

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 5. The Rivers, Lakes, and Streams Act is amended by  
5 adding Section 23b as follows:

6 (615 ILCS 5/23b new)

7 Sec. 23b. Dams; signs and buoys.

8 (a) The Department of Natural Resources shall establish  
9 specifications for signs and devices that provide warnings of  
10 the presence of dams for persons using the public waters of the  
11 State. The Department shall establish such specifications  
12 pursuant to administrative rule.

13 (b) For dams located in public waters and that are not  
14 subject to federal regulation regarding safety standards, the  
15 Department of Natural Resources shall examine each dam to  
16 determine hazards that may exist at each dam.

17 (c) The Department of Natural Resources shall, after  
18 conducting the examination required under subsection (b) of  
19 this Section, submit administrative rules setting forth  
20 appropriate safety devices to be required at each dam.

21 (d) The Department of Natural Resources shall be authorized  
22 to designate enforceable exclusion zones around dams pursuant  
23 to administrative rule. Violation of such exclusion zones shall

1 constitute a Class A misdemeanor.

2 (e) Except for willful and wanton misconduct, neither the  
3 Department of Natural Resources nor employees or agents of the  
4 Department shall be liable for damages, injuries, or deaths  
5 occurring at dams located in public waters by reason of the  
6 Department's regulation thereof pursuant to this Section.  
7 Nothing in this Act shall relieve an owner or operator of a dam  
8 from the legal duties, obligations, and liabilities arising  
9 from ownership or operation.

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