



Rep. Mike Fortner

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09600HB5555ham002

LRB096 17998 RLJ 39289 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) except
14 as provided in item (h) of this subsection (a), one or more
15 municipalities and property owned by the State of Illinois,
16 except highway right-of-way owned in fee by the State, (e) one

1 or more municipalities and a forest preserve district or park
2 district, (f) if the territory is a triangular parcel of less
3 than 10 acres, one or more municipalities and an interstate
4 highway owned in fee by the State and bounded by a frontage
5 road, ~~or~~ (g) one or more municipalities in a county with a
6 population of more than 800,000 inhabitants and less than
7 2,000,000 inhabitants and either a railroad or operating
8 property, as defined in the Property Tax Code (35 ILCS
9 200/11-70), being immediately adjacent to, but exclusive of
10 that railroad property, that territory may be annexed by any
11 municipality by which it is bounded in whole or in part, by the
12 passage of an ordinance to that effect after notice is given as
13 provided in subsection (b) of this Section, or (h) one or more
14 municipalities located within a county with a population of
15 more than 800,000 inhabitants and less than 2,000,000
16 inhabitants and property owned by the State, including without
17 limitation a highway right-of-way owned in fee by the State.

18 Land or property that is used for agricultural purposes or to
19 produce agricultural goods shall not be annexed pursuant to
20 item (g). Nothing in this Section shall subject any railroad
21 property to the zoning or jurisdiction of any municipality
22 annexing the property under this Section. ~~, and for land~~
23 ~~annexed pursuant to item (g), notice shall be given to the~~
24 ~~impacted land owners~~ The ordinance shall describe the territory
25 annexed and a copy thereof together with an accurate map of the
26 annexed territory shall be recorded in the office of the

1 recorder of the county wherein the annexed territory is
2 situated and a document of annexation shall be filed with the
3 county clerk and County Election Authority. Nothing in this
4 Section shall be construed as permitting a municipality to
5 annex territory of a forest preserve district in a county with
6 a population of 3,000,000 or more without obtaining the consent
7 of the district pursuant to Section 8.3 of the Cook County
8 Forest Preserve District Act nor shall anything in this Section
9 be construed as permitting a municipality to annex territory
10 owned by a park district without obtaining the consent of the
11 district pursuant to Section 8-1.1 of the Park District Code.

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

1 shall give at least 10 days prior written notice of the time
2 and place of the passage of the annexation ordinance to the
3 township supervisor of the township where the territory to be
4 annexed lies.

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

14 (Source: P.A. 94-396, eff. 8-1-05; 95-931, eff. 1-1-09;
15 95-1039, eff. 3-25-09; revised 4-9-09.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law."