

AN ACT concerning local government.

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

Section 5. The Counties Code is amended by adding Section 5-1189 as follows:

(55 ILCS 5/5-1189 new)

Sec. 5-1189. Access to and use of county infrastructure for broadband. A county may lease, license, or otherwise grant access to and use of infrastructure, including fiber optic cables, that the county owns or controls to public or private entities to facilitate the delivery of broadband services on the condition that the lease, license, access, or use: (1) be granted on a nondiscriminatory, nonexclusive, and competitively neutral basis; and (2) comply with all other State and federal laws, rules, and regulations, including, but not limited to, all applicable safety codes and requirements. However, nothing in this Section shall be construed to authorize a county to lease, license, or otherwise grant access to or use of infrastructure that the county does not own or control to public or private entities to facilitate the delivery of broadband services. This Section applies to leases, licenses, or other agreements entered into, amended, or renewed on or after the effective date of this amendatory

Public Act 103-0947

SB3173 Enrolled

LRB103 37811 AWJ 67941 b

Act of the 103rd General Assembly.