



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4405

Introduced 01/05/06, by Rep. Ed Sullivan, Jr.

SYNOPSIS AS INTRODUCED:

20 ILCS 2705/2705-555.5 new
55 ILCS 5/5-1083.5 new
60 ILCS 1/105-5.5 new
65 ILCS 5/11-77-5 new
70 ILCS 805/6f new
70 ILCS 810/39.1 new
70 ILCS 1205/8-12a new
105 ILCS 5/10-22-12a new

Amends the Department of Transportation Law of the Civil Administrative Code of Illinois, the Counties Code, the Township Code, the Illinois Municipal Code, the Downstate Forest Preserve District Act, the Cook County Forest Preserve District Act, the Park District Code, and the School Code. Authorizes the Department of Transportation and any unit of local government, forest preserve district, park district, or school district that contains vacant lands owned by the Department to enter into a lease agreement for the use of those vacant lands. Provides that the lease agreement may be for less than fair market value and must prohibit the unit of local government, forest preserve district, park district, or school district from erecting any permanent structure upon the property. Effective immediately.

LRB094 16363 HLH 51614 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Transportation Law of the
5 Civil Administrative Code of Illinois is amended by adding
6 Section 2705-555.5 as follows:

7 (20 ILCS 2705/2705-555.5 new)

8 Sec. 2705-555.5. Lease of vacant land to unit of local
9 government or school district. If the Department owns vacant
10 land within a unit of local government, forest preserve
11 district, park district, or school district, the Department of
12 Transportation may enter into a lease agreement with the unit
13 of local government, forest preserve district, park district,
14 or the school district for use of the vacant land. The lease
15 agreement may be for less than fair market value and must
16 prohibit the unit of local government, forest preserve
17 district, park district, or school district from erecting any
18 permanent structure upon the property.

19 Section 10. The Counties Code is amended by adding Section
20 5-1083.5 as follows:

21 (55 ILCS 5/5-1083.5 new)

22 Sec. 5-1083.5. Lease with Department of Transportation for
23 vacant lands. If the Department of Transportation owns vacant
24 land within a county, the county may enter into a lease
25 agreement with the Department for use of the vacant land. The
26 lease agreement may be for less than fair market value and must
27 prohibit the county from erecting any permanent structure upon
28 the property.

29 Section 15. The Township Code is amended by adding Section

1 105-5.5 as follows:

2 (60 ILCS 1/105-5.5 new)

3 Sec. 105-5.5. Lease with Department of Transportation for
4 vacant lands. If the Department of Transportation owns vacant
5 land within a township, the Department may enter into a lease
6 agreement with the township for use of the vacant land. The
7 lease agreement may be for less than fair market value and must
8 prohibit the township from erecting any permanent structure
9 upon the property.

10 Section 20. The Illinois Municipal Code is amended by
11 adding Section 11-77-5 as follows:

12 (65 ILCS 5/11-77-5 new)

13 Sec. 11-77-5. Lease with Department of Transportation for
14 vacant lands. If the Department of Transportation owns vacant
15 land within a municipality, the Department of Transportation
16 may enter into a lease agreement with the municipality for use
17 of the vacant land. The lease agreement may be for less than
18 fair market value and must prohibit the municipality from
19 erecting any permanent structure upon the property.

20 Section 22. The Downstate Forest Preserve District Act is
21 amended by adding Section 6f as follows:

22 (70 ILCS 805/6f new)

23 Sec. 6f. Lease with Department of Transportation for vacant
24 lands. If the Department of Transportation owns vacant land
25 within a forest preserve district, the forest preserve district
26 may enter into a lease agreement with the Department for use of
27 the vacant land. The lease agreement may be for less than fair
28 market value and must prohibit the forest preserve district
29 from erecting any permanent structure upon the property.

30 Section 23. The Cook County Forest Preserve District Act is

1 amended by adding Section 39.1 as follows:

2 (70 ILCS 810/39.1 new)

3 Sec. 39.1. Lease with Department of Transportation for
4 vacant lands. If the Department of Transportation owns vacant
5 land within a forest preserve district, the forest preserve
6 district may enter into a lease agreement with the Department
7 for use of the vacant land. The lease agreement may be for less
8 than fair market value and must prohibit the forest preserve
9 district from erecting any permanent structure upon the
10 property.

11 Section 25. The Park District Code is amended by adding
12 Section 8-12a as follows:

13 (70 ILCS 1205/8-12a new)

14 Sec. 8-12a. Leases with Department of Transportation for
15 vacant lands. If the Department of Transportation owns vacant
16 land within a park district, the park district may enter into a
17 lease agreement with the Department for use of the vacant land.
18 The lease agreement may be for less than fair market value and
19 must prohibit the park district from erecting any permanent
20 structure upon the property.

21 Section 30. The School Code is amended by adding Section
22 10-22-12a as follows:

23 (105 ILCS 5/10-22-12a new)

24 Sec. 10-22-12a. Leases with Department of Transportation
25 for vacant lands. If the Department of Transportation owns
26 vacant land within a school district, the school district may
27 enter into a lease agreement with the Department for use of the
28 vacant land. The lease agreement may be for less than fair
29 market value and must prohibit the school district from
30 erecting any permanent structure upon the property.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.