



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB3857

Introduced 2/25/2005, by Rep. Elaine Nekritz

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/7-1-13

from Ch. 24, par. 7-1-13

70 ILCS 1205/8-1.1 new

Amends the Illinois Municipal Code. Provides that an unincorporated territory containing 60 acres or less may be annexed by any municipality that shares a boundary, in whole or in part, with the territory under several circumstances including, if the unincorporated area is bounded by one or more municipalities and a forest preserve district or a park district (now, forest preserve district). Provides that nothing in the Section shall be construed as permitting a municipality to annex territory that is owned by a park district without obtaining the district's express consent as provided in the Park District Code. Amends the Park District Code. Provides that a park district's property shall not be subject to annexation by a municipality without the express consent of the board of park commissioners. Effective immediately.

LRB094 11592 AJ0 42643 b

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 Illinois Municipal Code is amended by  
5 changing Section 7-1-13 as follows:

6 (65 ILCS 5/7-1-13) (from Ch. 24, par. 7-1-13)

7 Sec. 7-1-13. Whenever any unincorporated territory  
8 containing 60 acres or less, is wholly bounded by (a) one or  
9 more municipalities, (b) one or more municipalities and a creek  
10 in a county with a population of 400,000 or more, or one or  
11 more municipalities and a river or lake in any county, (c) one  
12 or more municipalities and the Illinois State boundary, (d) one  
13 or more municipalities and property owned by the State of  
14 Illinois, except highway right-of-way owned in fee by the  
15 State, (e) one or more municipalities and a forest preserve  
16 district or park district, or (f) if the territory is a  
17 triangular parcel of less than 10 acres, one or more  
18 municipalities and an interstate highway owned in fee by the  
19 State and bounded by a frontage road, that territory may be  
20 annexed by any municipality by which it is bounded in whole or  
21 in part, by the passage of an ordinance to that effect after  
22 notice is given as provided in this Section. The corporate  
23 authorities shall cause notice, stating that annexation of the  
24 territory described in the notice is contemplated under this  
25 Section, to be published once, in a newspaper of general  
26 circulation within the territory to be annexed, not less than  
27 10 days before the passage of the annexation ordinance. When  
28 the territory to be annexed lies wholly or partially within a  
29 township other than that township where the municipality is  
30 situated, the annexing municipality shall give at least 10 days  
31 prior written notice of the time and place of the passage of  
32 the annexation ordinance to the township supervisor of the

1 township where the territory to be annexed lies. The ordinance  
2 shall describe the territory annexed and a copy thereof  
3 together with an accurate map of the annexed territory shall be  
4 recorded in the office of the recorder of the county wherein  
5 the annexed territory is situated and a document of annexation  
6 shall be filed with the county clerk and County Election  
7 Authority. Nothing in this Section shall be construed as  
8 permitting a municipality to annex territory of a forest  
9 preserve district in a county with a population of 3,000,000 or  
10 more without obtaining the consent of the district pursuant to  
11 Section 8.3 of the Cook County Forest Preserve District Act nor  
12 shall anything in this Section be construed as permitting a  
13 municipality to annex territory owned by a park district  
14 without obtaining the consent of the district pursuant to  
15 Section 8-1.1 of the Park District Code.

16 (Source: P.A. 86-769; 87-895.)

17 Section 10. The Park District Code is amended by adding  
18 Section 8-1.1 as follows:

19 (70 ILCS 1205/8-1.1 new)

20 Sec. 8-1.1. Property owned by a park district shall not be  
21 subject to annexation by a municipality without the express  
22 consent of the board of park commissioners of the district.

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.