

1 AN ACT concerning State government.

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

4 Section 5. The Department of Transportation Law of the  
5 Civil Administrative Code of Illinois is amended by changing  
6 Section 2705-555 as follows:

7 (20 ILCS 2705/2705-555) (was 20 ILCS 2705/49.13)

8 Sec. 2705-555. Lease of land or property.

9 (a) The Department has the power from time to time to lease  
10 any land or property, with or without appurtenances, of which  
11 the Department has jurisdiction and that is not immediately to  
12 be used or developed by the State; provided that no such lease  
13 be for a longer period of time than that in which it can  
14 reasonably be expected the State will not have use for the  
15 property, and further provided that no such lease be for a  
16 longer period of time than 5 years, except as provided in  
17 subsections ~~subsection~~ (b), (c), and (d).

18 (b) In counties with a population of not less than 500,000  
19 and not more than 800,000, a lease to any other department of  
20 State government, any authority, commission, or agency of the  
21 State, or a municipality, county, or township of the State,  
22 including in any land lease the corresponding vertical rights,  
23 subterranean and air rights, and sublease rights, may be for a

1 period of time no longer than 25 years.

2 (c) In counties with a population of not less than  
3 3,000,000, a lease initially entered into within one year  
4 after the effective date of this amendatory Act of the 93rd  
5 General Assembly, including in any land lease the  
6 corresponding vertical rights, subterranean and air rights,  
7 and sublease rights, may be for a period of time no longer than  
8 35 years. The land or property shall be leased by the  
9 Department at fair market value.

10 (d) In counties with a population of more than 3,000,000,  
11 a lease for pedestrian infrastructure over a State highway  
12 initially entered into within one year after the effective  
13 date of this amendatory Act of the 104th General Assembly,  
14 including the corresponding vertical rights, subterranean and  
15 air rights, and sublease rights, may be for a period of time no  
16 longer than 35 years. The land or property shall be leased by  
17 the Department at fair market value and meet all other  
18 statutory requirements.

19 (Source: P.A. 93-1100, eff. 3-31-05.)