



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB1003

Introduced 2/10/2009, by Rep. Raymond Poe

#### 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.

LRB096 03063 RLJ 13078 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 (b-5) The limitations of item (iii) of subsection (b) do  
7 not apply to property that is the subject of an annexation  
8 agreement adopted under this Division within one year after the  
9 effective date of this amendatory Act of the 95th General  
10 Assembly with a coterminous home rule municipality, as of June  
11 1, 2009, that borders the Mississippi River, in a county with a  
12 population in excess of 258,000, according to the 2000 federal  
13 census, if all such agreements entered into by the municipality  
14 pertain to parcels that comprise a contiguous area of not more  
15 than 120 acres in the aggregate.

16 (c) Except for property located in a county referenced in  
17 subsection (b) of this Section, if property that is the subject  
18 of an annexation agreement ~~In the case of property that is~~  
19 ~~located in Boone, DeKalb, Grundy, Kankakee, Kendall, LaSalle,~~  
20 ~~Ogle, or Winnebago County, if the property that is the subject~~  
21 ~~of an annexation agreement is located within 1.5 miles of the~~  
22 ~~corporate boundaries of the municipality, that property is~~  
23 ~~subject to the ordinances, control, and jurisdiction of the~~  
24 ~~annexing municipality. If the property is located more than 1.5~~  
25 miles from the corporate boundaries of the annexing  
26 municipality, that property is subject to the ordinances,

1 control, and jurisdiction of the annexing municipality unless  
2 the county board retains jurisdiction by the affirmative vote  
3 of two-thirds of its members.

4 (d) If the county board retains jurisdiction under  
5 subsection (c) of this Section, the annexing municipality may  
6 file a request for jurisdiction with the county board on a case  
7 by case basis. If the county board agrees by the affirmative  
8 vote of a majority of its members, then the property covered by  
9 the annexation agreement shall be subject to the ordinances,  
10 control, and jurisdiction of the annexing municipality.

11 (Source: P.A. 95-175, eff. 1-1-08; 95-922, eff. 8-26-08.)

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