



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB2942

Introduced 1/31/2024, by Sen. Julie A. Morrison

#### SYNOPSIS AS INTRODUCED:

525 ILCS 15/5

from Ch. 96 1/2, par. 9105

Amends the Forestry Development Act. Specifies that, before the Department of Natural Resources may approve a forest management plan under the Act, the timber grower must obtain approval of the plan from the corporate authorities of the municipality in which the affected land is located or, in the case of land located in an unincorporated area, from the county board. Provides that the Department may not approve a proposed forest management plan unless and until it receives a resolution or ordinance from the corporate authorities of the municipality or county, as the case may be, assenting to the adoption of the plan. Specifies that these requirements also apply to reapprovals of forest management plans.

LRB103 37619 JAG 67745 b

1 AN ACT concerning conservation.

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

4 Section 5. The Illinois Forestry Development Act is  
5 amended by changing Section 5 as follows:

6 (525 ILCS 15/5) (from Ch. 96 1/2, par. 9105)

7 Sec. 5. A forest development cost share program is created  
8 and shall be administered by the Department of Natural  
9 Resources.

10 A timber grower who desires to participate in the cost  
11 share program shall devise a forest management plan. To be  
12 eligible to submit a proposed forest management plan, a timber  
13 grower must own or operate at least 10 contiguous acres of land  
14 in this State on which timber is produced, except that, no acre  
15 on which a permanent building is located shall be included in  
16 calculations of acreage for the purpose of determining  
17 eligibility. Timber growers with Department approved forest  
18 management plans covering less than 10 acres in effect on or  
19 before the effective date of this amendatory Act of the 96th  
20 General Assembly shall continue to be eligible under the  
21 Illinois Forestry Development Act provisions. The proposed  
22 forest management plan shall include a description of the land  
23 to be managed under the plan, a description of the types of

1 timber to be grown, a projected harvest schedule, a  
2 description of forest management practices to be applied to  
3 the land, an estimation of the cost of such practices, plans  
4 for afforestation, plans for regenerative harvest and  
5 reforestation, and a description of soil and water  
6 conservation goals and wildlife habitat enhancement which will  
7 be served by implementation of the forest management plan.

8       Upon receipt from a timber grower of a draft forest  
9 management plan, the Department shall review the plan and, if  
10 necessary, assist the timber grower to revise the plan. Before  
11 plan approval by the Department, the timber grower must obtain  
12 approval from the corporate authorities of the municipality in  
13 which the land to be managed under the plan is located or, in  
14 the case of land located in an unincorporated area, from the  
15 county board. The Department may not approve a proposed forest  
16 management plan unless and until it receives a resolution or  
17 ordinance from the corporate authorities of the municipality  
18 or county, as the case may be, assenting to the adoption of the  
19 plan. Upon receipt of such approval, the ~~The~~ Department shall  
20 officially approve acceptable plans. Forest management plans  
21 shall be revised as necessary and all revisions must be  
22 approved by the Department. A plan shall be evaluated every 2  
23 years for reapproval. All reapprovals shall follow the same  
24 notice and determination process set forth in this Section for  
25 initial approval.

26       The eligible land shall be maintained in a forest

1 condition for a period of 10 years or until commercial  
2 harvest, whichever last occurs, as required by the plan.

3 The Department shall enter into agreements with timber  
4 growers with approved forest management plans under which the  
5 Department shall agree to pay a share of the total cost of  
6 acceptable forest management plans and practices implemented  
7 under the plan. The cost share amount is up to 80% of the total  
8 cost of the forest management practices for such practices  
9 approved to be funded from monies appropriated for this  
10 purpose for subsequent fiscal years. Cost share funds shall be  
11 paid from monies appropriated to the Department by the General  
12 Assembly for that purpose from the Illinois Forestry  
13 Development Fund or any other fund in the State Treasury.

14 The Department, upon recommendations made to it by the  
15 Council, may provide for the categorization of forest  
16 management practices and determine an appropriate cost share  
17 percentage for each such category. Forest management practices  
18 submitted by timber growers on whose timber sales fees of 4% of  
19 the sale amount were paid as provided in Section 9a of the  
20 "Timber Buyers Licensing Act", approved September 1, 1969, may  
21 be accorded a priority for approval within the assigned  
22 category. Such timber growers may receive a cost share amount  
23 which is increased above the amount for which they would  
24 otherwise qualify by an amount equal to the fees paid by the  
25 timber grower on sales occurring in the 2 fiscal years  
26 immediately preceding the fiscal year in which the forest

1 management practices are approved and funded; provided,  
2 however, that the total cost share amount shall not exceed the  
3 total cost of the approved forest management practices.

4       Upon transfer of his or her right and interest in the land  
5 or a change in land use, the timber grower shall forfeit all  
6 rights to future payments and other benefits resulting from an  
7 approved plan and shall refund to the Department all payments  
8 received therefrom during the previous 10 years unless the  
9 transferee of any such land agrees with the Department to  
10 assume all obligations under the plan.

11 (Source: P.A. 96-217, eff. 8-10-09; 96-545, eff. 8-17-09.)