

AN ACT concerning local government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

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

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

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

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

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

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

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

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

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

The proposition shall be in substantially the following form:

Shall a renewable energy production district be incorporated?

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

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

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

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

(a) The board may:

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

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

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

and

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

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

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