



HJ0006

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1 HOUSE JOINT RESOLUTION

2 WHEREAS, Heirs' property is defined by the United States  
3 Department of Agriculture as land that has been passed down  
4 informally from generation to generation without clear title  
5 or documented legal ownership; every heir has rights to the  
6 property, but the lack of a clear title creates confusion  
7 regarding taxes, the use of the land, and the ability to sell  
8 the land; and

9 WHEREAS, Without much trust in the legal system, many of  
10 the African American farmers who purchased or were deeded land  
11 after the Civil War died without a will, and the property was  
12 passed down informally; each successive generation of heirs  
13 further divided the title to the property and complicated the  
14 heirs' ability to determine the legal owners of the property;  
15 and

16 WHEREAS, Some of the consequences that the heirs' property  
17 owners face are disagreements over which heirs have the right  
18 to occupy the land and how the land may be used, difficulty  
19 selling the property due to a lack of a clear title, the  
20 exclusion from some governmental support programs, including  
21 disaster relief funds, the inability to claim the land as an  
22 asset to obtain a mortgage or other loan, and the loss of land  
23 due to disagreements over responsibility for the payment of

1 taxes; and

2 WHEREAS, Heirs' property is the leading cause of  
3 involuntary land loss among African Americans, and the United  
4 States Department of Agriculture reported the loss of 80  
5 percent of the land owned by African American farm owners  
6 since 1910; the rate of African American land loss has been far  
7 greater than for other racial and ethnic groups in the same  
8 time period; it remains a continuing and systemic problem, as  
9 it is a significant factor in the wealth gap between white and  
10 African American populations, with African Americans having  
11 ten percent of the wealth of white Americans; and

12 WHEREAS, There is no national data regarding the amount of  
13 land held as heirs' property; some organizations have  
14 attempted to develop models to estimate the information; it is  
15 challenging to obtain specific data because every state and  
16 each county within each state compiles real estate ownership  
17 data differently; and

18 WHEREAS, Owning land is significant, especially for  
19 African Americans; it allows for increased personal and  
20 economic freedom; many Americans, including African Americans,  
21 believed that real economic and political independence could  
22 only be achieved by owning land; landowners provide economic  
23 stability within their communities through payment of property

1 taxes and support for local business; in addition, they are  
2 more likely to be civically engaged, having greater political  
3 influence; therefore, be it

4 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE  
5 HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE  
6 SENATE CONCURRING HEREIN, that there is created the Heirs'  
7 Property Study Task Force to examine current and prospective  
8 methods to address heirs' property issues in Illinois; and be  
9 it further

10 RESOLVED, That the Task Force shall:

11 (1) determine the amount of land in Illinois that is  
12 subject to the heirs' property system;

13 (2) study the impacts of federal and State legislation  
14 on the partition of the land subject to heirs' property;

15 (3) analyze approaches and methods undertaken by other  
16 states to address heirs' property and study if those  
17 methods could be applied to Illinois; and

18 (4) determine the costs heirs' property presents to  
19 the economic well-being of Illinois and estimate the  
20 benefits of proactive measures taken to address heirs'  
21 property; and be it further

22 RESOLVED, That the Task Force shall be comprised of the  
23 following members, who shall serve without compensation:

1           (1) 3 members of the House of Representatives  
2 appointed by the Speaker of the House, one who shall serve  
3 as co-chair;

4           (2) 3 members of the House of Representatives  
5 appointed by the House Minority Leader;

6           (3) 3 members of the Senate appointed by the Senate  
7 President, one who shall serve as co-chair;

8           (4) 3 members of the Senate appointed by the Senate  
9 Minority Leader;

10          (5) The Director of the Department of Agriculture or  
11 his or her designee;

12          (6) The Director of the Housing Development Authority  
13 or his or her designee;

14          (7) The Director of the Department of Natural  
15 Resources or his or her designee; and

16          (8) The Director of the Illinois Municipal League or  
17 his or her designee appointed by the Governor; and be it  
18 further

19           RESOLVED, The Department of Agriculture shall provide  
20 administrative support for the Task Force; and be it further

21           RESOLVED, That the Task Force shall submit its final  
22 report to the General Assembly no later than December 31,  
23 2024, and upon the filing of its final report, is dissolved.