



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4314

Introduced 1/5/2022, by Rep. Michelle Mussman

SYNOPSIS AS INTRODUCED:

70 ILCS 810/2.4 new

70 ILCS 810/8

from Ch. 96 1/2, par. 6411

Amends the Cook County Forest Preserve District Act. Provides that forest preserve districts can also acquire easements to create certain renewable energy infrastructure. Removes provisions authorizing forest preserves to lease land to veterans' organizations as grounds for convalescing sick veterans and veterans with disabilities, and as a place upon which to construct rehabilitation quarters, or to a county as grounds for a county nursing home or convalescent home. Provides that forest preserve districts shall have power to lease 80 acres of the lands and grounds acquired by it, for a term of not more than 40 years to a county as grounds for certain renewable energy infrastructure. Defines "certain renewable energy infrastructure".

LRB102 23204 AWJ 32366 b

1 AN ACT concerning local government.

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

4 Section 1. Findings. The General Assembly finds that the
5 Forest Preserve District of Cook County requires the authority
6 to take certain measures to meet its 2030 100% clean energy and
7 2050 carbon neutral goals.

8 Section 5. The Cook County Forest Preserve District Act is
9 amended by changing Section 8 and by adding Section 2.4 as
10 follows:

11 (70 ILCS 810/2.4 new)

12 Sec. 2.4. Certain renewable energy infrastructure.
13 "Certain renewable energy infrastructure" means photovoltaic
14 cells, photovoltaic panels, and other infrastructure to gather
15 or provide solar energy.

16 (70 ILCS 810/8) (from Ch. 96 1/2, par. 6411)

17 Sec. 8. Any forest preserve district shall have power to
18 acquire easements in land, lands in fee simple and grounds
19 within such district for the aforesaid purposes by gift,
20 grant, legacy, purchase or condemnation and to construct, lay
21 out, improve and maintain wells, power plants, certain

1 renewable energy infrastructure, comfort stations, shelter
2 houses, paths, driveways, roadways and other improvements and
3 facilities in and through such forest preserves as it shall
4 deem necessary or desirable for the use of such forest
5 preserves by the public. Such forest preserve districts shall
6 also have power to lease not to exceed 80 ~~40~~ acres of the lands
7 and grounds acquired by it, for a term of not more than 40 ~~99~~
8 years to a county as grounds for certain renewable energy
9 infrastructure. ~~veterans' organizations as grounds for~~
10 ~~convalescing sick veterans and veterans with disabilities, and~~
11 ~~as a place upon which to construct rehabilitation quarters, or~~
12 ~~to a county as grounds for a county nursing home or~~
13 ~~convalescent home.~~ Any such forest preserve district shall
14 also have power to grant licenses, easements and rights-of-way
15 for the construction, operation and maintenance upon, under or
16 across any property of such district for ~~of~~ facilities for
17 water, sewage, telephone, telegraph, electric, gas or other
18 public service, subject to such terms and conditions as may be
19 determined by such district.

20 Whenever the board determines that the public interest
21 will be subserved by vacating any street, roadway, or
22 driveway, or part thereof, located within a forest preserve,
23 it may vacate that street, roadway, or driveway, or part
24 thereof, by an ordinance passed by the affirmative vote of at
25 least 3/4 of all the members of the board.

26 The determination of the board that the nature and extent

1 of the public use or public interest to be subserved is such as
2 to warrant the vacation of any street, roadway, or driveway,
3 or part thereof, is conclusive, and the passage of such an
4 ordinance is sufficient evidence of that determination,
5 whether so recited in the ordinance or not. The relief to the
6 public from further burden and responsibility of maintaining
7 any street, roadway or driveway, or part thereof, constitutes
8 a public use or public interest authorizing the vacation.

9 Nothing contained in this Section shall be construed to
10 authorize the board to vacate any street, roadway, or
11 driveway, or part thereof, that is part of any State or county
12 highway.

13 When property is damaged by the vacation or closing of any
14 street, roadway, or driveway, or part thereof, damage shall be
15 ascertained and paid as provided by law.

16 Except in cases where the deed, or other instrument
17 dedicating a street, roadway, or driveway, or part thereof,
18 has expressly provided for a specific devolution of the title
19 thereto upon the abandonment or vacation thereof, whenever any
20 street, roadway, or driveway, or part thereof is vacated under
21 or by virtue of any ordinance of any forest preserve district,
22 the title to the land in fee simple included within the street,
23 roadway, or driveway, or part thereof, so vacated vests in the
24 forest preserve district.

25 The board of any forest preserve district is authorized to
26 sell at fair market price, gravel, sand, earth and any other

1 material obtained from the lands and waters owned by the
2 district.

3 (Source: P.A. 98-281, eff. 8-9-13; 99-143, eff. 7-27-15.)