

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by adding Section  
5 5-1189 as follows:

6 (55 ILCS 5/5-1189 new)

7 Sec. 5-1189. Access to and use of county infrastructure  
8 for broadband. A county may lease, license, or otherwise grant  
9 access to and use of infrastructure, including fiber optic  
10 cables, that the county owns or controls to public or private  
11 entities to facilitate the delivery of broadband services on  
12 the condition that the lease, license, access, or use: (1) be  
13 granted on a nondiscriminatory, nonexclusive, and  
14 competitively neutral basis; and (2) comply with all other  
15 State and federal laws, rules, and regulations, including, but  
16 not limited to, all applicable safety codes and requirements.  
17 However, nothing in this Section shall be construed to  
18 authorize a county to lease, license, or otherwise grant  
19 access to or use of infrastructure that the county does not own  
20 or control to public or private entities to facilitate the  
21 delivery of broadband services. This Section applies to  
22 leases, licenses, or other agreements entered into, amended,  
23 or renewed on or after the effective date of this amendatory

1 Act of the 103rd General Assembly.