

# SB1700



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB1700

Introduced 2/9/2011, by Sen. John J. Millner

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/7-1-13

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

Amends the Illinois Municipal Code. Provides that any unincorporated territory containing 60 acres or less may be annexed by any municipality by which it is bounded if it is wholly bounded by one or more municipalities and property on which a federally funded research facility in excess of 2,000 acres is located. Effective immediately.

LRB097 05394 KMW 45452 b

A BILL FOR

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. Annexation.

8 (a) Whenever any unincorporated territory containing 60  
9 acres or less, is wholly bounded by (a) one or more  
10 municipalities, (b) one or more municipalities and a creek in a  
11 county with a population of 400,000 or more, or one or more  
12 municipalities and a river or lake in any county, (c) one or  
13 more municipalities and the Illinois State boundary, (d) except  
14 as provided in item (h) of this subsection (a), one or more  
15 municipalities and property owned by the State of Illinois,  
16 except highway right-of-way owned in fee by the State, (e) one  
17 or more municipalities and a forest preserve district or park  
18 district, (f) if the territory is a triangular parcel of less  
19 than 10 acres, one or more municipalities and an interstate  
20 highway owned in fee by the State and bounded by a frontage  
21 road, (g) one or more municipalities in a county with a  
22 population of more than 800,000 inhabitants and less than  
23 2,000,000 inhabitants and either a railroad or operating

1 property, as defined in the Property Tax Code (35 ILCS  
2 200/11-70), being immediately adjacent to, but exclusive of  
3 that railroad property, (h) one or more municipalities located  
4 within a county with a population of more than 800,000  
5 inhabitants and less than 2,000,000 inhabitants and property  
6 owned by the State, including without limitation a highway  
7 right-of-way owned in fee by the State, or (i) one or more  
8 municipalities and property on which a federally funded  
9 research facility in excess of 2,000 acres is located, that  
10 territory may be annexed by any municipality by which it is  
11 bounded in whole or in part, by the passage of an ordinance to  
12 that effect after notice is given as provided in subsection (b)  
13 of this Section, ~~or (h) one or more municipalities located~~  
14 ~~within a county with a population of more than 800,000~~  
15 ~~inhabitants and less than 2,000,000 inhabitants and property~~  
16 ~~owned by the State, including without limitation a highway~~  
17 ~~right of way owned in fee by the State.~~ Land or property that  
18 is used for agricultural purposes or to produce agricultural  
19 goods shall not be annexed pursuant to item (g). Nothing in  
20 this Section shall subject any railroad property to the zoning  
21 or jurisdiction of any municipality annexing the property under  
22 this Section. The ordinance shall describe the territory  
23 annexed and a copy thereof together with an accurate map of the  
24 annexed territory shall be recorded in the office of the  
25 recorder of the county wherein the annexed territory is  
26 situated and a document of annexation shall be filed with the

1 county clerk and County Election Authority. Nothing in this  
2 Section shall be construed as permitting a municipality to  
3 annex territory of a forest preserve district in a county with  
4 a population of 3,000,000 or more without obtaining the consent  
5 of the district pursuant to Section 8.3 of the Cook County  
6 Forest Preserve District Act nor shall anything in this Section  
7 be construed as permitting a municipality to annex territory  
8 owned by a park district without obtaining the consent of the  
9 district pursuant to Section 8-1.1 of the Park District Code.

10 (b) The corporate authorities shall cause notice, stating  
11 that annexation of the territory described in the notice is  
12 contemplated under this Section, to be published once, in a  
13 newspaper of general circulation within the territory to be  
14 annexed, not less than 10 days before the passage of the  
15 annexation ordinance, and for land annexed pursuant to item (g)  
16 of subsection (a) of this Section, notice shall be given to the  
17 impacted land owners. The corporate authorities shall also, not  
18 less than 15 days before the passage of the annexation  
19 ordinance, serve written notice, either in person or, at a  
20 minimum, by certified mail, on the taxpayer of record of the  
21 proposed annexed territory as appears from the authentic tax  
22 records of the county. When the territory to be annexed lies  
23 wholly or partially within a township other than the township  
24 where the municipality is situated, the annexing municipality  
25 shall give at least 10 days prior written notice of the time  
26 and place of the passage of the annexation ordinance to the

1 township supervisor of the township where the territory to be  
2 annexed lies. If the territory to be annexed lies within the  
3 unincorporated area of a county, then the annexing municipality  
4 shall give at least 10 days' prior written notice of the time  
5 and place of the passage of the annexation ordinance to the  
6 corporate authorities of the county where the territory to be  
7 annexed lies.

8 (c) When notice is given as described in subsection (b) of  
9 this Section, no other municipality may annex the proposed  
10 territory for a period of 60 days from the date the notice is  
11 mailed or delivered to the taxpayer of record unless that other  
12 municipality has initiated annexation proceedings or a valid  
13 petition as described in Section 7-1-2, 7-1-8, 7-1-11 or 7-1-12  
14 of this Code has been received by the municipality prior to the  
15 publication and mailing of the notices required in subsection  
16 (b).

17 (Source: P.A. 95-931, eff. 1-1-09; 95-1039, eff. 3-25-09;  
18 96-1000, eff. 7-2-10; 96-1048, eff. 7-14-10; 96-1049, eff.  
19 7-14-10; revised 9-16-10.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.