

# SB2162



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

SB2162

Introduced 2/14/2008, by Sen. William R. Haine

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-15.1-2.1

from Ch. 24, par. 11-15.1-2.1

Amends the Illinois Municipal Code. Provides that property that is subject to certain annexation agreements with a municipality that borders the Mississippi River is subject to the jurisdiction of that annexing municipality. Effective immediately.

LRB095 19487 BDD 45783 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 Illinois Municipal Code is amended by  
5 changing Section 11-15.1-2.1 as follows:

6 (65 ILCS 5/11-15.1-2.1) (from Ch. 24, par. 11-15.1-2.1)

7 Sec. 11-15.1-2.1. Annexation agreement; municipal  
8 jurisdiction.

9 (a) Except as provided in subsections (b) and (c), property  
10 that is the subject of an annexation agreement adopted under  
11 this Division is subject to the ordinances, control, and  
12 jurisdiction of the annexing municipality in all respects the  
13 same as property that lies within the annexing municipality's  
14 corporate limits.

15 (b) This Section shall not apply in (i) a county with a  
16 population of more than 3,000,000, (ii) a county that borders a  
17 county with a population of more than 3,000,000 or (iii) a  
18 county with a population of more than 246,000 according to the  
19 1990 federal census and bordered by the Mississippi River,  
20 unless the parties to the annexation agreement have, at the  
21 time the agreement is signed, ownership or control of all  
22 property that would make the property that is the subject of  
23 the agreement contiguous to the annexing municipality, in which

1 case the property that is the subject of the annexation  
2 agreement is subject to the ordinances, control, and  
3 jurisdiction of the municipality in all respects the same as  
4 property owned by the municipality that lies within its  
5 corporate limits.

6 (b-5) The limitations of item (iii) of subsection (b) do  
7 not apply to property that is the subject of an annexation  
8 agreement adopted under this Division within one year after the  
9 effective date of this amendatory Act of the 95th General  
10 Assembly with a coterminous home rule municipality, as of June  
11 1, 2007, that borders the Mississippi River, in a county with a  
12 population in excess of 258,000, according to the 2000 federal  
13 census, if all such agreements entered into by the municipality  
14 pertain to parcels that comprise a contiguous area of not more  
15 than 120 acres in the aggregate.

16 (c) In the case of property that is located in Boone,  
17 DeKalb, Grundy, Kankakee, Kendall, LaSalle, Ogle, or Winnebago  
18 County, if the property that is the subject of an annexation  
19 agreement is located within 1.5 miles of the corporate  
20 boundaries of the municipality, that property is subject to the  
21 ordinances, control, and jurisdiction of the annexing  
22 municipality. If the property is located more than 1.5 miles  
23 from the corporate boundaries of the annexing municipality,  
24 that property is subject to the ordinances, control, and  
25 jurisdiction of the annexing municipality unless the county  
26 board retains jurisdiction by the affirmative vote of

1 two-thirds of its members.

2 (d) If the county board retains jurisdiction under  
3 subsection (c) of this Section, the annexing municipality may  
4 file a request for jurisdiction with the county board on a case  
5 by case basis. If the county board agrees by the affirmative  
6 vote of a majority of its members, then the property covered by  
7 the annexation agreement shall be subject to the ordinances,  
8 control, and jurisdiction of the annexing municipality.

9 (Source: P.A. 95-175, eff. 1-1-08.)

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