

# Proposed Law Would Not Allow Counties to Set Standards for Wind-Farms

3.24.14

By: [Mark McClenathan](mailto:mmcclenathan@heyloyster.com), mmcclenathan@heyloyster.com

On February 25, 2014, Illinois State Senator John M. Sullivan (D-Macomb) introduced a new bill that would take away authority from the counties and give the State of Illinois Department of Agriculture the power to regulate the locations of power-generating wind turbines. Senator Sullivan told the News-Gazette in Champaign his bill is an attempt to address what he says are inconsistencies in wind-farm regulation from county to county. The bill is SB3263, and the bill has been assigned to the Senate's Energy Committee.

Several counties in Illinois have raised objections to this legislation, arguing that they do not want to give up local control of where wind towers can be erected, while the Illinois Farm Bureau is pushing this new wind-farm proposal.

Currently, the law in Illinois provides "A county may establish standards for wind farms and electric-generating wind devices. The standards may include, without limitation, the height of the devices and the number of devices that may be located within a geographic area. A county may also regulate the siting of wind farms and electric-generating wind devices in unincorporated areas of the county outside of the zoning jurisdiction of a municipality and the 1.5 mile radius surrounding the zoning jurisdiction of a municipality. ..." (55 ILCS 5/5-12020)

We will continue to closely monitor this bill and report any new developments.

Senator Sullivan's proposed bill can be found [here](#).