



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2732

Introduced 1/28/2014, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

615 ILCS 90/7.5a new

Amends the Fox Waterway Agency Act. If dredging and restoration work upon a channel located within the territory of the Agency is paid for with boating fees or other public moneys, the water located within the channel remains public water and that the channel shall remain open and accessible to the general public. Provides that if the dredging and restoration work is entirely paid for with funds other than those generated by boating fees or other public moneys, the owner of the property adjoining the channel shall retain the right to close the channel to the general public, provided that if a property owner closes a channel, he or she shall post signage giving notice that the channel is a private waterway and closed to the general public. Provides that these provisions only apply to dredging and restoration work performed on or after the effective date of this Act. Effective January 1, 2014.

LRB098 12864 MLW 47357 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Fox Waterway Agency Act is amended by adding
5 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.

13 (b) If dredging and restoration work upon a channel located
14 within the territory of the Agency is entirely paid for with
15 funds other than those generated by boating fees or other
16 public moneys, the owner of the property adjoining the channel
17 shall retain the right to close the channel to the general
18 public, provided that if a property owner closes a channel to
19 the public in accordance with this subsection (b), the property
20 owner shall post signage giving notice that the channel is a
21 private waterway and closed to the general public.

22 (c) The provisions of this Section only apply to dredging
23 and restoration work performed on or after the effective date

1 of this amendatory Act of the 98th General Assembly.

2 Section 99. Effective date. This Act takes effect January
3 1, 2014.