



Sen. David Koehler

Filed: 3/5/2025

10400SB2387sam001

LRB104 12209 BDA 23391 a

1 AMENDMENT TO SENATE BILL 2387

2 AMENDMENT NO. _____. Amend Senate Bill 2387 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Agricultural Land Conservation Act.

6 Section 5. Findings and intent. The General Assembly
7 hereby reiterates the legislative findings and statement of
8 intent set forth in Section 2 of the Farmland Preservation Act
9 and further finds that:

10 (1) According to the United States Department of
11 Agriculture Economic Research Service, between 2012 and
12 2020 in the Midwest, 70% of solar projects and 94% of wind
13 projects were located on agricultural land.

14 (2) Each year in Illinois, thousands of acres of
15 agricultural land are rezoned and developed into
16 industrial, commercial, and residential areas.

1 (3) Soil and Water Conversation Districts are units of
2 local government; however, they have no taxing authority.

3 (4) Soil and Water Conversation District employees
4 serve as the critical infrastructure in every county in
5 Illinois, administering vital State and federal
6 conservation programs. They are on the front lines of
7 addressing pressing environmental challenges, including
8 improving water quality, enhancing soil health, and
9 building resilience to the increasingly severe impacts of
10 climate change. Their work is foundational to achieving
11 environmental goals, and their presence on the ground
12 ensures that these efforts reach the necessary scale.

13 (5) Unstable or intermittent funding threatens to
14 undermine the capacity of Soil and Water Conversation
15 Districts to deliver programs that support farmers,
16 landowners, and communities across the State. Without
17 adequate staffing, Illinois risks losing the ability to
18 put federal funds earmarked for conservation and climate
19 resilience onto the ground in Illinois. Moreover, it puts
20 at risk the progress made in addressing water quality
21 issues, mitigating flooding, and improving soil
22 sustainability.

23 Section 10. Agricultural land; defined. In this Act,
24 "agricultural land" means land that is intensively used and
25 managed for the production of food and fiber. "Agricultural

1 land" includes cropland; hay land; pastures, including native
2 pastures and rangeland; orchards; vineyards; areas that
3 support wetland crops; other lands used to support the
4 production of livestock; and small tree farms.

5 Section 15. Farmland Conversion Fee Fund. The Farmland
6 Conversion Fee Fund is created as a special fund in the State
7 treasury. Revenue generated from the fees imposed under
8 Section 20 shall be collected by the Department of Revenue and
9 deposited into the Farmland Conversion Fee Fund. Moneys in the
10 Farmland Conversion Fee Fund may be expended and distributed
11 by the Department of Agriculture exclusively for the following
12 purposes:

13 (1) supporting education and programs that support
14 healthy soil, clean water, and climate-smart agricultural
15 practices;

16 (2) supporting operations funding for Soil and Water
17 Conservation Districts;

18 (3) covering costs associated with administering the
19 Act; and

20 (4) any other purpose that the Department of
21 Agriculture determines is consistent with the purposes and
22 intent of this Act.

23 Before expending moneys for any other purpose, the
24 Department of Agriculture shall, subject to the availability
25 of moneys in the Fund, ensure that during each State fiscal

1 year: (i) at least \$10,000,000 is distributed to Soil and
2 Water Conservation Districts in the State for the purposes of
3 paragraph (2) of this Section; (ii) \$2,000,000 is distributed
4 to the Department of Labor; and (iii) \$1,000,000 is
5 distributed to the Department of Revenue for administrative
6 and other costs associated with collection of the Farmland
7 Conversion Fees under Section 20 and related activities. Any
8 remainder may be expended by the Department of Agriculture for
9 the purposes enumerated in this Section.

10 Beginning in State fiscal year 2027, the amounts described
11 in items (i) and (ii) shall be annually increased by the annual
12 unadjusted percentage increase (but not less than zero) in the
13 consumer price index-u for the 12 months ending with the
14 September preceding each November 1, including all previous
15 adjustments. In this Section, "consumer price index-u" means
16 the index published by the Bureau of Labor Statistics of the
17 United States Department of Labor that measures the average
18 change in prices of goods and services purchased by all urban
19 consumers, United States city average, all items, 1982-84 =
20 100.

21 Section 20. Farmland Conversion Fees.

22 (a) Beginning January 1, 2026, a Farmland Conversion Fee
23 shall be paid by the buyer or lessee in a transaction for any
24 agricultural land that will be removed from production for the
25 specific purpose of developing a solar farm, a wind farm, an

1 industrial park, a commercial area, a single-family or
2 multiple-family dwelling or for being put to any other use
3 that removes the agricultural land from production. This
4 Farmland Conversion Fee shall apply to agricultural land that
5 is leased or purchased. This Farmland Conversion Fee shall be
6 remitted to the Department of Revenue, in accordance with
7 rules adopted by the Department of Revenue, within 30 days of
8 the purchase or lease of the agricultural land by the buyer or
9 lessee. The fee under this Section shall be \$275 per acre.

10 (b) Revenue from Farmland Conversion Fees shall be
11 collected by the Department of Revenue and deposited into the
12 Farmland Conversion Fee Fund.

13 (c) Conversion of agricultural land that will be removed
14 from production is exempt from the Farmland Conversion Fee if
15 it is removed from production for the personal use of a farmer
16 or landowner or if it is one or more of the following types of
17 agricultural land conversion:

18 (1) any conversion of land in which the primary
19 function of the converted area supports agricultural
20 infrastructure, such as livestock operations or grain
21 elevators;

22 (2) any conversion of land done by a State agency;

23 (3) any conversion of land done for the creation of
24 high-voltage transmission systems; or

25 (4) any conversion of land whose primary purpose is
26 the establishment of conservation practices.

1 (d) The Department of Revenue shall adopt rules to
2 implement this Section.

3 Section 90. The State Finance Act is amended by adding
4 Section 5.1030 as follows:

5 (30 ILCS 105/5.1030 new)

6 Sec. 5.1030. The Farmland Conversion Fee Fund.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.".