of a representative from each of  
17 the following: utility operator, ~~JULIE,~~ excavator,  
18 municipality, ~~and~~ the general public, and a nonmunicipal  
19 public body. The Advisory Committee shall serve as a peer  
20 review panel for any contested penalties resulting from the  
21 enforcement of this Act.

22 The members of the Advisory Committee shall be immune,  
23 individually and jointly, from civil liability for any act or  
24 omission done or made in performance of their duties while  
25 serving as members of such Advisory Committee, unless the act  
26 or omission was the result of willful and wanton misconduct.

1 (m) If, after the Advisory Committee has considered a  
2 particular contested penalty and performed its review  
3 functions under this Act and the Illinois Commerce  
4 Commission's rules, there remains a dispute as to whether the  
5 Illinois Commerce Commission should impose a penalty under  
6 this Act, the matter shall proceed in the manner set forth in  
7 Article X of the Public Utilities Act, including the  
8 provisions governing judicial review.

9 (Source: P.A. 96-714, eff. 1-1-10.)

10 (220 ILCS 50/11.3)

11 Sec. 11.3. Emergency telephone system outages;  
12 reimbursement. Any excavator person who negligently damages a  
13 ~~an underground facility or CATS~~ facility causing an emergency  
14 telephone system outage must reimburse the public safety  
15 agency that provides personnel to answer calls or to maintain  
16 or operate an emergency telephone system during the outage for  
17 the agency's costs associated with answering calls or  
18 maintaining or operating the system during the outage. For the  
19 purposes of this Section, "public safety agency" means the  
20 same as in Section 2.02 of the Emergency Telephone System Act.

21 (Source: P.A. 92-149, eff. 1-1-02.)

22 (220 ILCS 50/11.5)

23 Sec. 11.5. Limitation on liability.

24 (a) In joining JULIE ~~the State Wide One Call Notice~~

1 ~~System~~, a municipality's liability, under any membership  
2 agreement rules and regulations, for the indemnification of  
3 (i) the entity that is in charge of or managing JULIE ~~the~~  
4 ~~System~~ or any officer, agent, or employee of JULIE ~~that entity~~  
5 or (ii) an underground utility facility owner or operator of  
6 JULIE ~~a member of the System~~ or any officer, agent, or employee  
7 of an underground utility facility owner or operator of JULIE  
8 ~~a member of the System~~ shall be limited to claims arising as a  
9 result of the acts or omissions of the municipality or its  
10 officers, agents, or employees or arising out of the  
11 operations of the municipality's ~~underground~~ utility  
12 facilities.

13 (b) Subsection (a) shall not be construed to create any  
14 additional liability for a municipality in relation to any  
15 underground utility facility owner or operator of JULIE ~~member~~  
16 ~~of the System~~ with which the municipality may have entered  
17 into a franchise agreement. If a municipality's liability for  
18 indemnification under a franchise agreement is narrower than  
19 under this Section, the franchise agreement controls.

20 (Source: P.A. 90-481, eff. 8-17-97.)

21 (220 ILCS 50/12) (from Ch. 111 2/3, par. 1612)

22 Sec. 12. Noncompliance and enforcement action time frames.  
23 No action may be brought by the Illinois Commerce Commission  
24 under Section 11 of this Act unless commenced within 2 years  
25 after the date of the alleged violation of this Act.



1 Beginning January 1, 2025, all parties submitting alleged  
2 violations to the Illinois Commerce Commission shall use the  
3 forms provided and shall submit no later than 65 days after the  
4 discovery of the alleged violation. Any report of an alleged  
5 violation received later than 65 days after the discovery of  
6 the alleged violation shall be subject to a penalty as  
7 provided for in Section 11.

8 Beginning January 1, 2025, the Illinois Commerce  
9 Commission shall provide notice of investigation to the  
10 parties involved in the alleged violation report within 20  
11 days after the receipt of the alleged violation report.

12 Once a notice of investigation has been sent for all  
13 alleged violations reported on or after January 1, 2025, no  
14 further action may be brought by the Illinois Commerce  
15 Commission under Section 11 unless the notice of violation has  
16 been provided by the Illinois Commerce Commission staff to the  
17 entity determined to be in violation within 195 days after the  
18 date of the notice of investigation. For alleged violations  
19 that involve utility damage, personal injury or death, or  
20 property damage, an additional 130 days shall be allowed for  
21 the Illinois Commerce Commission staff to determine if the  
22 alleged entity was in violation.

23 Beginning July 1, 2025, the Illinois Commerce Commission  
24 shall provide for public review a monthly report listing all  
25 of the reports of alleged violations it received in the prior  
26 month. The listing shall be available by the end of the

1 violations report. The listing shall be available by the end  
2 of second full week for all reports from the previous month.  
3 The listing shall, at a minimum, include: (1) the name of the  
4 party submitting the alleged violation; (2) the name of the  
5 party and the name of the project owner that is alleged to be  
6 in violation; (3) the date the alleged violation report is  
7 submitted; and (4) the Section or Sections of the Act  
8 applicable to the submitted alleged violation.

9 JULIE, Inc., may submit reports to the Illinois Commerce  
10 Commission for alleged violations of Section 5.1.

11 (Source: P.A. 86-674.)

12 (220 ILCS 50/13) (from Ch. 111 2/3, par. 1613)

13 Sec. 13. Mandamus or injunction. Where public safety or  
14 the preservation of uninterrupted, necessary facilities  
15 ~~utility service or community antenna television system service~~  
16 is endangered by any excavator ~~person engaging in excavation~~  
17 ~~or demolition~~ in a negligent or unsafe manner which has  
18 resulted in or is likely to result in damage to ~~underground~~  
19 ~~utility facilities or CATS~~ facilities or proposing to use  
20 procedures for excavation or demolition which are likely to  
21 result in damage to ~~underground utility facilities or CATS~~  
22 facilities, or where the underground utility facility owner or  
23 operator ~~of underground utility facilities or CATS facilities~~  
24 endangers an excavator by willfully failing to respond to a  
25 notice locate request, the underground utility facility owner

1 or operator ~~of such facilities~~ or the excavator or the State's  
2 Attorney or the Illinois Commerce Commission at the request of  
3 the underground utility facility owner or operator ~~of such~~  
4 ~~facilities~~ or the excavator may commence an action in the  
5 circuit court for the county in which the excavation or  
6 demolition is occurring or is to occur, or in which the person  
7 or entity complained of has its ~~his~~ principal place of  
8 business or resides, for the purpose of having such negligent  
9 or unsafe excavation or demolition stopped and prevented or to  
10 compel the marking of ~~underground utilities facilities or CATS~~  
11 facilities, either by mandamus or injunction.

12 (Source: P.A. 92-179, eff. 7-1-02.)

13 (220 ILCS 50/14) (from Ch. 111 2/3, par. 1614)

14 Sec. 14. Home rule. The regulation of ~~underground utility~~  
15 ~~facilities and CATS~~ facilities damage prevention, as provided  
16 for in this Act, is an exclusive power and function of the  
17 State. A home rule unit may not regulate ~~underground utility~~  
18 ~~facilities and CATS~~ facilities damage prevention, as provided  
19 for in this Act. All units of local government, including home  
20 rule units that are not municipalities of more than 1,000,000  
21 persons operating its own One-Call Notice System, must comply  
22 with ~~the provisions of~~ this Act. To this extent, this Section  
23 is a denial and limitation of home rule powers and functions  
24 under subsection (h) of Section 6 of Article VII of the  
25 Illinois Constitution. A home rule municipality of more than

1 1,000,000 persons may regulate underground utility facilities  
2 ~~and CATS facilities~~ damage prevention.

3 (Source: P.A. 99-121, eff. 7-23-15.)

4 (220 ILCS 50/2.1 rep.)

5 (220 ILCS 50/2.1.3 rep.)

6 (220 ILCS 50/2.1.4 rep.)

7 (220 ILCS 50/2.1.5 rep.)

8 (220 ILCS 50/2.1.6 rep.)

9 (220 ILCS 50/2.1.9 rep.)

10 (220 ILCS 50/2.1.10 rep.)

11 (220 ILCS 50/2.2 rep.)

12 (220 ILCS 50/2.3 rep.)

13 (220 ILCS 50/2.4 rep.)

14 (220 ILCS 50/2.5 rep.)

15 (220 ILCS 50/2.6 rep.)

16 (220 ILCS 50/2.7 rep.)

17 (220 ILCS 50/2.8 rep.)

18 (220 ILCS 50/2.9 rep.)

19 (220 ILCS 50/2.10 rep.)

20 (220 ILCS 50/2.11 rep.)

21 (220 ILCS 50/5 rep.)

22 Section 10. The Illinois Underground Utility Facilities  
23 Damage Prevention Act is amended by repealing Sections 2.1,  
24 2.1.3, 2.1.4, 2.1.5, 2.1.6, 2.1.9, 2.1.10, 2.2, 2.3, 2.4, 2.5,  
25 2.6, 2.7, 2.8, 2.9, 2.10, 2.11, and 5.

1           Section 99. Effective date. This Act takes effect January  
2    1, 2025.