

HB4062



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4062

Introduced 2/27/2009, by Rep. Michael W. Tryon

SYNOPSIS AS INTRODUCED:

35 ILCS 200/10-167

Amends the Property Tax Code concerning the valuation of land encumbered by conservation rights. Provides that land that is certified by the Department of Natural Resources as contributing to the groundwater recharge potential of an aquifer is considered to provide a demonstrated public benefit. Effective immediately.

LRB096 10466 RCE 20638 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing
5 Section 10-167 as follows:

6 (35 ILCS 200/10-167)

7 Sec. 10-167. Definition of public benefit; certification.

8 (a) A conservation right on land shall be considered to
9 provide a demonstrated public benefit if the Department of
10 Natural Resources certifies that it protects in perpetuity at
11 least one of the following:

12 (1) Land providing a regular opportunity for public
13 access to outdoor recreation or outdoor education.

14 (2) Land preserving habitat for State or federal
15 endangered or threatened species or federal candidate
16 species as defined in the Code of Federal Regulations (50
17 CFR 424.02).

18 (3) Land identified in the Illinois Natural Areas
19 Inventory.

20 (4) Land determined to be eligible for registration
21 under Section 16 of the Illinois Natural Areas Preservation
22 Act.

23 (5) Land contributing to the ecological viability of a

1 park, conservation area, nature preserve, or other high
2 quality native terrestrial or aquatic area that is publicly
3 owned or otherwise protected.

4 (6) Land included in, or consistent with a federal,
5 State, regional, or local government policy or plan for the
6 conservation of wildlife habitat or open space, for the
7 restoration or protection of lakes and streams, or for the
8 protection of scenic areas.

9 (7) Land contributing to the groundwater recharge
10 potential of an aquifer.

11 (b) The person liable for taxes on the land shall submit an
12 application to the Department of Natural Resources requesting
13 certification that the land meets one of the criteria
14 established in subsection (a). The application shall be in a
15 form furnished by the Department of Natural Resources. Within
16 30 days of receipt of a complete and correct application for
17 certification, the Department of Natural Resources shall
18 determine whether the land encumbered by a conservation right
19 provides a demonstrated public benefit and shall inform the
20 applicant in writing of the decision.

21 (Source: P.A. 91-357, eff. 7-29-99.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.