

# HB4335



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4335

by Rep. Charles Meier

### SYNOPSIS AS INTRODUCED:

525 ILCS 15/5

from Ch. 96 1/2, par. 9105

Amends the Illinois Forestry Development Act. Provides that beginning in tax year 2018, eligible land shall be maintained in a forest condition for a period of 10 years or until commercial harvest, whichever occurs later, or for a period of up to 20 years, as required by the plan.

LRB100 18110 SLF 33304 b

A BILL FOR

1 AN ACT concerning conservation.

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

4 Section 5. The Illinois Forestry Development Act is amended  
5 by changing Section 5 as follows:

6 (525 ILCS 15/5) (from Ch. 96 1/2, par. 9105)

7 Sec. 5. Forest management plan. A forest development cost  
8 share program is created and shall be administered by the  
9 Department of Natural Resources.

10 A timber grower who desires to participate in the cost  
11 share program shall devise a forest management plan. To be  
12 eligible to submit a proposed forest management plan, a timber  
13 grower must own or operate at least 10 contiguous acres of land  
14 in this State on which timber is produced, except that, no acre  
15 on which a permanent building is located shall be included in  
16 calculations of acreage for the purpose of determining  
17 eligibility. Timber growers with Department approved forest  
18 management plans covering less than 10 acres in effect on or  
19 before the effective date of this amendatory Act of the 96th  
20 General Assembly shall continue to be eligible under the  
21 Illinois Forestry Development Act provisions. The proposed  
22 forest management plan shall include a description of the land  
23 to be managed under the plan, a description of the types of

1 timber to be grown, a projected harvest schedule, a description  
2 of forest management practices to be applied to the land, an  
3 estimation of the cost of such practices, plans for  
4 afforestation, plans for regenerative harvest and  
5 reforestation, and a description of soil and water conservation  
6 goals and wildlife habitat enhancement which will be served by  
7 implementation of the forest management plan.

8 Upon receipt from a timber grower of a draft forest  
9 management plan, the Department shall review the plan and, if  
10 necessary, assist the timber grower to revise the plan. The  
11 Department shall officially approve acceptable plans. Forest  
12 management plans shall be revised as necessary and all  
13 revisions must be approved by the Department. A plan shall be  
14 evaluated every 2 years for reapproval.

15 The eligible land shall be maintained in a forest condition  
16 for a period of 10 years or until commercial harvest, whichever  
17 occurs later ~~last occurs~~, as required by the plan. Beginning in  
18 tax year 2018, eligible land shall be maintained in a forest  
19 condition for a period of 10 years or until commercial harvest,  
20 whichever occurs later, or for a period of up to 20 years, as  
21 required by the plan.

22 The Department shall enter into agreements with timber  
23 growers with approved forest management plans under which the  
24 Department shall agree to pay a share of the total cost of  
25 acceptable forest management plans and practices implemented  
26 under the plan. The cost share amount is up to 80% of the total

1 cost of the forest management practices for such practices  
2 approved to be funded from monies appropriated for this purpose  
3 for subsequent fiscal years. Cost share funds shall be paid  
4 from monies appropriated to the Department by the General  
5 Assembly for that purpose from the Illinois Forestry  
6 Development Fund or any other fund in the State Treasury.

7 The Department, upon recommendations made to it by the  
8 Council, may provide for the categorization of forest  
9 management practices and determine an appropriate cost share  
10 percentage for each such category. Forest management practices  
11 submitted by timber growers on whose timber sales fees of 4% of  
12 the sale amount were paid as provided in Section 9a of the  
13 "Timber Buyers Licensing Act", approved September 1, 1969, may  
14 be accorded a priority for approval within the assigned  
15 category. Such timber growers may receive a cost share amount  
16 which is increased above the amount for which they would  
17 otherwise qualify by an amount equal to the fees paid by the  
18 timber grower on sales occurring in the 2 fiscal years  
19 immediately preceding the fiscal year in which the forest  
20 management practices are approved and funded; provided,  
21 however, that the total cost share amount shall not exceed the  
22 total cost of the approved forest management practices.

23 Upon transfer of his or her right and interest in the land  
24 or a change in land use, the timber grower shall forfeit all  
25 rights to future payments and other benefits resulting from an  
26 approved plan and shall refund to the Department all payments

1 received therefrom during the previous 10 years unless the  
2 transferee of any such land agrees with the Department to  
3 assume all obligations under the plan.

4 (Source: P.A. 96-217, eff. 8-10-09; 96-545, eff. 8-17-09.)