



Rep. David R. Leitch

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09700HB0230ham001

LRB097 03967 KMW 54388 a

1 AMENDMENT TO HOUSE BILL 230

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 230 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing  
5 Section 5-12020 as follows:

6 (55 ILCS 5/5-12020)

7 Sec. 5-12020. Wind farms.

8 (a) For the purposes of this Section, "distributed wind  
9 energy generation device" means any electric-generating wind  
10 device, including the tower, generator, nacelle, blades,  
11 foundations, guy wires, power electronics, or other associated  
12 component that is:

13 (1) interconnected at the distribution system level of  
14 either a public utility as defined in Section 3-105 of the  
15 Public Utilities Act, an alternative retail electric  
16 supplier as defined in Section 16-102 of the Public

1 Utilities Act, a municipal utility as defined in Section  
2 3-105 of the Public Utilities Act, or a rural electric  
3 cooperative as defined in Section 3-110 of the Public  
4 Utilities Act; and

5 (2) located on the customer side of the customer  
6 electric meter and is generally used to offset that  
7 customer's electricity load, but that may also deliver some  
8 portion of electricity back to the distribution system.

9 (b) Except as provided in subsection (c), a A county may  
10 establish standards for wind farms and electric-generating  
11 wind devices. The standards may include, without limitation,  
12 the height of the devices and the number of devices that may be  
13 located within a geographic area. A county may also regulate  
14 the siting of wind farms and electric-generating wind devices  
15 in unincorporated areas of the county outside of the zoning  
16 jurisdiction of a municipality and the 1.5 mile radius  
17 surrounding the zoning jurisdiction of a municipality. Except  
18 for distributed wind energy generation devices, there ~~There~~  
19 shall be at least one public hearing not more than 30 days  
20 prior to a siting decision by the county board. Notice of the  
21 hearing shall be published in a newspaper of general  
22 circulation in the county. Counties may allow test wind towers  
23 to be sited without formal approval by the county board. Any  
24 provision of a county zoning ordinance pertaining to wind farms  
25 or distributed wind energy generation devices that is in effect  
26 before the effective date of this amendatory Act of the 97th

1 ~~95th~~ General Assembly may continue in effect notwithstanding  
2 any requirements of this Section.

3 (c) A county may not limit the height of a distributed wind  
4 energy generation device on a parcel of land zoned for  
5 agricultural, industrial, or commercial purposes, or a parcel  
6 of land in an area that is generally zoned for agricultural,  
7 industrial, or commercial purposes, other than requiring a  
8 setback of 1.1 times the height of the device from the  
9 neighboring property line. A county may require certification  
10 of compliance with FAA requirements. Permits with respect to  
11 the erection, maintenance, repair, alteration, remodeling, or  
12 extension of buildings or structures used for distributed wind  
13 energy generation devices shall be issued at a reasonable cost,  
14 but shall not be greater than a total of \$100. Counties shall  
15 not require any annual or ongoing fees or permits for  
16 distributed wind energy generation devices. A county may not  
17 ~~require a wind tower or other renewable energy system that is~~  
18 ~~used exclusively by an end user to be setback more than 1.1~~  
19 ~~times the height of the renewable energy system from the end~~  
20 ~~user's property line.~~

21 This subsection shall not preclude a county's ability to  
22 establish standards for, hold public hearings regarding, or  
23 otherwise regulate distributed wind energy generation devices.

24 (Source: P.A. 95-203, eff. 8-16-07; 96-306, eff. 1-1-10;  
25 96-566, eff. 8-18-09; 96-1000, eff. 7-2-10.)

1           Section 99. Effective date. This Act takes effect upon  
2 becoming law.".