



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB0362

Introduced 1/21/2005, by Rep. Chapin Rose

#### SYNOPSIS AS INTRODUCED:

70 ILCS 3610/8.5

Amends the Local Mass Transit District Act. Requires any local mass transit district to obtain the concurrence, by resolution or ordinance, of the corporate authorities of the municipality within which the territory to be annexed is located when seeking to annex territory that (i) lies within the corporate limits of a municipality, (ii) is contiguous to a local mass transit district, and (iii) is not a part of another local mass transit district. Effective immediately.

LRB094 02487 MKM 32488 b

1 AN ACT concerning mass transit.

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

4 Section 5. The Local Mass Transit District Act is amended  
5 by changing Section 8.5 as follows:

6 (70 ILCS 3610/8.5) (from Ch. 111 2/3, par. 358.5)

7 Sec. 8.5. Annexation of certain contiguous territory  
8 within a municipality.

9 (a) In addition to any other method provided for annexation  
10 under this Act, any territory, except property classified as  
11 farmland, which (1) lies within the corporate limits of a  
12 municipality as defined in this Act, (2) is contiguous to a  
13 local mass transit district organized under this Act, and (3)  
14 is not a part of another local mass transit district, may be  
15 annexed by the contiguous local mass transit district, by  
16 ordinance, after a public hearing has been held thereon by the  
17 board of trustees of the district at a location within the  
18 territory sought to be annexed, or within 1 mile of any part of  
19 the territory sought to be annexed. The annexing district shall  
20 cause to be published three times in a newspaper having general  
21 circulation within the area considered for annexation, at least  
22 30 days prior to the public hearing thereon, a notice that the  
23 local mass transit district is considering the annexation of  
24 the territory specified. The notice shall also state the date,  
25 time and place of the public hearing. The annexing district  
26 shall cause to be delivered to each owner of a parcel of land  
27 which is 5 or more acres, which land is proposed to be annexed  
28 in whole or in part, a written notice containing the  
29 information required to be included in the published notice.  
30 The notice shall be delivered by first class mail so that said  
31 notice arrives 30 days in advance of the public hearing. The  
32 board of trustees of the district shall give due consideration

1 to all testimony. For the purposes of this Section "property  
2 classified as farmland" shall mean property classified as  
3 farmland for assessment purposes pursuant to the Property Tax  
4 Code. This Section shall not apply to any mass transit district  
5 in the State which receives funding in whole or in part from  
6 the Regional Transportation Authority or any of its service  
7 boards.

8 (b) In addition to the requirements of subsection (a), any  
9 local mass transit district seeking to annex territory under  
10 this Section must obtain the concurrence, by resolution or by  
11 ordinance, of the corporate authorities of the municipality  
12 within which the territory to be annexed is located.

13 (Source: P.A. 88-670, eff. 12-2-94.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.