



Sen. Michael E. Hastings

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10300HB5078sam002

LRB103 38280 JDS 74179 a

1 AMENDMENT TO HOUSE BILL 5078

2 AMENDMENT NO. _____. Amend House Bill 5078, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "ARTICLE 5

6 Section 5-5. Definitions. As used in this Act:

7 "Corporate authorities" means the corporate authorities of
8 Tinley Park - Park District.

9 "Department" means the Department of Central Management
10 Services.

11 "Director" means the Director of Central Management
12 Services.

13 "TPPD" means the Tinley Park - Park District, a body
14 corporate and politic of Cook and Will Counties, Illinois.

15 Section 5-10. Tinley Park Mental Health Center and the

1 Howe Developmental Center. Pursuant to the provisions and
2 subject to all of the terms and conditions of this Act, the
3 Director, on behalf of the State of Illinois, is authorized to
4 execute and deliver to TPPD, for and in consideration of \$1
5 paid to the Department, a quitclaim deed to the following
6 described real property and a quitclaim bill of sale to all the
7 existing tangible personal property on the real property, and
8 such ancillary documents as the Department deems appropriate,
9 for fully and properly effectuating a transfer to TPPD of the
10 title to the Tinley Park Mental Health Center and Howe
11 Developmental Center, described as follows:

12 PARCEL 1

13 THAT PART OF SECTION 36, TOWNSHIP 36 NORTH, RANGE 12 EAST
14 OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTHERLY OF THE
15 SOUTHERLY LINE OF THE CHICAGO, ROCK ISLAND AND PACIFIC
16 RAILROAD,

17 [EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

18 THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID
19 SECTION 36 LYING SOUTH OF THE CENTERLINE OF THE NORTH
20 BRANCH OF THE FLOSSMOOR ROAD DRAINAGE DITCH; ALSO THAT
21 PART OF THE SOUTH 46 ACRES OF THE EAST HALF OF THE
22 SOUTHWEST QUARTER OF SAID SECTION 36, LYING SOUTH AND WEST

1 OF THE CENTERLINE OF THE NORTH BRANCH OF THE FLOSSMOOR
2 ROAD DRAINAGE DITCH;

3 ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS
4 FOLLOWS:

5 THAT PART OF THE WEST 1900 FEET OF THE SOUTHWEST QUARTER OF
6 SAID SECTION 36 LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF
7 WAY OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD
8 (COMMONLY KNOWN AS THE METRA LINE) AND LYING NORTHERLY OF
9 THE CENTERLINE OF THE NORTHERN TRIBUTARY TO THE UNION
10 DRAINAGE DITCH;

11 ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS
12 FOLLOWS:

13 THAT PART OF THE WEST 1900 FEET OF THE NORTHWEST QUARTER OF
14 SAID SECTION 36 LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF
15 WAY OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD
16 (COMMONLY KNOWN AS THE METRA LINE);

17 ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS
18 FOLLOWS:

19 THAT PART OF THE SOUTH HALF OF SAID SECTION 36, DESCRIBED
20 AS FOLLOWS: BEGINNING AT THE SOUTH QUARTER CORNER OF SAID

1 SECTION 36; THENCE EAST 573.67 FEET ALONG THE SOUTH LINE
2 OF THE SOUTHEAST QUARTER OF AFORESAID SECTION 36; THENCE
3 NORTH 859.00 FEET ALONG A LINE PERPENDICULAR TO THE
4 AFORESAID SOUTH LINE; THENCE WEST 171.00 FEET; THENCE
5 NORTH 320.50 FEET; THENCE EAST 171.00 FEET; THENCE NORTH
6 527.71 FEET; THENCE NORTH 66 DEGREES 16 MINUTES 51 SECONDS
7 WEST 843.97 FEET; THENCE NORTH 28 DEGREES 39 MINUTES 16
8 SECONDS WEST 589.16 FEET; THENCE SOUTH 60 DEGREES 58
9 MINUTES 55 SECONDS WEST 279.95 FEET; THENCE SOUTH ALONG A
10 LINE PERPENDICULAR TO THE SOUTH LINE OF THE SOUTHWEST
11 QUARTER OF THE AFORESAID SECTION 36, 2427.91 FEET TO SAID
12 SOUTH LINE; THENCE EAST 726.33 FEET TO THE POINT OF
13 BEGINNING;

14 ALSO EXCEPTING THEREFROM THAT PORTION DEDICATED FOR PUBLIC
15 ROADWAY BY PLAT OF DEDICATION RECORDED AS DOCUMENT
16 0633315190. DESCRIBED AS FOLLOWS:

17 COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36:
18 THENCE WESTERLY ON AN ASSUMED BEARING OF SOUTH 89 DEGREES
19 07 MINUTES 35 SECONDS WEST ALONG THE SOUTH LINE OF THE
20 SOUTH HALF OF SAID SECTION 36, A DISTANCE OF 70 FEET TO THE
21 POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 07
22 MINUTES 36 SECONDS WEST ALONG THE LAST DESCRIBED LINE A
23 DISTANCE OF 3446.28 FEET TO THE CENTERLINE OF THE NORTH
24 BRANCH OF THE FLOSSMOOR ROAD DRAINAGE DITCH; THENCE NORTH

1 57 DEGREES 00 MINUTES 02 SECONDS EAST ALONG SAID
2 CENTERLINE A DISTANCE OF 94.02 FEET TO A POINT ON A LINE
3 DRAWN 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF
4 SAID SECTION 36; THENCE NORTH 89 DEGREES 07 MINUTES 35
5 SECONDS EAST ALONG SAID PARALLEL LINE A DISTANCE OF
6 3296.21 FEET TO A POINT; THENCE NORTH 43 DEGREES 52
7 MINUTES 32 SECONDS EAST, A DISTANCE OF 98.61 FEET TO A
8 POINT ON THE WEST LINE OF THE EAST 70 FEET OF AFORESAID
9 SECTION 36; THENCE SOUTH 01 DEGREES 22 MINUTES 32 SECONDS
10 EAST ALONG SAID WEST LINE OF THE EAST 70 FEET, A DISTANCE
11 OF 120 FEET TO THE POINT OF BEGINNING;

12 ALSO EXCEPTING THEREFROM THAT PORTION FALLING WITHIN
13 HARLEM AVENUE AS WIDENED], IN COOK COUNTY, ILLINOIS.

14 PARCEL 2

15 THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 36
16 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN,
17 DESCRIBED AS FOLLOWS:

18 BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 36;
19 THENCE EAST 573.67 FEET ALONG THE SOUTH LINE OF THE
20 SOUTHEAST QUARTER OF AFORESAID SECTION 36; THENCE NORTH
21 859.00 FEET ALONG A LINE PERPENDICULAR TO THE AFORESAID
22 SOUTH LINE; THENCE WEST 171.00 FEET; THENCE NORTH 320.50

1 FEET; THENCE EAST 171.00 FEET; THENCE NORTH 527.71 FEET;
2 THENCE NORTH 66 DEGREES 16 MINUTES 51 SECONDS WEST 843.97
3 FEET; THENCE NORTH 28 DEGREES 39 MINUTES 16 SECONDS WEST
4 589.16 FEET; THENCE SOUTH 60 DEGREES 58 MINUTES 55 SECONDS
5 WEST 279.95 FEET; THENCE SOUTH ALONG A LINE PERPENDICULAR
6 TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE
7 AFORESAID SECTION 36, 2427.91 FEET TO SAID SOUTH LINE;
8 THENCE EAST 726.33 FEET TO THE POINT OF BEGINNING;

9 [EXCEPTING THEREFROM THAT PORTION LYING SOUTH AND WEST OF
10 THE CENTERLINE OF THE NORTH BRANCH OF THE FLOSSMOOR ROAD
11 DRAINAGE DITCH;

12 ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS
13 FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID
14 SECTION 36; THENCE WEST ALONG THE SOUTH LINE OF SAID
15 SECTION 36, 2237.39 FEET; THENCE NORTH 00 DEGREES 00
16 MINUTES WEST, ALONG A LINE PERPENDICULAR TO SAID SOUTH
17 LINE 50.00 FEET TO THE POINT OF BEGINNING ON THE NORTH LINE
18 OF 183RD STREET; THENCE CONTINUING NORTH 00 DEGREES 00
19 MINUTES WEST 124.75 FEET; THENCE NORTH 33 DEGREES 04
20 MINUTES WEST 99.70 FEET; THENCE NORTH 72 DEGREES 25
21 MINUTES 40 SECONDS WEST 105.00 FEET; THENCE NORTH 90
22 DEGREES WEST 139.51 FEET; THENCE SOUTH 00 DEGREES 00
23 MINUTES EAST 240 FEET; THENCE EAST 294.01 FEET TO THE
24 POINT OF BEGINNING;

1 AND ALSO EXCEPTING THEREFROM THAT PORTION FALLING WITHIN
2 THE FOLLOWING DESCRIBED LAND WHICH WAS DEDICATED FOR
3 PUBLIC ROADWAY BY PLAT OF DEDICATION RECORDED AS DOCUMENT
4 0633315190, DESCRIBED AS FOLLOWS:

5 COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36;
6 THENCE WESTERLY ON AN ASSUMED BEARING OF SOUTH 89 DEGREES
7 07 MINUTES 35 SECONDS WEST ALONG THE SOUTH LINE OF THE
8 SOUTH HALF OF SAID SECTION 36, A DISTANCE OF 70 FEET TO THE
9 POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 07
10 MINUTES 36 SECONDS WEST ALONG THE LAST DESCRIBED LINE A
11 DISTANCE OF 3446.28 FEET TO THE CENTERLINE OF THE NORTH
12 BRANCH OF THE FLOSSMOOR ROAD DRAINAGE DITCH; THENCE NORTH
13 57 DEGREES 00 MINUTES 02 SECONDS EAST ALONG SAID
14 CENTERLINE A DISTANCE OF 94.02 FEET TO A POINT ON A LINE
15 DRAWN 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF
16 SAID SECTION 36; THENCE NORTH 89 DEGREES 07 MINUTES 35
17 SECONDS EAST ALONG SAID PARALLEL LINE A DISTANCE OF
18 3296.21 FEET TO A POINT; THENCE NORTH 43 DEGREES 52
19 MINUTES 32 SECONDS EAST, A DISTANCE OF 98.61 FEET TO A
20 POINT ON THE WEST LINE OF THE EAST 70 FEET OF AFORESAID
21 SECTION 36; THENCE SOUTH 01 DEGREES 22 MINUTES 32 SECONDS
22 EAST ALONG SAID WEST LINE OF THE EAST 70 FEET, A DISTANCE
23 OF 120 FEET TO THE POINT OF BEGINNING] IN COOK COUNTY,
24 ILLINOIS.

1 Section 5-15. Transfer to TPPD.

2 (a) The corporate authorities of the TPPD, situated in
3 Cook and Will Counties, have determined that it is in the best
4 interest of TPPD and its residents to acquire the presently
5 unoccupied and unused combined campuses of the Tinley Park
6 Mental Health Center and Howe Developmental Center,
7 hereinafter referred to collectively as the Combined Campuses,
8 including not only the land but also the several dozen
9 existing structures, the existing utility facilities and other
10 improvements above, at or below grade level, and all existing
11 tangible personal property there, which Combined Campuses are
12 presently owned by the State of Illinois, and for TPPD to
13 pursue a redevelopment of that property.

14 (b) Notwithstanding any other law of the State of Illinois
15 to the contrary, the Director is authorized under this Act to
16 sell all right, title, and interest of the State of Illinois in
17 and to the Combined Campuses for \$1 and such other terms and
18 conditions in the quitclaim deed, the quitclaim bill of sale,
19 and ancillary documents that the Director deems appropriate,
20 with such sale occurring pursuant to a Purchase and Sale
21 Agreement prepared by the Department. The conveyance of the
22 Property authorized by this Act shall be made subject to
23 existing public roads, existing rights of public utilities,
24 existing rights of the public or quasipublic utilities, and
25 any and all reservations, easements, encumbrances, covenants,

1 agreements, and restrictions of record.

2 (c) Each of the documents of transfer shall state on its
3 face and be subject to the conditions that the Property (i)
4 shall be used for public purposes only, including recreation
5 and conservation, and (ii) shall not be used for the purpose of
6 gambling authorized by the Illinois Horse Racing Act of 1975
7 or the Illinois Gambling Act, and the documents of transfer
8 shall each contain a reverter clause providing, in language
9 prepared by and acceptable to the Department, that title to
10 the Property shall revert, without further action, to the
11 State of Illinois if:

12 (1) the Property is used for any purpose other than a
13 public purpose;

14 (2) an attempt is made to sell the Property or convey
15 or donate the Property in any manner whatsoever; or

16 (3) TPPD or any of its agents allow the property to be
17 used for the purpose of gambling authorized by the
18 Illinois Horse Racing Act of 1975 or the Illinois Gambling
19 Act.

20 Section 5-20. Execution by TPPD; document recording. The
21 transfer of title authorized under this Act shall be by
22 quitclaim deed and quitclaim bill of sale, which shall be
23 prepared by the Department so that the transfer is on an "AS
24 IS", "WHERE IS", and "WITH ALL FAULTS" basis as of the date of
25 sale, without any representation by the State of Illinois to

1 TPPD, or any persons and entities whatsoever, as to Property's
2 condition or fitness for any purpose. Both the deed and bill of
3 sale shall be executed by TPPD as grantee in order to confirm
4 the TPPD's undertakings to abide by the requirements in this
5 Act and TPPD's agreement to timely and fully perform its
6 obligations as set forth in this Act. All documents of
7 transfer shall be recorded in the county in which the Property
8 is located.

9 ARTICLE 10

10 Section 10-5. The Capital Development Board Act is amended
11 by adding Section 10.20 as follows:

12 (20 ILCS 3105/10.20 new)

13 Sec. 10.20. Local regulation of State facilities.

14 (a) Notwithstanding any other provision of law, no
15 ordinance of a unit of local government shall be enforced
16 against the construction, reconstruction, improvement, or
17 installation of a State facility. A unit of local government
18 shall not require payment of permitting fees or require permit
19 inspections for the construction, reconstruction, improvement,
20 or installation of any State facility.

21 (b) The Board shall, to the fullest extent practicable,
22 coordinate with local utilities regarding utility connection
23 requirements and procedures.

1 (c) Before undertaking any activity involving the
2 construction, reconstruction, improvement, or installation of
3 any State facility, the Board shall, to the fullest extent
4 practicable, coordinate and consult with the units of local
5 government that are responsible for providing fire protection
6 services to that State facility in order to ensure that fire
7 protection services can be provided by the unit of local
8 government to the State facility in the most effective manner.

9 (d) Nothing in this Section shall relieve the Board from
10 compliance with any State or federal mandate. This Section
11 does not relieve the Board from the obligation to compensate
12 units of local governments for fair and reasonable connection
13 or impact costs that (i) conform to industry standards or (ii)
14 are consistent with similar costs that are applied to private,
15 non-governmental capital projects.

16 (e) This Section applies to the construction,
17 reconstruction, improvement and installation of State
18 facilities that is ongoing on the effective date of this
19 amendatory Act of the 103rd General Assembly and to all
20 projects that begin on or after the effective date of this
21 amendatory Act of the 103rd General Assembly.

22 (f) A home rule unit may not regulate the construction,
23 reconstruction, improvement, or installation of a State
24 facility in a manner that is inconsistent with this Section.
25 This Section is a limitation under subsection (i) of Section 6
26 of Article VII of the Illinois Constitution on the concurrent

1 exercise by home rule units of powers and functions exercised
2 by the State.

3 (g) As used in this Section:

4 "Fair and reasonable connection or impact costs" means
5 demonstrated costs incurred by the unit of local government
6 that directly result from the Board's use of or impact on local
7 infrastructure.

8 "State facility" means any capital project under the
9 authority of the Capital Development Board.

10 ARTICLE 15

11 Section 15-5. The Capital Development Board Act is amended
12 by changing Section 10.19 as follows:

13 (20 ILCS 3105/10.19)

14 Sec. 10.19. Local regulation of remediation,
15 redevelopment, and improvements of inoperable State
16 facilities.

17 (a) Notwithstanding any other provision of law, an
18 ordinance of a unit of local government may not be enforced
19 against the remediation, redevelopment, or improvement of an
20 inoperable State facility conveyed to a unit of local
21 government for a recreational public purpose if the ordinance
22 prohibits, restricts, or limits the remediation,
23 redevelopment, or improvement of the inoperable State facility

1 for a recreational public purpose. A unit of local government
2 may not require payment of permitting fees or any other fees or
3 require permit inspections for the remediation, redevelopment,
4 or improvement of an inoperable State facility conveyed to a
5 unit of local government for the purpose of remediation,
6 redevelopment, or improvement for a recreational public
7 purpose.

8 (b) This Section applies to remediation, redevelopment, or
9 improvement projects that are ongoing on the effective date of
10 this amendatory Act of the 103rd General Assembly and to all
11 projects started on or after the effective date of this
12 amendatory Act of the 103rd General Assembly.

13 (c) A home rule unit may not regulate remediation,
14 redevelopment, or improvement of an inoperable State facility
15 conveyed to a unit of local government for a recreational
16 public purpose in a manner inconsistent with this Section.
17 This Section is a limitation under subsection (i) of Section 6
18 of Article VII of the Illinois Constitution on the concurrent
19 exercise by home rule units of powers and functions exercised
20 by the State.

21 (Source: P.A. 103-573, eff. 12-8-23.)

22 ARTICLE 99

23 Section 99-99. Effective date. This Act takes effect upon
24 becoming law."