

SB2698



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2698

Introduced 1/10/2024, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

620 ILCS 5/42.1

Amends the Illinois Aeronautics Act. Allows a forest preserve or conservation district to enact ordinances regulating unmanned aircraft systems. Effective immediately.

LRB103 36471 MXP 66574 b

A BILL FOR

1 AN ACT concerning transportation.

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

4 Section 1. This Act may be referred to as the Public Open
5 Space and Wildlife Drone Safety Amendment.

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

8 (620 ILCS 5/42.1)

9 Sec. 42.1. Regulation of unmanned aircraft systems.

10 (a) As used in this Section:

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

15 "Unmanned aircraft system" means an unmanned aircraft and
16 its associated elements, including communication links and the
17 components that control the unmanned aircraft, that are
18 required for the safe and efficient operation of the unmanned
19 aircraft in the national airspace system.

20 (b) To the extent that State-level oversight does not
21 conflict with federal laws, rules, or regulations, the
22 regulation of an unmanned aircraft system is an exclusive

1 power and function of the State. No unit of local government,
2 including home rule unit, may enact an ordinance or resolution
3 to regulate unmanned aircraft systems. This Section is a
4 denial and limitation of home rule powers and functions under
5 subsection (h) of Section 6 of Article VII of the Illinois
6 Constitution. This Section does not apply to any local
7 ordinance enacted by a municipality of more than 1,000,000
8 inhabitants, a forest preserve district, or a conservation
9 district.

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

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

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

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.