

HB0876



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0876

Introduced 2/7/2007, by Rep. Fred Crespo

SYNOPSIS AS INTRODUCED:

225 ILCS 440/3.12

from Ch. 121, par. 503.12

Amends the Highway Advertising Control Act of 1971. Provides that with respect to signs owned or leased by the State or a political subdivision, an area zoned for business, commercial, or industrial activities adjacent to and within 660 feet of an Interstate highway and that is in Township 41 North, Range 10 East of the Third Principal Meridian, shall be deemed a "business area" for purposes of the Act. Contains provisions concerning repeal if preempted by federal law or regulation and concerning inapplicability if receipt of federal funds by IDOT is impacted.

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FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Highway Advertising Control Act of 1971 is
5 amended by changing Section 3.12 as follows:

6 (225 ILCS 440/3.12) (from Ch. 121, par. 503.12)

7 Sec. 3.12. (a) "Business area" means any part of an area
8 adjacent to and within 660 feet of the right-of-way which is at
9 any time zoned for business, commercial or industrial
10 activities under the authority of any law of this State; or not
11 so zoned, but which constitutes an unzoned commercial or
12 industrial area as defined in Section 3.11. However, as to
13 signs along Interstate highways, the term "business area"
14 includes only areas which are within incorporated limits of any
15 city, village, or incorporated town, as such limits existed on
16 September 21, 1959, and which are zoned for industrial or
17 commercial use, or both, or to portions of Interstate highways
18 which traverse other areas where the land use, as of September
19 21, 1959, was established by State law as industrial or
20 commercial, or both.

21 With respect to signs owned or leased by the State or a
22 political subdivision, an area zoned for business, commercial,
23 or industrial activities that is adjacent to and within 660

1 feet of an Interstate highway and that is in Township 41 North,
2 Range 10 East of the Third Principal Meridian, shall be deemed
3 a "business area" for purposes of this Act. This zoning must
4 have been a part of comprehensive zoning and not have been
5 created primarily to permit outdoor advertising structures as
6 described in 23 CFR 750.

7 (b) The changes to this Section made by this amendatory Act
8 of the 95th General Assembly are intended to comply with the
9 federal Highway Beautification Act of 1965, 23 U.S.C. 131, and
10 the regulations promulgated thereunder by the Secretary of the
11 United States Department of Transportation. To the extent that
12 the Secretary of the United States Department of Transportation
13 or any court finds the changes to this Section made by this
14 amendatory Act to be inconsistent with or preempted by such law
15 or regulations, the changes shall be repealed to the extent
16 necessary to cure such inconsistency or preemption.

17 (c) The provisions of this amendatory Act of the 95th
18 General Assembly shall not be applicable if such application
19 would impact the receipt, use, or reimbursement of federal
20 funds by the Illinois Department of Transportation.

21 (Source: P.A. 79-1009.)