



Sen. Terry Link

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09700HB2956sam003

LRB097 08576 KMW 69918 a

1 AMENDMENT TO HOUSE BILL 2956

2 AMENDMENT NO. _____. Amend House Bill 2956, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Counties Code is amended by adding Section
6 5-12001.2 as follows:

7 (55 ILCS 5/5-12001.2 new)

8 Sec. 5-12001.2. Regulation of a telecommunications
9 facilities; Lake County.

10 In addition to any other requirements under this Division
11 concerning the regulation of telecommunications facilities,
12 the following applies to any new telecommunications facilities
13 in Lake County:

14 (a) For every new wireless telecommunications facility
15 requiring a new tower structure, a telecommunications carrier
16 shall provide the county with documentation consisting of the

1 proposed location, a site plan, and an elevation that
2 sufficiently describes a proposed wireless facility location.

3 (b) The county shall have 7 days to review the facility
4 proposal and contact the telecommunications carrier in writing
5 via e-mail or other written means as specified by the
6 telecommunications carrier. This written communication shall
7 either approve the proposed location or request a meeting to
8 review other possible alternative locations. If requested, the
9 meeting shall take place within 7 days after the date of the
10 written communication.

11 (c) At the meeting, the telecommunications carrier shall
12 provide the county documentation consisting of radio frequency
13 engineering criteria and a corresponding telecommunications
14 facility search ring map, together with documentation of the
15 carrier's efforts to site the proposed facility within the
16 telecommunications facility search ring.

17 (d) Within 21 days after receipt of the carrier's
18 documentation, the county shall propose either an alternative
19 site within the telecommunications facility search ring, or an
20 alternative site outside of the telecommunications search ring
21 that meets the radio frequency engineering criteria provided by
22 the telecommunications carrier and that will not materially
23 increase the construction budget beyond what was estimated on
24 the original carrier proposed site.

25 (e) If the county's proposed alternative site meets the
26 radio frequency engineering criteria provided by the

1 telecommunications carrier, and will not materially increase
2 the construction budget beyond what was estimated on the
3 original carrier proposed site, then the telecommunications
4 carrier shall agree to build the facility at the alternative
5 location, subject to the negotiation of a lease with
6 commercially reasonable terms and the obtainment of the
7 customary building permits.

8 (f) If the telecommunications carrier can demonstrate
9 that: (i) the county's proposed alternative site does not meet
10 the radio frequency engineering criteria, (ii) the county's
11 proposed alternative site will materially increase the
12 construction budget beyond what was estimated on the original
13 carrier proposed site, (iii) the county has failed to provide
14 an alternate site, or (iv) after a period of 90 days after
15 receipt of the alternative site the telecommunications carrier
16 has failed, after acting in good faith and with due diligence,
17 to obtain a lease or at a minimum, a letter of intent to lease
18 the alternative site at lease rates not materially greater than
19 the lease rate for the original proposed site; then the carrier
20 can proceed to permit and construct the site under the
21 provisions and standards of Section 5-12001.1 of this Code.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."