



Rep. Ed Sullivan, Jr.

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LRB098 18502 HLH 58198 a

1 AMENDMENT TO HOUSE BILL 5062

2 AMENDMENT NO. _____. Amend House Bill 5062 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing
5 Section 10-155 as follows:

6 (35 ILCS 200/10-155)

7 Sec. 10-155. Open space land; valuation.

8 (a) In all counties, in addition to valuation as otherwise
9 permitted by law, land which is used for open space purposes
10 and has been so used for the 3 years immediately preceding the
11 year in which the assessment is made, upon application under
12 Section 10-160, shall be valued on the basis of its fair cash
13 value, estimated at the price it would bring at a fair,
14 voluntary sale for use by the buyer for open space purposes.

15 (b) Land is considered used for open space purposes if it
16 is more than 10 acres in area and:

1 (1) ~~(a)~~ is actually and exclusively used for
2 maintaining or enhancing natural or scenic resources,

3 (2) ~~(b)~~ protects air or streams or water supplies,

4 (3) ~~(c)~~ promotes conservation of soil, wetlands,
5 beaches, or marshes, including ground cover or planted
6 perennial grasses, trees and shrubs and other natural
7 perennial growth, and including any body of water, whether
8 man-made or natural,

9 (4) ~~(d)~~ conserves landscaped areas, such as public or
10 private golf courses,

11 (5) ~~(e)~~ enhances the value to the public of abutting or
12 neighboring parks, forests, wildlife preserves, nature
13 reservations, sanctuaries, or other open spaces, or

14 (6) ~~(f)~~ preserves historic sites.

15 (c) Land is not considered used for open space purposes if
16 it is used primarily for residential purposes.

17 (d) Land and improvements that facilitate the operation of
18 a public or private golf course, including, but not limited to,
19 the following, are considered used for open space purposes:

20 (1) driving range facilities;

21 (2) undeveloped land surrounding and included in the
22 golf course property;

23 (3) food service and washroom facilities located on the
24 golf course property that are available for use by golfers
25 and golf course staff;

26 (4) maintenance buildings serving the golf course,

1 including separate storage buildings for golf course
2 maintenance equipment;

3 (5) parking lots that provide accessibility to the golf
4 course;

5 (6) driveways and roadways located on the golf course
6 property; and

7 (7) golf course clubhouses; provided that (i) if the
8 golf course contains 9 holes or less, only 4,000 square
9 feet of the clubhouse is considered used for open space
10 purposes and (ii) if the golf course contains more than 9
11 holes, only 8,000 square feet of the clubhouse is
12 considered used for open space purposes.

13 (e) If the land is improved with a water-retention dam that
14 is operated primarily for commercial purposes, the
15 water-retention dam is not considered to be used for open space
16 purposes despite the fact that any resulting man-made lake may
17 be considered to be used for open space purposes under this
18 Section.

19 (Source: P.A. 95-70, eff. 1-1-08.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."