



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4815

Introduced 01/18/06, by Rep. Rich Brauer

SYNOPSIS AS INTRODUCED:

New Act

Creates the Outdoor Lighting Control Act. Provides that no person may unreasonably place or operate a lighting unit in a manner that causes illumination or glare to be cast on the property of another person with the effect of reducing privacy, hindering sleep, or creating an unattractive appearance to the area without the permission of the owner, lessee, or lawful occupant of the property. Provides that a person convicted of light trespass commits a petty offense and is subject to a fine of \$100 if the violation is not corrected within 10 days of the conviction. Provides that the Environmental Protection Agency may identify and designate, as dark areas, areas that are especially suitable for astronomical observations or which provide nocturnal benefits to flora and fauna due to their darkness; and shall submit a proposed plan to preserve areas designated as dark areas.

LRB094 17805 LCT 53105 b

1 AN ACT concerning safety.

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 Outdoor Lighting Control Act.

6 Section 5. Definitions. In this Act:

7 "Direct light" means light emitting generally in a downward
8 direction by a lamp, off a reflector or through a refractor of
9 a lighting unit.

10 "Glare" means a direct light emitted by a lighting unit
11 that causes reduced visibility of objects or momentary
12 blindness.

13 "Lamp" means the component of a lighting unit that produces
14 light.

15 "Light trespass" means light emitted by a lighting unit
16 that shines beyond the boundaries of the property on which the
17 lighting unit is located due to unreasonable placement or
18 operation.

19 "Lighting unit" means a complete lighting unit, including a
20 lamp or lamps together with the parts designed to distribute
21 the light, to position and protect the lamps, and to connect
22 the lamps to the power supply.

23 Section 10. Light trespass.

24 (a) Unreasonable placement. No person may unreasonably
25 place or operate a lighting unit in a manner that causes
26 illumination or glare to be cast on the property of another
27 person with the effect of reducing privacy, hindering sleep, or
28 creating an unattractive appearance to the area without the
29 permission of the owner, lessee, or lawful occupant of the
30 property. The following factors shall be considered for
31 purposes of determining whether the placement or operation of a

1 lighting unit is reasonable:

2 (1) The extent to which the lighting unit furthers a
3 lawful purpose.

4 (2) The severity of the effect upon the property of
5 another.

6 (3) The general character and use of the properties.

7 (4) The extent to which reasonable mitigation measures
8 are available.

9 (b) A person convicted of light trespass is guilty of a
10 petty offense. The penalty is a fine of \$100 if the violation
11 is not corrected within 10 days of the conviction.

12 Section 15. Dark areas.

13 (a) Designation. The Environmental Protection Agency may
14 identify and designate, as dark areas, areas of this State that
15 are especially suitable for astronomical observations or that
16 provide nocturnal benefits to flora and fauna due to their
17 darkness.

18 (b) Proposed plan. The Environmental Protection Agency
19 shall submit a proposed plan to preserve any areas designated
20 as dark areas to the Governor and the General Assembly within
21 18 months of the designation of the area as a dark area.