

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 1. Short title. This Act may be cited as the
5 Renewable Energy Production District Act.

6 Section 5. Definition. "Renewable energy facility" means a
7 generator attached to a building or parcel of land that is
8 powered by solar electric energy or wind, dedicated crops grown
9 for electricity generation, anaerobic digestion of livestock
10 or food processing waste, fuel cells or microturbines powered
11 by renewable fuels, or hydroelectric energy.

12 Section 10. Renewable energy production district. Any area
13 within the boundaries of a single county may be incorporated as
14 a renewable energy production district.

15 Fifty or more of the legal voters resident within the
16 limits of the proposed district or a majority if there are
17 fewer than 100 legal voters, may petition the circuit court for
18 the county in which the proposed district is located to cause
19 the question to be submitted to the legal voters of the
20 proposed district whether the proposed territory shall be
21 organized as a renewable energy production district under this
22 Act. The petition shall be addressed to the court and shall

1 contain a definite description of the boundaries of the
2 territory to be embraced in the proposed district and the name
3 of the proposed district. The territory incorporated in a
4 district formed under this Act shall be contiguous and may
5 contain any territory not previously included in any renewable
6 energy production district.

7 Upon filing a petition, in the office of the circuit clerk
8 of the county in which the petition is made, the court shall
9 consider the boundaries of the renewable energy production
10 district whether the same shall be those stated in the petition
11 or otherwise.

12 Notice shall be given by the court of the time and place of
13 a hearing upon the subject of the petition. The notice shall be
14 published in one or more newspapers of general circulation
15 within the proposed renewable energy production district or, if
16 there is no newspaper of general circulation within the
17 proposed renewable energy production district, then by posting
18 at least 10 copies in the proposed district at least 20 days
19 before the meeting in conspicuous places as far separated from
20 each other as consistently possible.

21 At the hearing, all persons in the proposed renewable
22 energy production district shall have an opportunity to be
23 heard concerning the location and boundary of the proposed
24 district and make suggestions regarding the same, and the
25 court, after hearing statements, evidence, and suggestions,
26 shall fix and determine the limits and boundaries of the

1 proposed district, and for that purpose and to that extent, may
2 alter and amend the petition. After the determination by the
3 court the limits and boundaries shall be incorporated in an
4 order, and the order shall be filed in the records of the
5 court. Upon the entering of the order, the court shall certify
6 the order and the proposition to the proper election officials,
7 who shall submit the proposition to the voters at an election
8 in accordance with the general election law. In addition to the
9 requirements of the general election law, notice of the
10 referendum shall include a description of the proposed district
11 and the name of the proposed district.

12 The proposition shall be in substantially the following
13 form:

14 Shall a renewable energy production district be
15 incorporated?

16 Votes shall be recorded as "YES" or "NO".

17 The court shall cause a statement of the results of the
18 election to be filed in the records of the court. If a majority
19 of the votes cast upon the question are in favor of the
20 incorporation of the proposed renewable energy production
21 district, then the district shall thereafter be an organized
22 renewable energy production district under this Act, and the
23 court shall enter an order accordingly and cause the same to be
24 filed in the records of the court and shall also send to the
25 county clerk a certified copy of the order organizing the
26 district.

1 Section 15. Board of trustees. A renewable energy
2 production district shall be governed by a board of trustees.
3 The board of trustees shall consist of 5 members. Within 90
4 days after the order is entered organizing the district, the
5 county board in which the renewable energy production district
6 is located shall appoint the members of the board. Of the
7 initial members, 3 shall serve for a 3-year term and 2 shall
8 serve for a 5-year term, as determined by lot. Thereafter, the
9 members of the board shall serve for a 5-year term. Vacancies
10 shall be filled in the same manner as appointments. The members
11 of the board shall annually elect one member to serve as the
12 chairperson. Members of the board shall serve without
13 compensation but may receive the reasonable cost of their
14 travel expenses.

15 Section 20. Powers. The board shall exercise all of the
16 powers and control all the affairs of a renewable energy
17 production district.

18 (a) The board may:

19 (1) construct, operate, and maintain a renewable
20 energy facility;

21 (2) contract with private or public entities to
22 construct, operate, or maintain a renewable energy
23 facility for the district;

24 (3) solicit and accept moneys from any legal source;

1 and

2 (4) sell the renewable energy produced by a renewable
3 energy facility.

4 (b) The board must remit all money collected from a
5 renewable energy facility to the county in which the district
6 is located.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.