95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0130

Introduced 1/19/2007, by Rep. Ed Sullivan, Jr.

SYNOPSIS AS INTRODUCED:

20 ILCS 2705/2705-555.5 new 55 ILCS 5/5-1083.5 new 60 ILCS 1/105-5.5 new 65 ILCS 5/11-77-5 new 70 ILCS 805/6f new 70 ILCS 810/39.1 new 70 ILCS 1205/8-12a new 105 ILCS 5/10-22-12a new

Amends the Department of Transportation Law of the Civil Administrative Code of Illinois, the Counties Code, the Township Code, the Illinois Municipal Code, the Park District Code, the Downstate Forest Preserve District Act, the Cook County Forest Preserve District Act, and the School Code. Authorizes the Department of Transportation and any unit of local government, park district, or school district that contains vacant lands owned by the Department to enter into a lease agreement for the use of those vacant lands. Provides that the lease agreement may be for less than fair market value and must prohibit the unit of local government, park district, or school district from erecting any permanent structure upon the property. Effective immediately.

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AN ACT concerning local government.

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2 Be it enacted by the People of the State of Illinois, 3 represented in the General Assembly:

Section 5. The Department of Transportation Law of the
Civil Administrative Code of Illinois is amended by adding
Section 2705-555.5 as follows:

7 (20 ILCS 2705/2705-555.5 new)

Sec. 2705-555.5. Lease of vacant land to unit of local 8 9 government or school district. If the Department owns vacant 10 land within a unit of local government, forest preserve district, park district, or school district, the Department of 11 12 Transportation may enter into a lease agreement with the unit of local government, forest preserve district, park district, 13 14 or the school district for use of the vacant land. The lease agreement may be for less than fair market value and must 15 16 prohibit the unit of local government, forest preserve 17 district, park district, or school district from erecting any 18 permanent structure upon the property.

Section 10. The Counties Code is amended by adding Section 5-1083.5 as follows:

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(55 ILCS 5/5-1083.5 new)

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1	Sec. 5-1083.5. Lease with Department of Transportation for		
2	vacant lands. If the Department of Transportation owns vacant		
3	land within a county, the county may enter into a lease		
4	agreement with the Department for use of the vacant land. The		
5	lease agreement may be for less than fair market value and must		
6	prohibit the county from erecting any permanent structure upon		
7	the property.		

8 Section 15. The Township Code is amended by adding Section
9 105-5.5 as follows:

10 (60 ILCS 1/105-5.5 new)

11 <u>Sec. 105-5.5. Lease with Department of Transportation for</u> 12 <u>vacant lands. If the Department of Transportation owns vacant</u> 13 <u>land within a township, the Department may enter into a lease</u> 14 <u>agreement with the township for use of the vacant land. The</u> 15 <u>lease agreement may be for less than fair market value and must</u> 16 <u>prohibit the township from erecting any permanent structure</u> 17 <u>upon the property.</u>

Section 20. The Illinois Municipal Code is amended by adding Section 11-77-5 as follows:

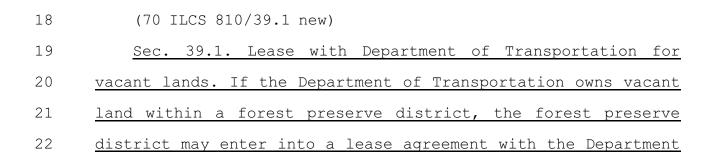
20 (65 ILCS 5/11-77-5 new)
 21 Sec. 11-77-5. Lease with Department of Transportation for
 22 vacant lands. If the Department of Transportation owns vacant

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1 land within a municipality, the Department of Transportation 2 may enter into a lease agreement with the municipality for use 3 of the vacant land. The lease agreement may be for less than 4 fair market value and must prohibit the municipality from 5 erecting any permanent structure upon the property.

- 6 Section 22. The Downstate Forest Preserve District Act is
 7 amended by adding Section 6f as follows:
- 8 (70 ILCS 805/6f new) Sec. 6f. Lease with Department of Transportation for vacant 9 10 lands. If the Department of Transportation owns vacant land 11 within a forest preserve district, the forest preserve district 12 may enter into a lease agreement with the Department for use of 13 the vacant land. The lease agreement may be for less than fair 14 market value and must prohibit the forest preserve district 15 from erecting any permanent structure upon the property.

Section 23. The Cook County Forest Preserve District Act is amended by adding Section 39.1 as follows:



1 for use of the vacant land. The lease agreement may be for less
2 than fair market value and must prohibit the forest preserve
3 district from erecting any permanent structure upon the
4 property.

5 Section 25. The Park District Code is amended by adding
6 Section 8-12a as follows:

7 (70 ILCS 1205/8-12a new)

8 <u>Sec. 8-12a. Leases with Department of Transportation for</u> 9 <u>vacant lands. If the Department of Transportation owns vacant</u> 10 <u>land within a park district, the park district may enter into a</u> 11 <u>lease agreement with the Department for use of the vacant land.</u> 12 <u>The lease agreement may be for less than fair market value and</u> 13 <u>must prohibit the park district from erecting any permanent</u> 14 <u>structure upon the property.</u>

Section 30. The School Code is amended by adding Section 16 10-22-12a as follows:

17 (105 ILCS 5/10-22-12a new) 18 <u>Sec. 10-22-12a. Leases with Department of Transportation</u> 19 <u>for vacant lands. If the Department of Transportation owns</u> 20 <u>vacant land within a school district, the school district may</u> 21 <u>enter into a lease agreement with the Department for use of the</u> 22 <u>vacant land. The lease agreement may be for less than fair</u> HB0130 - 5 - LRB095 04012 HLH 24046 b

1 <u>market value and must prohibit the school district from</u> 2 <u>erecting any permanent structure upon the property.</u>

3 Section 99. Effective date. This Act takes effect upon4 becoming law.