



Sen. Cristina Castro

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10300SB0063sam001

LRB103 06005 SPS 60063 a

1 AMENDMENT TO SENATE BILL 63

2 AMENDMENT NO. _____. Amend Senate Bill 63 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Highway Advertising Control Act of 1971 is
5 amended by changing Section 8 as follows:

6 (225 ILCS 440/8) (from Ch. 121, par. 508)

7 Sec. 8. Within 90 days of July 1, 1972, or the owner being
8 notified of a new controlled route subject to this Act being
9 added ~~after the effective date of this Act,~~ each sign, except
10 signs described by Sections 4.01, 4.02, and 4.03, must be
11 registered with the Department by the owner of the sign, on
12 forms obtained from the Department. Within 90 days after the
13 effective date of this amendatory Act of 1975, each sign
14 located beyond 660 feet of the right-of-way located outside of
15 urban areas, visible from the main-traveled way of the highway
16 and erected with the purpose of the message being read from

1 such traveled way, must be registered with the Department by
2 the owner of the sign on forms obtained from the Department.
3 The Department shall require reasonable information to be
4 furnished including the name of the owner of the land on which
5 the sign is located and a statement that the owner has
6 consented to the erection or maintenance of the sign.
7 Registration must be made of each sign and shall be
8 accompanied by a registration fee of \$5.

9 No sign, except signs described by Sections 4.01, 4.02,
10 and 4.03, may be erected after the effective date of this Act
11 without first obtaining a permit from the Department. The
12 application for permit shall be on a form provided by the
13 Department and shall contain such information as the
14 Department may reasonably require. Upon receipt of an
15 application ~~containing all required information and~~
16 ~~appropriately executed~~ and upon payment of the fee required
17 under this Section, the Department then issues a permit to the
18 applicant for the erection of the sign, provided such sign
19 will not violate any provision of this Act. The Department
20 shall have up to 45 days to complete its review and approve the
21 permit application or notify the applicant of any and all
22 deficiencies necessary for the Department's approval. The
23 applicant shall then have 45 days to correct the noted
24 deficiencies, and the Department shall have 30 days from
25 receipt of the notice of corrected deficiencies to make a
26 final determination. If the application for permit has been

1 denied, written notice of the decision shall state in detail
2 why the application was denied. The application fee shall be
3 as follows:

4 (1) for signs of less than 150 square feet, \$50;

5 (2) for signs of at least 150 but less than 300 square
6 feet, \$100; and

7 (3) for signs of 300 or more square feet, \$200.

8 If a permit application is for a sign within an area
9 subject to the Airport Zoning Act, the Department shall notify
10 the applicant in writing that the review process will exceed
11 the timelines set forth in the Section. Notwithstanding, the
12 Department shall complete its own review of the permit
13 application pending approval under the Airport Zoning Act.

14 In determining the appropriateness of issuing a permit for
15 a municipal network sign, the Department shall waive any
16 provision or requirement of this Act or administrative rule
17 adopted under the authority of this Act to the extent that the
18 waiver does not contravene the federal Highway Beautification
19 Act of 1965, 23 U.S.C. 131, and the regulations promulgated
20 under that Act by the Secretary of the United States
21 Department of Transportation. Any municipal network sign
22 applications pending on May 1, 2013 that are not affected by
23 compliance with the federal Highway Beautification Act of 1965
24 shall be issued within 10 days after the effective date of this
25 amendatory Act of the 98th General Assembly. The determination
26 of the balance of pending municipal network sign applications

1 and issuance of approved permits shall be completed within 30
2 days after the effective date of this amendatory Act of the
3 98th General Assembly. To the extent that the Secretary of the
4 United States Department of Transportation or any court finds
5 any permit granted pursuant to such a waiver to be
6 inconsistent with or preempted by the federal Highway
7 Beautification Act of 1965, 23 U.S.C. 131, and the regulations
8 promulgated under that Act, that permit shall be void.

9 Upon change of ownership of a sign ~~ownership~~ permit or
10 sign registration, the new owner of the sign permit or sign
11 registration shall notify the Department to confirm the change
12 of ownership and supply the necessary information in writing
13 or on a form provided by the Department to transfer to renew
14 the permit or registration for such sign at no cost within 120
15 ~~60~~ days after the change of ownership. The Department shall
16 acknowledge to the new sign owner, in writing or by electronic
17 communication, the receipt of such request within 14 calendar
18 days after receiving the necessary information and shall
19 record the transferee as the new owner. Failure of the new sign
20 owner to submit the necessary information to transfer the name
21 of sign ownership on a sign permit within 120 calendar days may
22 subject the permit to revocation. The Department shall issue a
23 notice to the sign owner of failure to notify and inform the
24 transferee of ownership that the transferee has 30 calendar
25 days from receipt of notice to provide the necessary
26 information required for the transfer of ownership. Any permit

1 ~~not so renewed shall become void.~~

2 Owners of registered signs shall be issued an identifying
3 tag, which must remain securely affixed to the front face of
4 the sign or sign structure in a conspicuous position by the
5 owner within 60 days after receipt of the tag; owners of signs
6 erected by permit shall be issued an identifying tag which
7 must remain securely affixed to the front face of the sign or
8 sign structure in a conspicuous position by the owner upon
9 completion of the sign erection or within 10 days after
10 receipt of the tag, whichever is the later.

11 When a sign owner intends to upgrade an existing legal
12 permitted sign to a multiple message sign with a digital
13 display, the Department shall not require a new sign permit. A
14 permit addendum application requesting authorization for the
15 upgrade shall be made on a form provided by the Department and
16 shall be accompanied by a \$200 fee, which shall not be subject
17 to return upon rejection of the permit addendum application.
18 As part of the permit addendum application, the Department
19 shall not require a new land survey or other documentation
20 that has previously been submitted and approved and is on file
21 for the existing permit of the legal permitted sign. Upon
22 receipt of the permit addendum application, the Department
23 shall have up to 30 days to complete its initial review and
24 either approve the addendum to the existing permit or notify
25 the applicant of any and all deficiencies necessary for the
26 Department's approval. The applicant shall have 30 days to

1 correct the noted deficiencies, upon which the Department
2 shall have 30 days after receipt of the notice of corrected
3 deficiencies to make a final determination. If the permit
4 application addendum is denied, written notice of the decision
5 shall state in detail why the application was denied. For
6 purposes of this Section, legal nonconforming sign structures
7 are not eligible for this upgrade.

8 A person aggrieved by any action of the Department in
9 denying an application or revoking a permit or registration
10 under this Act may, within 30 days after receipt of the notice
11 of denial or revocation, apply to the Department for an
12 administrative hearing pursuant to the Administrative Review
13 Law.

14 (Source: P.A. 98-56, eff. 7-5-13.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."