

# HB1632



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

**HB1632**

Introduced 2/18/2009, by Rep. Michael J. Madigan - Barbara Flynn Currie - Paul D. Froehlich

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/7-1-13

from Ch. 24, par. 7-1-13

Amends the Illinois Municipal Code. Makes a technical change in a Section concerning annexation of unincorporated territory.

LRB096 05200 RLJ 15266 b

A BILL FOR

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 7-1-13 as follows:

6 (65 ILCS 5/7-1-13) (from Ch. 24, par. 7-1-13)  
7 Sec. 7-1-13. Annexation.

8 (a) Whenever any unincorporated territory containing 60  
9 acres or less, is wholly bounded by (a) one or more  
10 municipalities, (b) one or more municipalities and ~~and~~ a creek  
11 in a county with a population of 400,000 or more, or one or  
12 more municipalities and a river or lake in any county, (c) one  
13 or more municipalities and the Illinois State boundary, (d) one  
14 or more municipalities and property owned by the State of  
15 Illinois, except highway right-of-way owned in fee by the  
16 State, (e) one or more municipalities and a forest preserve  
17 district or park district, or (f) if the territory is a  
18 triangular parcel of less than 10 acres, one or more  
19 municipalities and an interstate highway owned in fee by the  
20 State and bounded by a frontage road, that territory may be  
21 annexed by any municipality by which it is bounded in whole or  
22 in part, by the passage of an ordinance to that effect after  
23 notice is given as provided in subsection (b) of this Section.

1 The ordinance shall describe the territory annexed and a copy  
2 thereof together with an accurate map of the annexed territory  
3 shall be recorded in the office of the recorder of the county  
4 wherein the annexed territory is situated and a document of  
5 annexation shall be filed with the county clerk and County  
6 Election Authority. Nothing in this Section shall be construed  
7 as permitting a municipality to annex territory of a forest  
8 preserve district in a county with a population of 3,000,000 or  
9 more without obtaining the consent of the district pursuant to  
10 Section 8.3 of the Cook County Forest Preserve District Act nor  
11 shall anything in this Section be construed as permitting a  
12 municipality to annex territory owned by a park district  
13 without obtaining the consent of the district pursuant to  
14 Section 8-1.1 of the Park District Code.

15 (b) The corporate authorities shall cause notice, stating  
16 that annexation of the territory described in the notice is  
17 contemplated under this Section, to be published once, in a  
18 newspaper of general circulation within the territory to be  
19 annexed, not less than 10 days before the passage of the  
20 annexation ordinance. The corporate authorities shall also,  
21 not less than 15 days before the passage of the annexation  
22 ordinance, serve written notice, either in person or, at a  
23 minimum, by certified mail, on the taxpayer of record of the  
24 proposed annexed territory as appears from the authentic tax  
25 records of the county. When the territory to be annexed lies  
26 wholly or partially within a township other than the township

1 where the municipality is situated, the annexing municipality  
2 shall give at least 10 days prior written notice of the time  
3 and place of the passage of the annexation ordinance to the  
4 township supervisor of the township where the territory to be  
5 annexed lies.

6 (c) When notice is given as described in subsection (b) of  
7 this Section, no other municipality may annex the proposed  
8 territory for a period of 60 days from the date the notice is  
9 mailed or delivered to the taxpayer of record unless that other  
10 municipality has initiated annexation proceedings or a valid  
11 petition as described in Section 7-1-2, 7-1-8, 7-1-11 or 7-1-12  
12 of this Code has been received by the municipality prior to the  
13 publication and mailing of the notices required in subsection  
14 (b).

15 (Source: P.A. 94-396, eff. 8-1-05; 95-931, eff. 1-1-09.)