



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5538

by Rep. Rich Brauer

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-15.1-2.1

from Ch. 24, par. 11-15.1-2.1

Amends the Illinois Municipal Code. Provides that property that (i) is the subject of an annexation agreement, and (ii) is located in a county with a population of less than 3,000,000 (now, Boone, DeKalb, Grundy, Kankakee, Kendall, LaSalle, Ogle, or Winnebago Counties) is subject to the ordinances, control, and jurisdiction of the annexing municipality, unless the property is located more than 1.5 miles from the corporate boundaries of the municipality and the county board retains jurisdiction by the affirmative vote of two-thirds of its members. Effective immediately.

LRB095 15443 HLH 41435 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 11-15.1-2.1 as follows:

6 (65 ILCS 5/11-15.1-2.1) (from Ch. 24, par. 11-15.1-2.1)

7 Sec. 11-15.1-2.1. Annexation agreement; municipal
8 jurisdiction.

9 (a) Except as provided in subsections (b) and (c), property
10 that is the subject of an annexation agreement adopted under
11 this Division is subject to the ordinances, control, and
12 jurisdiction of the annexing municipality in all respects the
13 same as property that lies within the annexing municipality's
14 corporate limits.

15 (b) This Section shall not apply in (i) a county with a
16 population of more than 3,000,000, (ii) a county that borders a
17 county with a population of more than 3,000,000 or (iii) a
18 county with a population of more than 246,000 according to the
19 1990 federal census and bordered by the Mississippi River,
20 unless the parties to the annexation agreement have, at the
21 time the agreement is signed, ownership or control of all
22 property that would make the property that is the subject of
23 the agreement contiguous to the annexing municipality, in which

1 case the property that is the subject of the annexation
2 agreement is subject to the ordinances, control, and
3 jurisdiction of the municipality in all respects the same as
4 property owned by the municipality that lies within its
5 corporate limits.

6 (c) In the case of property that is located in a county of
7 less than 3,000,000 in population ~~Boone, DeKalb, Grundy,~~
8 ~~Kankakee, Kendall, LaSalle, Ogle, or Winnebago County,~~ if the
9 property that is the subject of an annexation agreement is
10 located within 1.5 miles of the corporate boundaries of the
11 municipality, that property is subject to the ordinances,
12 control, and jurisdiction of the annexing municipality. If the
13 property is located more than 1.5 miles from the corporate
14 boundaries of the annexing municipality, that property is
15 subject to the ordinances, control, and jurisdiction of the
16 annexing municipality unless the county board retains
17 jurisdiction by the affirmative vote of two-thirds of its
18 members.

19 (d) If the county board retains jurisdiction under
20 subsection (c) of this Section, the annexing municipality may
21 file a request for jurisdiction with the county board on a case
22 by case basis. If the county board agrees by the affirmative
23 vote of a majority of its members, then the property covered by
24 the annexation agreement shall be subject to the ordinances,
25 control, and jurisdiction of the annexing municipality.

26 (Source: P.A. 95-175, eff. 1-1-08.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.