



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

HB7350

Introduced 11/8/2004, by Rep. Ed Sullivan, Jr.

SYNOPSIS AS INTRODUCED:

20 ILCS 2705/2705-555.5 new
55 ILCS 5/5-1083.5 new
60 ILCS 1/105-5.5 new
65 ILCS 5/11-77-5 new
70 ILCS 1205/8-12a new
105 ILCS 5/10-22-12a new

Amends the Department of Transportation Law of the Civil Administrative Code of Illinois, the Counties Code, the Township Code, the Illinois Municipal Code, the Park District Code, and the School Code. Authorizes the Department of Transportation and any unit of local government, park district, or school district that contains vacant lands owned by the Department to enter into a lease agreement for the use of those vacant lands. Provides that the lease agreement may be for less than fair market value and must prohibit the unit of local government, park district, or school district from erecting any permanent structure upon the property.

LRB093 23741 MKM 53759 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 5. The Department of Transportation Law of the
5 Civil Administrative Code of Illinois is amended by adding
6 Section 2705-555.5 as follows:

7 (20 ILCS 2705/2705-555.5 new)

8 Sec. 2705-555.5. Lease of vacant land to unit of local
9 government or school district. If the Department owns vacant
10 land within a unit of local government, park district, or
11 school district, the Department of Transportation may enter
12 into a lease agreement with the unit of local government, park
13 district, or the school district for use of the vacant land.
14 The lease agreement may be for less than fair market value and
15 must prohibit the unit of local government, park district, or
16 school district from erecting any permanent structure upon the
17 property.

18 Section 10. The Counties Code is amended by adding Section
19 5-1083.5 as follows:

20 (55 ILCS 5/5-1083.5 new)

21 Sec. 5-1083.5. Lease with Department of Transportation for
22 vacant lands. If the Department of Transportation owns vacant
23 land within a county, the county may enter into a lease
24 agreement with the Department for use of the vacant land. The
25 lease agreement may be for less than fair market value and must
26 prohibit the county from erecting any permanent structure upon
27 the property.

28 Section 15. The Township Code is amended by adding Section
29 105-5.5 as follows:

1 (60 ILCS 1/105-5.5 new)

2 Sec. 105-5.5. Lease with Department of Transportation for
3 vacant lands. If the Department of Transportation owns vacant
4 land within a township, the Department may enter into a lease
5 agreement with the township for use of the vacant land. The
6 lease agreement may be for less than fair market value and must
7 prohibit the township from erecting any permanent structure
8 upon the property.

9 Section 20. The Illinois Municipal Code is amended by
10 adding Section 11-77-5 as follows:

11 (65 ILCS 5/11-77-5 new)

12 Sec. 11-77-5. Lease with Department of Transportation for
13 vacant lands. If the Department of Transportation owns vacant
14 land within a municipality, the Department of Transportation
15 may enter into a lease agreement with the municipality for use
16 of the vacant land. The lease agreement may be for less than
17 fair market value and must prohibit the municipality from
18 erecting any permanent structure upon the property.

19 Section 25. The Park District Code is amended by adding
20 Section 8-12a as follows:

21 (70 ILCS 1205/8-12a new)

22 Sec. 8-12a. Leases with Department of Transportation for
23 vacant lands. If the Department of Transportation owns vacant
24 land within a park district, the park district may enter into a
25 lease agreement with the Department for use of the vacant land.
26 The lease agreement may be for less than fair market value and
27 must prohibit the park district from erecting any permanent
28 structure upon the property.

29 Section 30. The School Code is amended by adding Section
30 10-22-12a as follows:

1 (105 ILCS 5/10-22-12a new)

2 Sec. 10-22-12a. Leases with Department of Transportation
3 for vacant lands. If the Department of Transportation owns
4 vacant land within a school district, the school district may
5 enter into a lease agreement with the Department for use of the
6 vacant land. The lease agreement may be for less than fair
7 market value and must prohibit the school district from
8 erecting any permanent structure upon the property.