



Sen. John F. Curran

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10400SB1380sam002

LRB104 08050 RTM 24415 a

1 AMENDMENT TO SENATE BILL 1380

2 AMENDMENT NO. _____. Amend Senate Bill 1380, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Counties Code is amended by adding Section
6 5-1192 as follows:

7 (55 ILCS 5/5-1192 new)

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

10 (a) As used in this Section:

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

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

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

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

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

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

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

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

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

5 (65 ILCS 5/11-80-25 new)
6 Sec. 11-80-25. Municipal use of utility pole for municipal
7 public safety.

8 (a) As used in this Section:
9 "Communications space" has the meaning given to that term
10 in the National Electric Safety Code as published by the
11 Institute of Electrical and Electronics Engineers.

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

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

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

20 (b) Subject to the provisions of subsection (c), a
21 municipality may use a utility pole that is owned by the State
22 or a unit of local government or a public right-of-way that is
23 owned by the State or a unit of local government for municipal
24 public safety purposes, including, but not limited to, the

1 placement of equipment associated with public safety. The
2 equipment may not be located within or interfere with part of
3 an electric distribution or transmission system within the
4 communication worker safety zone of the pole or the electric
5 supply zone of the pole. The use of the equipment must comply
6 with the applicable codes and local code provisions or
7 regulations that concern public safety.

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

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

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