



# Illinois State Association of Counties

## POSITION STATEMENT

January 1, 2021

### COUNTY REGULATION OF ADULT USE FACILITIES

**SUPPORT**

Illinois counties are responsible for promoting the health, safety and welfare of their residents. Performing this important function requires appropriate regulatory authority over businesses operating within the unincorporated areas of the county. This includes exercising zoning authority over adult businesses based upon the secondary impacts such businesses can have on the residents within a community.

#### **Current Law:**

In 2019, legislation was approved by the General Assembly to provide DuPage County with regulatory authority over adult entertainment facilities in unincorporated areas of the county when the facilities involve exposure of specified anatomical areas or performance of specified sexual services or activities (SB 1580).

The bill was made necessary because some adult facilities did not fit neatly within the existing statutory definition of “adult entertainment facilities.” The new law also provides for a court review process should DuPage County implement a program to license adult entertainment facilities. The law also allows the code hearing unit in DuPage County to enforce and prosecute violations of the adult entertainment facilities ordinance through the county’s administrative adjudication program.

#### **Proposed Change:**

The General Assembly and Governor should expand the regulatory authority, court review of licensing and administrative adjudication provisions within P.A. 101-0405 to all non-home counties.

**PROVIDE ALL NON-HOME RULE COUNTIES WITH AUTHORITY TO  
REGULATE EVOLVING ADULT ENTERTAINMENT FACILITIES.**