



Local Government Committee

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LRB095 09951 HLH 33634 a

1 AMENDMENT TO HOUSE BILL 1608

2 AMENDMENT NO. _____. Amend House Bill 1608 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-5-1.5 as follows:

6 (65 ILCS 5/11-5-1.5)

7 Sec. 11-5-1.5. Adult entertainment facility. It is
8 prohibited within a municipality to locate an adult
9 entertainment facility within 1,000 feet of the property
10 boundaries of any school, day care center, cemetery, public
11 park, forest preserve, public housing, and place of religious
12 worship, except that in a county with a population of more than
13 800,000 and less than 2,000,000 inhabitants, it is prohibited
14 to locate, construct, or operate a new adult entertainment
15 facility within one mile of the property boundaries of any

1 school, day care center, cemetery, public park, forest
2 preserve, public housing, or place of religious worship located
3 anywhere within that county. Notwithstanding any other
4 requirements of this Section, it is also prohibited to locate,
5 construct, or operate a new adult entertainment facility within
6 one mile of the property boundaries of any school, day care
7 center, cemetery, public park, forest preserve, public
8 housing, or place of religious worship located in that area of
9 Cook County outside of the City of Chicago.

10 For the purposes of this Section, "adult entertainment
11 facility" means (i) a striptease club or pornographic movie
12 theatre whose business is the commercial sale, dissemination,
13 or distribution of sexually explicit material, shows, or other
14 exhibitions or (ii) an adult bookstore or adult video store
15 whose primary business is the commercial sale, dissemination,
16 or distribution of sexually explicit material, shows, or other
17 exhibitions.

18 (Source: P.A. 90-394, eff. 1-1-98; 90-634, eff. 7-24-98.)

19 Section 10. The Counties Code is amended by changing
20 Section 5-1097.5.

21 (55 ILCS 5/5-1097.5)

22 Sec. 5-1097.5. Adult entertainment facility. It is
23 prohibited within an unincorporated area of a county to locate
24 an adult entertainment facility within 3,000 feet of the

1 property boundaries of any school, day care center, cemetery,
2 public park, forest preserve, public housing, place of
3 religious worship, or residence, except that in a county with a
4 population of more than 800,000 and less than 2,000,000
5 inhabitants, it is prohibited to locate, construct, or operate
6 a new adult entertainment facility within one mile of the
7 property boundaries of any school, day care center, cemetery,
8 public park, forest preserve, public housing, or place of
9 religious worship located anywhere within that county.
10 Notwithstanding any other requirements of this Section, it is
11 also prohibited to locate, construct, or operate a new adult
12 entertainment facility within one mile of the property
13 boundaries of any school, day care center, cemetery, public
14 park, forest preserve, public housing, or place of religious
15 worship located in that area of Cook County outside of the City
16 of Chicago.

17 For the purposes of this Section, "adult entertainment
18 facility" means (i) a striptease club or pornographic movie
19 theatre whose business is the commercial sale, dissemination,
20 or distribution of sexually explicit material, shows, or other
21 exhibitions or (ii) an adult bookstore or adult video store
22 whose primary business is the commercial sale, dissemination,
23 or distribution of sexually explicit material, shows, or other
24 exhibitions. "Unincorporated area of a county" means any area
25 not within the boundaries of a municipality.

26 The State's Attorney of the county where the adult

1 entertainment facility is located or the Attorney General may
2 institute a civil action for an injunction to restrain
3 violations of this Section. In that proceeding, the court shall
4 determine whether a violation has been committed and shall
5 enter such orders as it considers necessary to remove the
6 effect of any violation and to prevent the violation from
7 continuing or from being renewed in the future.

8 (Source: P.A. 93-1056, eff. 11-23-04; 94-496, eff. 1-1-06.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law."