



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/05/04, by Donald L. Moffitt

SYNOPSIS AS INTRODUCED:

525 ILCS 33/35

Amends the Illinois Open Land Trust Act. Provides that all grants to units of local government paid by the Department of Natural Resources for the acquisition, development, construction, reconstruction, improvement, financing, architectural planning, and installation of capital facilities on land acquired by the Department for the purposes of the Illinois Open Land Trust Act shall be paid to the county treasurer of the county in which the land is situated. Requires the county treasurer to promptly distribute the money to each taxing district in which the acquired lands are located and in proportion to the amount of property tax revenue distributed to that taxing district in the most recent taxable year for which property taxes were collectable against the property. Preempts home rule power. Effective July 1, 2004.

LRB093 18132 MKM 43824 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

1 AN ACT concerning open lands.

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

4 Section 5. The Illinois Open Land Trust Act is amended by
5 changing Section 35 as follows:

6 (525 ILCS 33/35)

7 Sec. 35. Community Planning Allowance. As provided in this
8 Section, the Department is authorized to make grants to units
9 of local government for the acquisition, development,
10 construction, reconstruction, improvement, financing,
11 architectural planning, and installation of capital
12 facilities. The grants shall be available only in connection
13 with lands acquired under this Act by the Department in fee
14 simple title. The grants may be made to the units of local
15 government in which the lands are located in an amount equal to
16 7% of the purchase price of the open space land acquired for
17 qualified projects.

18 All grants to units of local government under this Section
19 by the Department shall be paid to the county treasurer of the
20 county in which the lands are situated. The county treasurer
21 shall promptly distribute the money to each taxing district in
22 which lands acquired under this Act are located in proportion
23 to the amount of property tax revenue distributed to that
24 taxing district in the most recent taxable year for which
25 property taxes were collectable against the property.

26 This Section does not apply to (i) counties with a
27 population greater than 3,000,000 or (ii) counties contiguous
28 to counties with a population greater than 3,000,000.

29 A home rule unit may not distribute grant money paid under
30 this Section in a manner inconsistent with this Section. This
31 Section is a limitation under subsection (i) of Section 6 of
32 Article VII of the Illinois Constitution on the concurrent

1 exercise by home rule units of powers and functions exercised
2 by the State.

3 (Source: P.A. 91-220, eff. 7-21-99.)

4 Section 99. Effective date. This Act takes effect July 1,
5 2004.