

1 AMENDMENT TO SENATE BILL 1361

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1361, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following

5 "Section 5. The Illinois Highway Code is amended by  
6 changing Section 4-510 as follows:

7 (605 ILCS 5/4-510) (from Ch. 121, par. 4-510)

8 Sec. 4-510. The Department may establish presently the  
9 approximate locations and widths of rights of way for future  
10 additions to the State highway system to inform the public  
11 and prevent costly and conflicting development of the land  
12 involved.

13 The Department shall hold a public hearing whenever  
14 approximate locations and widths of rights of way for future  
15 highway additions are to be established. Prior to the public  
16 hearing for corridor protection, the Department shall prepare  
17 an assessment of current and future traffic needs in the area  
18 of the proposed highway addition and an analysis of the  
19 alternatives for meeting those needs. The hearing shall be  
20 held in or near the counties where the land to be used is  
21 located and notice of the hearing shall be published in a  
22 newspaper or newspapers of general circulation in the county

1 or counties involved. The Department shall notify by  
2 registered mail each property owner affected by the proposed  
3 corridor, informing the owner of the location of the corridor  
4 and the time and place of the hearing. Any interested person  
5 or his representative may be heard. The Department shall  
6 evaluate the testimony given at the hearing. The hearing  
7 shall include a period for questions and comments from  
8 interested persons in a town hall format before an audience  
9 of those attending. If modifications are made in the proposed  
10 corridor prior to recording, the Department shall notify by  
11 registered mail owners of property affected by the proposed  
12 changes and by notices published in a newspaper or newspapers  
13 of general circulation in the county or counties affected.  
14 Interested persons shall have at least 30 days to comment on  
15 the proposed revisions, and the Department shall evaluate the  
16 comments.

17 The Department shall make a survey and prepare a map  
18 showing the location and approximate widths of the rights of  
19 way needed for future additions to the highway system. The  
20 map shall show existing highways in the area involved and the  
21 property lines and owners of record of all land that will be  
22 needed for the future additions and all other pertinent  
23 information. Approval of the map with any changes resulting  
24 from the hearing shall be indicated in the record of the  
25 hearing, and a notice of the approval, and a copy of the map,  
26 and an environmental impact study shall be filed in the  
27 office of the recorder for all counties in which the land  
28 needed for future additions is located.

29 Public notice of the approval and filing shall be given  
30 in newspapers of general circulation in all counties where  
31 the land is located and shall be served by registered mail  
32 within 60 days thereafter on all owners of record of the land  
33 needed for future additions.

34 The Department may approve changes in the map from time

1 to time. The changes shall be filed and notice given in the  
2 manner provided for an original map.

3 After the map is filed and notice thereof given to the  
4 owners of record of the land needed for future additions, no  
5 one shall incur development costs or place improvements in,  
6 upon or under the land involved nor rebuild, alter or add to  
7 any existing structure without first giving 60 days notice by  
8 registered mail to the Department. This prohibition shall not  
9 apply to any normal or emergency repairs to existing  
10 structures. The Department shall have 45 days after receipt  
11 of that notice to inform the owner of the Department's  
12 intention to acquire the land involved; after which, it shall  
13 have the additional time of 120 days to acquire such land by  
14 purchase or to initiate action to acquire said land through  
15 the exercise of the right of eminent domain. When the right  
16 of way is acquired by the State no damages shall be allowed  
17 for any construction, alteration or addition in violation of  
18 this Section unless the Department has failed to acquire the  
19 land by purchase or has abandoned an eminent domain  
20 proceeding initiated pursuant to the provisions of this  
21 paragraph.

22 Any right of way needed for additions to the highway  
23 system may be acquired at any time by the State or by the  
24 county or municipality in which it is located. The time of  
25 determination of the value of the property to be taken under  
26 this Section for additions to the highway system shall be the  
27 date of the actual taking, if the property is acquired by  
28 purchase, or the date of the filing of a complaint for  
29 condemnation, if the property is acquired through the  
30 exercise of the right of eminent domain, rather than the date  
31 when the map of the proposed right-of-way was filed of  
32 record. The rate of compensation to be paid for farm land  
33 acquired hereunder by the exercise of the right of eminent  
34 domain shall be in accordance with Section 4-501 of this

1 Code.

2 Not more than 10 years after a protected corridor is  
3 established under this Section, and not later than the  
4 expiration of each succeeding 10 year period, the Department  
5 shall hold public hearings to discuss the viability and  
6 feasibility of the protected corridor. The Department shall  
7 give due consideration to the information obtained at the  
8 hearing and, if construction of the roadway is no longer  
9 feasible, shall abolish the protected corridor.

10 (Source: P.A. 91-357, eff. 7-29-99.)

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law."