



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2355

Introduced 2/4/2025, by Rep. Maura Hirschauer

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1049.2

Amends the Counties Code. Provides that the lease of real estate is permitted when a property, structure, or facility owned by Kane County can be used for athletic purposes in the interest of the public or for the benefit and enjoyment of residents of the county if the property, structure, or facility acquired by Kane County was being used for athletic purposes prior to the county acquiring the property, structure, or facility. For leases entered into under this provision after the effective date of the amendatory Act, the lease must require (i) the lessee to allow any organization that used the land at the time the lease is executed to continue to use the land for the leased purposes during the term of the lease and (ii) the lessor to continue, during the term of the lease, to employ, in the same capacity, any persons who provided services on the land at the time the lease is executed.

LRB104 10057 RTM 20128 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 Counties Code is amended by changing
5 Section 5-1049.2 as follows:

6 (55 ILCS 5/5-1049.2)

7 Sec. 5-1049.2. Lease of county property.

8 (a) The county board may lease real estate acquired or
9 held by the county for any term not exceeding 99 years and may
10 lease the real estate when, in the opinion of the county board,
11 the real estate is no longer necessary, appropriate, required
12 for the use of, profitable to, or for the best interests of the
13 county. The authority to lease shall be exercised by an
14 ordinance passed by three-fourths of the full county board
15 then holding office, at any regular meeting or at any special
16 meeting called for that purpose.

17 (b) Notwithstanding subsection (a), upon three-fourths
18 vote, by the full county board, the county board may lease
19 farmland acquired or held by the county for any term not
20 exceeding 5 years. Farmland may be leased to either public or
21 private entities via a cash lease, crop-sharing arrangement,
22 or custom farming arrangement. The bid process for a lease
23 entered into under this subsection must be publicly advertised

1 and sealed bids must be opened at a county board meeting for
2 public review. Counties shall not acquire farmland for the
3 sole purpose of entering into a cash lease, crop-sharing
4 arrangement, or custom farming arrangement or other
5 speculative purpose.

6 (c) The lease of real estate is permitted when a property,
7 structure, or facility owned by Kane County can be used for
8 athletic purposes in the interest of the public or for the
9 benefit and enjoyment of residents of the county if the
10 property, structure, or facility acquired by Kane County was
11 being used for athletic purposes prior to the county acquiring
12 the property, structure, or facility. For leases entered into
13 under this subsection after the effective date of this
14 amendatory Act of the 104th General Assembly, the lease must
15 require (i) the lessee to allow any organization that used the
16 land at the time the lease is executed to continue to use the
17 land for the leased purposes during the term of the lease and
18 (ii) the lessor to continue, during the term of the lease, to
19 employ, in the same capacity, any persons who provided
20 services on the land at the time the lease is executed.

21 (Source: P.A. 103-415, eff. 8-4-23.)