

104TH GENERAL ASSEMBLY**State of Illinois****2025 and 2026****HB4571**

Introduced 1/30/2026, by Rep. Martha Deuter

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1005

from Ch. 34, par. 5-1005

55 ILCS 5/5-1195 new

Amends the Counties Code. Provides that specified counties may acquire real property for the purpose of creating or preserving affordable housing for persons making up to 150% of area median income annually. Provides that specified counties may enter into agreements to transfer real property with any unit of local government, any school district, or the State for the purpose of creating or preserving affordable housing for persons making up to 150% of the area median income annually. Provides that specified counties may enter into agreements to donate, lease below market rate, or sell below market rate, real property for the purpose of the creation or preservation of affordable housing for persons making up to 150% of area median income annually. Provides that specified counties may undertake any activity permitted by the Affordable Housing Planning and Appeal Act for the purpose of creating, developing, encouraging the development, or preservation of the development of affordable housing for persons making up to 150% of area median income annually. Provides that specified counties may select purchasers and lessors for properties held by the county, a county land bank, or county land trust. Provides that specified counties may encourage and facilitate the creation of affordable housing within the geographic boundaries of the county, including areas within municipalities, by offering financial incentives, including but not limited to grants and loans, and infrastructure improvements, including but not limited to, stormwater detention, public water and sewer improvements, and similar improvement which facilitate increasing the supply of affordable housing units shall be considered improvements for a public purpose, to developers of affordable housing units. Provides that specified counties may enter into agreements with property owners to engage in clearance and remediation activities. Provides that, as part of an agreement, or in return for an infrastructure improvement, a county may impose a restriction on the title of an affordable housing development subject to the agreement that restricts the income level of inhabitants of all or part of the development.

LRB104 18074 RTM 31513 b

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 Counties Code is amended by changing
5 Section 5-1005 and by adding Section 5-1195 as follows:

6 (55 ILCS 5/5-1005) (from Ch. 34, par. 5-1005)

7 Sec. 5-1005. Powers. Each county shall have power:

8 1. To purchase and hold the real and personal estate
9 necessary for the uses of the county, and to purchase and
10 hold, for the benefit of the county, real estate sold by
11 virtue of judicial proceedings in which the county is
12 plaintiff.

13 2. To sell and convey or lease any real or personal
14 estate owned by the county.

15 3. To make all contracts and do all other acts in
16 relation to the property and concerns of the county
17 necessary to the exercise of its corporate powers.

18 4. To take all necessary measures and institute
19 proceedings to enforce all laws for the prevention of
20 cruelty to animals.

21 5. To purchase and hold or lease real estate upon
22 which may be erected and maintained buildings to be
23 utilized for purposes of agricultural experiments and to

1 purchase, hold and use personal property for the care and
2 maintenance of such real estate in connection with such
3 experimental purposes.

4 6. To cause to be erected, or otherwise provided,
5 suitable buildings for, and maintain a county hospital and
6 necessary branch hospitals and/or a county sheltered care
7 home or county nursing home for the care of such sick,
8 chronically ill or infirm persons as may by law be proper
9 charges upon the county, or upon other governmental units,
10 and to provide for the management of the same. The county
11 board may establish rates to be paid by persons seeking
12 care and treatment in such hospital or home in accordance
13 with their financial ability to meet such charges, either
14 personally or through a hospital plan or hospital
15 insurance, and the rates to be paid by governmental units,
16 including the State, for the care of sick, chronically ill
17 or infirm persons admitted therein upon the request of
18 such governmental units. Any hospital maintained by a
19 county under this Section is authorized to provide any
20 service and enter into any contract or other arrangement
21 not prohibited for a hospital that is licensed under the
22 Hospital Licensing Act, incorporated under the General
23 Not-For-Profit Corporation Act, and exempt from taxation
24 under paragraph (3) of subsection (c) of Section 501 of
25 the Internal Revenue Code.

26 7. To contribute such sums of money toward erecting,

1 building, maintaining, and supporting any non-sectarian
2 public hospital located within its limits as the county
3 board of the county shall deem proper.

4 8. To purchase and hold real estate for the
5 preservation of forests, prairies and other natural areas
6 and to maintain and regulate the use thereof.

7 9. To purchase and hold real estate for the purpose of
8 preserving historical spots in the county, to restore,
9 maintain and regulate the use thereof and to donate any
10 historical spot to the State.

11 10. To appropriate funds from the county treasury to
12 be used in any manner to be determined by the board for the
13 suppression, eradication and control of tuberculosis among
14 domestic cattle in such county.

15 11. To take all necessary measures to prevent forest
16 fires and encourage the maintenance and planting of trees
17 and the preservation of forests.

18 12. To authorize the closing on Saturday mornings of
19 all offices of all county officers at the county seat of
20 each county, and to otherwise regulate and fix the days
21 and the hours of opening and closing of such offices,
22 except when the days and the hours of opening and closing
23 of the office of any county officer are otherwise fixed by
24 law; but the power herein conferred shall not apply to the
25 office of State's Attorney and the offices of judges and
26 clerks of courts and, in counties of 500,000 or more

1 population, the offices of county clerk.

2 13. To provide for the conservation, preservation and
3 propagation of insectivorous birds through the expenditure
4 of funds provided for such purpose.

5 14. To appropriate funds from the county treasury and
6 expend the same for care and treatment of tuberculosis
7 residents.

8 15. In counties having less than 1,000,000
9 inhabitants, to take all necessary or proper steps for the
10 extermination of mosquitoes, flies or other insects within
11 the county.

12 16. To install an adequate system of accounts and
13 financial records in the offices and divisions of the
14 county, suitable to the needs of the office and in
15 accordance with generally accepted principles of
16 accounting for governmental bodies, which system may
17 include such reports as the county board may determine.

18 17. To purchase and hold real estate for the
19 construction and maintenance of motor vehicle parking
20 facilities for persons using county buildings, but the
21 purchase and use of such real estate shall not be for
22 revenue producing purposes.

23 18. To acquire and hold title to real property located
24 within the county, or partly within and partly outside the
25 county by dedication, purchase, gift, legacy or lease, for
26 park and recreational purposes and to charge reasonable

1 fees for the use of or admission to any such park or
2 recreational area and to provide police protection for
3 such park or recreational area. Personnel employed to
4 provide such police protection shall be conservators of
5 the peace within such park or recreational area and shall
6 have power to make arrests on view of the offense or upon
7 warrants for violation of any of the ordinances governing
8 such park or recreational area or for any breach of the
9 peace in the same manner as the police in municipalities
10 organized and existing under the general laws of the
11 State. All such real property outside the county shall be
12 contiguous to the county and within the boundaries of the
13 State of Illinois.

14 19. To appropriate funds from the county treasury to
15 be used to provide supportive social services designed to
16 prevent the unnecessary institutionalization of elderly
17 residents, or, for operation of, and equipment for, senior
18 citizen centers providing social services to elderly
19 residents.

20 20. To appropriate funds from the county treasury and
21 loan such funds to a county water commission created under
22 the "Water Commission Act", approved June 30, 1984, as now
23 or hereafter amended, in such amounts and upon such terms
24 as the county may determine or the county and the
25 commission may agree. The county shall not under any
26 circumstances be obligated to make such loans. The county

1 shall not be required to charge interest on any such
2 loans.

3 21. To appropriate and expend funds from the county
4 treasury for economic development purposes, including the
5 making of grants to any other governmental entity or
6 commercial enterprise deemed necessary or desirable for
7 the promotion of economic development in the county.

8 22. To lease space on a telecommunications tower to a
9 public or private entity.

10 23. In counties having a population of 100,000 or less
11 and a public building commission organized by the county
12 seat of the county, to cause to be erected or otherwise
13 provided, and to maintain or cause to be maintained,
14 suitable facilities to house students pursuing a
15 post-secondary education at an academic institution
16 located within the county. The county may provide for the
17 management of the facilities.

18 24. For counties having a population of greater than
19 750,000 residents and fewer than 2 million residents,
20 according to the most recent federal decennial census, to
21 acquire real property for the purpose of creating or
22 preserving affordable housing for persons making up to
23 150% of area median income annually.

24 25. For counties having a population of greater than
25 750,000 residents and fewer than 2 million residents,
26 according to the most recent federal decennial census, to

1 enter into agreements to transfer real property with any
2 unit of local government, including forest preserve
3 districts created under the Downstate Forest Preserve
4 District Act, any school district, or the State for the
5 purpose of creating or preserving affordable housing for
6 persons making up to 150% of area median income annually.

7 26. For counties having a population of greater than
8 750,000 residents and fewer than 2 million residents,
9 according to the most recent federal decennial census, to
10 enter into agreements to donate, lease below market rate,
11 or sell below market rate, real property for the purpose
12 of the creation or preservation of affordable housing for
13 persons making up to 150% of area median income annually.

14 27. For counties having a population of greater than
15 750,000 residents and fewer than 2 million residents,
16 according to the most recent federal decennial census, to
17 undertake any activity permitted by the Affordable Housing
18 Planning and Appeal Act for the purpose of creating,
19 developing, encouraging the development, or preservation
20 of the development of affordable housing for persons
21 making up to 150% of area median income annually.

22 28. For counties having a population of greater than
23 750,000 residents and fewer than 2 million residents,
24 according to the most recent federal decennial census, to
25 select purchasers and lessors for properties held by the
26 county, a county land bank, or county land trust. The

1 selections of purchasers and lessors of properties made
2 under this subsection shall be made in a manner designed
3 to increase and maintain affordable housing within the
4 county without regards to the fair market value of the
5 real property.

6 All contracts for the purchase of coal under this Section
7 shall be subject to the provisions of "An Act concerning the
8 use of Illinois mined coal in certain plants and
9 institutions", filed July 13, 1937, as amended.

10 (Source: P.A. 95-197, eff. 8-16-07; 95-813, eff. 1-1-09;
11 96-622, eff. 8-24-09.)

12 (55 ILCS 5/5-1195 new)

13 Sec. 5-1195. Affordable housing grant programs.

14 (a) As used in this Section, "affordable housing" means
15 housing for persons making up to 150% of area median income
16 annually.

17 (b) Counties having a population of greater than 750,000
18 residents and fewer than 2 million residents, according to the
19 most recent federal decennial census, may encourage and
20 facilitate the creation of affordable housing within the
21 geographic boundaries of the county, including areas within
22 municipalities, by offering, to developers of affordable
23 housing units, financial incentives, including, but not
24 limited to, grants and loans, and infrastructure improvements,
25 including, but not limited to, stormwater detention, public

1 water and sewer improvements, and similar improvements that
2 facilitate increasing the supply of affordable housing units.
3 Improvements that facilitate increasing the supply of
4 affordable housing units shall be considered improvements for
5 a public purpose.

6 (c) Counties having a population of greater than 750,000
7 residents and fewer than 2 million residents, according to the
8 most recent federal decennial census, may enter into
9 agreements with developers relating to grants, loans, and
10 similar incentives to facilitate affordable housing within the
11 county. As part of an agreement, or in return for an
12 infrastructure improvement, a county may impose a restriction
13 on the title of an affordable housing development subject to
14 the agreements under this subsection that restricts the income
15 level of inhabitants of all or part of the development. The
16 income restrictions are limited to periods not to exceed 15
17 years. For purposes of deed restrictions, a county may use the
18 United States Department of Housing and Urban Development fair
19 market rent or other federally established rent tables to
20 calculate the maximum allowable rent for units benefiting from
21 grants, financial incentives, and infrastructure development
22 under the program.

23 (d) Counties having a population of greater than 750,000
24 residents and fewer than 2 million residents, according to the
25 most recent federal decennial census, may enter into
26 agreements with property owners to engage in clearance and

1 remediation activities, including the removal of buildings and
2 improvements, including the movement of structures to other
3 sites and remediation of known or suspected environmental
4 contamination.