



Rep. Jay Hoffman

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10400HB4950ham001

LRB104 19990 CCC 36642 a

1 AMENDMENT TO HOUSE BILL 4950

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4950 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Public Contract Fraud Act is amended by  
5 changing Section 2 as follows:

6 (30 ILCS 545/2) (from Ch. 127, par. 132.52)

7 Sec. 2. Spending money without obtaining title to land;  
8 approval of title by Attorney General.

9 (a) Except as otherwise provided in Section 2 of the  
10 Superconducting Super Collider Act or for projects constructed  
11 under the Bikeway Act, any person or persons, commissioner or  
12 commissioners, or other officer or officers, entrusted with  
13 the construction or repair of any public work or improvement,  
14 as set forth in Section 1, who shall expend or cause to be  
15 expended upon such public work or improvement, the whole or  
16 any part of the moneys appropriated therefor, or who shall

1 commence work, or in any way authorize work to be commenced,  
2 thereon, without first having obtained a title, by purchase,  
3 donation, condemnation or otherwise, to all lands needed for  
4 such public work or improvement, running to the People of the  
5 State of Illinois; such title to be approved by the Attorney  
6 General, and his approval certified by the Secretary of State  
7 and placed on record in his office, shall be deemed guilty of a  
8 Class A misdemeanor.

9 (b) Approval of title by the Attorney General for all  
10 lands needed for a public work or improvement shall not be  
11 required as established under subsection (a) of this Section  
12 and the State Comptroller may draw warrant in payment of  
13 consideration for all such lands without requiring approval of  
14 title by the Attorney General if consideration to be paid does  
15 not exceed \$25,000 and the title acquired for such lands is  
16 for:

17 (1) a fee simple title or easement acquired by the  
18 State for highway right-of-way; or

19 (2) an acquisition of rights or easements of access,  
20 crossing, light, air or view to, from or over a freeway  
21 vested in abutting property; or

22 (3) a fee simple title or easement used to place  
23 utility lines and connect a permanent public work or  
24 improvement owned by the State to main utility lines; or

25 (4) for the purpose of flood relief or other water  
26 resource projects.

1           (c) This Section does not apply to any otherwise lawful  
2 expenditures for the construction, completion, remodeling,  
3 maintenance and equipment of buildings and other facilities  
4 made in connection with and upon premises owned by the  
5 Illinois Building Authority, nor shall this Section apply to  
6 improvements to real estate leased by any State agency as  
7 defined in the Illinois State Auditing Act, provided the  
8 leasehold improvements were contracted for by an agency with  
9 leasing authority and in compliance with the rules and  
10 regulations promulgated by such agency for that purpose.

11           (d) Notwithstanding subsection (a), the Department of  
12 Transportation may proceed with bidding or awarding a contract  
13 or any construction activities once it has complied with the  
14 requirements for conditional certification under 23 CFR  
15 635.309(c)(3).

16           The Department of Transportation shall comply with the  
17 requirements under subsection (a) before expending funds on  
18 construction activities or property acquisition related to  
19 parcels that were outstanding at the time of conditional  
20 certification under this subsection (d).

21           No construction activities shall be undertaken on any  
22 property until the requirements under subsection (a) have been  
23 met for that property. No delay costs shall be assessed  
24 against the State until the Department of Transportation has  
25 complied with subsection (a).

26           (Source: P.A. 103-865, eff. 1-1-25.)

1           Section 10. The Real Estate Appraiser Licensing Act of  
2           2002 is amended by changing Sections 1-10 and 5-5 as follows:

3           (225 ILCS 458/1-10)

4           (Section scheduled to be repealed on January 1, 2027)

5           Sec. 1-10. Definitions. As used in this Act, unless the  
6           context otherwise requires:

7           "Accredited college or university, junior college, or  
8           community college" means a college or university, junior  
9           college, or community college that is approved or accredited  
10          by the Board of Higher Education, a regional or national  
11          accreditation association, or by an accrediting agency that is  
12          recognized by the U.S. Secretary of Education.

13          "Address of record" means the designated street address,  
14          which may not be a post office box, recorded by the Department  
15          in the applicant's or licensee's application file or license  
16          file as maintained by the Department.

17          "Applicant" means a person who applies to the Department  
18          for a license under this Act.

19          "Appraisal" means (noun) the act or process of developing  
20          an opinion of value; an opinion of value (adjective) of or  
21          pertaining to appraising and related functions, such as  
22          appraisal practice or appraisal services.

23          "Appraisal assignment" means a valuation service provided  
24          pursuant to an agreement between an appraiser and a client.

1 "Appraisal firm" means an appraisal entity that is 100%  
2 owned and controlled by a person or persons licensed in  
3 Illinois as a certified general real estate appraiser or a  
4 certified residential real estate appraiser. "Appraisal firm"  
5 does not include an appraisal management company.

6 "Appraisal management company" means any corporation,  
7 limited liability company, partnership, sole proprietorship,  
8 subsidiary, unit, or other business entity that directly or  
9 indirectly: (1) provides appraisal management services to  
10 creditors or secondary mortgage market participants, including  
11 affiliates; (2) provides appraisal management services in  
12 connection with valuing the consumer's principal dwelling as  
13 security for a consumer credit transaction (including consumer  
14 credit transactions incorporated into securitizations); and  
15 (3) any appraisal management company that, within a given  
16 12-month period, oversees an appraiser panel of 16 or more  
17 State-certified appraisers in Illinois or 25 or more  
18 State-certified or State-licensed appraisers in 2 or more  
19 jurisdictions. "Appraisal management company" includes a  
20 hybrid entity.

21 "Appraisal practice" means valuation services performed by  
22 an individual acting as an appraiser, including, but not  
23 limited to, appraisal or appraisal review.

24 "Appraisal qualification board (AQB)" means the  
25 independent board of the Appraisal Foundation, which, under  
26 the provisions of Title XI of the Financial Institutions

1 Reform, Recovery, and Enforcement Act of 1989, establishes the  
2 minimum education, experience, and examination requirements  
3 for real property appraisers to obtain a state certification  
4 or license.

5 "Appraisal report" means any communication, written or  
6 oral, of an appraisal or appraisal review that is transmitted  
7 to a client upon completion of an assignment.

8 "Appraisal review" means the act or process of developing  
9 and communicating an opinion about the quality of another  
10 appraiser's work that was performed as part of an appraisal,  
11 appraisal review, or appraisal assignment.

12 "Appraisal Subcommittee" means the Appraisal Subcommittee  
13 of the Federal Financial Institutions Examination Council as  
14 established by Title XI.

15 "Appraiser" means a person who performs real estate or  
16 real property appraisals competently and in a manner that is  
17 independent, impartial, and objective.

18 "Appraiser panel" means a network, list, or roster of  
19 licensed or certified appraisers approved by the appraisal  
20 management company or by the ~~end-user~~ client to perform  
21 appraisals as independent contractors for the appraisal  
22 management company. "Appraiser panel" includes both appraisers  
23 accepted by an appraisal management company for consideration  
24 for future appraisal assignments and appraisers engaged by an  
25 appraisal management company to perform one or more  
26 appraisals. For the purposes of determining the size of an

1 appraiser panel, only independent contractors of hybrid  
2 entities shall be counted towards the appraiser panel.

3 "Associate real estate trainee appraiser" means an  
4 entry-level appraiser who holds a license of this  
5 classification under this Act with restrictions as to the  
6 scope of practice in accordance with this Act.

7 "Automated valuation model" means an automated system that  
8 is used to derive a property value through the use of available  
9 property records and various analytic methodologies such as  
10 comparable sales prices, home characteristics, and price  
11 changes.

12 "Board" means the Real Estate Appraisal Administration and  
13 Disciplinary Board.

14 "Broker price opinion" means an estimate or analysis of  
15 the probable selling price of a particular interest in real  
16 estate, which may provide a varying level of detail about the  
17 property's condition, market, and neighborhood and information  
18 on comparable sales. The activities of a real estate broker or  
19 managing broker engaging in the ordinary course of business as  
20 a broker, as defined in this Section, shall not be considered a  
21 broker price opinion if no compensation is paid to the broker  
22 or managing broker, other than compensation based upon the  
23 sale or rental of real estate.

24 "Classroom hour" means 50 minutes of instruction out of  
25 each 60-minute segment of coursework.

26 "Client" means the party or parties who engage an

1 appraiser by employment or contract in a specific appraisal  
2 assignment.

3 "Comparative market analysis" is an analysis or opinion  
4 regarding pricing, marketing, or financial aspects relating to  
5 a specified interest or interests in real estate that may be  
6 based upon an analysis of comparative market data, the  
7 expertise of the real estate broker or managing broker, and  
8 such other factors as the broker or managing broker may deem  
9 appropriate in developing or preparing such analysis or  
10 opinion. The activities of a real estate broker or managing  
11 broker engaging in the ordinary course of business as a  
12 broker, as defined in this Section, shall not be considered a  
13 comparative market analysis if no compensation is paid to the  
14 broker or managing broker, other than compensation based upon  
15 the sale or rental of real estate.

16 "Coordinator" means the Real Estate Appraisal Coordinator  
17 created in Section 25-15.

18 "Department" means the Department of Financial and  
19 Professional Regulation.

20 "Email address of record" means the designated email  
21 address recorded by the Department in the applicant's  
22 application file or the licensee's license file maintained by  
23 the Department.

24 "Evaluation" means a valuation permitted by the appraisal  
25 regulations of the Federal Financial Institutions Examination  
26 Council and its federal agencies for transactions that qualify

1 for the appraisal threshold exemption, business loan  
2 exemption, or subsequent transaction exemption.

3 "Federal financial institutions regulatory agencies" means  
4 the Board of Governors of the Federal Reserve System, the  
5 Federal Deposit Insurance Corporation, the Office of the  
6 Comptroller of the Currency, the Consumer Financial Protection  
7 Bureau, and the National Credit Union Administration.

8 "Federally related transaction" means any real  
9 estate-related financial transaction in which a federal  
10 financial institutions regulatory agency engages in, contracts  
11 for, or regulates and requires the services of an appraiser.

12 "Financial institution" means any bank, savings bank,  
13 savings and loan association, credit union, mortgage broker,  
14 mortgage banker, licensee under the Consumer Installment Loan  
15 Act or the Sales Finance Agency Act, or a corporate fiduciary,  
16 subsidiary, affiliate, parent company, or holding company of  
17 any such licensee, or any institution involved in real estate  
18 financing that is regulated by state or federal law.

19 "Hybrid entity" means an appraisal management company that  
20 hires an appraiser as an employee to perform an appraisal and  
21 engages an independent contractor to perform an appraisal.

22 "License" means the privilege conferred by the Department  
23 to a person that has fulfilled all requirements prerequisite  
24 to any type of licensure under this Act.

25 "Licensee" means any person licensed under this Act.

26 "Multi-state licensing system" means a web-based platform

1 that allows an applicant to submit the application or license  
2 renewal application to the Department online.

3 "Person" means an individual, entity, sole proprietorship,  
4 corporation, limited liability company, partnership, and joint  
5 venture, foreign or domestic, except that when the context  
6 otherwise requires, the term may refer to more than one  
7 individual or other described entity.

8 "Real estate" means an identified parcel or tract of land,  
9 including any improvements.

10 "Real estate related financial transaction" means any  
11 transaction involving:

12 (1) the sale, lease, purchase, investment in, or  
13 exchange of real property, including interests in property  
14 or the financing thereof;

15 (2) the refinancing of real property or interests in  
16 real property; and

17 (3) the use of real property or interest in property  
18 as security for a loan or investment, including mortgage  
19 backed securities.

20 "Real property" means the interests, benefits, and rights  
21 inherent in the ownership of real estate.

22 "Secretary" means the Secretary of Financial and  
23 Professional Regulation or the Secretary's designee.

24 "State certified general real estate appraiser" means an  
25 appraiser who holds a license of this classification under  
26 this Act and such classification applies to the appraisal of

1 all types of real property without restrictions as to the  
2 scope of practice.

3 "State certified residential real estate appraiser" means  
4 an appraiser who holds a license of this classification under  
5 this Act and such classification applies to the appraisal of  
6 one to 4 units of residential real property without regard to  
7 transaction value or complexity, but with restrictions as to  
8 the scope of practice in a federally related transaction in  
9 accordance with Title XI, the provisions of USPAP, criteria  
10 established by the AQB, and further defined by rule.

11 "Supervising appraiser" means either (i) an appraiser who  
12 holds a valid license under this Act as either a State  
13 certified general real estate appraiser or a State certified  
14 residential real estate appraiser, who co-signs an appraisal  
15 report for an associate real estate trainee appraiser or (ii)  
16 a State certified general real estate appraiser who holds a  
17 valid license under this Act who co-signs an appraisal report  
18 for a State certified residential real estate appraiser on  
19 properties other than one to 4 units of residential real  
20 property without regard to transaction value or complexity.

21 "Title XI" means Title XI of the federal Financial  
22 Institutions Reform, Recovery, and Enforcement Act of 1989.

23 "USPAP" means the Uniform Standards of Professional  
24 Appraisal Practice as promulgated by the Appraisal Standards  
25 Board pursuant to Title XI and by rule.

26 "Valuation services" means services pertaining to aspects

1 of property value.

2 "Waiver valuation" means a valuation prepared pursuant to  
3 the federal Uniform Relocation Assistance and Real Property  
4 Acquisition Policies Act of 1970, as amended, or pursuant to  
5 the federal Uniform Relocation Assistance and Real Property  
6 Acquisition for Federal and Federally Assisted Programs  
7 regulations under 49 CFR Part 24, which is not an appraisal and  
8 may not be represented to be an appraisal.

9 (Source: P.A. 102-20, eff. 1-1-22; 102-687, eff. 12-17-21;  
10 102-970, eff. 5-27-22; 103-236, eff. 1-1-24.)

11 (225 ILCS 458/5-5)

12 (Section scheduled to be repealed on January 1, 2027)

13 Sec. 5-5. Necessity of license; use of title; exemptions.

14 (a) It is unlawful for a person to (i) act, offer services,  
15 or advertise services as a State certified general real estate  
16 appraiser, State certified residential real estate appraiser,  
17 or associate real estate trainee appraiser, (ii) develop a  
18 real estate appraisal, (iii) practice as a real estate  
19 appraiser, or (iv) advertise as a real estate appraiser  
20 without a license issued under this Act. A person who violates  
21 this subsection is guilty of a Class A misdemeanor for a first  
22 offense and a Class 4 felony for any subsequent offense.

23 (a-5) It is unlawful for a person, unless registered as an  
24 appraisal management company, to solicit clients or enter into  
25 an appraisal engagement with clients without either a

1 certified residential real estate appraiser license or a  
2 certified general real estate appraiser license issued under  
3 this Act. A person who violates this subsection is guilty of a  
4 Class A misdemeanor for a first offense and a Class 4 felony  
5 for any subsequent offense.

6 (b) It is unlawful for a person, other than a person who  
7 holds a valid license issued pursuant to this Act as a State  
8 certified general real estate appraiser, a State certified  
9 residential real estate appraiser, or an associate real estate  
10 trainee appraiser to use these titles or any other title,  
11 designation, or abbreviation likely to create the impression  
12 that the person is licensed as a real estate appraiser  
13 pursuant to this Act. A person who violates this subsection is  
14 guilty of a Class A misdemeanor for a first offense and a Class  
15 4 felony for any subsequent offense.

16 (c) This Act does not apply to a person who holds a valid  
17 license as a real estate broker or managing broker pursuant to  
18 the Real Estate License Act of 2000 who prepares or provides a  
19 broker price opinion or comparative market analysis in  
20 compliance with Section 10-45 of the Real Estate License Act  
21 of 2000.

22 (d) Nothing in this Act shall preclude a State certified  
23 general real estate appraiser, a State certified residential  
24 real estate appraiser, or an associate real estate trainee  
25 appraiser from rendering appraisals for or on behalf of a  
26 partnership, association, corporation, firm, or group.

1 However, no State appraisal license or certification shall be  
2 issued under this Act to a partnership, association,  
3 corporation, firm, or group.

4 (e) This Act does not apply to a county assessor, township  
5 assessor, multi-township assessor, county supervisor of  
6 assessments, or any deputy or employee of any county assessor,  
7 township assessor, multi-township assessor, or county  
8 supervisor of assessments in performance of respective duties  
9 in accordance with the provisions of the Property Tax Code.

10 (e-5) For the purposes of this Act, waiver valuations  
11 ~~valuation waivers may be prepared by a licensed appraiser~~  
12 ~~notwithstanding any other provision of this Act, and the~~  
13 ~~following types of valuations~~ are not appraisals and may not  
14 be represented to be appraisals, and a license or  
15 certification is not required under this Act to perform such  
16 valuations if the valuations are created in one of the  
17 following manners: ~~performed by (1) an employee of the~~  
18 ~~Illinois Department of Transportation who has completed a~~  
19 ~~minimum of 45 hours of course work in real estate appraisal,~~  
20 ~~including the principles of real estate appraisals, appraisal~~  
21 ~~of partial acquisitions, easement valuation, reviewing~~  
22 ~~appraisals in eminent domain, appraisal for federal aid~~  
23 ~~highway programs, and appraisal review for federal aid highway~~  
24 ~~programs and has at least 2 years' experience in a field~~  
25 ~~closely related to real estate; (2) a county engineer who is a~~  
26 ~~registered professional engineer under the Professional~~

1 ~~Engineering Practice Act of 1989; (3) an employee of a~~  
2 ~~municipality who has (i) completed a minimum of 45 hours of~~  
3 ~~coursework in real estate appraisal, including the principles~~  
4 ~~of real estate appraisals, appraisal of partial acquisitions,~~  
5 ~~easement valuation, reviewing appraisals in eminent domain,~~  
6 ~~appraisal for federal aid highway programs, and appraisal~~  
7 ~~review for federal aid highway programs and (ii) has either 2~~  
8 ~~years' experience in a field clearly related to real estate or~~  
9 ~~has completed 20 hours of additional coursework that is~~  
10 ~~sufficient for a person to complete waiver valuations as~~  
11 ~~approved by the Federal Highway Administration; or (4) a~~  
12 ~~municipal engineer who has completed coursework that is~~  
13 ~~sufficient for waiver valuations to be approved by the Federal~~  
14 ~~Highway Administration and who is a registered professional~~  
15 ~~engineer under the Professional Engineering Act of 1989, under~~  
16 ~~the following circumstances:~~

17 (A) a waiver valuation ~~waiver~~ in an amount not to  
18 exceed \$35,000 ~~that \$20,000 prepared pursuant to the~~  
19 ~~federal Uniform Relocation Assistance and Real Property~~  
20 ~~Acquisition Policies Act of 1970, or prepared pursuant to~~  
21 ~~the federal Uniform Relocation Assistance and Real~~  
22 ~~Property Acquisition for Federal and Federally Assisted~~  
23 ~~Programs regulations and which is performed by:~~

24 (1) an employee of the Illinois Department of  
25 Transportation who is a registered professional  
26 engineer under the Professional Engineering Practice

1           Act of 1989 or an employee of the Illinois Department  
2           of Transportation that is ~~and~~ ~~co-signed,~~ ~~with a~~  
3           ~~license number affixed,~~ by another employee of the  
4           Illinois Department of Transportation and who is a  
5           registered professional engineer under the  
6           Professional Engineering Practice Act of 1989, with a  
7           license number affixed;

8           (2) a person who: (i) has at least 2 years'  
9           experience in a field closely related to real estate;  
10           (ii) has completed a minimum of 45 hours of course work  
11           in real estate appraisal, including the principles of  
12           real estate appraisals, appraisal of partial  
13           acquisitions, easement valuation, reviewing appraisals  
14           in eminent domain, appraisal for federal aid highway  
15           programs, or appraisal review for federal aid highway  
16           programs; and (iii) is an employee of the Illinois  
17           Department of Transportation or an employee of a  
18           consultant or subconsultant under contract to provide  
19           land acquisition services to the Illinois Department  
20           of Transportation;

21           (3) a county or municipal engineer who is a  
22           registered professional engineer under the  
23           Professional Engineering Practice Act of 1989, with an  
24           engineer's signature and license number affixed;

25           (4) a municipal engineer who has completed  
26           coursework that is sufficient for waiver valuations to

1           be approved by the Federal Highway Administration and  
2           who is a registered professional engineer under the  
3           Professional Engineering Practice Act of 1989;

4           (5) ~~or (2)~~ an employee of a county or municipality  
5           that is ~~and~~ co-signed with a license number affixed by  
6           its respective ~~a~~ county or municipal engineer who is a  
7           registered professional engineer under the  
8           Professional Engineering Practice Act of 1989, with a  
9           license number affixed;

10           (6) an employee of a municipality who:

11                   (A) has completed a minimum of 45 hours of  
12                   coursework in real estate appraisal, including the  
13                   principles of real estate appraisals, appraisal of  
14                   partial acquisitions, easement valuation,  
15                   reviewing appraisals in eminent domain, appraisal  
16                   for federal aid highway programs, and appraisal  
17                   review for federal aid highway programs; and

18                   (B) has either 2 years of experience in a  
19                   field clearly related to real estate or has  
20                   completed 20 hours of additional coursework that  
21                   is sufficient for the employee to complete waiver  
22                   valuations as approved by the Federal Highway  
23                   Administration; or

24           (7) a nonresident appraiser licensed in another  
25           jurisdiction who does not represent himself or herself  
26           to be an Illinois-licensed appraiser; ~~or and~~

1 (B) a waiver valuation ~~waiver~~ in an amount not to  
2 exceed \$50,000 that (1) is performed by a licensed  
3 certified general real estate appraiser, a licensed  
4 certified residential real estate appraiser, or an  
5 associate real estate trainee appraiser employed by the  
6 Illinois Department of Transportation, (2) includes the  
7 signature and license numbers of the appraiser or the  
8 trainee and the trainee's supervising appraiser, and (3)  
9 is co-signed by an employee of the Illinois Department of  
10 Transportation who is a registered professional engineer  
11 under the Professional Engineering Practice Act of 1989,  
12 with a license number affixed ~~\$20,000 prepared pursuant to~~  
13 ~~the federal Uniform Relocation Assistance and Real~~  
14 ~~Property Acquisition Policies Act of 1970, or prepared~~  
15 ~~pursuant to the federal Uniform Relocation Assistance and~~  
16 ~~Real Property Acquisition for Federal and~~  
17 ~~Federally Assisted Programs regulations and which is~~  
18 ~~performed by a county or municipal engineer who is~~  
19 ~~employed by a county or municipality and is a registered~~  
20 ~~professional engineer under the Professional Engineering~~  
21 ~~Practice Act of 1989. The valuation shall include the~~  
22 ~~county or municipal engineer's signature and license~~  
23 ~~number.~~

24 Nothing in this subsection (e-5) shall be construed to  
25 allow the State of Illinois, a political subdivision thereof,  
26 or any public body to acquire real estate by eminent domain in

1 any manner other than provided for in the Eminent Domain Act.

2 Any person who is certified or licensed under this Act and  
3 performs a waiver valuation in accordance with (1) the  
4 requirements of this subsection (e-5) and (2) the federal  
5 Uniform Relocation Assistance and Real Property Acquisition  
6 Policies Act of 1970, as amended, or pursuant to the federal  
7 Uniform Relocation Assistance and Real Property Acquisition  
8 for Federal and Federally Assisted Programs regulations under  
9 49 CFR Part 24 shall be exempt from adherence to all relevant  
10 provisions of the Uniform Standards of Professional Appraisal  
11 Practice while conducting waiver valuations in accordance with  
12 State and federal law. Nothing in this Act shall be construed  
13 to exempt any person who is certified or licensed under this  
14 Act from adhering to the Uniform Standards of Professional  
15 Appraisal Practice while conducting appraisals in accordance  
16 with this Act.

17 (f) A State real estate appraisal certification or license  
18 is not required under this Act for any person, partnership,  
19 association, or corporation that performs appraisals of  
20 property owned by that person, partnership, association, or  
21 corporation for the sole use of that person, partnership,  
22 association, or corporation.

23 Any person who is certified or licensed under this Act and  
24 who performs any of the activities set forth in this  
25 subsection (f) must comply with the provisions of this Act. A  
26 person who violates this subsection (f) is guilty of a Class A

1 misdemeanor for a first offense and a Class 4 felony for any  
2 subsequent offense.

3 (g) This Act does not apply to an employee, officer,  
4 director, or member of a credit or loan committee of a  
5 financial institution or any other person engaged by a  
6 financial institution when performing an evaluation of real  
7 property for the sole use of the financial institution in a  
8 transaction for which the financial institution would not be  
9 required to use the services of a State licensed or State  
10 certified appraiser pursuant to federal regulations adopted  
11 under Title XI of the federal Financial Institutions Reform,  
12 Recovery, and Enforcement Act of 1989.

13 (h) This Act does not apply to the procurement of an  
14 automated valuation model.

15 (Source: P.A. 102-20, eff. 1-1-22.)

16 Section 15. The Illinois Highway Code is amended by  
17 changing Section 4-501 as follows:

18 (605 ILCS 5/4-501) (from Ch. 121, par. 4-501)

19 Sec. 4-501. The Department, in its name, or any county may  
20 acquire the fee simple title, or such lesser interest as may be  
21 desired, to any public or private land, rights, or other  
22 property necessary for the construction, maintenance or  
23 operation of State highways, or necessary for locating,  
24 relocating, extending, widening or straightening any State

1 highway, or necessary for locating, relocating, extending,  
2 widening or straightening an existing street or for laying  
3 out, establishing or opening a new street within the corporate  
4 limits of any municipality which has been designated by the  
5 Department as a street to form a part of or to connect with a  
6 State highway leading up to the corporate limits of such  
7 municipality, or necessary for any other purpose or use  
8 contemplated by this Code by purchase or by the exercise of the  
9 right of eminent domain under the eminent domain laws of this  
10 State and the Department shall not be required, in any case, to  
11 furnish bond.

12 When, in the judgment of the acquiring agency, it is more  
13 practical and economical to acquire the fee to the  
14 inaccessible remnants of the tracts of land from which  
15 rights-of-way are being acquired than to pay severance  
16 damages, such agency may do so by purchase or by an eminent  
17 domain proceeding.

18 When a part of a parcel of land is to be taken for State  
19 highway purposes and the accessible remnant is to be left in a  
20 shape or condition rendering it of little value to the owner or  
21 giving rise to claims for severance or other damages, upon  
22 written request of the owner, the acquiring agency may take  
23 the whole parcel and may sell or exchange the part not needed  
24 for highway purposes.

25 When acquiring land for a highway on a new location, and  
26 when a parcel of land one acre or less in area contains a

1 single family residence, which is in conformance with existing  
2 zoning ordinances, and only a part of that parcel is required  
3 for State highway purposes causing the remainder of the parcel  
4 not to conform with the existing zoning ordinances, or when  
5 the location of the right of way line of the proposed highway  
6 reduces the distance from an existing single family residence  
7 to the right of way line to 10 feet or less, the acquiring  
8 agency shall, if the owner so demands, take the whole parcel by  
9 negotiation or condemnation. The part not needed for highway  
10 purposes may be rented, sold or exchanged by the acquiring  
11 agency.

12 When any farm land is acquired for State highway purposes  
13 by the exercise of the right of eminent domain, the rate of  
14 compensation to be paid by the acquiring agency shall be  
15 computed by taking into consideration the total acreage  
16 originally involved in the farm land parcel, including that  
17 portion of such parcel already part of a right of way for  
18 highway purposes but for which legal title lies in the owner of  
19 the parcel.

20 (Source: P.A. 81-536.)

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law."