



Rep. Jil Tracy

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09800HB1723ham001

LRB098 05768 OMW 44133 a

1 AMENDMENT TO HOUSE BILL 1723

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1723 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Drainage Code is amended by  
5 changing Section 5-2 as follows:

6 (70 ILCS 605/5-2) (from Ch. 42, par. 5-2)

7 Sec. 5-2. Original assessments - Property subject to  
8 assessment. Upon the Organization of the district, the  
9 commissioners shall proceed to make out their assessment roll  
10 of benefits, damages and compensation, and they shall include  
11 therein all lands, lots, railroads, and other property within  
12 the district, including State highways, streets, and alleys,  
13 ~~other than public highways, streets and alleys,~~ which, in their  
14 opinion, will be benefited, taken or damaged by the proposed  
15 work. Whenever another district or a municipal corporation  
16 exercising drainage powers has been made a party to the

1 proceedings to organize the district, then the commissioners  
2 shall also include such other district or municipal corporation  
3 in their assessment roll.

4 (Source: P.A. 83-726.)

5 Section 10. The Rivers, Lakes, and Streams Act is amended  
6 by adding Section 40 as follows:

7 (615 ILCS 5/40 new)

8 Sec. 40. Department requirements.

9 (a) Notwithstanding any other provision of law, the  
10 Department shall require the following:

11 (1) with respect to the Department's permit process for  
12 levee improvements, the Department shall provide notice of  
13 submissions and a detailed timeline for review the  
14 submitter within 90 days;

15 (2) with respect to Department standards for  
16 construction in rural areas, the Department shall permit a  
17 water surface profile increase of 0.5 feet;

18 (3) with respect to Department standards for  
19 construction in urban areas, the Department shall permit a  
20 water surface profile increase of 0.1 feet; and

21 (4) with respect to mitigation analysis, a mitigation  
22 analysis shall only be performed if a water surface profile  
23 increase of 0.5 feet in rural areas, or of 0.1 in urban  
24 areas, exceeds an induced head study.

1       (b) For the purposes of this Section:

2               "Base condition" means the current pre-permit top of  
3       levee elevation profile, cross-sections, and levee  
4       centerline alignment.

5               "Induced head" means (i) the change of the water  
6       surface profile; and (ii) any change in water elevations  
7       upstream or downstream of the proposed improvement due to  
8       the change of a base condition in levee height to a  
9       proposed condition in levee height or encroachment.

10              "Proposed condition" means the change requested for  
11       State and Federal permits.

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