

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 Sections 5-1049.2 and 5-30004 as follows:

6 (55 ILCS 5/5-1049.2)

7 Sec. 5-1049.2. Lease of county property.

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

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

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

6 (c) The lease of real estate is also permitted when a  
7 property, structure, or facility owned by the county can be  
8 used for athletic purposes or museum purposes in the interest  
9 of the public or for the benefit and enjoyment of residents of  
10 the county.

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

12 (55 ILCS 5/5-30004) (from Ch. 34, par. 5-30004)

13 Sec. 5-30004. Authority to protect and preserve landmarks  
14 and preservation districts. The county board of each county  
15 shall have the following authority:

16 (1) to establish and appoint by ordinance a  
17 preservation study committee and to take any reasonable  
18 temporary actions to protect potential landmarks and  
19 preservation districts during the term of an appointed  
20 preservation study committee;

21 (2) to establish and appoint by ordinance a  
22 preservation commission upon recommendation of a  
23 preservation study committee;

24 (3) to conduct an ongoing survey of the county to  
25 identify buildings, structures, areas, sites and

1 landscapes that are of historic, archaeological,  
2 architectural, or scenic significance, and therefore  
3 potential landmarks or preservation districts;

4 (4) to designate by ordinance landmarks and  
5 preservation districts upon the recommendation of a  
6 preservation commission and to establish a system of  
7 markers, plaques or certificates for designated landmarks  
8 and preservation districts;

9 (5) to prepare maps showing the location of landmarks  
10 and preservation districts, publish educational  
11 information, and prepare educational programs concerning  
12 landmarks and preservation districts and their designation  
13 and protection;

14 (6) to exercise any of the powers and authority in  
15 relation to regional planning and zoning granted counties  
16 by Divisions 5-12 and 5-14, for the purpose of protecting,  
17 preserving, and continuing the use of landmarks and  
18 preservation districts;

19 (7) to nominate landmarks and historic districts to  
20 any state or federal registers of historic places;

21 (8) to appropriate and expend funds to carry out the  
22 purposes of this Division;

23 (9) to review applications for construction,  
24 alteration, removal or demolition affecting landmarks or  
25 property within preservation districts;

26 (10) to acquire by negotiated purchase any interest

1 including conservation rights in landmarks or in property  
2 within preservation districts, or property immediately  
3 adjacent to or surrounding landmarks or preservation  
4 districts;

5 (11) to apply for and accept any gift, grant or  
6 bequest from any private or public source, including  
7 agencies of the federal or State government, for any  
8 purpose authorized by this Division;

9 (12) to establish a system for the transfer of  
10 development rights including, as appropriate, a mechanism  
11 for the deposit of development rights in a development  
12 rights bank, and for the transfer of development rights  
13 from that development rights bank in the same manner as  
14 authorized for municipalities by Section 11-48.2-2 of the  
15 Illinois Municipal Code. All receipts arising from the  
16 transfer shall be deposited in a special county account to  
17 be applied against expenditures necessitated by the county  
18 program for the designation and protection of landmarks  
19 and preservation districts. Any development rights  
20 acquired, sold or transferred from a development rights  
21 bank, shall not be a "security" as that term is defined in  
22 Section 2.1 of the Illinois Securities Law of 1953, and  
23 shall be exempt from all requirements for the registration  
24 of securities;i-

25 (13) to establish a loan or grant program from any  
26 source of funds for designated landmarks and preservation

1 districts and to issue interest bearing revenue bonds or  
2 general obligation bonds pursuant to ordinance enacted by  
3 the county board, after compliance with requirements for  
4 referendum, payable from the revenues to be derived from  
5 the operation of any landmark or of any property within a  
6 preservation district;

7 (14) to abate real property taxes on any landmark or  
8 property within a preservation district to encourage its  
9 preservation and continued use or to provide relief for  
10 owners unduly burdened by designation;

11 (15) to advise and assist owners of landmarks and  
12 property within preservation districts on physical and  
13 financial aspects of preservation, renovation,  
14 rehabilitation, and reuse;

15 (16) to advise cities, villages, or incorporated  
16 towns, upon request of the appropriate official of the  
17 municipality, concerning enactment of ordinances to  
18 protect landmarks or preservation districts;

19 (17) to exercise within the boundaries of any city,  
20 village, or incorporated town any of the powers and  
21 authority granted counties by this Division so long as the  
22 corporate authorities by ordinance or by intergovernmental  
23 agreement pursuant to the Intergovernmental Cooperation  
24 Act, or pursuant to Article VII, Section 10 of the  
25 Constitution of the State of Illinois have authorized the  
26 county preservation commission established by authority of

1 this Division to designate landmarks or preservation  
2 districts within its corporate boundaries, and such county  
3 preservation commission shall have only those powers,  
4 duties, and legal authority provided in this Division;

5 (18) to exercise any of the above powers to preserve  
6 and protect property owned by any unit of local government  
7 including counties, or to review alteration, construction,  
8 demolition, or removal undertaken by any unit of local  
9 government including counties that affect landmarks and  
10 preservation districts;:-

11 (19) to maintain, restore, rehabilitate, beautify, or  
12 adaptively reuse places of architectural significance,  
13 historic significance, scenic significance, or land along  
14 scenic byways and to lease or license county-held property  
15 to public or private entities for not longer than 99 years  
16 for such purposes. The maintenance, restoration,  
17 rehabilitation, beautification, and adaptive reuse of  
18 places of architectural significance, historic  
19 significance, scenic significance, or land along scenic  
20 byways is declared to be a public use. In this paragraph,  
21 "adaptive reuse" includes adaptation of the property for  
22 any use that does not materially detract from the  
23 architectural, historic, aesthetic, cultural, or scenic  
24 significance of the place.

25 (20) ~~(19)~~ to exercise any other power or authority  
26 necessary or appropriate to carrying out the purposes of

1           this Division, including those powers and authorities  
2           listed in Sections 5-30010 and 5-30011.

3           (Source: P.A. 101-81, eff. 7-12-19.)

4           Section 99. Effective date. This Act takes effect upon  
5           becoming law.