



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0130

Introduced 1/19/2007, 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 Park District Code, the Downstate Forest Preserve District Act, the Cook County Forest Preserve District Act, and the School Code. Authorizes the Department of Transportation and any unit of local government, 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, park district, or school district from erecting any permanent structure upon the property. Effective immediately.

LRB095 04012 HLH 24046 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)

1 Sec. 5-1083.5. Lease with Department of Transportation for
2 vacant lands. If the Department of Transportation owns vacant
3 land within a county, the county may enter into a lease
4 agreement with the Department for use of the vacant land. The
5 lease agreement may be for less than fair market value and must
6 prohibit the county from erecting any permanent structure upon
7 the property.

8 Section 15. The Township Code is amended by adding Section
9 105-5.5 as follows:

10 (60 ILCS 1/105-5.5 new)

11 Sec. 105-5.5. Lease with Department of Transportation for
12 vacant lands. If the Department of Transportation owns vacant
13 land within a township, the Department may enter into a lease
14 agreement with the township for use of the vacant land. The
15 lease agreement may be for less than fair market value and must
16 prohibit the township from erecting any permanent structure
17 upon the property.

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

20 (65 ILCS 5/11-77-5 new)

21 Sec. 11-77-5. Lease with Department of Transportation for
22 vacant lands. If the Department of Transportation owns vacant

1 land within a municipality, the Department of Transportation
2 may enter into a lease agreement with the municipality for use
3 of the vacant land. The lease agreement may be for less than
4 fair market value and must prohibit the municipality from
5 erecting any permanent structure upon the property.

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

8 (70 ILCS 805/6f new)

9 Sec. 6f. Lease with Department of Transportation for vacant
10 lands. If the Department of Transportation owns vacant land
11 within a forest preserve district, the forest preserve district
12 may enter into a lease agreement with the Department for use of
13 the vacant land. The lease agreement may be for less than fair
14 market value and must prohibit the forest preserve district
15 from erecting any permanent structure upon the property.

16 Section 23. The Cook County Forest Preserve District Act is
17 amended by adding Section 39.1 as follows:

18 (70 ILCS 810/39.1 new)

19 Sec. 39.1. Lease with Department of Transportation for
20 vacant lands. If the Department of Transportation owns vacant
21 land within a forest preserve district, the forest preserve
22 district may enter into a lease agreement with the Department

1 for use of the vacant land. The lease agreement may be for less
2 than fair market value and must prohibit the forest preserve
3 district from erecting any permanent structure upon the
4 property.

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

7 (70 ILCS 1205/8-12a new)

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

15 Section 30. The School Code is amended by adding Section
16 10-22-12a as follows:

17 (105 ILCS 5/10-22-12a new)

18 Sec. 10-22-12a. Leases with Department of Transportation
19 for vacant lands. If the Department of Transportation owns
20 vacant land within a school district, the school district may
21 enter into a lease agreement with the Department for use of the
22 vacant land. The lease agreement may be for less than fair

1 market value and must prohibit the school district from
2 erecting any permanent structure upon the property.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.