



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB5728

Introduced 3/23/2022, by Rep. Kelly M. Cassidy

#### SYNOPSIS AS INTRODUCED:

225 ILCS 440/3.08

from Ch. 121, par. 503.08

Amends the Highway Advertising Control Act of 1971. Provides that for the purposes of the definition of "erect", attaching a vinyl substrate medium to a sign structure or wall surface, which may contain advertising or other information, shall constitute normal maintenance or repair of a sign or sign structure. Provides that the Department of Transportation shall accord lawful status to any sign structure or wall surface that attaches a vinyl substrate medium to a sign structure or wall surface and allow for its continued usage. Provides that the changes made by the amendatory Act apply to any signs or sign structures existing prior to, on, or after the effective date of the amendatory Act. Effective immediately.

LRB102 26834 AMQ 37856 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 Highway Advertising Control Act of 1971 is  
5 amended by changing Section 3.08 as follows:

6 (225 ILCS 440/3.08) (from Ch. 121, par. 503.08)

7 Sec. 3.08. "Erect" means to construct, build, raise,  
8 assemble, place, affix, attach, create, paint, draw or in any  
9 other way bring into being or establish; but does not include  
10 any of the foregoing activities when performed as an incident  
11 to the change of advertising message or normal maintenance or  
12 repair of a sign or sign structure. For the purposes of this  
13 definition, the following shall not constitute normal  
14 maintenance or repair of a sign or sign structure: replacing  
15 more than 60% of the uprights, in whole or in part, of a wooden  
16 sign structure; replacing more than 30% of the length above  
17 ground of each broken, bent, or twisted support of a metal sign  
18 structure; raising the height above ground of a sign or sign  
19 structure; making a sign bigger; adding lighting; or similar  
20 activities that substantially change a sign or make a sign  
21 more valuable. For purposes of this definition, attaching a  
22 vinyl substrate medium to a sign structure or wall surface,  
23 which may contain advertising or other information, shall

1 constitute normal maintenance or repair of a sign or sign  
2 structure. The Department shall accord lawful status to any  
3 sign structure or wall surface that attaches a vinyl substrate  
4 medium to a sign structure or wall surface and allow for its  
5 continued usage.

6 The changes made to this Section by this amendatory Act of  
7 the 102nd General Assembly apply to any signs or sign  
8 structures in operation prior to, on, or after the effective  
9 date of this amendatory Act of the 102nd General Assembly.

10 (Source: P.A. 96-919, eff. 6-9-10.)

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.