



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2589

Introduced 2/7/2018, by Sen. James F. Clayborne, Jr.

SYNOPSIS AS INTRODUCED:

See Index

Amends the Eastern Illinois Economic Development Authority Act. Adds Livingston and McLean counties to the jurisdiction of the Authority. Amends the Quad Cities Regional Economic Development Authority Act. Adds Winnebago, Stark, and Ogle counties to the jurisdiction of the Authority. Also adds Jo Daviess, Carroll, Whiteside, Stephenson, and Knox counties to provisions concerning additional powers and duties of the Authority. Amends the Southeastern Illinois Economic Development Authority Act. Expands the jurisdiction of the Authority to include all of Washington County (rather than Irvington Township in Washington County). Amends the Southwestern Illinois Economic Development Authority Act. Adds Monroe County to the jurisdiction of the Authority. Also adds Bond and Clinton counties to provisions concerning powers of the Authority. Amends the Upper Illinois River Valley Development Authority Act. Adds Boone and DeKalb counties to the jurisdiction of the Authority. Also adds Kendall, Kane, Lake, and McHenry counties to provisions concerning duties and acquisitions of the Authority. In the various Acts, makes conforming changes to board sizes, the number of board members to constitute a quorum, the number of board members needed to perform official acts, board powers and duties, and an election of a board chairperson. Effective immediately.

LRB100 18091 AWJ 33284 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

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 Eastern Illinois Economic Development
5 Authority Act is amended by changing Sections 15, 20, and 45 as
6 follows:

7 (70 ILCS 506/15)

8 Sec. 15. Creation.

9 (a) There is created a political subdivision, body politic,
10 and municipal corporation named the Eastern Illinois Economic
11 Development Authority. The territorial jurisdiction of the
12 Authority is that geographic area within the boundaries of the
13 following counties: Ford, Iroquois, Piatt, Champaign,
14 Vermilion, Douglas, Moultrie, Shelby, Coles, Livingston,
15 McLean, and Edgar and any navigable waters and air space
16 located therein.

17 (b) The governing and administrative powers of the
18 Authority shall be vested in a body consisting of 16 ~~14~~ members
19 as follows:

20 (1) Ex officio members. The Director of Commerce and
21 Economic Opportunity, or a designee of that Department,
22 shall serve as an ex officio member.

23 (2) Public members. Three members shall be appointed by

1 the Governor with the advice and consent of the Senate. The
2 county board chairperson of the following counties shall
3 each appoint one member: Ford, Iroquois, Piatt, Champaign,
4 Vermilion, Douglas, Moultrie, Shelby, Coles, Livingston,
5 McLean, and Edgar. All public members shall reside within
6 the territorial jurisdiction of the Authority. The public
7 members shall be persons of recognized ability and
8 experience in one or more of the following areas: economic
9 development, finance, banking, industrial development,
10 state or local government, commercial agriculture, small
11 business management, real estate development, community
12 development, venture finance, organized labor, or civic or
13 community organization.

14 (c) A majority of the members appointed under item (2) of
15 subsection (b) of this Section shall constitute a quorum.

16 (d) The chairperson of the Authority shall be elected
17 annually by the Board and must be a public member that resides
18 within the territorial jurisdiction of the Authority.

19 (e) The terms of all initial members of the Authority shall
20 begin 30 days after the effective date of this Act. Of the 3
21 original public members appointed by the Governor, 1 shall
22 serve until the third Monday in January, 2006; 1 shall serve
23 until the third Monday in January, 2007; 1 shall serve until
24 the third Monday in January, 2008. The initial terms of the
25 original public members appointed by the county board
26 chairpersons shall be determined by lot, according to the

1 following schedule: (i) 2 shall serve until the third Monday in
2 January, 2006, (ii) 2 shall serve until the third Monday in
3 January, 2007, (iii) 2 shall serve until the third Monday in
4 January, 2008, (iv) 2 shall serve until the third Monday in
5 January, 2009, and (v) 2 shall serve until the third Monday in
6 January, 2010. All successors to these original public members
7 shall be appointed by the original appointing authority and all
8 appointments made by the Governor shall be made with the advice
9 and consent of the Senate, pursuant to subsection (b), and
10 shall hold office for a term of 6 years commencing the third
11 Monday in January of the year in which their term commences,
12 except in the case of an appointment to fill a vacancy.
13 Vacancies occurring among the public members shall be filled
14 for the remainder of the term. In case of vacancy in a
15 Governor-appointed membership when the Senate is not in
16 session, the Governor may make a temporary appointment until
17 the next meeting of the Senate when a person shall be nominated
18 to fill the office and, upon confirmation by the Senate, he or
19 she shall hold office during the remainder of the term and
20 until a successor is appointed and qualified. Members of the
21 Authority are not entitled to compensation for their services
22 as members but are entitled to reimbursement for all necessary
23 expenses incurred in connection with the performance of their
24 duties as members.

25 (f) The Governor or a county board chairperson, as the case
26 may be, may remove any public member of the Authority in case

1 of incompetence, neglect of duty, or malfeasance in office. The
2 chairperson of a county board may remove any public member
3 appointed by that chairperson in the case of incompetence,
4 neglect of duty, or malfeasance in office.

5 (g) The Board shall appoint an Executive Director who shall
6 have a background in finance, including familiarity with the
7 legal and procedural requirements of issuing bonds, real
8 estate, or economic development and administration. The
9 Executive Director shall hold office at the discretion of the
10 Board. The Executive Director shall be the chief administrative
11 and operational officer of the Authority, shall direct and
12 supervise its administrative affairs and general management,
13 perform such other duties as may be prescribed from time to
14 time by the members, and receive compensation fixed by the
15 Authority. The Department of Commerce and Economic Opportunity
16 shall pay the compensation of the Executive Director from
17 appropriations received for that purpose. The Executive
18 Director shall attend all meetings of the Authority. However,
19 no action of the Authority shall be invalid on account of the
20 absence of the Executive Director from a meeting. The Authority
21 may engage the services of the Illinois Finance Authority,
22 attorneys, appraisers, engineers, accountants, credit
23 analysts, and other consultants if the Eastern Illinois
24 Economic Development Authority deems it advisable.

25 (Source: P.A. 94-203, eff. 7-13-05; 95-854, eff. 8-18-08.)

1 (70 ILCS 506/20)

2 Sec. 20. Duty. All official acts of the Authority shall
3 require the approval of at least 9 ~~8~~ members. It shall be the
4 duty of the Authority to promote development within the
5 geographic confines of Ford, Iroquois, Piatt, Champaign,
6 Vermilion, Douglas, Moultrie, Shelby, Coles, Livingston,
7 McLean, and Edgar counties. The Authority shall use the powers
8 conferred upon it to assist in the development, construction,
9 and acquisition of industrial, commercial, housing, or
10 residential projects within its territorial jurisdiction.

11 (Source: P.A. 94-203, eff. 7-13-05; 95-854, eff. 8-18-08.)

12 (70 ILCS 506/45)

13 Sec. 45. Acquisition.

14 (a) The Authority may, but need not, acquire title to any
15 project with respect to which it exercises its authority.

16 (b) The Authority shall have power to acquire by purchase,
17 lease, gift, or otherwise any property or rights therein from
18 any person or persons, the State of Illinois, any municipal
19 corporation, any local unit of government, the government of
20 the United States and any agency or instrumentality of the
21 United States, any body politic, or any county useful for its
22 purposes, whether improved for the purposes of any prospective
23 project or unimproved. The Authority may also accept any
24 donation of funds for its purposes from any of these sources.

25 (c) The Authority shall have power to develop, construct,

1 and improve, either under its own direction or through
2 collaboration with any approved applicant, or to acquire,
3 through purchase or otherwise, any project, using for this
4 purpose the proceeds derived from its sale of revenue bonds,
5 notes, or other evidences of indebtedness or governmental loans
6 or grants and shall have the power to hold title to those
7 projects in the name of the Authority.

8 (d) The Authority shall have the power to enter into
9 intergovernmental agreements with the State of Illinois, the
10 counties of Ford, Iroquois, Piatt, Champaign, Vermilion,
11 Douglas, Moultrie, Shelby, Coles, Livingston, McLean, or
12 Edgar, the Illinois Development Finance Authority, the
13 Illinois Housing Development Authority, the Illinois Education
14 Facilities Authority, the Illinois Farm Development Authority,
15 the Rural Bond Bank, the United States government and any
16 agency or instrumentality of the United States, any unit of
17 local government located within the territory of the Authority,
18 or any other unit of government to the extent allowed by
19 Article VII, Section 10 of the Illinois Constitution and the
20 Intergovernmental Cooperation Act.

21 (e) The Authority shall have the power to share employees
22 with other units of government, including agencies of the
23 United States, agencies of the State of Illinois, and agencies
24 or personnel of any unit of local government.

25 (f) The Authority shall have the power to exercise powers
26 and issue bonds as if it were a municipality so authorized in

1 Divisions 12.1, 74, 74.1, 74.3, and 74.5 of Article 11 of the
2 Illinois Municipal Code.

3 (Source: P.A. 94-203, eff. 7-13-05.)

4 Section 10. The Quad Cities Regional Economic Development
5 Authority Act, approved September 22, 1987, is amended by
6 changing Sections 4, 7, and 14 as follows:

7 (70 ILCS 510/4) (from Ch. 85, par. 6204)

8 Sec. 4. (a) There is hereby created a political
9 subdivision, body politic and municipal corporation named the
10 Quad Cities Regional Economic Development Authority. The
11 territorial jurisdiction of the Authority is that geographic
12 area within the boundaries of Jo Daviess, Carroll, Whiteside,
13 Stephenson, Lee, Rock Island, Henry, Knox, and Mercer counties
14 in the State of Illinois and any navigable waters and air space
15 located therein.

16 (b) The governing and administrative powers of the
17 Authority shall be vested in a body consisting of 19 ~~16~~ members
18 including, as an ex officio member, the Director of Commerce
19 and Economic Opportunity, or his or her designee. The other
20 members of the Authority shall be designated "public members",
21 6 of whom shall be appointed by the Governor with the advice
22 and consent of the Senate. Of the 6 members appointed by the
23 Governor, one shall be from a city within the Authority's
24 territory with a population of 25,000 or more and the remainder

1 shall be appointed at large. Of the 6 members appointed by the
2 Governor, 2 members shall have business or finance experience.
3 One member shall be appointed by each of the county board
4 chairmen of Rock Island, Henry, Knox, and Mercer Counties with
5 the advice and consent of the respective county board. Within
6 60 days after the effective date of this amendatory Act of the
7 97th General Assembly, one additional public member shall be
8 appointed by each of the county board chairpersons of Jo
9 Daviess, Carroll, Whiteside, Stephenson, and Lee counties with
10 the advice and consent of the respective county board. Of the
11 public members added by this amendatory Act of the 97th General
12 Assembly, one shall serve for a one-year term, 2 shall serve
13 for 2-year terms, and 2 shall serve for 3-year terms, to be
14 determined by lot. No later than 60 days after the effective
15 date of this amendatory Act of the 100th General Assembly, one
16 additional public member shall be appointed by each of the
17 county board chairpersons of Winnebago, Stark, and Ogle
18 counties with the advice and consent of the respective county
19 board. Of the public members added by this amendatory Act of
20 the 100th General Assembly, one shall serve for a one-year
21 term, one shall serve for a 2-year term, and one shall serve
22 for a 3-year term, to be determined by lot. Their successors
23 shall serve for 3-year terms. All public members shall reside
24 within the territorial jurisdiction of this Act. Ten ~~Nine~~
25 members shall constitute a quorum. The public members shall be
26 persons of recognized ability and experience in one or more of

1 the following areas: economic development, finance, banking,
2 industrial development, small business management, real estate
3 development, community development, venture finance, organized
4 labor or civic, community or neighborhood organization. The
5 Chairman of the Authority shall be a public member elected by
6 the affirmative vote of not fewer than 6 members of the
7 Authority, except that any chairperson elected on or after the
8 effective date of this amendatory Act of the 100th General
9 Assembly ~~on or after the effective date of this amendatory Act~~
10 ~~of the 97th General Assembly~~ shall be elected by the
11 affirmative vote of not fewer than 10 ~~9~~ members. The term of
12 the Chairman shall be one year.

13 (c) The terms of the initial members of the Authority shall
14 begin 30 days after the effective date of this Act, except (i)
15 the terms of those members added by this amendatory Act of 1989
16 shall begin 30 days after the effective date of this amendatory
17 Act of 1989 and (ii) the terms of those members added by this
18 amendatory Act of the 92nd General Assembly shall begin 30 days
19 after the effective date of this amendatory Act of the 92nd
20 General Assembly. Of the 10 public members appointed pursuant
21 to this Act, 2 (one of whom shall be appointed by the Governor)
22 shall serve until the third Monday in January, 1989, 2 (one of
23 whom shall be appointed by the Governor) shall serve until the
24 third Monday in January, 1990, 2 (one of whom shall be
25 appointed by the Governor) shall serve until the third Monday
26 in January, 1991, 2 (both of whom shall be appointed by the

1 Governor) shall serve until the third Monday in January, 1992,
2 and 2 (one of whom shall be appointed by the Governor and one
3 of whom shall be appointed by the county board chairman of Knox
4 County) shall serve until the third Monday in January, 2004.
5 The initial terms of the members appointed by the county board
6 chairmen (other than the county board chairman of Knox County)
7 shall be determined by lot. All successors shall be appointed
8 by the original appointing authority and hold office for a term
9 of 3 years commencing the third Monday in January of the year
10 in which their term commences, except in case of an appointment
11 to fill a vacancy. Vacancies occurring among the public members
12 shall be filled for the remainder of the term. In case of
13 vacancy in a Governor-appointed membership when the Senate is
14 not in session, the Governor may make a temporary appointment
15 until the next meeting of the Senate when a person shall be
16 nominated to fill such office, and any person so nominated who
17 is confirmed by the Senate shall hold office during the
18 remainder of the term and until a successor shall be appointed
19 and qualified. Members of the Authority shall not be entitled
20 to compensation for their services as members but shall be
21 entitled to reimbursement for all necessary expenses incurred
22 in connection with the performance of their duties as members.

23 (d) The Governor may remove any public member of the
24 Authority appointed by the Governor in case of incompetency,
25 neglect of duty, or malfeasance in office. The Chairman of a
26 county board may remove any public member of the Authority

1 appointed by such Chairman in the case of incompetency, neglect
2 of duty, or malfeasance in office.

3 (e) The Board shall appoint an Executive Director who shall
4 have a background in finance, including familiarity with the
5 legal and procedural requirements of issuing bonds, real estate
6 or economic development and administration. The Executive
7 Director shall hold office at the discretion of the Board. The
8 Executive Director shall be the chief administrative and
9 operational officer of the Authority, shall direct and
10 supervise its administrative affairs and general management,
11 shall perform such other duties as may be prescribed from time
12 to time by the members and shall receive compensation fixed by
13 the Authority. The Authority may engage the services of such
14 other agents and employees, including attorneys, appraisers,
15 engineers, accountants, credit analysts and other consultants,
16 as it may deem advisable and may prescribe their duties and fix
17 their compensation.

18 (f) The Board shall create a task force to study and make
19 recommendations to the Board on the economic development of the
20 territory within the jurisdiction of this Act. The number of
21 members constituting the task force shall be set by the Board
22 and may vary from time to time. The Board may set a specific
23 date by which the task force is to submit its final report and
24 recommendations to the Board.

25 (Source: P.A. 97-278, eff. 8-8-11; 98-463, eff. 8-16-13.)

1 (70 ILCS 510/7) (from Ch. 85, par. 6207)

2 Sec. 7. All official acts of the Authority shall require
3 the approval of at least 10 4 members.

4 (Source: P.A. 85-713.)

5 (70 ILCS 510/14) (from Ch. 85, par. 6214)

6 Sec. 14. Additional powers and duties.

7 (a) The Authority may, but need not, acquire title to any
8 project with respect to which it exercises its authority.

9 (b) The Authority shall have the power to enter into
10 intergovernmental agreements with the State of Illinois, the
11 counties of Jo Daviess, Carroll, Whiteside, Stephenson, Lee,
12 Rock Island, Henry, Knox, Winnebago, Stark, Ogle, or Mercer,
13 the State of Iowa or any authority established by the State of
14 Iowa, the Illinois Finance Authority, the Illinois Housing
15 Development Authority, the United States government and any
16 agency or instrumentality of the United States, any unit of
17 local government located within the territory of the Authority
18 or any other unit of government to the extent allowed by
19 Article VII, Section 10 of the Illinois Constitution and the
20 Intergovernmental Cooperation Act.

21 (c) The Authority shall have the power to share employees
22 with other units of government, including agencies of the
23 United States, agencies of the State of Illinois and agencies
24 or personnel of any unit of local government.

25 (d) The Authority shall have the power to exercise powers

1 and issue bonds as if it were a municipality so authorized in
2 Divisions 12.1, 74, 74.1, 74.3 and 74.5 of Article 11 of the
3 Illinois Municipal Code.

4 (Source: P.A. 93-205, eff. 1-1-04.)

5 Section 15. The Southeastern Illinois Economic Development
6 Authority Act is amended by changing Sections 20 and 45 as
7 follows:

8 (70 ILCS 518/20)

9 Sec. 20. Creation.

10 (a) There is created a political subdivision, body politic,
11 and municipal corporation named the Southeastern Illinois
12 Economic Development Authority. The territorial jurisdiction
13 of the Authority is that geographic area within the boundaries
14 of the following counties: Fayette, Cumberland, Clark,
15 Effingham, Jasper, Crawford, Marion, Clay, Richland, Lawrence,
16 Jefferson, Wayne, Edwards, Wabash, Hamilton, Washington, and
17 ~~White, Irvington Township in Washington County~~, and any
18 navigable waters and air space located therein.

19 (b) The governing and administrative powers of the
20 Authority shall be vested in a body consisting of 27 members as
21 follows:

22 (1) Public members. Nine members shall be appointed by
23 the Governor with the advice and consent of the Senate. The
24 county board chairmen of the following counties shall each

1 appoint one member: Clark, Clay, Crawford, Cumberland,
2 Edwards, Effingham, Fayette, Hamilton, Jasper, Jefferson,
3 Lawrence, Marion, Richland, Wabash, Washington, Wayne, and
4 White.

5 (2) One member shall be appointed by the Director of
6 Commerce and Economic Opportunity.

7 All public members shall reside within the territorial
8 jurisdiction of the Authority. The public members shall be
9 persons of recognized ability and experience in one or more of
10 the following areas: economic development, finance, banking,
11 industrial development, state or local government, commercial
12 agriculture, small business management, real estate
13 development, community development, venture finance, organized
14 labor, or civic or community organization.

15 (c) Fourteen members shall constitute a quorum.

16 (d) The chairman of the Authority shall be elected annually
17 by the Board.

18 (e) The terms of the initial members of the Authority shall
19 begin 30 days after the effective date of this Act. Of the 10
20 original members appointed by the Governor and the Director of
21 Commerce and Economic Opportunity pursuant to subsection (b),
22 one shall serve until the third Monday in January, 2005; one
23 shall serve until the third Monday in January, 2006; 2 shall
24 serve until the third Monday in January, 2007; 2 shall serve
25 until the third Monday in January, 2008; 2 shall serve until
26 the third Monday in January, 2009; and 2 shall serve until the

1 third Monday in January, 2010. The terms of the initial public
2 members of the Authority appointed by the county board chairmen
3 shall begin 30 days after the effective date of this amendatory
4 Act of the 97th General Assembly. The terms of the initial
5 public members appointed by the county board chairmen shall be
6 determined by lot, according to the following schedule: (i) 4
7 shall serve until the third Monday in January, 2013, (ii) 4
8 shall serve until the third Monday in January, 2014, (iii) 3
9 shall serve until the third Monday in January, 2015, (iv) 3
10 shall serve until the third Monday in January, 2016, and (v) 3
11 shall serve until the third Monday in January, 2017. All
12 successors to these initial members shall be appointed by the
13 original appointing authority pursuant to subsection (b), and
14 shall hold office for a term of 3 years commencing the third
15 Monday in January of the year in which their term commences,
16 except in the case of an appointment to fill a vacancy.
17 Vacancies occurring among the members shall be filled for the
18 remainder of the term. In case of a vacancy in a
19 Governor-appointed membership when the Senate is not in
20 session, the Governor may make a temporary appointment until
21 the next meeting of the Senate when a person shall be nominated
22 to fill the office and, upon confirmation by the Senate, he or
23 she shall hold office during the remainder of the term and
24 until a successor is appointed and qualified. Members of the
25 Authority are not entitled to compensation for their services
26 as members but are entitled to reimbursement for all necessary

1 expenses incurred in connection with the performance of their
2 duties as members. Members of the Board may participate in
3 Board meetings by teleconference or video conference.

4 (f) The Governor may remove any public member of the
5 Authority appointed by the Governor, and the Director of
6 Commerce and Economic Opportunity may remove any member
7 appointed by the Director, in case of incompetence, neglect of
8 duty, or malfeasance in office. The chairman of a county board,
9 with the approval of a majority vote of the county board, may
10 remove any public member appointed by that chairman in the case
11 of incompetence, neglect of duty, or malfeasance in office.

12 (g) The Board shall appoint an Executive Director who shall
13 have a background in finance, including familiarity with the
14 legal and procedural requirements of issuing bonds, real
15 estate, or economic development and administration. The
16 Executive Director shall hold office at the discretion of the
17 Board. The Executive Director shall be the chief administrative
18 and operational officer of the Authority, shall direct and
19 supervise its administrative affairs and general management,
20 perform such other duties as may be prescribed from time to
21 time by the members, and receive compensation fixed by the
22 Authority. The Executive Director shall attend all meetings of
23 the Authority. However, no action of the Authority shall be
24 invalid on account of the absence of the Executive Director
25 from a meeting. The Authority may engage the services of the
26 Illinois Finance Authority, attorneys, appraisers, engineers,

1 accountants, credit analysts, and other consultants, if the
2 Southeastern Illinois Economic Development Authority deems it
3 advisable.

4 (Source: P.A. 97-717, eff. 6-29-12.)

5 (70 ILCS 518/45)

6 Sec. 45. Acquisition.

7 (a) The Authority may, but need not, acquire title to any
8 project with respect to which it exercises its authority.

9 (b) The Authority shall have power to acquire by purchase,
10 lease, gift, or otherwise any property or rights therein from
11 any person or persons, the State of Illinois, any municipal
12 corporation, any local unit of government, the government of
13 the United States and any agency or instrumentality of the
14 United States, any body politic, or any county useful for its
15 purposes, whether improved for the purposes of any prospective
16 project or unimproved. The Authority may also accept any
17 donation of funds for its purposes from any of these sources.

18 (c) The Authority shall have power to develop, construct,
19 and improve, either under its own direction or through
20 collaboration with any approved applicant, or to acquire,
21 through purchase or otherwise, any project, using for this
22 purpose the proceeds derived from its sale of revenue bonds,
23 notes, or other evidences of indebtedness or governmental loans
24 or grants and shall have the power to hold title to those
25 projects in the name of the Authority.

1 (d) The Authority shall have the power to enter into
2 intergovernmental agreements with the State of Illinois, the
3 counties of Fayette, Cumberland, Clark, Effingham, Jasper,
4 Crawford, Marion, Clay, Richland, Lawrence, Jefferson, Wayne,
5 Edwards, Wabash, Hamilton, Washington, and White, ~~Irvington~~
6 ~~Township in Washington County~~, the Illinois Development
7 Finance Authority, the Illinois Housing Development Authority,
8 the Illinois Education Facilities Authority, the Illinois Farm
9 Development Authority, the Rural Bond Bank, the United States
10 government and any agency or instrumentality of the United
11 States, any unit of local government located within the
12 territory of the Authority, or any other unit of government to
13 the extent allowed by Article VII, Section 10 of the Illinois
14 Constitution and the Intergovernmental Cooperation Act.

15 (e) The Authority shall have the power to share employees
16 with other units of government, including agencies of the
17 United States, agencies of the State of Illinois, and agencies
18 or personnel of any unit of local government.

19 (f) The Authority shall have the power to exercise powers
20 and issue bonds as if it were a municipality so authorized in
21 Divisions 12.1, 74, 74.1, 74.3, and 74.5 of Article 11 of the
22 Illinois Municipal Code.

23 (Source: P.A. 93-968, eff. 8-20-04; 94-613, eff. 8-18-05.)

24 Section 20. The Southwestern Illinois Development
25 Authority Act is amended by changing Sections 4, 5, and 8 as

1 follows:

2 (70 ILCS 520/4) (from Ch. 85, par. 6154)

3 Sec. 4. (a) There is hereby created a political
4 subdivision, body politic and municipal corporation named the
5 Southwestern Illinois Development Authority. The territorial
6 jurisdiction of the Authority is that geographic area within
7 the boundaries of Madison, St. Clair, Bond, Monroe, and Clinton
8 counties in the State of Illinois and any navigable waters and
9 air space located therein.

10 (b) The governing and administrative powers of the
11 Authority shall be vested in a body consisting of 15 ~~14~~ members
12 including, as ex officio members, the Director of Commerce and
13 Economic Opportunity, or his or her designee, and the Secretary
14 of Transportation, or his or her designee. The other 13 ~~12~~
15 members of the Authority shall be designated "public members",
16 6 of whom shall be appointed by the Governor with the advice
17 and consent of the Senate, 2 of whom shall be appointed by the
18 county board chairman of Madison County, 2 of whom shall be
19 appointed by the county board chairman of St. Clair County, one
20 of whom shall be appointed by the county board chairman of Bond
21 County, ~~and~~ one of whom shall be appointed by the county board
22 chairman of Clinton County, and one of whom shall be appointed
23 by the county board chairman of Monroe County. All public
24 members shall reside within the territorial jurisdiction of
25 this Act. Eight members shall constitute a quorum. The public

1 members shall be persons of recognized ability and experience
2 in one or more of the following areas: economic development,
3 finance, banking, industrial development, small business
4 management, real estate development, community development,
5 venture finance, organized labor or civic, community or
6 neighborhood organization. The Chairman of the Authority shall
7 be elected by the Board annually from the members appointed by
8 the county board chairmen.

9 (c) The terms of all members of the Authority shall begin
10 30 days after the effective date of this Act. Of the 8 public
11 members appointed pursuant to this Act, 3 shall serve until the
12 third Monday in January, 1988, 3 shall serve until the third
13 Monday in January, 1989, and 2 shall serve until the third
14 Monday in January, 1990. The public members initially appointed
15 under this amendatory Act of the 94th General Assembly shall
16 serve until the third Monday in January, 2008. All successors
17 shall be appointed by the original appointing authority and
18 hold office for a term of 3 years commencing the third Monday
19 in January of the year in which their term commences, except in
20 case of an appointment to fill a vacancy. Vacancies occurring
21 among the public members shall be filled for the remainder of
22 the term. In case of vacancy in a Governor-appointed membership
23 when the Senate is not in session, the Governor may make a
24 temporary appointment until the next meeting of the Senate when
25 a person shall be nominated to fill such office, and any person
26 so nominated who is confirmed by the Senate shall hold office

1 during the remainder of the term and until a successor shall be
2 appointed and qualified. Members of the Authority shall not be
3 entitled to compensation for their services as members but
4 shall be entitled to reimbursement for all necessary expenses
5 incurred in connection with the performance of their duties as
6 members.

7 (d) The Governor may remove any public member of the
8 Authority in case of incompetency, neglect of duty, or
9 malfeasance in office.

10 (e) The Board shall appoint an Executive Director who shall
11 have a background in finance, including familiarity with the
12 legal and procedural requirements of issuing bonds, real estate
13 or economic development and administration. The Executive
14 Director shall hold office at the discretion of the Board. The
15 Executive Director shall be the chief administrative and
16 operational officer of the Authority, shall direct and
17 supervise its administrative affairs and general management,
18 shall perform such other duties as may be prescribed from time
19 to time by the members and shall receive compensation fixed by
20 the Authority. The Executive Director shall attend all meetings
21 of the Authority; however, no action of the Authority shall be
22 invalid on account of the absence of the Executive Director
23 from a meeting. The Authority may engage the services of such
24 other agents and employees, including attorneys, appraisers,
25 engineers, accountants, credit analysts and other consultants,
26 as it may deem advisable and may prescribe their duties and fix

1 their compensation.

2 (f) The Board may, by majority vote, nominate up to 4
3 non-voting members for appointment by the Governor. Non-voting
4 members shall be persons of recognized ability and experience
5 in one or more of the following areas: economic development,
6 finance, banking, industrial development, small business
7 management, real estate development, community development,
8 venture finance, organized labor or civic, community or
9 neighborhood organization. Non-voting members shall serve at
10 the pleasure of the Board. All non-voting members may attend
11 meetings of the Board and shall be reimbursed as provided in
12 subsection (c).

13 (g) The Board shall create a task force to study and make
14 recommendations to the Board on the economic development of the
15 city of East St. Louis and on the economic development of the
16 riverfront within the territorial jurisdiction of this Act. The
17 members of the task force shall reside within the territorial
18 jurisdiction of this Act, shall serve at the pleasure of the
19 Board and shall be persons of recognized ability and experience
20 in one or more of the following areas: economic development,
21 finance, banking, industrial development, small business
22 management, real estate development, community development,
23 venture finance, organized labor or civic, community or
24 neighborhood organization. The number of members constituting
25 the task force shall be set by the Board and may vary from time
26 to time. The Board may set a specific date by which the task

1 force is to submit its final report and recommendations to the
2 Board.

3 (Source: P.A. 96-443, eff. 8-14-09.)

4 (70 ILCS 520/5) (from Ch. 85, par. 6155)

5 Sec. 5. All official acts of the Authority shall require
6 the approval of at least 8 members. It shall be the duty of the
7 Authority to promote development within the geographic
8 confines of Madison, Bond, Clinton, Monroe, and St. Clair
9 counties. The Authority shall use the powers herein conferred
10 upon it to assist in the development, construction and
11 acquisition of industrial, commercial, housing or residential
12 projects within Madison, Bond, Clinton, and St. Clair counties.

13 (Source: P.A. 94-1096, eff. 6-1-07.)

14 (70 ILCS 520/8) (from Ch. 85, par. 6158)

15 Sec. 8. (a) The Authority may, but need not, acquire title
16 to any project with respect to which it exercises its
17 authority.

18 (b) The Authority shall have power to acquire by purchase,
19 lease, gift or otherwise any property or rights therein from
20 any person or persons, the State of Illinois, any municipal
21 corporation, any local unit of government, the government of
22 the United States and any agency or instrumentality of the
23 United States, any body politic or any county useful for its
24 purposes, whether improved for the purposes of any prospective

1 project or unimproved. The Authority may also accept any
2 donation of funds for its purposes from any such source. The
3 Authority may acquire any real property, or rights therein,
4 upon condemnation. The acquisition by eminent domain of such
5 real property or any interest therein by the Authority shall be
6 in the manner provided by the Eminent Domain Act, including
7 Article 20 thereof (quick-take power).

8 The Authority shall not exercise any quick-take eminent
9 domain powers granted by State law within the corporate limits
10 of a municipality unless the governing authority of the
11 municipality authorizes the Authority to do so. The Authority
12 shall not exercise any quick-take eminent domain powers granted
13 by State law within the unincorporated areas of a county unless
14 the county board authorizes the Authority to do so.

15 (c) The Authority shall have power to develop, construct
16 and improve, either under its own direction or through
17 collaboration with any approved applicant, or to acquire
18 through purchase or otherwise any project, using for such
19 purpose the proceeds derived from its sale of revenue bonds,
20 notes or other evidences of indebtedness or governmental loans
21 or grants and to hold title in the name of the Authority to
22 such projects.

23 (d) The Authority shall have the power to enter into
24 intergovernmental agreements with the State of Illinois, the
25 counties of Madison Bond, Clinton, Monroe, or St. Clair, the
26 Southwest Regional Port District, the Illinois Finance

1 Authority, the Illinois Housing Development Authority, the
2 Metropolitan Pier and Exposition Authority, the United States
3 government and any agency or instrumentality of the United
4 States, the city of East St. Louis, any unit of local
5 government located within the territory of the Authority or any
6 other unit of government to the extent allowed by Article VII,
7 Section 10 of the Illinois Constitution and the
8 Intergovernmental Cooperation Act.

9 (e) The Authority shall have the power to share employees
10 with other units of government, including agencies of the
11 United States, agencies of the State of Illinois and agencies
12 or personnel of any unit of local government.

13 (f) The Authority shall have the power to exercise powers
14 and issue bonds as if it were a municipality so authorized in
15 Divisions 12.1, 74, 74.1, 74.3 and 74.5 of Article 11 of the
16 Illinois Municipal Code.

17 (Source: P.A. 93-205, eff. 1-1-04; 94-1055, eff. 1-1-07.)

18 Section 25. The Upper Illinois River Valley Development
19 Authority Act is amended by changing Sections 4, 5, and 8 as
20 follows:

21 (70 ILCS 530/4) (from Ch. 85, par. 7154)

22 Sec. 4. Establishment.

23 (a) There is hereby created a political subdivision, body
24 politic and municipal corporation named the Upper Illinois

1 River Valley Development Authority. The territorial
2 jurisdiction of the Authority is that geographic area within
3 the boundaries of Grundy, LaSalle, Bureau, Putnam, Kendall,
4 Kane, Lake, McHenry, Boone, DeKalb, and Marshall counties in
5 the State of Illinois and any navigable waters and air space
6 located therein.

7 (b) The governing and administrative powers of the
8 Authority shall be vested in a body consisting of 23 ~~21~~ members
9 including, as ex officio members, the Director of Commerce and
10 Economic Opportunity, or his or her designee, and the Director
11 of the Department of Central Management Services, or his or her
12 designee. The other 21 ~~19~~ members of the Authority shall be
13 designated "public members", 10 of whom shall be appointed by
14 the Governor with the advice and consent of the Senate and 11 ~~9~~
15 of whom shall be appointed one each by the county board
16 chairmen of Grundy, LaSalle, Bureau, Putnam, Kendall, Kane,
17 Lake, McHenry, Boone, DeKalb, and Marshall counties. All public
18 members shall reside within the territorial jurisdiction of
19 this Act. Twelve ~~Eleven~~ members shall constitute a quorum. The
20 public members shall be persons of recognized ability and
21 experience in one or more of the following areas: economic
22 development, finance, banking, industrial development, small
23 business management, real estate development, community
24 development, venture finance, organized labor or civic,
25 community or neighborhood organization. The Chairman of the
26 Authority shall be elected by the Board annually from the 9

1 members appointed by the county board chairmen.

2 (c) The terms of all initial members of the Authority shall
3 begin 30 days after the effective date of this Act. Of the 14
4 public members appointed pursuant to this Act, 4 appointed by
5 the Governor shall serve until the third Monday in January,
6 1992, 4 appointed by the Governor shall serve until the third
7 Monday in January, 1993, one appointed by the Governor shall
8 serve until the third Monday in January, 1994, one appointed by
9 the Governor shall serve until the third Monday in January
10 1999, the member appointed by the county board chairman of
11 LaSalle County shall serve until the third Monday in January,
12 1992, the members appointed by the county board chairmen of
13 Grundy County, Bureau County, Putnam County, and Marshall
14 County shall serve until the third Monday in January, 1994, and
15 the member appointed by the county board chairman of Kendall
16 County shall serve until the third Monday in January, 1999. The
17 initial members appointed by the chairmen of the county boards
18 of Kane and McHenry counties shall serve until the third Monday
19 in January, 2003. The initial members appointed by the chairman
20 of the county board of Lake County shall serve until the third
21 Monday in January, 2018. The initial members appointed by the
22 chairman of the county boards of Boone and DeKalb counties
23 shall serve until the third Monday in January, 2021. All
24 successors shall be appointed by the original appointing
25 authority and hold office for a term of 3 years commencing the
26 third Monday in January of the year in which their term

1 commences, except in case of an appointment to fill a vacancy.
2 Vacancies occurring among the public members shall be filled
3 for the remainder of the term. In case of vacancy in a
4 Governor-appointed membership when the Senate is not in
5 session, the Governor may make a temporary appointment until
6 the next meeting of the Senate when a person shall be nominated
7 to fill such office, and any person so nominated who is
8 confirmed by the Senate shall hold office during the remainder
9 of the term and until a successor shall be appointed and
10 qualified. Members of the Authority shall not be entitled to
11 compensation for their services as members but shall be
12 entitled to reimbursement for all necessary expenses incurred
13 in connection with the performance of their duties as members.

14 (d) The Governor may remove any public member of the
15 Authority in case of incompetency, neglect of duty, or
16 malfeasance in office.

17 (e) The Board shall appoint an Executive Director who shall
18 have a background in finance, including familiarity with the
19 legal and procedural requirements of issuing bonds, real estate
20 or economic development and administration. The Executive
21 Director shall hold office at the discretion of the Board. The
22 Executive Director shall be the chief administrative and
23 operational officer of the Authority, shall direct and
24 supervise its administrative affairs and general management,
25 shall perform such other duties as may be prescribed from time
26 to time by the members and shall receive compensation fixed by

1 the Authority. The Executive Director shall attend all meetings
2 of the Authority; however, no action of the Authority shall be
3 invalid on account of the absence of the Executive Director
4 from a meeting. The Authority may engage the services of such
5 other agents and employees, including attorneys, appraisers,
6 engineers, accountants, credit analysts and other consultants,
7 as it may deem advisable and may prescribe their duties and fix
8 their compensation.

9 (f) The Board may, by majority vote, nominate up to 4
10 non-voting members for appointment by the Governor. Non-voting
11 members shall be persons of recognized ability and experience
12 in one or more of the following areas: economic development,
13 finance, banking, industrial development, small business
14 management, real estate development, community development,
15 venture finance, organized labor or civic, community or
16 neighborhood organization. Non-voting members shall serve at
17 the pleasure of the Board. All non-voting members may attend
18 meetings of the Board and shall be reimbursed as provided in
19 subsection (c).

20 (g) The Board shall create a task force to study and make
21 recommendations to the Board on the economic development of the
22 territory within the jurisdiction of this Act. The members of
23 the task force shall reside within the territorial jurisdiction
24 of this Act, shall serve at the pleasure of the Board and shall
25 be persons of recognized ability and experience in one or more
26 of the following areas: economic development, finance,

1 banking, industrial development, small business management,
2 real estate development, community development, venture
3 finance, organized labor or civic, community or neighborhood
4 organization. The number of members constituting the task force
5 shall be set by the Board and may vary from time to time. The
6 Board may set a specific date by which the task force is to
7 submit its final report and recommendations to the Board.

8 (Source: P.A. 99-499, eff. 1-29-16.)

9 (70 ILCS 530/5) (from Ch. 85, par. 7155)

10 Sec. 5. Duty. All official acts of the Authority shall
11 require the approval of at least 12 ~~9~~ members. It shall be the
12 duty of the Authority to promote development within the
13 geographic confines of Grundy, LaSalle, Bureau, Putnam,
14 Kendall, Kane, Lake, McHenry, Boone, DeKalb, and Marshall
15 counties. The Authority shall use the powers herein conferred
16 upon it to assist in the development, construction and
17 acquisition of industrial, commercial, housing or residential
18 projects within those counties.

19 (Source: P.A. 86-1024.)

20 (70 ILCS 530/8) (from Ch. 85, par. 7158)

21 Sec. 8. Acquisition.

22 (a) The Authority may, but need not, acquire title to any
23 project with respect to which it exercises its authority.

24 (b) The Authority shall have power to acquire by purchase,

1 lease, gift or otherwise any property or rights therein from
2 any person or persons, the State of Illinois, any municipal
3 corporation, any local unit of government, the government of
4 the United States and any agency or instrumentality of the
5 United States, any body politic or any county useful for its
6 purposes, whether improved for the purposes of any prospective
7 project or unimproved. The Authority may also accept any
8 donation of funds for its purposes from any such source.

9 (c) The Authority shall have power to develop, construct
10 and improve, either under its own direction or through
11 collaboration with any approved applicant, or to acquire
12 through purchase or otherwise any project, using for such
13 purpose the proceeds derived from its sale of revenue bonds,
14 notes or other evidences of indebtedness or governmental loans
15 or grants and to hold title in the name of the Authority to
16 such projects.

17 (d) The Authority shall have the power to enter into
18 intergovernmental agreements with the State of Illinois, the
19 counties of Grundy, LaSalle, Bureau, Putnam, Kendall, Kane,
20 Lake, McHenry, Boone, DeKalb, or Marshall, the Illinois Finance
21 Authority, the Illinois Housing Development Authority, the
22 Metropolitan Pier and Exposition Authority, the United States
23 government and any agency or instrumentality of the United
24 States, any unit of local government located within the
25 territory of the Authority or any other unit of government to
26 the extent allowed by Article VII, Section 10 of the Illinois

1 Constitution and the Intergovernmental Cooperation Act.

2 (e) The Authority shall have the power to share employees
3 with other units of government, including agencies of the
4 United States, agencies of the State of Illinois and agencies
5 or personnel of any unit of local government.

6 (f) The Authority shall have the power to exercise powers
7 and issue bonds as if it were a municipality so authorized in
8 Divisions 12.1, 74, 74.1, 74.3 and 74.5 of Article 11 of the
9 Illinois Municipal Code.

10 (Source: P.A. 93-205, eff. 1-1-04.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.

1	INDEX	
2	Statutes amended in order of appearance	
3	70 ILCS 506/15	
4	70 ILCS 506/20	
5	70 ILCS 506/45	
6	70 ILCS 510/4	from Ch. 85, par. 6204
7	70 ILCS 510/7	from Ch. 85, par. 6207
8	70 ILCS 510/14	from Ch. 85, par. 6214
9	70 ILCS 518/20	
10	70 ILCS 518/45	
11	70 ILCS 520/4	from Ch. 85, par. 6154
12	70 ILCS 520/5	from Ch. 85, par. 6155
13	70 ILCS 520/8	from Ch. 85, par. 6158
14	70 ILCS 530/4	from Ch. 85, par. 7154
15	70 ILCS 530/5	from Ch. 85, par. 7155
16	70 ILCS 530/8	from Ch. 85, par. 7158