

## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB4163

Introduced 10/15/2025, by Rep. Jeff Keicher

#### SYNOPSIS AS INTRODUCED:

220 ILCS 5/16-107.8 new

Amends the Public Utilities Act. Defines "off-grid electricity provider" as an entity, person, private company, electric cooperative, municipal agency, or other organization that (1) is engaged in any combination of generating, transmitting, distributing, or selling electricity at retail to consumers, (2) is not connected to any existing electric transmission or distribution system within this State for either primary or backup supply, (3) operates independently of existing utilities and other regulated entities, (4) is not located within any federal, State, or municipal roadway or right-of-way, and (5) does not cross any federal, State, or municipal roadway or right-of-way or State boundaries. Provides that an off-grid electricity provider whose operation date is on or after the effective date of the amendatory Act shall be exempt from the requirements of the Utilities Chapter of the Illinois Compiled Statutes. Provides that an off-grid electricity provider shall remain subject to all other applicable laws and regulations, including municipal and State highway safety regulations, unless specifically excluded from those laws or regulations by a separate Act. Provides that an off-grid electricity provider shall cease being an off-grid electricity provider and immediately become subject to the requirements of the Utilities Chapter of the Illinois Compiled Statutes if the off-grid electricity provider does any of the following actions: (1) the provider elects to connect to any portion of an existing electric transmission or distribution system within this State for either primary or backup supply; (2) the provider locates within or crosses any federal, State, or municipal roadway or right-of-way; or (3) the provider crosses State boundaries. Effective immediately.

LRB104 15591 AAS 28758 b

1 AN ACT concerning regulation.

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

4 Section 5. The Public Utilities Act is amended by adding  
5 Section 16-107.8 as follows:

6 (220 ILCS 5/16-107.8 new)

7 Sec. 16-107.8. Off-grid electricity provider.

8 (a) As used in this Section:

9 "Off-grid electricity provider" means an entity, person,  
10 private company, electric cooperative, municipal agency, or  
11 other organization that:

12 (1) engages in any combination of generating,  
13 transmitting, distributing, or selling electricity at  
14 retail to consumers;

15 (2) is not connected to any existing electric  
16 transmission or distribution system within this State for  
17 either primary or backup supply;

18 (3) operates independently of existing utilities and  
19 other regulated entities;

20 (4) is not located within any federal, State, or  
21 municipal roadway or right-of-way; and

22 (5) does not cross any federal, State, or municipal  
23 roadway or right-of-way or State boundaries.

1       "Off-grid electricity provider" does not include a public  
2 utility.

3       "Operation date" means the date on which the off-grid  
4 electricity provider first generates, transmits, distributes,  
5 or sells electricity within this State.

6       (b) An off-grid electricity provider whose operation date  
7 is on or after the effective date of this amendatory Act of the  
8 104th General Assembly shall be exempt from this Chapter. An  
9 off-grid electricity provider shall remain subject to all  
10 other applicable laws and regulations, including municipal and  
11 State highway safety regulations, unless specifically excluded  
12 from those laws or regulations by a separate Act.

13       (c) An off-grid electricity provider shall cease being an  
14 off-grid electricity provider and immediately become subject  
15 to the provisions of this Chapter if the off-grid electricity  
16 provider does any of the following actions:

17           (1) the provider elects to connect to any portion of  
18 an existing electric transmission or distribution system  
19 within this State for either primary or backup supply;

20           (2) the provider locates within or crosses any  
21 federal, State, or municipal roadway or right-of-way; or

22           (3) the provider crosses State boundaries.

23       Section 99. Effective date. This Act takes effect upon  
24 becoming law.