



Sen. Pamela J. Althoff

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LRB098 06501 RLC 58264 a

1 AMENDMENT TO SENATE BILL 2012

2 AMENDMENT NO. _____. Amend Senate Bill 2012 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Fox Waterway Agency Act is amended by
5 adding Section 7.5a as follows:

6 (615 ILCS 90/7.5a new)

7 Sec. 7.5a. Public use of channels.

8 (a) If dredging and restoration work upon a channel located
9 within the territory of the Agency is paid for with boating
10 fees or other public moneys the water located within the
11 channel remains public water. The channel shall remain open and
12 accessible to the general public; however, if the channel is
13 owned or under the jurisdiction of any governmental entity or
14 agency, the general public's use of the channel shall be
15 subject to that entity or agency's authority to take charge of,
16 control, and police the channel.

1 (b) If dredging and restoration work upon a channel located
2 within the territory of the Agency is entirely paid for with
3 funds other than those generated by boating fees or other
4 public moneys, the owner of the property adjoining the channel
5 shall retain the right to close the channel to the general
6 public, provided that if a property owner closes a channel to
7 the public in accordance with this subsection (b), the property
8 owner shall post signage giving notice that the channel is a
9 private waterway and closed to the general public.

10 (c) The provisions of this Section only apply to dredging
11 and restoration work performed on or after the effective date
12 of this amendatory Act of the 98th General Assembly."