

# HB3838



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3838

by Rep. Daniel Didech

### SYNOPSIS AS INTRODUCED:

New Act

Creates the Homeowner's Property Signage Act. Provides that a homeowner may erect signage on the homeowner's property if the sign is erected for the purpose of informing the public of good faith concerns about public health or environmental issues on or near the property on which the sign is erected. Provides that there is a presumption that erecting such a sign is not defamatory or otherwise wrongful conduct. Provides that a plaintiff shall overcome the presumption by clear and convincing evidence. Provides that a defendant who prevails in a civil action may recover all legal fees and costs related to the defense of the action. Effective immediately.

LRB101 12419 LNS 60509 b

A BILL FOR

1 AN ACT concerning civil law.

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

4 Section 1. Short title. This Act may be cited as the  
5 Homeowner's Property Signage Act.

6 Section 5. Signage on homeowner's property.

7 (a) Subject to local zoning ordinances, a homeowner, or any  
8 individual at the direction of a homeowner, may erect signage  
9 on the homeowner's property if the sign is erected for the  
10 purpose of informing the public of good faith concerns about  
11 public health or environmental issues on or near the property  
12 on which the sign is erected.

13 (b) There is a presumption that erecting any sign pursuant  
14 to this Section is not defamatory or otherwise wrongful  
15 conduct.

16 Section 10. Civil action.

17 (a) To prevail in a civil action, a plaintiff shall  
18 overcome the presumption in subsection (b) of Section 5 by  
19 clear and convincing evidence.

20 (b) A defendant who prevails in civil action under Section  
21 5 may recover all legal fees and costs related to the defense  
22 of the action.

1           Section 99. Effective date. This Act takes effect upon  
2           becoming law.