



Rep. Thaddeus Jones

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10100HB2157ham002

LRB101 06064 AWJ 56803 a

1 AMENDMENT TO HOUSE BILL 2157

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2157 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by  
5 changing Sections 7-1-8 and 7-1-13 as follows:

6 (65 ILCS 5/7-1-8) (from Ch. 24, par. 7-1-8)

7 Sec. 7-1-8. Any territory which is not within the corporate  
8 limits of any municipality but which is contiguous to a  
9 municipality at the time of annexation and which territory has  
10 no electors residing therein, or any such territory with  
11 electors residing therein, may be annexed to the municipality  
12 in the following manner: a written petition signed by the  
13 owners of record of all land within such territory and by at  
14 least 51% of the electors residing therein shall be filed with  
15 the municipal clerk. The petition shall request annexation and  
16 shall state (a) that no electors reside therein or that at

1 least 51% of such electors residing therein join in the  
2 petition, whichever shall be the case, (b) that the petition  
3 for annexation is made solely for the benefit of the owners of  
4 record of the land and, if applicable, the electors residing in  
5 the territory, and (c) that the petition for annexation is not  
6 made for the purpose of assisting any municipality in annexing  
7 additional territory pursuant to Section 7-1-13, and shall be  
8 under oath. The corporate authorities of the municipality to  
9 which annexation is sought shall then consider the question of  
10 the annexation of the described territory. A majority vote of  
11 the corporate authorities then holding office is required to  
12 annex. The vote shall be by "yeas" and "nays" entered on the  
13 legislative records. A copy of the ordinance annexing the  
14 territory together with an accurate map of the annexed  
15 territory shall be recorded with the recorder and filed with  
16 the County Clerk within the county wherever the annexed  
17 territory is located.

18 (Source: P.A. 83-358.)

19 (65 ILCS 5/7-1-13) (from Ch. 24, par. 7-1-13)

20 Sec. 7-1-13. Annexation.

21 (a) Whenever any unincorporated territory containing 60  
22 acres or less, is wholly bounded by (a) one or more  
23 municipalities, (b) one or more municipalities and a creek in a  
24 county with a population of 400,000 or more, or one or more  
25 municipalities and a river or lake in any county, (c) one or

1 more municipalities and the Illinois State boundary, (d) except  
2 as provided in item (h) of this subsection (a), one or more  
3 municipalities and property owned by the State of Illinois,  
4 except highway right-of-way owned in fee by the State, (e) one  
5 or more municipalities and a forest preserve district or park  
6 district, (f) if the territory is a triangular parcel of less  
7 than 10 acres, one or more municipalities and an interstate  
8 highway owned in fee by the State and bounded by a frontage  
9 road, (g) one or more municipalities in a county with a  
10 population of more than 800,000 inhabitants and less than  
11 2,000,000 inhabitants and either a railroad or operating  
12 property, as defined in the Property Tax Code (35 ILCS  
13 200/11-70), being immediately adjacent to, but exclusive of  
14 that railroad property, (h) one or more municipalities located  
15 within a county with a population of more than 800,000  
16 inhabitants and less than 2,000,000 inhabitants and property  
17 owned by the State, including without limitation a highway  
18 right-of-way owned in fee by the State, or (i) one or more  
19 municipalities and property on which a federally funded  
20 research facility in excess of 2,000 acres is located, that  
21 territory may be annexed by any municipality by which it is  
22 bounded in whole or in part, by the passage of an ordinance to  
23 that effect after notice is given as provided in subsection (b)  
24 of this Section. Land or property that is used for agricultural  
25 purposes or to produce agricultural goods shall not be annexed  
26 pursuant to item (g). Nothing in this Section shall subject any

1 railroad property to the zoning or jurisdiction of any  
2 municipality annexing the property under this Section. The  
3 ordinance shall describe the territory annexed and a copy  
4 thereof together with an accurate map of the annexed territory  
5 shall be recorded in the office of the recorder of the county  
6 wherein the annexed territory is situated and a document of  
7 annexation shall be filed with the county clerk and County  
8 Election Authority. Nothing in this Section shall be construed  
9 as permitting a municipality to annex territory of a forest  
10 preserve district in a county with a population of 3,000,000 or  
11 more without obtaining the consent of the district pursuant to  
12 Section 8.3 of the Cook County Forest Preserve District Act nor  
13 shall anything in this Section be construed as permitting a  
14 municipality to annex territory owned by a park district  
15 without obtaining the consent of the district pursuant to  
16 Section 8-1.1 of the Park District Code. A municipality shall  
17 not annex any territory pursuant to this Section that could not  
18 be annexed to the municipality pursuant to this Section but for  
19 the prior annexation of other territory pursuant to Section  
20 7-1-8 unless the prior annexation pursuant to Section 7-1-8 was  
21 made solely for the benefit of the owners of record of the land  
22 and was not made for the purpose of assisting the municipality  
23 in annexing territory pursuant to this Section.

24 (b) The corporate authorities shall cause notice, stating  
25 that annexation of the territory described in the notice is  
26 contemplated under this Section, to be published once, in a

1 newspaper of general circulation within the territory to be  
2 annexed, not less than 10 days before the passage of the  
3 annexation ordinance, and for land annexed pursuant to item (g)  
4 of subsection (a) of this Section, notice shall be given to the  
5 impacted land owners. The corporate authorities shall also, not  
6 less than 15 days before the passage of the annexation  
7 ordinance, serve written notice, either in person or, at a  
8 minimum, by certified mail, on the taxpayer of record of the  
9 proposed annexed territory as appears from the authentic tax  
10 records of the county. When the territory to be annexed lies  
11 wholly or partially within a township other than the township  
12 where the municipality is situated, the annexing municipality  
13 shall give at least 10 days prior written notice of the time  
14 and place of the passage of the annexation ordinance to the  
15 township supervisor of the township where the territory to be  
16 annexed lies. If the territory to be annexed lies within the  
17 unincorporated area of a county, then the annexing municipality  
18 shall give at least 10 days' prior written notice of the time  
19 and place of the passage of the annexation ordinance to the  
20 corporate authorities of the county where the territory to be  
21 annexed lies.

22 (c) When notice is given as described in subsection (b) of  
23 this Section, no other municipality may annex the proposed  
24 territory for a period of 60 days from the date the notice is  
25 mailed or delivered to the taxpayer of record unless that other  
26 municipality has initiated annexation proceedings or a valid

1 petition as described in Section 7-1-2, 7-1-8, 7-1-11 or 7-1-12  
2 of this Code has been received by the municipality prior to the  
3 publication and mailing of the notices required in subsection  
4 (b).

5 (Source: P.A. 96-1000, eff. 7-2-10; 96-1048, eff. 7-14-10;  
6 96-1049, eff. 7-14-10; 97-333, eff. 8-12-11; 97-446, eff.  
7 8-19-11.)

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law."