AN ACT concerning local government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Counties Code is amended by changing Section 5-1049.2 as follows:

(55 ILCS 5/5-1049.2)

Sec. 5-1049.2. Lease of county property.

(a) The county board may lease real estate acquired or held by the county for any term not exceeding 99 years and may lease the real estate when, in the opinion of the county board, the real estate is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the county. The authority to lease shall be exercised by an ordinance passed by three-fourths of the full county board then holding office, at any regular meeting or at any special meeting called for that purpose.

(b) Notwithstanding subsection (a), upon three-fourths vote, by the full county board, the county board may lease farmland acquired or held by the county for any term not exceeding 5 years. Farmland may be leased to either public or private entities via a cash lease, crop-sharing arrangement, or custom farming arrangement. The bid process for a lease entered into under this subsection must be publicly advertised

and sealed bids must be opened at a county board meeting for public review. Counties shall not acquire farmland for the sole purpose of entering into a cash lease, crop-sharing arrangement, or custom farming arrangement or other speculative purpose.

(c) A county with a population of between 500,000 and 600,000 inhabitants may lease vacant real estate, structures, or facilities that are owned by the county if doing so promotes economic development, job creation, or community revitalization and does not interfere with existing public services. This subsection does not authorize the lease to the public of properties, structures, or facilities currently used for government-operated services. A lease is not permitted under this subsection if the lease may result in the elimination or privatization of existing government-operated services. The authority to enter into a lease shall be exercised by an ordinance passed by three-fourths of the full county board then holding office, at any regular meeting or at any special meeting called for that purpose. The term of a lease entered into under this subsection may not exceed 99 years. The provisions of this subsection shall become inoperative 5 years after the effective date of this amendatory Act of the 104th General Assembly.

(Source: P.A. 103-415, eff. 8-4-23.)