

AN ACT concerning transportation.

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

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

(620 ILCS 5/42.1)

Sec. 42.1. Regulation of unmanned aircraft systems.

(a) As used in this Section:

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

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

(b) Except as otherwise provided in this Section, to ~~to~~ the extent that State-level oversight does not conflict with federal laws, rules, or regulations, the regulation of an unmanned aircraft system is an exclusive power and function of the State. No unit of local government, including home rule

unit, may enact an ordinance or resolution to regulate unmanned aircraft systems. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution. This Section does not apply to any local ordinance enacted by a municipality of more than 1,000,000 inhabitants.

(b-5) Nothing in this Section shall be construed to deny a unit of local government the right to adopt reasonable rules related to the use by a private party of airspace that is above ground level of public property owned or controlled by that unit of local government. This subsection applies to publicly owned or controlled property that is intended or permitted to be used for recreational or conservation purposes, including, but not limited to, parks, playgrounds, aquatic facilities, wildlife areas, or other recreational facilities. Reasonable rules adopted pursuant to this subsection shall not supersede any administrative rules adopted by the Department or any federal laws, rules, or regulations.

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

(d) The Department may adopt any rules that it finds appropriate to address the safe and legal operation of unmanned aircraft systems in this State, so that those engaged in the operation of unmanned aircraft systems may so engage with the least possible restriction, consistent with their safety and with the safety and the rights of others, and in

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compliance with federal rules and regulations.

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

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