



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5740

Introduced 2/16/2012, by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

735 ILCS 30/25-5-45 new

Amends the Eminent Domain Act. Provides that quick-take proceedings may be used by any entity afforded quick-take powers for the purpose of acquiring land or interests in land as a joint project in association with an electric, gas, or water public utility to expand or improve its distribution system. Provides that property taken under these provisions does not require a certificate of public convenience and necessity issued by the Illinois Commerce Commission. Provides that before the initiation of proceedings, a verified statement of agreement to a joint purpose project must be executed by any affected utilities.

LRB097 17520 AJO 62724 b

1 AN ACT concerning civil law.

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

4 Section 5. The Eminent Domain Act is amended by adding
5 Section 25-5-45 as follows:

6 (735 ILCS 30/25-5-45 new)

7 Sec. 25-5-45. Quick-take; joint utility improvements.
8 Quick-take proceedings under Article 20 may be used by any
9 entity afforded quick-take powers pursuant to this Act for the
10 purpose of acquiring land or interests therein as a joint
11 project in association with an electric, gas, or water public
12 utility to expand or improve its distribution system. Property
13 taken pursuant to this Section shall not require a certificate
14 of public convenience and necessity issued by the Illinois
15 Commerce Commission. Prior to the initiation of proceedings
16 under Article 20, a verified statement of agreement to a joint
17 purpose project must be executed by any affected utility.