



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB2781

Introduced 2/26/2007, by Rep. William Davis

SYNOPSIS AS INTRODUCED:

735 ILCS 30/10-5-63 new

Amends the Eminent Domain Act. Provides that, if a State agency acquires property of a unit of local government by condemnation or otherwise necessitating the relocation of infrastructure owned by the unit of local government, the State agency and the unit of local government agree after 2004 to an amount to be paid by the State agency to the unit of local government for the relocation, and the actual cost of relocation of infrastructure exceeds the agreed amount, the condemning authority shall pay to the unit of local government, in addition to the agreed amount, the difference between the actual cost of relocation and the agreed amount.

LRB095 07602 AJO 32177 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning civil law.

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

4 Section 5. The Eminent Domain Act is amended by adding
5 Section 10-5-63 as follows:

6 (735 ILCS 30/10-5-63 new)

7 Sec. 10-5-63. State acquisition of public property;
8 relocation costs.

9 (a) This Section applies if (i) a State agency acquires
10 property of a unit of local government, whether by
11 condemnation, under threat of condemnation, or by negotiated
12 agreement, (ii) the acquisition necessitates the relocation of
13 infrastructure owned by the unit of local government, and (iii)
14 the State agency and the unit of local government agree after
15 2004 to an amount to be paid by the State agency to the unit of
16 local government for the relocation.

17 (b) Notwithstanding any other provision of law, in any
18 acquisition to which this Section applies, if the actual cost
19 of relocation of infrastructure owned by the unit of local
20 government exceeds the agreed amount, the State agency must pay
21 to the unit of local government, in addition to the agreed
22 amount, the difference between the actual cost of relocation
23 and the agreed amount, upon demand by the unit of local

1 government accompanied by documentation of the actual cost.