



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB5818

Introduced 08/07/06, by Rep. William B. Black

SYNOPSIS AS INTRODUCED:

35 ILCS 200/10-155

Amends the Property Tax Code. Provides that if land is improved with a water-retention dam that is operated primarily for commercial purposes, that dam is not considered to be used for open space purposes despite the fact that any resulting man-made lake may be considered to be used for open space purposes.

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FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing
5 Section 10-155 as follows:

6 (35 ILCS 200/10-155)

7 Sec. 10-155. Open space land; valuation. In all counties,
8 in addition to valuation as otherwise permitted by law, land
9 which is used for open space purposes and has been so used for
10 the 3 years immediately preceding the year in which the
11 assessment is made, upon application under Section 10-160,
12 shall be valued on the basis of its fair cash value, estimated
13 at the price it would bring at a fair, voluntary sale for use
14 by the buyer for open space purposes.

15 Land is considered used for open space purposes if it is
16 more than 10 acres in area and:

17 (a) is actually and exclusively used for maintaining or
18 enhancing natural or scenic resources,

19 (b) protects air or streams or water supplies,

20 (c) promotes conservation of soil, wetlands, beaches,
21 or marshes, including ground cover or planted perennial
22 grasses, trees and shrubs and other natural perennial
23 growth, and including any body of water, whether man-made
24 or natural,

25 (d) conserves landscaped areas, such as public or
26 private golf courses,

27 (e) enhances the value to the public of abutting or
28 neighboring parks, forests, wildlife preserves, nature
29 reservations, sanctuaries, or other open spaces, or

30 (f) preserves historic sites.

31 Land is not considered used for open space purposes if it
32 is used primarily for residential purposes.

1 If the land is improved with a water-retention dam that is
2 operated primarily for commercial purposes, the
3 water-retention dam is not considered to be used for open space
4 purposes despite the fact that any resulting man-made lake may
5 be considered to be used for open space purposes under this
6 Section.

7 (Source: P.A. 88-455; 89-137, eff. 1-1-96.)