



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5733

by Rep. Raymond Poe - Chapin Rose

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-15.1-2.1

from Ch. 24, par. 11-15.1-2.1

Amends the Illinois Municipal Code. Provides that, except for property located in certain counties, if property that is the subject of an annexation agreement is located more than 1.5 miles from the corporate boundaries of the annexing municipality, that property is subject to the ordinances, control, and jurisdiction of the annexing municipality unless the county board retains jurisdiction by the affirmative vote of two-thirds of its members (now, the county board may retain jurisdiction in Boone, DeKalb, Grundy, Kankakee, Kendall, LaSalle, Ogle, or Winnebago County). Effective immediately.

LRB095 14380 HLH 40283 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

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 Illinois Municipal Code is amended by
5 changing Section 11-15.1-2.1 as follows:

6 (65 ILCS 5/11-15.1-2.1) (from Ch. 24, par. 11-15.1-2.1)

7 Sec. 11-15.1-2.1. Annexation agreement; municipal
8 jurisdiction.

9 (a) Except as provided in subsections (b) and (c), property
10 that is the subject of an annexation agreement adopted under
11 this Division is subject to the ordinances, control, and
12 jurisdiction of the annexing municipality in all respects the
13 same as property that lies within the annexing municipality's
14 corporate limits.

15 (b) This Section shall not apply in (i) a county with a
16 population of more than 3,000,000, (ii) a county that borders a
17 county with a population of more than 3,000,000 or (iii) a
18 county with a population of more than 246,000 according to the
19 1990 federal census and bordered by the Mississippi River,
20 unless the parties to the annexation agreement have, at the
21 time the agreement is signed, ownership or control of all
22 property that would make the property that is the subject of
23 the agreement contiguous to the annexing municipality, in which

1 case the property that is the subject of the annexation
2 agreement is subject to the ordinances, control, and
3 jurisdiction of the municipality in all respects the same as
4 property owned by the municipality that lies within its
5 corporate limits.

6 (c) Except for property located in a county referenced in
7 subsection (b) of this Section, if property that is the subject
8 of an annexation agreement ~~(c) In the case of property that is~~
9 ~~located in Boone, DeKalb, Grundy, Kankakee, Kendall, LaSalle,~~
10 ~~Ogle, or Winnebago County, if the property that is the subject~~
11 ~~of an annexation agreement is located within 1.5 miles of the~~
12 ~~corporate boundaries of the municipality, that property is~~
13 ~~subject to the ordinances, control, and jurisdiction of the~~
14 ~~annexing municipality. If the property is located more than 1.5~~
15 miles from the corporate boundaries of the annexing
16 municipality, that property is subject to the ordinances,
17 control, and jurisdiction of the annexing municipality unless
18 the county board retains jurisdiction by the affirmative vote
19 of two-thirds of its members.

20 (d) If the county board retains jurisdiction under
21 subsection (c) of this Section, the annexing municipality may
22 file a request for jurisdiction with the county board on a case
23 by case basis. If the county board agrees by the affirmative
24 vote of a majority of its members, then the property covered by
25 the annexation agreement shall be subject to the ordinances,
26 control, and jurisdiction of the annexing municipality.

1 (Source: P.A. 95-175, eff. 1-1-08.)

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