



Rep. Edward J. Acevedo

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LRB099 17498 MJP 45814 a

1 AMENDMENT TO HOUSE BILL 5379

2 AMENDMENT NO. _____. Amend House Bill 5379 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Demonstrations Law is
5 amended by changing Sections 2, 3, 4, 5, 6, 7, and 8 and adding
6 Section 2a as follows:

7 (430 ILCS 70/2) (from Ch. 38, par. 85-2)

8 Sec. 2. Purpose and findings ~~Declaration of purpose~~. It is
9 declared to be the public policy of this State: That the
10 maintenance of good order on highways, as defined in Section
11 2-202 of the "Illinois Highway Code", is a paramount
12 responsibility of democratic government;

13 That the public health, welfare and safety of the community
14 require that the movement of vehicular traffic on such roadways
15 be lawfully conducted with a minimum of disruption;

16 That the practice of unhindered or unrestrained picketing

1 or demonstrating on such roadways has caused disruption of
2 police, fire and emergency services, and injury to persons
3 regardless of participation in the march, assembly or
4 demonstration;

5 That the practice of multiple demonstrations on the same
6 day in different locations in municipalities and
7 unincorporated areas of counties has unreasonably deprived the
8 citizens of the police, fire and emergency services; ~~and~~

9 That the effective sharing of information and planning for
10 large public assembly events by municipalities and law
11 enforcement agencies is critical to protecting the public and
12 public safety;

13 That the public health, welfare, and safety of the
14 community require that large public assembly events
15 demonstrate a minimum of safety planning and coordination among
16 State and local law enforcement and emergency management
17 agencies;

18 That the practice of unhindered or unrestrained public
19 assemblies, particularly for commercial purposes, poses
20 serious security and safety challenges for participants and
21 residents;

22 That the practice of waiving standard event permit
23 application procedures for large public assembly events could
24 deprive or impair the delivery of appropriate police, fire and
25 emergency services to citizens of Illinois;

26 That requiring notification to relevant public safety

1 agencies enhances the public health, safety, and welfare; and

2 That the provisions herein enacted are the least burdensome
3 means necessary for the protection of the health, welfare and
4 safety of the public.

5 (Source: P.A. 81-840.)

6 (430 ILCS 70/2a new)

7 Sec. 2a. Definition. As used in this Act, "large public
8 assembly event" means any for-profit or commercial event
9 expected to draw 1,000 or more participants in a single day,
10 when paid admission to attend the event is not required. "Large
11 public assembly event" includes, but is not limited to,
12 activities such as: presentations of live or recorded music
13 performances and concerts; theater and movies; sports
14 tournaments, competitions, and exhibitions including those of
15 sports such as football, hockey, basketball, boxing, martial
16 arts, extreme sports exhibitions, simulcasts of sporting
17 events; and farmers' markets. "Large public assembly event"
18 does not include: gatherings of a solely religious,
19 educational, or political nature; or gatherings pursuant to a
20 special event permit or other application process adopted by a
21 park district, school district, or forest preserve district;
22 however, such gatherings must still comply with the public
23 safety agency notification requirements of subsection (b) of
24 Section 5 of this Act.

1 (430 ILCS 70/3) (from Ch. 38, par. 85-3)

2 Sec. 3. Permits ~~Unlawful action~~ ~~Parade permit~~.

3 (a) Parade permit. It is unlawful for any person, group or
4 organization to conduct or participate in any march, assembly,
5 meeting, parade, or gathering on roadways in more than one
6 specific area of or location in, any municipality or the
7 unincorporated area of a county, on any given day, unless it is
8 acting under authority of a duly issued municipal or county
9 parade or demonstration permit if local ordinance or regulation
10 requires a permit, or, if not, with permission of the principal
11 law enforcement officer for the area. Only the person, group,
12 or organization responsible for organizing the march,
13 assembly, meeting, parade, or gathering is required to obtain a
14 permit or the permission of the principal law enforcement
15 officer, which shall be sufficient to encompass all
16 participants. If a march, assembly, meeting, parade, or
17 gathering on roadways involves the act of crossing or
18 traversing over or upon active railroad tracks, the municipal
19 or county authority or principal law enforcement officer, as
20 part of its permit or permission process, may prohibit any
21 portion of the route that involves the act of crossing or
22 traversing over or upon active railroad tracks.

23 (b) Special event permit. It is unlawful for any person,
24 group, or organization to conduct, promote, or produce any
25 large public assembly event in any municipality with a
26 population of 75,000 or more, on any given day, at any fixed

1 location on or within 100 feet of a public way, unless such
2 large public assembly event is held under the authority of a
3 duly issued municipal or county parade or special event permit,
4 or in the event the municipality or unincorporated area does
5 not require special event permits, then with permission of the
6 principal law enforcement officer for the municipality or
7 unincorporated area. Only the principal person, group, or
8 organization responsible for conducting, promoting, or
9 producing the large public assembly event is required to obtain
10 a permit or the permission of the principal law enforcement
11 officer, which shall be sufficient to encompass all
12 participants.

13 (Source: P.A. 98-320, eff. 8-12-13.)

14 (430 ILCS 70/4) (from Ch. 38, par. 85-4)

15 Sec. 4. ~~Acting with other groups~~ Size of assemblage.

16 (a) Acting with other groups. It is unlawful for any group
17 or organization or any individual acting with the group or
18 organization, to conduct or participate in any march, assembly,
19 meeting, parade, or gathering on roadways unless the march,
20 assembly, meeting, parade, or gathering is limited to numbers
21 that, in the opinion of the principal law enforcement officer,
22 will not obstruct pedestrian or vehicular traffic in an
23 unreasonable manner. The principal law enforcement officer
24 shall, within 12 hours of receiving the notice required by
25 subsection (a) of Section 5, inform the group or organization

1 as to the limitation on number of persons allowed to
2 participate.

3 (b) Large public assembly events. A special event permit
4 must be obtained for large public assembly events with an
5 audience meeting or exceeding or reasonably expected to meet or
6 exceed 1,000 attendees in a municipality with a population of
7 75,000 or more.

8 (Source: P.A. 98-320, eff. 8-12-13.)

9 (430 ILCS 70/5) (from Ch. 38, par. 85-5)

10 Sec. 5. Notice of assemblage in writing—~~Contents.~~

11 (a) Generally. It is unlawful for any group or organization
12 to conduct or participate in any march, assembly, meeting,
13 parade, or gathering on roadways unless the principal law
14 enforcement officer has been given notice in writing of the
15 location, the maximum number of persons participating, and the
16 names and addresses of the organizers of the march, assembly,
17 meeting, parade, or gathering, its route, and its time of
18 inception and duration at least 24 hours before inception.

19 (b) Large public assembly events. The organizer of a large
20 public assembly event must provide the Illinois State Police,
21 the Illinois Emergency Management Agency, and the principal law
22 enforcement officer for the jurisdiction with written notice of
23 the location, time, expected attendance, its time of inception,
24 and duration pursuant to the required local municipality
25 special event permit.

1 (Source: P.A. 98-320, eff. 8-12-13.)

2 (430 ILCS 70/6) (from Ch. 38, par. 85-6)

3 Sec. 6. Time of holding.

4 (a) Requirements. It is unlawful for any group,
5 organization, or any individual to conduct or participate in
6 any march, assembly, meeting, parade, or gathering on roadways
7 during peak traffic periods unless authorized by the principal
8 law enforcement officer for the area in which the march,
9 assembly, meeting, parade, or gathering is to be held. Peak
10 traffic periods, unless otherwise set by municipal or county
11 authority, are for the purposes of this Act declared to be 7:30
12 a.m. o'clock to 9:00 a.m. o'clock in the forenoon, and from
13 4:30 p.m. o'clock to 6:00 p.m. o'clock in the afternoon, Monday
14 through Friday except for State and National holidays.

15 (b) Large public assembly events. Municipalities subject
16 to this Act shall not waive or exempt commercial purpose large
17 public assembly events from the requirements of this Act.

18 (Source: P.A. 98-320, eff. 8-12-13.)

19 (430 ILCS 70/7) (from Ch. 38, par. 85-7)

20 Sec. 7. Conflict with municipal ordinance. Nothing in this
21 Act shall be construed to invalidate or repeal by inference any
22 local or municipal enactment in regard to parades or
23 demonstrations, but if there is an unreconcilable conflict this
24 Act shall prevail as to such portion or portions that are in

1 direct conflict, except as to duly designated peak hours of
2 traffic within its boundaries.

3 (b) A home rule unit may not regulate parades,
4 demonstrations, or special event permits in a manner
5 inconsistent with subsection (b) of Section 3, subsection (b)
6 of Section 4, subsection (b) of Section 5, subsection (b) of
7 Section 6, or subsections (b) or (c) of Section 8 of this Act.
8 This subsection (b) is a limitation under subsection (i) of
9 Section 6 of Article VII of the Illinois Constitution on the
10 concurrent exercise by home rule units of powers and functions
11 exercised by the State.

12 (Source: Laws 1967, p. 3613.)

13 (430 ILCS 70/8) (from Ch. 38, par. 85-8)

14 Sec. 8. Sentence.

15 (a) Violation of this Act is a Class A misdemeanor.

16 (b) For violations of subsection (b) of Section 3 each
17 individual day any such large public assembly event shall be
18 held without the duly required local special event permit shall
19 be a separate offense.

20 (c) Each failure to notify public safety agencies of a
21 large public assembly event pursuant to subsection (b) of
22 Section 5 of this Act shall be a separate offense.

23 (Source: P.A. 77-2646.)

24 Section 99. Effective date. This Act takes effect thirty

1 days after becoming law.".