

AN ACT concerning local government.

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

Section 5. The Counties Code is amended by adding Section 5-1192 as follows:

(55 ILCS 5/5-1192 new)

Sec. 5-1192. County use of utility pole for county public safety.

(a) As used in this Section:

"Communications space" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

"Communication worker safety zone" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

"Electric supply zone" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

"Public utility" has the meaning given to that term in Section 3-105 of the Public Utilities Act.

(b) Subject to the provisions of subsection (c), a county may use a utility pole that is owned by the State or a unit of local government or a public right-of-way that is owned by the

State or a unit of local government for county public safety purposes, including, but not limited to, the placement of equipment associated with public safety. The equipment may not be located within or interfere with part of an electric distribution or transmission system within the communication worker safety zone of the pole or the electric supply zone of the pole. The use of the equipment must comply with the applicable codes and local code provisions or regulations that concern public safety.

(c) A State agency may, by rule, or a unit of local government may, by ordinance or resolution, create a permitting process to allow a utility pole or a public right-of-way that it owns to be used by a county for public safety purposes.

(d) Any fee charged by the owner of a utility pole or right-of-way for use by a county under this Section shall be at the lowest rate charged by the owner and shall not exceed the owner's costs.

(e) Nothing in this Section authorizes a county to use property or infrastructure that is owned by a public utility.

Section 10. The Illinois Municipal Code is amended by adding Section 11-80-25 as follows:

(65 ILCS 5/11-80-25 new)

Sec. 11-80-25. Municipal use of utility pole for municipal

public safety.

(a) As used in this Section:

"Communications space" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

"Communication worker safety zone" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

"Electric supply zone" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

"Public utility" has the meaning given to that term in Section 3-105 of the Public Utilities Act.

(b) Subject to the provisions of subsection (c), a municipality may use a utility pole that is owned by the State or a unit of local government or a public right-of-way that is owned by the State or a unit of local government for municipal public safety purposes, including, but not limited to, the placement of equipment associated with public safety. The equipment may not be located within or interfere with part of an electric distribution or transmission system within the communication worker safety zone of the pole or the electric supply zone of the pole. The use of the equipment must comply with the applicable codes and local code provisions or regulations that concern public safety.

(c) A State agency may, by rule, or a unit of local

government may, by ordinance or resolution, create a permitting process to allow a utility pole or a public right-of-way that it owns to be used by a municipality for public safety purposes.

(d) Any fee charged by the owner of a utility pole or right-of-way for use by a municipality under this Section shall be at the lowest rate charged by the owner and shall not exceed the owner's costs.

(e) Nothing in this Section authorizes a municipality to use property or infrastructure that is owned by a public utility.