

1 AMENDMENT TO HOUSE BILL 2248

2 AMENDMENT NO. _____. Amend House Bill 2248 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by
5 changing Section 2-3-5 as follows:

6 (65 ILCS 5/2-3-5) (from Ch. 24, par. 2-3-5)

7 Sec. 2-3-5. Whenever in any county of less than 450,000
8 ~~150,000~~ population as determined by the last preceding
9 federal census, any area of contiguous territory, not
10 exceeding 5 ~~2~~ square miles, not already included within the
11 corporate limits of any municipality, has residing thereon at
12 least 200 inhabitants living in dwellings other than those
13 designed to be mobile, and is owned by at least 30 different
14 owners, it may be incorporated as a village as follows:

15 35 electors residing within the area may file with the
16 circuit clerk of the county in which such area is situated a
17 petition addressed to the circuit court for that county.

18 The petition shall set forth (1) a definite description
19 of the lands intended to be embraced in the proposed village,
20 (2) the number of inhabitants residing therein, (3) the name
21 of the proposed village, and (4) a prayer that a question be
22 submitted to the electors residing within the limits of the

1 proposed village whether they will incorporate as a village
2 under this Code.

3 If the area contains fewer than 7,500 residents and lies
4 within 1 1/2 miles of the boundary line of any existing
5 municipality, the consent of the existing municipality must
6 be obtained before the area may be incorporated. No area in a
7 county with a population of 150,000 or more that is
8 incorporating under the provisions of this Section shall need
9 to obtain the consent of any existing municipality before the
10 area may be incorporated.

11 In addition, any contiguous territory in a county of
12 150,000 or more population which otherwise meets the
13 requirements of this Section may be incorporated as a village
14 pursuant to the provisions of this Section if (1) any part of
15 such territory is situated within 10 miles of a county with a
16 population less than 150,000 and a petition is filed pursuant
17 to this Section before July 1, 2004 ~~January 17, 1991~~ or (2)
18 any part of the territory is situated within 25 miles of the
19 Illinois state line in a county having a population,
20 according to the 2000 ~~1990~~ federal decennial census, of at
21 least 150,000 but less than 185,000 and a petition is filed
22 pursuant to this Section before July 1, 2007 ~~January 17, 1998~~.

23 In addition, contiguous territory not exceeding 5 ~~2~~
24 square miles in a county with a population of not less than
25 300,000 and not more than 450,000 ~~350,000~~ that otherwise
26 meets the requirements of this Section may be incorporated as
27 a village pursuant to the provisions of this Section if (1)
28 any part of the territory is situated within 2 miles of a
29 county with a population of less than 150,000 and (2) a
30 petition is filed in the manner provided in this Section
31 before July 1, 2004 ~~2001~~. The requirements of Section 2-3-18
32 concerning compatibility with the official plan for
33 development of the county shall not apply to any territory
34 seeking incorporation under this paragraph.

1 (Source: P.A. 90-190, eff. 7-24-97; 91-885, eff. 7-6-00.)

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