



Rep. Robert Martwick

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LRB101 09109 HLH 59503 a

1 AMENDMENT TO HOUSE BILL 2909

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2909 by replacing  
3 everything after the enacting clause with the following:

4 "Section 3. The Property Tax Code is amended by adding  
5 Section 9-195.1 as follows:

6 (35 ILCS 200/9-195.1 new)

7 Sec. 9-195.1. Leases of certain real property. If the  
8 property located at 558 West De Koven Street in Chicago becomes  
9 an asset of the Firemen's Annuity and Benefit Fund by operation  
10 of Section 6-165.3 of the Illinois Pension Code, and if the  
11 Fund subsequently leases the property to an entity whose  
12 property is not exempt, then the leasehold estate and the  
13 appurtenances shall be listed as the property of the lessee or  
14 his or her assignee. Taxes on that property shall be collected  
15 in the same manner as on property that is not exempt, and the  
16 lessee shall be liable for those taxes. However, no tax lien

1 shall attach to the exempt real estate.

2 Section 5. The Illinois Pension Code is amended by adding  
3 Section 6-165.3 as follows:

4 (40 ILCS 5/6-165.3 new)

5 Sec. 6-165.3. Use of certain real property. If the city  
6 discontinues use of the property located at 558 West De Koven  
7 Street in Chicago as an academy for the training of  
8 firefighters, the city shall, as soon as practicable, transfer  
9 the property to the Fund. The transferred property shall be  
10 considered an asset of the Fund, but shall not be considered as  
11 part of the city's required contribution under Section 6-165 in  
12 any year or to meet the funding obligation under Section  
13 6-165.2 in any year. In administering the asset, the Fund shall  
14 exercise its fiduciary duties; however, in accordance with  
15 those fiduciary duties, the Fund shall prioritize uses that add  
16 value to the Chicago Fire Department and its membership. If the  
17 property is transferred to the Fund, the Fund may not sell that  
18 property without the affirmative vote of the three-fifths of  
19 the members of the board. The conveyance of the property  
20 located at 558 West De Koven Street in Chicago is an exclusive  
21 power and function of the State. This Section is a denial and  
22 limitation of home rule powers under subsection (h) of Section  
23 6 of Article VII of the Illinois Constitution.

1           Section 90. The State Mandates Act is amended by adding  
2 Section 8.43 as follows:

3           (30 ILCS 805/8.43 new)

4           Sec. 8.43. Exempt mandate. Notwithstanding Sections 6 and 8  
5 of this Act, no reimbursement by the State is required for the  
6 implementation of any mandate created by this amendatory Act of  
7 the 101st General Assembly.

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