



Rep. Robert "Bob" Rita

Adopted in House on Apr 12, 2024

10300HB4715ham002

LRB103 36099 BDA 71374 a

1 AMENDMENT TO HOUSE BILL 4715

2 AMENDMENT NO. _____. Amend House Bill 4715, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Aeronautics Act is amended by
6 changing Section 42.1 as follows:

7 (620 ILCS 5/42.1)

8 Sec. 42.1. Regulation of unmanned aircraft systems.

9 (a) As used in this Section:

10 "Critical infrastructure" has the meaning given in
11 subsection (e) of Section 1016 of the USA Patriot Act of 2001
12 (42 U.S.C. 519c(e)).

13 "Unmanned aircraft" means a device used or intended to be
14 used for flight in the air that is operated without the
15 possibility of direct human intervention within or on the
16 device.

1 "Unmanned aircraft system" means an unmanned aircraft and
2 its associated elements, including communication links and the
3 components that control the unmanned aircraft, that are
4 required for the safe and efficient operation of the unmanned
5 aircraft in the National Airspace System ~~national airspace~~
6 ~~system~~.

7 (b) Except as otherwise provided in this Section, to ~~to~~
8 the extent that State-level oversight does not conflict with
9 federal laws, rules, or regulations, the regulation of an
10 unmanned aircraft system is an exclusive power and function of
11 the State. No unit of local government, including home rule
12 unit, may enact an ordinance or resolution to regulate
13 unmanned aircraft systems. This Section is a denial and
14 limitation of home rule powers and functions under subsection
15 (h) of Section 6 of Article VII of the Illinois Constitution.
16 This Section does not apply to any local ordinance enacted by a
17 municipality of more than 1,000,000 inhabitants.

18 (b-5) Nothing in this Section shall be construed to deny a
19 unit of local government the right to adopt reasonable rules
20 related to the use by a private party of airspace that is above
21 ground level of public property owned or controlled by that
22 unit of local government. This subsection applies to publicly
23 owned or controlled property that is intended or permitted to
24 be used for recreational or conservation purposes, including,
25 but not limited to, parks, playgrounds, aquatic facilities,
26 wildlife areas, or other recreational facilities. This

1 subsection does not authorize restricting or limiting the use
2 of unmanned aircraft systems when such usage is by commercial
3 users for business operations in connection with critical
4 infrastructure. Reasonable rules adopted pursuant to this
5 subsection shall not supersede any administrative rules
6 adopted by the Department or any federal laws, rules, or
7 regulations.

8 (c) Nothing in this Section shall infringe or impede any
9 current right or remedy available under existing State law.

10 (d) The Department may adopt any rules that it finds
11 appropriate to address the safe and legal operation of
12 unmanned aircraft systems in this State, so that those engaged
13 in the operation of unmanned aircraft systems may so engage
14 with the least possible restriction, consistent with their
15 safety and with the safety and the rights of others, and in
16 compliance with federal rules and regulations.

17 (Source: P.A. 100-735, eff. 8-3-18.)".