



Sen. Rachel Ventura

Filed: 5/3/2024

10300SB2651sam001

LRB103 34493 AWJ 72794 a

1 AMENDMENT TO SENATE BILL 2651

2 AMENDMENT NO. _____. Amend Senate Bill 2651 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Sections 5-1049.2 and 5-30004 as follows:

6 (55 ILCS 5/5-1049.2)

7 Sec. 5-1049.2. Lease of county property.

8 (a) The county board may lease real estate acquired or
9 held by the county for any term not exceeding 99 years and may
10 lease the real estate when, in the opinion of the county board,
11 the real estate is no longer necessary, appropriate, required
12 for the use of, profitable to, or for the best interests of the
13 county. The authority to lease shall be exercised by an
14 ordinance passed by three-fourths of the full county board
15 then holding office, at any regular meeting or at any special
16 meeting called for that purpose.

1 (b) Notwithstanding subsection (a), upon three-fourths
2 vote, by the full county board, the county board may lease
3 farmland acquired or held by the county for any term not
4 exceeding 5 years. Farmland may be leased to either public or
5 private entities via a cash lease, crop-sharing arrangement,
6 or custom farming arrangement. The bid process for a lease
7 entered into under this subsection must be publicly advertised
8 and sealed bids must be opened at a county board meeting for
9 public review. Counties shall not acquire farmland for the
10 sole purpose of entering into a cash lease, crop-sharing
11 arrangement, or custom farming arrangement or other
12 speculative purpose.

13 (c) The lease of real estate is also permitted when a
14 property, structure, or facility owned by the county can be
15 used for athletic purposes or museum purposes in the interest
16 of the public or for the benefit and enjoyment of residents of
17 the county.

18 (Source: P.A. 103-415, eff. 8-4-23.)

19 (55 ILCS 5/5-30004) (from Ch. 34, par. 5-30004)

20 Sec. 5-30004. Authority to protect and preserve landmarks
21 and preservation districts. The county board of each county
22 shall have the following authority:

23 (1) to establish and appoint by ordinance a
24 preservation study committee and to take any reasonable
25 temporary actions to protect potential landmarks and

1 preservation districts during the term of an appointed
2 preservation study committee;

3 (2) to establish and appoint by ordinance a
4 preservation commission upon recommendation of a
5 preservation study committee;

6 (3) to conduct an ongoing survey of the county to
7 identify buildings, structures, areas, sites and
8 landscapes that are of historic, archaeological,
9 architectural, or scenic significance, and therefore
10 potential landmarks or preservation districts;

11 (4) to designate by ordinance landmarks and
12 preservation districts upon the recommendation of a
13 preservation commission and to establish a system of
14 markers, plaques or certificates for designated landmarks
15 and preservation districts;

16 (5) to prepare maps showing the location of landmarks
17 and preservation districts, publish educational
18 information, and prepare educational programs concerning
19 landmarks and preservation districts and their designation
20 and protection;

21 (6) to exercise any of the powers and authority in
22 relation to regional planning and zoning granted counties
23 by Divisions 5-12 and 5-14, for the purpose of protecting,
24 preserving, and continuing the use of landmarks and
25 preservation districts;

26 (7) to nominate landmarks and historic districts to

1 any state or federal registers of historic places;

2 (8) to appropriate and expend funds to carry out the
3 purposes of this Division;

4 (9) to review applications for construction,
5 alteration, removal or demolition affecting landmarks or
6 property within preservation districts;

7 (10) to acquire by negotiated purchase any interest
8 including conservation rights in landmarks or in property
9 within preservation districts, or property immediately
10 adjacent to or surrounding landmarks or preservation
11 districts;

12 (11) to apply for and accept any gift, grant or
13 bequest from any private or public source, including
14 agencies of the federal or State government, for any
15 purpose authorized by this Division;

16 (12) to establish a system for the transfer of
17 development rights including, as appropriate, a mechanism
18 for the deposit of development rights in a development
19 rights bank, and for the transfer of development rights
20 from that development rights bank in the same manner as
21 authorized for municipalities by Section 11-48.2-2 of the
22 Illinois Municipal Code. All receipts arising from the
23 transfer shall be deposited in a special county account to
24 be applied against expenditures necessitated by the county
25 program for the designation and protection of landmarks
26 and preservation districts. Any development rights

1 acquired, sold or transferred from a development rights
2 bank, shall not be a "security" as that term is defined in
3 Section 2.1 of the Illinois Securities Law of 1953, and
4 shall be exempt from all requirements for the registration
5 of securities;~~:-~~

6 (13) to establish a loan or grant program from any
7 source of funds for designated landmarks and preservation
8 districts and to issue interest bearing revenue bonds or
9 general obligation bonds pursuant to ordinance enacted by
10 the county board, after compliance with requirements for
11 referendum, payable from the revenues to be derived from
12 the operation of any landmark or of any property within a
13 preservation district;

14 (14) to abate real property taxes on any landmark or
15 property within a preservation district to encourage its
16 preservation and continued use or to provide relief for
17 owners unduly burdened by designation;

18 (15) to advise and assist owners of landmarks and
19 property within preservation districts on physical and
20 financial aspects of preservation, renovation,
21 rehabilitation, and reuse;

22 (16) to advise cities, villages, or incorporated
23 towns, upon request of the appropriate official of the
24 municipality, concerning enactment of ordinances to
25 protect landmarks or preservation districts;

26 (17) to exercise within the boundaries of any city,

1 village, or incorporated town any of the powers and
2 authority granted counties by this Division so long as the
3 corporate authorities by ordinance or by intergovernmental
4 agreement pursuant to the Intergovernmental Cooperation
5 Act, or pursuant to Article VII, Section 10 of the
6 Constitution of the State of Illinois have authorized the
7 county preservation commission established by authority of
8 this Division to designate landmarks or preservation
9 districts within its corporate boundaries, and such county
10 preservation commission shall have only those powers,
11 duties, and legal authority provided in this Division;

12 (18) to exercise any of the above powers to preserve
13 and protect property owned by any unit of local government
14 including counties, or to review alteration, construction,
15 demolition, or removal undertaken by any unit of local
16 government including counties that affect landmarks and
17 preservation districts;

18 (19) to maintain, restore, rehabilitate, beautify, or
19 adaptively reuse places of architectural significance,
20 historic significance, scenic significance, or land along
21 scenic byways and to lease or license county-held property
22 to public or private entities for not longer than 99 years
23 for such purposes. The maintenance, restoration,
24 rehabilitation, beautification, and adaptive reuse of
25 places of architectural significance, historic
26 significance, scenic significance, or land along scenic

1 byways is declared to be a public use. In this paragraph,
2 "adaptive reuse" includes adaptation of the property for
3 any use that does not materially detract from the
4 architectural, historic, aesthetic, cultural, or scenic
5 significance of the place.

6 (20) ~~(19)~~ to exercise any other power or authority
7 necessary or appropriate to carrying out the purposes of
8 this Division, including those powers and authorities
9 listed in Sections 5-30010 and 5-30011.

10 (Source: P.A. 101-81, eff. 7-12-19.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."