



Rep. Mike Fortner

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09600HB5555ham001

LRB096 17998 RLJ 37598 a

1 AMENDMENT TO HOUSE BILL 5555

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5555 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by  
5 changing Section 7-1-13 as follows:

6 (65 ILCS 5/7-1-13) (from Ch. 24, par. 7-1-13)

7 Sec. 7-1-13. Annexation.

8 (a) Whenever any unincorporated territory containing 60  
9 acres or less, is wholly bounded by (a) one or more  
10 municipalities, (b) one or more municipalities and a creek in a  
11 county with a population of 400,000 or more, or one or more  
12 municipalities and a river or lake in any county, (c) one or  
13 more municipalities and the Illinois State boundary, (d) one or  
14 more municipalities and property owned by the State of  
15 Illinois, including without limitation a ~~except~~ highway  
16 right-of-way owned in fee by the State, (e) one or more

1 municipalities and a forest preserve district or park district,  
2 (f) if the territory is a triangular parcel of less than 10  
3 acres, one or more municipalities and an interstate highway  
4 owned in fee by the State and bounded by a frontage road, or  
5 (g) one or more municipalities in a county with a population of  
6 more than 800,000 inhabitants and less than 2,000,000  
7 inhabitants and either a railroad or operating property, as  
8 defined in the Property Tax Code (35 ILCS 200/11-70), being  
9 immediately adjacent to, but exclusive of that railroad  
10 property, that territory may be annexed by any municipality by  
11 which it is bounded in whole or in part, by the passage of an  
12 ordinance to that effect after notice is given as provided in  
13 subsection (b) of this Section. Land or property that is used  
14 for agricultural purposes or to produce agricultural goods  
15 shall not be annexed pursuant to item (g). Nothing in this  
16 Section shall subject any railroad property to the zoning or  
17 jurisdiction of any municipality annexing the property under  
18 this Section. ~~, and for land annexed pursuant to item (g),~~  
19 ~~notice shall be given to the impacted land owners~~ The ordinance  
20 shall describe the territory annexed and a copy thereof  
21 together with an accurate map of the annexed territory shall be  
22 recorded in the office of the recorder of the county wherein  
23 the annexed territory is situated and a document of annexation  
24 shall be filed with the county clerk and County Election  
25 Authority. Nothing in this Section shall be construed as  
26 permitting a municipality to annex territory of a forest

1 preserve district in a county with a population of 3,000,000 or  
2 more without obtaining the consent of the district pursuant to  
3 Section 8.3 of the Cook County Forest Preserve District Act nor  
4 shall anything in this Section be construed as permitting a  
5 municipality to annex territory owned by a park district  
6 without obtaining the consent of the district pursuant to  
7 Section 8-1.1 of the Park District Code.

8 (b) The corporate authorities shall cause notice, stating  
9 that annexation of the territory described in the notice is  
10 contemplated under this Section, to be published once, in a  
11 newspaper of general circulation within the territory to be  
12 annexed, not less than 10 days before the passage of the  
13 annexation ordinance, and for land annexed pursuant to item (g)  
14 of subsection (a) of this Section, notice shall be given to the  
15 impacted land owners. The corporate authorities shall also, not  
16 less than 15 days before the passage of the annexation  
17 ordinance, serve written notice, either in person or, at a  
18 minimum, by certified mail, on the taxpayer of record of the  
19 proposed annexed territory as appears from the authentic tax  
20 records of the county. When the territory to be annexed lies  
21 wholly or partially within a township other than the township  
22 where the municipality is situated, the annexing municipality  
23 shall give at least 10 days prior written notice of the time  
24 and place of the passage of the annexation ordinance to the  
25 township supervisor of the township where the territory to be  
26 annexed lies.

1           (c) When notice is given as described in subsection (b) of  
2 this Section, no other municipality may annex the proposed  
3 territory for a period of 60 days from the date the notice is  
4 mailed or delivered to the taxpayer of record unless that other  
5 municipality has initiated annexation proceedings or a valid  
6 petition as described in Section 7-1-2, 7-1-8, 7-1-11 or 7-1-12  
7 of this Code has been received by the municipality prior to the  
8 publication and mailing of the notices required in subsection  
9 (b).

10       (Source: P.A. 94-396, eff. 8-1-05; 95-931, eff. 1-1-09;  
11 95-1039, eff. 3-25-09; revised 4-9-09.)

12           Section 99. Effective date. This Act takes effect upon  
13 becoming law."