



Sen. Andrew S. Chesney

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10300HB1855sam001

LRB103 28119 JDS 73676 a

1 AMENDMENT TO HOUSE BILL 1855

2 AMENDMENT NO. _____. Amend House Bill 1855 by replacing
3 everything after the enacting clause with the following:

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

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

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

1 eligibility. Timber growers with Department approved forest
2 management plans covering less than 10 acres in effect on or
3 before the effective date of this amendatory Act of the 96th
4 General Assembly shall continue to be eligible under the
5 Illinois Forestry Development Act provisions. The proposed
6 forest management plan shall include a description of the land
7 to be managed under the plan, a description of the types of
8 timber to be grown, a projected harvest schedule, a
9 description of forest management practices to be applied to
10 the land, an estimation of the cost of such practices, plans
11 for afforestation, plans for regenerative harvest and
12 reforestation, and a description of soil and water
13 conservation goals and wildlife habitat enhancement which will
14 be served by implementation of the forest management plan.

15 Upon receipt from a timber grower of a draft forest
16 management plan, the Department shall review the plan and, if
17 necessary, assist the timber grower to revise the plan. The
18 Department shall officially approve acceptable plans. Forest
19 management plans shall be revised as necessary and all
20 revisions must be approved by the Department. A plan shall be
21 evaluated every 2 years for reapproval.

22 The eligible land shall be maintained in a forest
23 condition for a period of 10 years or until commercial
24 harvest, whichever last occurs, as required by the plan.

25 The Department shall enter into agreements with timber
26 growers with approved forest management plans under which the

1 Department shall agree to pay a share of the total cost of
2 acceptable forest management plans and practices implemented
3 under the plan. The cost share amount is up to 80% of the total
4 cost of the forest management practices for such practices
5 approved to be funded from monies appropriated for this
6 purpose for subsequent fiscal years. Cost share funds shall be
7 paid from monies appropriated to the Department by the General
8 Assembly for that purpose from the Illinois Forestry
9 Development Fund or any other fund in the State Treasury.

10 Starting in 2025, the Department shall file a report in
11 writing to the General Assembly on or before March 1 of each
12 year with the following information from the preceding year:
13 the total number of agreements entered into pursuant to this
14 Section, the total amount of payments made pursuant to this
15 Section from the Illinois Forestry Development Fund, and the
16 total number of acres that were affected by the payments.

17 The Department, upon recommendations made to it by the
18 Council, may provide for the categorization of forest
19 management practices and determine an appropriate cost share
20 percentage for each such category. Forest management practices
21 submitted by timber growers on whose timber sales fees of 4% of
22 the sale amount were paid as provided in Section 9a of the
23 "Timber Buyers Licensing Act", approved September 1, 1969, may
24 be accorded a priority for approval within the assigned
25 category. Such timber growers may receive a cost share amount
26 which is increased above the amount for which they would

1 otherwise qualify by an amount equal to the fees paid by the
2 timber grower on sales occurring in the 2 fiscal years
3 immediately preceding the fiscal year in which the forest
4 management practices are approved and funded; provided,
5 however, that the total cost share amount shall not exceed the
6 total cost of the approved forest management practices.

7 Upon transfer of his or her right and interest in the land
8 or a change in land use, the timber grower shall forfeit all
9 rights to future payments and other benefits resulting from an
10 approved plan and shall refund to the Department all payments
11 received therefrom during the previous 10 years unless the
12 transferee of any such land agrees with the Department to
13 assume all obligations under the plan.

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

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."