



Sen. Jason A. Barickman

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09900SB0920sam001

LRB099 05509 AWJ 35055 a

1 AMENDMENT TO SENATE BILL 920

2 AMENDMENT NO. _____. Amend Senate Bill 920 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. Notwithstanding any other
8 provision of law, a ~~A~~ county may establish standards for wind
9 farms and electric-generating wind devices. The standards may
10 include, without limitation, the height of the devices and the
11 number of devices that may be located within a geographic area.
12 A county may also regulate the siting of wind farms and
13 electric-generating wind devices in unincorporated areas of
14 the county outside of the zoning jurisdiction of a municipality
15 and the 1.5 mile radius surrounding the zoning jurisdiction of
16 a municipality. There shall be at least one public hearing not

1 more than 30 days prior to a siting decision by the county
2 board. Notice of the hearing shall be published in a newspaper
3 of general circulation in the county. Counties may allow test
4 wind towers to be sited without formal approval by the county
5 board. Any provision of a county zoning ordinance pertaining to
6 wind farms that is in effect before the effective date of this
7 amendatory Act of the 95th General Assembly may continue in
8 effect notwithstanding any requirements of this Section.

9 A county may not require a wind tower or other renewable
10 energy system that is used exclusively by an end user to be
11 setback more than 1.1 times the height of the renewable energy
12 system from the end user's property line.

13 (Source: P.A. 95-203, eff. 8-16-07; 96-306, eff. 1-1-10;
14 96-566, eff. 8-18-09; 96-1000, eff. 7-2-10.)

15 Section 10. The Illinois Municipal Code is amended by
16 changing Section 11-13-26 as follows:

17 (65 ILCS 5/11-13-26)

18 Sec. 11-13-26. Wind farms. Notwithstanding any other
19 provision of law:

20 (a) A municipality may regulate wind farms and
21 electric-generating wind devices within its zoning
22 jurisdiction and within the 1.5 mile radius surrounding its
23 zoning jurisdiction. There shall be at least one public hearing
24 not more than 30 days prior to a siting decision by the

1 corporate authorities of a municipality. Notice of the hearing
2 shall be published in a newspaper of general circulation in the
3 municipality. A municipality may allow test wind towers to be
4 sited without formal approval by the corporate authorities of
5 the municipality. Test wind towers must be dismantled within 3
6 years of installation. For the purposes of this Section, "test
7 wind towers" are wind towers that are designed solely to
8 collect wind generation data.

9 (b) A municipality may not require a wind tower or other
10 renewable energy system that is used exclusively by an end user
11 to be setback more than 1.1 times the height of the renewable
12 energy system from the end user's property line. A setback
13 requirement imposed by a municipality on a renewable energy
14 system may not be more restrictive than as provided under this
15 subsection. This subsection is a limitation of home rule powers
16 and functions under subsection (i) of Section 6 of Article VII
17 of the Illinois Constitution on the concurrent exercise by home
18 rule units of powers and functions exercised by the State.

19 (Source: P.A. 95-203, eff. 8-16-07; 96-306, eff. 1-1-10.)".