

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-5-1.5 as follows:

6 (65 ILCS 5/11-5-1.5)

7 Sec. 11-5-1.5. Adult entertainment facility. It is
8 prohibited within a municipality to locate an adult
9 entertainment facility within 1,000 feet of the property
10 boundaries of any school, day care center, cemetery, public
11 park, forest preserve, public housing, and place of religious
12 worship, except that in a county with a population of more than
13 800,000 and less than 2,000,000 inhabitants, it is prohibited
14 to locate, construct, or operate a new adult entertainment
15 facility within one mile of the property boundaries of any
16 school, day care center, cemetery, public park, forest
17 preserve, public housing, or place of religious worship located
18 anywhere within that county. Notwithstanding any other
19 requirements of this Section, it is also prohibited to locate,
20 construct, or operate a new adult entertainment facility within
21 one mile of the property boundaries of any school, day care
22 center, cemetery, public park, forest preserve, public
23 housing, or place of religious worship located in that area of

1 Cook County outside of the City of Chicago.

2 For the purposes of this Section, "adult entertainment
3 facility" means (i) a striptease club or pornographic movie
4 theatre whose business is the commercial sale, dissemination,
5 or distribution of sexually explicit material, shows, or other
6 exhibitions or (ii) an adult bookstore or adult video store
7 whose primary business is the commercial sale, dissemination,
8 or distribution of sexually explicit material, shows, or other
9 exhibitions.

10 (Source: P.A. 90-394, eff. 1-1-98; 90-634, eff. 7-24-98.)

11 Section 10. The Counties Code is amended by changing
12 Section 5-1097.5.

13 (55 ILCS 5/5-1097.5)

14 Sec. 5-1097.5. Adult entertainment facility. It is
15 prohibited within an unincorporated area of a county to locate
16 an adult entertainment facility within 3,000 feet of the
17 property boundaries of any school, day care center, cemetery,
18 public park, forest preserve, public housing, place of
19 religious worship, or residence, except that in a county with a
20 population of more than 800,000 and less than 2,000,000
21 inhabitants, it is prohibited to locate, construct, or operate
22 a new adult entertainment facility within one mile of the
23 property boundaries of any school, day care center, cemetery,
24 public park, forest preserve, public housing, or place of

1 religious worship located anywhere within that county.
2 Notwithstanding any other requirements of this Section, it is
3 also prohibited to locate, construct, or operate a new adult
4 entertainment facility within one mile of the property
5 boundaries of any school, day care center, cemetery, public
6 park, forest preserve, public housing, or place of religious
7 worship located in that area of Cook County outside of the City
8 of Chicago.

9 For the purposes of this Section, "adult entertainment
10 facility" means (i) a striptease club or pornographic movie
11 theatre whose business is the commercial sale, dissemination,
12 or distribution of sexually explicit material, shows, or other
13 exhibitions or (ii) an adult bookstore or adult video store
14 whose primary business is the commercial sale, dissemination,
15 or distribution of sexually explicit material, shows, or other
16 exhibitions. "Unincorporated area of a county" means any area
17 not within the boundaries of a municipality.

18 The State's Attorney of the county where the adult
19 entertainment facility is located or the Attorney General may
20 institute a civil action for an injunction to restrain
21 violations of this Section. In that proceeding, the court shall
22 determine whether a violation has been committed and shall
23 enter such orders as it considers necessary to remove the
24 effect of any violation and to prevent the violation from
25 continuing or from being renewed in the future.

26 (Source: P.A. 93-1056, eff. 11-23-04; 94-496, eff. 1-1-06.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.