

1 AMENDMENT TO HOUSE RESOLUTION 454

2 AMENDMENT NO. _____. Amend House Resolution 454 by
3 replacing lines 12 through 33 on page 1 and all of pages 2,
4 3, and 4 with the following:

5 "before the State or a unit of local government may request
6 House approval of legislation authorizing the State or the
7 unit of local government to acquire property by eminent
8 domain using "quick-take" powers under Section 7-103 of the
9 Code of Civil Procedure, the State or the unit of local
10 government must comply with all of the following procedures:

11 (1) The State or the unit of local government must
12 notify each owner of an interest in the property, by
13 certified mail, of the intention of the State or the unit
14 of local government to request approval of legislation by
15 the General Assembly authorizing the State or the unit of
16 local government to acquire the property by eminent
17 domain using "quick-take" powers under Section 7-103 of
18 the Code of Civil Procedure.

19 (2) The State or the unit of local government must
20 cause notice of its intention to request authorization to
21 acquire the property by eminent domain using "quick-take"
22 powers to be published in a newspaper of general
23 circulation in the territory sought to be acquired by the
24 State or the unit of local government.

1 (3) Following the notices required under paragraphs
2 (1) and (2), the State or the unit of local government
3 must hold at least one public hearing, at the place where
4 the unit of local government normally holds its business
5 meetings (or, in the case of property sought to be
6 acquired by the State: (i) at a location in the county in
7 which the property sought to be acquired by the State is
8 located, or (ii) if the property is located in Cook
9 County, at a location in the township in which the
10 property is located, or (iii) if the property is located
11 in 2 adjacent counties other than Cook County or in 2
12 adjacent townships in Cook County, at a location in the
13 county or in the township in Cook County in which the
14 majority of the property is located, or (iv) if the
15 property is located in Cook County and an adjacent
16 county, at a location in the other county or in the
17 township in Cook County in which the majority of the
18 property is located), on the question of the acquisition
19 of the property by the State or the unit of local
20 government by eminent domain using "quick-take" powers.

21 (4) In the case of property sought to be acquired
22 by a unit of local government, following the public
23 hearing or hearings held under paragraph (3), the unit of
24 local government must adopt, by recorded vote, a
25 resolution to request approval of legislation by the
26 General Assembly authorizing the unit of local government
27 to acquire the property by eminent domain using
28 "quick-take" powers under Section 7-103 of the Code of
29 Civil Procedure. The resolution must include a statement
30 of the time period within which the unit of local
31 government requests authority to exercise "quick-take"
32 powers, which may not exceed one year.

33 (5) Following the public hearing or hearings held
34 under paragraph (3), and not less than 30 days following

1 the notice to the property owner or owners required under
2 paragraph (1), the head of the appropriate State office,
3 department, or agency or the chief elected official of
4 the unit of local government must submit to the Chairman
5 and Minority Spokesperson of the House Executive
6 Committee a sworn, notarized affidavit that states all of
7 the following:

8 (A) The legal description of the property.

9 (B) The street address of the property.

10 (C) The name of each State Senator and State
11 Representative who represents the territory that is
12 the subject of the proposed taking.

13 (D) The date or dates on which the State or
14 the unit of local government contacted each such
15 State Senator and State Representative concerning
16 the intention of the State or the unit of local
17 government to request approval of legislation by the
18 General Assembly authorizing the State or the unit
19 of local government to acquire the property by
20 eminent domain using "quick-take" powers.

21 (E) The current name, address, and telephone
22 number of each owner of an interest in the property.

23 (F) A summary of all negotiations between the
24 State or the unit of local government and the owner
25 or owners of the property concerning the sale of the
26 property to the State or the unit of local
27 government.

28 (G) A statement of the date and location of
29 each public hearing held under paragraph (3).

30 (H) A statement of the public purpose for
31 which the State or the unit of local government
32 seeks to acquire the property.

33 The affidavit must also contain the certification of
34 the head of the appropriate State office, department, or

1 agency or the chief elected official of the unit of local
2 government that (i) the property is located within the
3 territory under the jurisdiction of the State or the unit
4 of local government and (ii) the State or the unit of
5 local government seeks to acquire the property for a
6 public purpose.

7 (6) Together with the affidavit submitted under
8 paragraph (5), the head of the appropriate State office,
9 department, or agency or the chief elected official of
10 the unit of local government must submit the following
11 items to the Chairman and Minority Spokesperson of the
12 House Executive Committee:

13 (A) A map of the area in which the property to
14 be acquired is located, showing the location of the
15 property.

16 (B) Photographs of the property.

17 (C) An appraisal of the property by a real
18 estate appraiser who is certified or licensed under
19 the Real Estate Appraiser Licensing Act of 2002.

20 (D) In the case of property sought to be
21 acquired by a unit of local government, a copy of
22 the resolution adopted by the unit of local
23 government under paragraph (4).

24 (E) Documentation of the public purpose for
25 which the State or the unit of local government
26 seeks to acquire the property.

27 (F) A copy of each notice sent to an owner of
28 an interest in the property under paragraph (1); and
29 be it further

30 RESOLVED, That every affidavit submitted by the State or
31 a unit of local government pursuant to this Resolution,
32 together with all documents and other items submitted with
33 the affidavit, must be made available to any person upon
34 request for inspection and copying."