



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB3753

Introduced 2/17/2023, by Rep. Maurice A. West, II

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Land Bank Authority Act. Authorizes the corporate authorities of a municipality or county, or 2 or more municipalities or counties, to create a land bank by ordinance (for the corporate authorities of a home rule municipality or county), by entering into an intergovernmental cooperation agreement (for the corporate authorities of 2 or more municipalities and counties), or by authority already provided to a county, municipality, or other taxing district prior to the effective date of the Act. Includes provisions relating to legislative findings and purpose, definitions, and interpretation of the Act. Effective immediately.

LRB103 30471 AWJ 56904 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 1. Short title. This Act may be cited as the Land  
5 Bank Authority Act.

6 Section 5. Definitions. As used in this Act, "land bank"  
7 means a public governmental entity created by one or more  
8 counties or municipalities in the manner set forth in this  
9 Act.

10 Section 10. Findings; purpose. Vacant, abandoned, and  
11 tax-delinquent properties negatively impact the health,  
12 safety, and property values of Illinois residents in  
13 communities across Illinois and require significant taxpayer  
14 expenditures to address these harmful impacts. The purpose of  
15 this Act is to allow Illinois municipalities, counties, and  
16 other taxing districts to create a land bank to facilitate the  
17 return of vacant, abandoned, and tax-delinquent properties to  
18 productive use, thereby combating community decline,  
19 stimulating economic growth, stabilizing neighborhoods, and  
20 having a positive impact on residents and the local tax base. A  
21 land bank created in accordance with this Act serves a public  
22 purpose required under Section 1 of Article VIII of the

1 Illinois Constitution.

2 Section 15. Interpretation.

3 (a) This Act shall be construed liberally, and all powers  
4 granted in this Act shall be broadly interpreted to carry out  
5 the Act's intended purposes and not as a limitation of powers.

6 (b) Nothing in this Act shall be interpreted to restrict  
7 or otherwise impose any additional limitations on the powers  
8 and authority already granted to municipalities and counties  
9 to create, establish, contract with, or operate an entity or  
10 agency to conduct land banking activities or other related  
11 activities, or to delegate certain governmental powers to a  
12 land bank as permitted by law.

13 (c) A land bank created by a municipality or county prior  
14 to the enactment of this Act in the manner described in  
15 paragraph (3) of Section 20 shall be considered a land bank  
16 created under this Act on the effective date of this Act.

17 Section 20. Creation of a land bank. The corporate  
18 authorities of a municipality or county, or 2 or more  
19 municipalities or counties, may create a land bank in one or  
20 more of the following ways:

21 (1) The corporate authorities of any home rule  
22 municipality or county can create a land bank by passing  
23 an ordinance.

24 (2) The corporate authorities of 2 or more

1 municipalities and counties may create a land bank by  
2 entering into an intergovernmental cooperation agreement  
3 pursuant to the authority granted to such municipalities  
4 or counties in Section 10 of Article VII of the Illinois  
5 Constitution and the Illinois Intergovernmental  
6 Cooperation Act if the land bank is created by one of the  
7 following combinations of counties and municipalities:

8 (A) One or more counties and one or more  
9 municipalities, at least one of which is a home rule  
10 municipality; or

11 (B) At least 3 or more municipalities, including  
12 at least one home rule municipality.

13 (3) The land bank is a public agency formed prior to  
14 the effective date of this Act, pursuant to the authority  
15 granted to municipalities, counties, or other taxing  
16 districts in Section 10 of Article VII of the Illinois  
17 Constitution and the Illinois Intergovernmental  
18 Cooperation Act.

19 Notwithstanding the manner in which the land bank was  
20 created, a land bank created under this Act shall itself be a  
21 public agency, as that term is defined in Section 2 of the  
22 Illinois Intergovernmental Cooperation Act, and governmental  
23 body politic and corporate.

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.