

1 AN ACT concerning agriculture.

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

4 Section 5. The Agricultural Areas Conservation and  
5 Protection Act is amended by changing Section 5 as follows:

6 (505 ILCS 5/5) (from Ch. 5, par. 1005)

7 Sec. 5. Agricultural Areas; Creation. Any owner or owners  
8 of land may submit a proposal to the county board for the  
9 creation of an agricultural area within such county. An  
10 agricultural area, at the creation of any such area, shall not  
11 be less than 350 acres in all counties with a population under  
12 600,000 and not less than 100 acres in all counties with a  
13 population of 600,000 or more. Such proposal shall include a  
14 description of the proposed area, including the boundaries  
15 thereof. Such territory shall be as compact and nearly  
16 contiguous as feasible. If any portion of the proposed area is  
17 not contiguous to another portion of the proposed area, that  
18 non-contiguous portion must be no more than 1.5 miles from the  
19 nearest other portion of the proposed area as measured between  
20 the closest boundaries of the 2 portions. An area created under  
21 this Act shall be established for a period of ten years. No  
22 land shall be included in an agricultural area without the  
23 consent of the owner. No land within an agricultural area shall  
24 be used for other than agricultural production as described in  
25 Sections 3.01 and 3.02 of this Act. Agreements for the  
26 extraction of mineral resources duly agreed upon prior to the  
27 creation of an agricultural area shall be exempted from the use  
28 provisions of this Section. In addition, the extraction of  
29 mineral resources conducted pursuant to The Surface Coal Mining  
30 Land Conservation and Reclamation Act shall be considered  
31 temporary land use and shall be exempted from the use  
32 provisions of this Section.

1 (Source: P.A. 93-234, eff. 7-22-03.)