

HB3396



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3396

by Rep. Mike Fortner

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-119.1-3

from Ch. 24, par. 11-119.1-3

Amends the Illinois Joint Municipal Electric Power Act of the Illinois Municipal Code. Provides that "eligible utilities" under the Act includes an electric cooperative which is an independent system operator within the electrical power system, a regional transmission organization within the electrical power system, or an entity that participates as a buyer or seller in an organized independent system operator market or regional transmission organization market.

LRB100 09031 AWJ 19179 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 11-119.1-3 as follows:

6 (65 ILCS 5/11-119.1-3) (from Ch. 24, par. 11-119.1-3)

7 Sec. 11-119.1-3. The following terms whenever used or
8 referred to in this Division, shall have the following meanings
9 unless the context requires otherwise:

10 (1) "Agency agreement" means the written agreement
11 between 2 or more municipalities establishing a municipal
12 power agency.

13 (2) "Bonds" means revenue bonds, notes and other
14 evidences of obligations of a municipal power agency issued
15 under the provisions of this Division.

16 (3) "Eligible utility" means a public agency or other
17 entity of any type, including an electric cooperative as
18 defined in Section 3.4 of the Electric Supplier Act, which
19 (i) owns, operates or controls any plant or equipment for
20 the generation, transmission or distribution of electric
21 power and energy in connection with the furnishing thereof
22 for sale or resale or (ii) is an independent system
23 operator within the electrical power system, a regional

1 transmission organization within the electrical power
2 system, or an entity that participates as a buyer or seller
3 in an organized independent system operator market or
4 regional transmission organization market.

5 (4) "Governing body" means, with respect to a
6 municipality, the council, city council, board of
7 trustees, or other corporate authority of the municipality
8 which exercises the general governmental powers of such
9 municipality.

10 (5) "Municipal power agency" means a body politic and
11 corporate, municipal corporation and unit of local
12 government of the State of Illinois organized in accordance
13 with the provisions of this Division.

14 (6) "Municipality" means a city, village or
15 incorporated town in the State of Illinois owning or
16 operating an electric utility which furnishes retail
17 electric service to the public.

18 (7) "Project" means any plant, works, system,
19 facility, and real and personal property of any nature
20 whatsoever, together with all parts thereof and
21 appurtenances thereto, used or useful in the generation,
22 production, distribution, transmission, purchase, sale,
23 exchange or interchange of electrical energy and in the
24 acquisition, extraction, conversion, transportation,
25 storage or reprocessing of fuel of any kind for any such
26 purposes, or any interest in, or right to the use,

1 services, output or capacity, of any such plant, works,
2 system or facilities.

3 (8) "Public agency" means any municipality, political
4 subdivision, municipal corporation, unit of local
5 government, governmental unit, or public corporation
6 operated by or pursuant to the laws of the State of
7 Illinois, of another state or of the United States, and any
8 state, the United States, and any commission, board, bureau
9 or other body declared by the laws of any state or the
10 United States to be a department, agency, or
11 instrumentality thereof.

12 (Source: P.A. 83-997.)