

1 AMENDMENT TO SENATE BILL 802

2 AMENDMENT NO. _____. Amend Senate Bill 802, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short Title. This Act may be cited as the
6 O'Hare Modernization Act.

7 Section 5. Findings and purposes.

8 (a) The Illinois General Assembly finds and determines:

9 (1) The reliability and efficiency of the State and
10 national air transportation systems significantly depend
11 on the efficiency of the Chicago O'Hare International
12 Airport. O'Hare has an essential role in air
13 transportation for the State of Illinois. The reliability
14 and efficiency of air transportation for residents and
15 businesses in Illinois and other States depend on
16 efficient air traffic operations at O'Hare.

17 (2) O'Hare cannot efficiently perform its role in
18 the State and national air transportation systems unless
19 it is reconfigured with multiple parallel runways.

20 (3) The O'Hare Modernization Program will enhance
21 the economic welfare of the State of Illinois and its
22 residents by creating thousands of jobs and business

1 opportunities.

2 (4) O'Hare provides, and will continue to provide,
3 unique air transportation functions that cannot be
4 replaced by any other airport in Illinois.

5 (5) Public roadway access through the existing
6 western boundary of O'Hare to passenger terminal and
7 parking facilities located inside the boundary of O'Hare
8 and reasonably accessible to that western access is an
9 essential element of the O'Hare Modernization Program.
10 That western access to O'Hare is needed to realize the
11 full economic opportunities created by the O'Hare
12 Modernization Program and to improve ground
13 transportation in the O'Hare area. It is important to the
14 State that the western access be constructed not later
15 than the time existing runway 14R-32L is removed from
16 service.

17 (6) For the reasons stated in paragraphs (1), (2),
18 (3), (4), and (5), it is essential that the O'Hare
19 Modernization Program be completed efficiently and
20 without unnecessary delay.

21 (7) For the reasons stated in paragraphs (1), (2),
22 (3), (4), and (5), it is essential that acquisition of
23 property as required for the O'Hare Modernization Program
24 be completed as expeditiously as practicable.

25 (8) The General Assembly recognizes that the
26 planning, construction, and use of O'Hare and the
27 planning, construction, and use of the O'Hare
28 Modernization Program will be subject to intensive
29 regulatory scrutiny by the United States and that no
30 purpose would be served by duplicative or redundant
31 regulation of the safety and impacts of the airport or
32 the O'Hare Modernization Program.

33 (9) The General Assembly recognizes that the City
34 of Chicago has enacted and successfully implemented

1 ordinances that combat past and ongoing discrimination
2 against minorities and women in the market that competes
3 for contracts with the City of Chicago. These ordinances
4 are among the strongest and most successful in the
5 country, and have made significant progress in combatting
6 discrimination against minorities and women throughout
7 northeastern Illinois.

8 (b) It is the intent of the General Assembly that all
9 agencies of this State and its subdivisions shall facilitate
10 the efficient and expeditious completion of the O'Hare
11 Modernization Program to the extent not specifically
12 prohibited by law, and that legal impediments to the
13 completion of the project be eliminated.

14 Section 10. Definitions. As used in this Act:

15 "Airport property" means (i) any property or an interest
16 in property that is, or hereafter becomes, part of O'Hare
17 International Airport and (ii) any property or an interest in
18 property that is not part of O'Hare International Airport,
19 but that is acquired by the City of Chicago for purposes of
20 air navigation or air safety in accordance with standards
21 established by the Federal Aviation Administration. "Airport
22 property", however, shall not include any substitute property
23 acquired pursuant to Section 15 of this Act, including
24 property acquired for cemetery purposes.

25 "O'Hare Modernization Program" means the plan for
26 modernization of O'Hare International Airport by (1)
27 construction and reconfiguration of runways, taxiways, and
28 facilities for movement and servicing of aircraft;
29 construction of western airport access and related roadways;
30 construction and reconfiguration of roadways, terminals,
31 passenger transportation facilities, parking facilities, and
32 cargo facilities; construction of drainage and stormwater
33 management facilities; and related projects, within the area

1 bounded on the north, between Carmen Drive and the Union
2 Pacific/Canadian Pacific Railroad, by Old Higgins Road, and
3 between Old Higgins Road and Touhy Avenue, by the Union
4 Pacific/Canadian Pacific Railroad, and east of the Union
5 Pacific/Canadian Pacific Railroad by the northern boundary of
6 O'Hare existing on January 1, 2003; on the east by the
7 eastern boundary of O'Hare existing on January 1, 2003; on
8 the southeast by the southeastern boundary of O'Hare existing
9 on January 1, 2003; on the south between the eastern boundary
10 of O'Hare and the Union Pacific Railroad by the southern
11 boundary of O'Hare existing on January 1, 2003; on the south,
12 between the Union Pacific Railroad and the west boundary of
13 York Road by the Canadian Pacific railroad yard; on the west,
14 between the Canadian Pacific Railroad Yard and the railroad
15 spur intersecting York Road between Arthur and Pratt Avenues,
16 by the west boundary of York Road; and on the northwest,
17 between York Road and the Union Pacific/Canadian Pacific
18 Railroad, by the railroad spur, and between the railroad spur
19 and the point at which the extended eastern boundary of
20 Carmen Drive intersects the Union Pacific/Canadian Pacific
21 Railroad, by the Union Pacific/Canadian Pacific Railroad, and
22 between the Union Pacific/Canadian Pacific Railroad and Old
23 Higgins Road, by the extended eastern boundary of Carmen
24 Drive and by Carmen Drive; and (2) provision for air
25 navigation and air safety outside that area in accordance
26 with standards established by the Federal Aviation
27 Administration.

28 "O'Hare" means Chicago O'Hare International Airport.

29 "City" means the City of Chicago.

30 Section 15. Acquisition of property. In addition to any
31 other powers the City may have, and notwithstanding any other
32 law to the contrary, the City may acquire by gift, grant,
33 lease, purchase, condemnation (including condemnation by

1 quick take under Section 7-103.149 of the Code of Civil
2 Procedure), or otherwise any right, title, or interest in any
3 private property, property held in the name of or belonging
4 to any public body or unit of government, or any property
5 devoted to a public use, or any other rights or easements,
6 including any property, rights, or easements owned by the
7 State, units of local government, or school districts,
8 including forest preserve districts, for purposes related to
9 the O'Hare Modernization Program. The powers given to the
10 City under this Section include the power to acquire, by
11 condemnation or otherwise, any property used for cemetery
12 purposes within or outside of the City, and to require that
13 the cemetery be removed to a different location. The powers
14 given to the City under this Section include the power to
15 condemn or otherwise acquire (other than by condemnation by
16 quick take under Section 7-103 of the Code of Civil
17 Procedure), and to convey, substitute property when the City
18 reasonably determines that monetary compensation will not be
19 sufficient or practical just compensation for property
20 acquired by the City in connection with the O'Hare
21 Modernization Program. The acquisition of substitute property
22 is declared to be for public use. Property acquired under
23 this Section includes property that the City reasonably
24 determines will be necessary for future use, regardless of
25 whether final regulatory or funding decisions have been made;
26 provided, however, that quick-take of such property is
27 subject to Section 7-103.149 of the Code of Civil Procedure.

28 Section 20. Condemnation by other governmental units. No
29 airport property may be subject to taking by condemnation or
30 otherwise by any unit of local government other than the City
31 of Chicago, or by any agency, instrumentality, or political
32 subdivision of the State.

1 Section 21. Reimbursement for tax base losses.

2 (a) Whenever the total equalized and assessed value of
3 taxable property within a school district or community
4 college district is reduced as the direct result of the
5 City's acquisition of parcels of property for the O'Hare
6 Modernization Program, the City shall, for the following
7 taxable year and for each of the 4 taxable years thereafter,
8 pay to that district the amount of the total tax liability of
9 the acquired parcels to the district for the 2002 taxable
10 year, increased or decreased each year by the percentage
11 change of the district's tax levy for the current taxable
12 year from the tax levy for the prior taxable year; provided
13 that no annual increase shall exceed the lesser of 5% or the
14 annual increase in the Consumer Price Index. Funds payable by
15 the City under this Section shall be paid exclusively from
16 non-tax revenues generated at airports owned by the City, and
17 shall not exceed the amount of those funds that can be paid
18 for that purpose under 49 U.S.C. 47107(1)(2).

19 (b) Notwithstanding any other provision of this Section:
20 (i) no funds shall be payable by the City under this Section
21 with respect to any taxable year succeeding the 2008 taxable
22 year; (ii) in no event shall such funds be payable on or
23 after January 1, 2010; and (iii) in no event shall the total
24 funds paid by the City pursuant to this Section to all
25 districts for all taxable years exceed \$15,000,000.

26 (c) Whenever the City acquires property that is subject
27 to this Section, the City shall notify the assessor of the
28 county in which the property is located. The assessor or the
29 clerk of that county shall, on an annual basis, notify the
30 affected school district or community college district of all
31 property that has been identified as being subject to this
32 Section, and shall provide the district and the City with
33 such information as may be required in determining the
34 amounts payable by the City under this Section. The City

1 shall make payments as required by this Section no later than
2 90 days after that information is received and verified by
3 the City.

4 (d) As used in this Section, "Consumer Price Index"
5 means the Consumer Price Index for All Urban Consumers for
6 all items published by the United States Department of Labor.

7 Section 25. Jurisdiction over airport property. Airport
8 property shall not be subject to the the laws of any unit of
9 local government except as provided by ordinance of the City.
10 Plans of all public agencies that may affect the O'Hare
11 Modernization Program shall be consistent with the O'Hare
12 Modernization Program, and to the extent that any plan of any
13 public agency or unit or division of State or local
14 government is inconsistent with the O'Hare Modernization
15 Program, that plan is and shall be void and of no effect.

16 Section 27. Minority and women-owned businesses and
17 workers. All City contracts for the O'Hare Modernization
18 Program shall be subject to all applicable ordinances of the
19 City governing contracting with minority and women-owned
20 businesses and prohibiting discrimination and requiring
21 appropriate affirmative action with respect to minority and
22 women participants in the work force, including but not
23 limited to Section 2-92-330 of the Municipal Code of the City
24 of Chicago (relating to hiring of Chicago residents), Section
25 2-92-390 of the Municipal Code of the City of Chicago
26 (relating to hiring of women and minorities), and Sections
27 2-92-420 through 2-92-570 of the Municipal Code of the City
28 of Chicago (relating to contracting with minority-owned and
29 women-owned business enterprises), to the extent permitted by
30 law and federal funding restrictions. The City of Chicago
31 shall file semi-annual reports with the General Assembly
32 documenting compliance with such ordinances with respect to

1 work performed as part of the O'Hare Modernization Program
2 and disclosing the extent to which that work is performed by
3 minority and women workers and minority-owned and women-owned
4 business enterprises.

5 Section 30. Home Rule. It is declared to be the law of
6 this State, pursuant to paragraph (h) of Section 6 of Article
7 VII of the Illinois Constitution, that the regulation and
8 supervision of the City of Chicago's implementation of the
9 O'Hare Modernization Program is an exclusive State function
10 that may not be exercised concurrently by any unit of local
11 government.

12 Section 90. The Archeological and Paleontological
13 Resources Protection Act is amended by adding Section 1.5 as
14 follows:

15 (20 ILCS 3435/1.5 new)

16 Sec. 1.5. O'Hare Modernization. Nothing in this Act
17 limits the authority of the City of Chicago to exercise its
18 powers under the O'Hare Modernization Act or requires that
19 City, or any person acting on behalf of that City, to obtain
20 a permit under this Act when acquiring property or otherwise
21 exercising its powers under the O'Hare Modernization Act.

22 Section 91. The Human Skeletal Remains Protection Act is
23 amended by adding Section 4.5 as follows:

24 (20 ILCS 3440/4.5 new)

25 Sec. 4.5. O'Hare Modernization. Nothing in this Act
26 limits the authority of the City of Chicago to exercise its
27 powers under the O'Hare Modernization Act or requires that
28 City, or any person acting on behalf of that City, to obtain
29 a permit under this Act when acquiring property or otherwise

1 exercising its powers under the O'Hare Modernization Act.

2 Section 92. The Illinois Municipal Code is amended by
3 changing Sections 11-51-1, 11-102-2, and 11-102-4 as follows:

4 (65 ILCS 5/11-51-1) (from Ch. 24, par. 11-51-1)

5 Sec. 11-51-1. Cemetery removal. Whenever any cemetery is
6 embraced within the limits of any city, village, or
7 incorporated town, the corporate authorities thereof, if, in
8 their opinion, any good cause exists why such cemetery should
9 be removed, may cause the remains of all persons interred
10 therein to be removed to some other suitable place. However,
11 the corporate authorities shall first obtain the assent of
12 the trustees or other persons having the control or ownership
13 of such cemetery, or a majority thereof. When such cemetery
14 is owned by one or more private parties, or private
15 corporation or chartered society, the corporate authorities
16 of such city may require the removal of such cemetery to be
17 done at the expense of such private parties, or private
18 corporation or chartered society, if such removal be based
19 upon their application. Nothing in this Section limits the
20 powers of the City of Chicago to acquire property or
21 otherwise exercise its powers under Section 15 of the O'Hare
22 Modernization Act.

23 (Source: P.A. 87-1153.)

24 (65 ILCS 5/11-102-2) (from Ch. 24, par. 11-102-2)

25 Sec. 11-102-2. Every municipality specified in Section
26 11-102-1 may purchase, construct, reconstruct, expand and
27 improve landing fields, landing strips, landing floats,
28 hangers, terminal buildings and other structures relating
29 thereto and may provide terminal facilities for public
30 airports; may construct, reconstruct and improve causeways,
31 roadways, and bridges for approaches to or connections with

1 the landing fields, landing strips and landing floats; and
2 may construct and maintain breakwaters for the protection of
3 such airports with a water front. Before any work of
4 construction is commenced in, over or upon any public waters
5 of the state, the plans and specifications therefor shall be
6 submitted to and approved by the Department of Transportation
7 of the state. Submission to and approval by the Department of
8 Transportation is not required for any work or construction
9 undertaken as part of the O'Hare Modernization Program as
10 defined in Section 10 of the O'Hare Modernization Act.

11 (Source: P.A. 81-840.)

12 (65 ILCS 5/11-102-4) (from Ch. 24, par. 11-102-4)

13 Sec. 11-102-4. Every municipality specified in Section
14 11-102-1 may contract for the removal or relocation of all
15 buildings, railways, mains, pipes, conduits, wires, poles,
16 and all other structures, facilities and equipment which may
17 interfere with the location, expansion or improvement of any
18 public airport, or with the safe approach thereto or take-off
19 therefrom by aircraft, and may acquire by gift, grant, lease,
20 purchase, condemnation or otherwise any private property,
21 public property or property devoted to any public use or
22 rights or easements therein for any purpose authorized by
23 this Section and Sections 11-102-1 through 11-102-3. Nothing
24 in this Section limits the powers of the City of Chicago to
25 acquire property or otherwise exercise its powers under
26 Section 15 of the O'Hare Modernization Act.

27 (Source: Laws 1961, p. 576.)

28 Section 93. The Downstate Forest Preserve District Act
29 is amended by changing Section 5e as follows:

30 (70 ILCS 805/5e) (from Ch. 96 1/2, par. 6308e)

31 Sec. 5e. Property owned by a forest preserve district

1 shall not be subject to eminent domain or condemnation
2 proceedings, except as otherwise provided in Section 15 of
3 the O'Hare Modernization Act.

4 (Source: P.A. 85-993.)

5 Section 93.5. The Vital Records Act is amended by
6 changing Section 21 as follows:

7 (410 ILCS 535/21) (from Ch. 111 1/2, par. 73-21)

8 Sec. 21. (1) The funeral director or person acting as
9 such who first assumes custody of a dead body or fetus shall
10 make a written report to the registrar of the district in
11 which death occurred or in which the body or fetus was found
12 within 24 hours after taking custody of the body or fetus on
13 a form prescribed and furnished by the State Registrar and in
14 accordance with the rules promulgated by the State Registrar.
15 Except as specified in paragraph (2) of this Section, the
16 written report shall serve as a permit to transport, bury or
17 entomb the body or fetus within this State, provided that the
18 funeral director or person acting as such shall certify that
19 the physician in charge of the patient's care for the illness
20 or condition which resulted in death has been contacted and
21 has affirmatively stated that he will sign the medical
22 certificate of death or the fetal death certificate. If a
23 funeral director fails to file written reports under this
24 Section in a timely manner, the local registrar may suspend
25 the funeral director's privilege of filing written reports by
26 mail. In a county with a population greater than 3,000,000,
27 if a funeral director or person acting as such interrs or
28 entombs a dead body without having previously certified that
29 the physician in charge of the patient's care for the illness
30 or condition that resulted in death has been contacted and
31 has affirmatively stated that he or she will sign the medical
32 certificate of death, then that funeral director or person

1 acting as such is responsible for payment of the specific
2 costs incurred by the county medical examiner in disinterring
3 and reintering or reentombing the dead body.

4 (2) The written report as specified in paragraph (1) of
5 this Section shall not serve as a permit to:

6 (a) Remove body or fetus from this State;

7 (b) Cremate the body or fetus; or

8 (c) Make disposal of any body or fetus in any
9 manner when death is subject to the coroner's or medical
10 examiner's investigation.

11 (3) In accordance with the provisions of paragraph (2)
12 of this Section the funeral director or person acting as such
13 who first assumes custody of a dead body or fetus shall
14 obtain a permit for disposition of such dead human body prior
15 to final disposition or removal from the State of the body or
16 fetus. Such permit shall be issued by the registrar of the
17 district where death occurred or the body or fetus was found.
18 No such permit shall be issued until a properly completed
19 certificate of death has been filed with the registrar. The
20 registrar shall insure the issuance of a permit for
21 disposition within an expedited period of time to accommodate
22 Sunday or holiday burials of decedents whose time of death
23 and religious tenets or beliefs necessitate Sunday or holiday
24 burials.

25 (4) A permit which accompanies a dead body or fetus
26 brought into this State shall be authority for final
27 disposition of the body or fetus in this State, except in
28 municipalities where local ordinance requires the issuance of
29 a local permit prior to disposition.

30 (5) A permit for disposition of a dead human body shall
31 be required prior to disinterment of a dead body or fetus,
32 and when the disinterred body is to be shipped by a common
33 carrier. Such permit shall be issued to a licensed funeral
34 director or person acting as such, upon proper application,

1 by the local registrar of the district in which disinterment
2 is to be made. In the case of disinterment, proper
3 application shall include a statement providing the name and
4 address of any surviving spouse of the deceased, or, if none,
5 any surviving children of the deceased, or if no surviving
6 spouse or children, a parent, brother, or sister of the
7 deceased. The application shall indicate whether the
8 applicant is one of these parties and, if so, whether the
9 applicant is a surviving spouse or a surviving child. Prior
10 to the issuance of a permit for disinterment, the local
11 registrar shall, by certified mail, notify the surviving
12 spouse, unless he or she is the applicant, or if there is no
13 surviving spouse, all surviving children except for the
14 applicant, of the application for the permit. The person or
15 persons notified shall have 30 days from the mailing of the
16 notice to object by obtaining an injunction enjoining the
17 issuance of the permit. After the 30-day period has expired,
18 the local registrar shall issue the permit unless he or she
19 has been enjoined from doing so or there are other statutory
20 grounds for refusal. The notice to the spouse or surviving
21 children shall inform the person or persons being notified of
22 the right to seek an injunction within 30 days.
23 Notwithstanding any other provision of this subsection (5), a
24 court may order issuance of a permit for disinterment without
25 notice or prior to the expiration of the 30-day period where
26 the petition is made by an agency of any governmental unit
27 and good cause is shown for disinterment without notice or
28 for the early order. Nothing in this subsection (5) limits
29 the authority of the City of Chicago to acquire property or
30 otherwise exercise its powers under the O'Hare Modernization
31 Act or requires that City, or any person acting on behalf of
32 that City, to obtain a permit under this subsection (5) when
33 exercising powers under the O'Hare Modernization Act.

34 (Source: P.A. 88-261; 89-381, eff. 8-18-95.)

1 Section 94. The Illinois Aeronautics Act is amended by
2 changing Sections 38.01 and 47 and by adding Section 47.1 as
3 follows:

4 (620 ILCS 5/38.01) (from Ch. 15 1/2, par. 22.38a)

5 Sec. 38.01. Project applications.

6 (a) No municipality or political subdivision in this
7 state, whether acting alone or jointly with another
8 municipality or political subdivision or with the state,
9 shall submit any project application under the provisions of
10 the Airport and Airway Improvement Act of 1982, or any
11 amendment thereof, unless the project and the project
12 application have been first approved by the Department. No
13 such municipality or political subdivision shall directly
14 accept, receive, or disburse any funds granted by the United
15 States under the Airport and Airway Improvement Act of 1982,
16 but it shall designate the Department as its agent to accept,
17 receive, and disburse such funds, provided, however, nothing
18 in this Section shall be construed to prohibit any
19 municipality or any political sub-division of more than
20 500,000 inhabitants from disbursing such funds through its
21 corporate authorities. It shall enter into an agreement with
22 the Department prescribing the terms and conditions of such
23 agency in accordance with federal laws, rules and regulations
24 and applicable laws of this state. This subsection (a) does
25 not apply to any project application submitted in connection
26 with the O'Hare Modernization Program as defined in Section
27 10 of the O'Hare Modernization Act.

28 (b) The City of Chicago may submit a project application
29 under the provisions of the Airport and Airway Improvement
30 Act of 1982, as now or hereafter amended, or any other
31 federal law providing for airport planning or development, if
32 the application is submitted in connection with the O'Hare
33 Modernization Program as defined in Section 10 of the O'Hare

1 Modernization Act, and the City may directly accept, receive,
2 and disburse any such funds.

3 (Source: P.A. 92-341, eff. 8-10-01.)

4 (620 ILCS 5/47) (from Ch. 15 1/2, par. 22.47)

5 Sec. 47. Operation without certificate of approval
6 unlawful; applications.) An application for a certificate of
7 approval of an airport or restricted landing area, or the
8 alteration or extension thereof, shall set forth, among other
9 things, the location of all railways, mains, pipes, conduits,
10 wires, cables, poles and other facilities and structures of
11 public service corporations or municipal or quasi-municipal
12 corporations, located within the area proposed to be acquired
13 or restricted, and the names of persons owning the same, to
14 the extent that such information can be reasonably
15 ascertained by the applicant.

16 It shall be unlawful for any municipality or other
17 political subdivision, or officer or employee thereof, or for
18 any person, to make any alteration or extension of an
19 existing airport or restricted landing area, or to use or
20 operate any airport or restricted landing area, for which a
21 certificate of approval has not been issued by the
22 Department; Provided, that no certificate of approval shall
23 be required for an airport or restricted landing area which
24 was in existence and approved by the Illinois Aeronautics
25 Commission, whether or not being operated, on or before July
26 1, 1945, or for the O'Hare Modernization Program as defined
27 in Section 10 of the O'Hare Modernization Act"; except that a
28 certificate of approval shall be required under this Section
29 for construction of a new runway at O'Hare International
30 Airport with a geographical orientation that varies from a
31 geographical east-west orientation by more than 10 degrees,
32 or for construction of a new runway at that airport that
33 would result in more than 8 runways being available for

1 aircraft operations at that airport. The Department shall
2 supervise, monitor, and enforce compliance with the O'Hare
3 Modernization Act by all other departments, agencies, and
4 units of State and local government.

5 Provisions of this Section do not apply to special
6 purpose aircraft designated as such by the Department when
7 operating to or from uncertificated areas other than their
8 principal base of operations, provided mutually acceptable
9 arrangements are made with the property owner, and provided
10 the owner or operator of the aircraft assumes liabilities
11 which may arise out of such operations.

12 (Source: P.A. 81-840.)

13 (620 ILCS 5/47.1 new)

14 Sec. 47.1. Review by Department of O'Hare Modernization
15 Program. The Department shall monitor the design, planning,
16 financing, and construction of the O'Hare Modernization
17 Program as defined in Section 10 of the O'Hare Modernization
18 Act in order to ensure that the O'Hare Modernization Program
19 proceeds in a timely, efficient, and safe manner, and shall
20 monitor the effects of the O'Hare Modernization Program on
21 units of local government throughout the State. The
22 Department shall file reports with the General Assembly as
23 the Department deems appropriate concerning the design,
24 planning, financing, and construction of the O'Hare
25 Modernization Program as defined in Section 10 of the O'Hare
26 Modernization Act, and the effects of the O'Hare
27 Modernization Program on units of local government.

28 Section 95. The Code of Civil Procedure is amended by
29 changing Section 2-103 and adding Section 7-103.149 as
30 follows:

31 (735 ILCS 5/2-103) (from Ch. 110, par. 2-103)

1 Sec. 2-103. Public corporations - Local actions - Libel
2 - Insurance companies.

3 (a) Actions must be brought against a public, municipal,
4 governmental or quasi-municipal corporation in the county in
5 which its principal office is located or in the county in
6 which the transaction or some part thereof occurred out of
7 which the cause of action arose. Except as otherwise
8 provided in Section 7-102 of this Code, if the cause of
9 action is related to an airport owned by a unit of local
10 government or the property or aircraft operations thereof,
11 however, including an action challenging the
12 constitutionality of this amendatory Act of the 93rd General
13 Assembly, the action must be brought in the county in which
14 the unit of local government's principal office is located.
15 Actions to recover damage to real estate which may be
16 overflowed or otherwise damaged by reason of any act of the
17 corporation may be brought in the county where the real
18 estate or some part of it is situated, or in the county where
19 the corporation is located, at the option of the party
20 claiming to be injured. Except as otherwise provided in
21 Section 7-102 of this Code, any cause of action that is
22 related to an airport owned by a unit of local government,
23 and that is pending on or after the effective date of this
24 amendatory Act of the 93rd General Assembly in a county other
25 than the county in which the unit of local government's
26 principal office is located, shall be transferred, upon
27 motion of any party under Section 2-106 of this Code, to the
28 county in which the unit of local government's principal
29 office is located.

30 (b) Any action to quiet title to real estate, or to
31 partition or recover possession thereof or to foreclose a
32 mortgage or other lien thereon, must be brought in the county
33 in which the real estate or some part of it is situated.

34 (c) Any action which is made local by any statute must

1 be brought in the county designated in the statute.

2 (d) Every action against any owner, publisher, editor,
3 author or printer of a newspaper or magazine of general
4 circulation for libel contained in that newspaper or magazine
5 may be commenced only in the county in which the defendant
6 resides or has his, her or its principal office or in which
7 the article was composed or printed, except when the
8 defendant resides or the article was printed without this
9 State, in either of which cases the action may be commenced
10 in any county in which the libel was circulated or published.

11 (e) Actions against any insurance company incorporated
12 under the law of this State or doing business in this State
13 may also be brought in any county in which the plaintiff or
14 one of the plaintiffs may reside.

15 (Source: P.A. 85-887.)

16 (735 ILCS 5/7-103.149 new)

17 Sec. 7-103.149. Quick-take; O'Hare Modernization Program
18 purposes. Quick-take proceedings under Section 7-103 may be
19 used by the City of Chicago for the purpose of acquiring
20 property within the area bounded on the north, between Carmen
21 Drive and the Union Pacific/Canadian Pacific Railroad, by Old
22 Higgins Road, and between Old Higgins Road and Touhy Avenue,
23 by the Union Pacific/Canadian Pacific Railroad, and east of
24 the Union Pacific/Canadian Pacific Railroad by the northern
25 boundary of O'Hare existing on January 1, 2003; on the east
26 by the eastern boundary of O'Hare existing on January 1,
27 2003; on the southeast by the southeastern boundary of O'Hare
28 existing on January 1, 2003; on the south between the eastern
29 boundary of O'Hare and the Union Pacific Railroad by the
30 southern boundary of O'Hare existing on January 1, 2003; on
31 the south, between the Union Pacific Railroad and the west
32 boundary of York Road by the Canadian Pacific railroad yard;
33 on the west, between the Canadian Pacific Railroad Yard and

1 the railroad spur intersecting York Road between Arthur and
2 Pratt Avenues, by the west boundary of York Road; and on the
3 northwest, between York Road and the Union Pacific/Canadian
4 Pacific Railroad, by the railroad spur, and between the
5 railroad spur and the point at which the extended eastern
6 boundary of Carmen Drive intersects the Union
7 Pacific/Canadian Pacific Railroad, by the Union
8 Pacific/Canadian Pacific Railroad, and between the Union
9 Pacific/Canadian Pacific Railroad and Old Higgins Road, by
10 the extended eastern boundary of Carmen Drive and by Carmen
11 Drive, for the O'Hare Modernization Program as defined in
12 Section 10 of the O'Hare Modernization Act.

13 Section 96. The Religious Freedom Restoration Act is
14 amended by adding Section 30 as follows:

15 (775 ILCS 35/30 new)

16 Sec. 30. O'Hare Modernization. Nothing in this Act
17 limits the authority of the City of Chicago to exercise its
18 powers under the O'Hare Modernization Act for the purposes of
19 relocation of cemeteries or the graves located therein.

20 Section 98. Severability. The provisions of this Act are
21 severable under Section 1.31 of the Statute on Statutes.

22 Section 99. Effective date. This Act takes effect upon
23 its becoming law, and Section 95 of this Act applies to cases
24 pending on or after the effective date."