

AN ACT concerning local government.

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

Section 5. The Illinois Public Safety Agency Network Act is amended by changing Sections 15, 20, 30, and 35 as follows:

(50 ILCS 752/15)

Sec. 15. Partnership established. A not-for-profit corporation to be known as "Illinois Public Safety Agency Network" shall be created. IPSAN shall be incorporated under the General Not for Profit Corporation Act of 1986 and shall be registered, incorporated, organized, and operated in compliance with the laws of this State. IPSAN shall not be a State agency but shall have statewide jurisdiction to fulfill the findings and purpose declared in Section 10. The General Assembly determines, however, that public policy dictates that IPSAN operate in the most open and accessible manner consistent with its public purpose. To this end, the General Assembly specifically declares that IPSAN and its Board and Advisory Committee shall adopt and adhere to the provisions of the General Not for Profit Corporation Act of 1986 and related regulations promulgated by the Secretary of State, the Open Meetings Act, the State Records Act, and the Freedom of Information Act. IPSAN shall establish one or more corporate

offices as determined by the Board.

(Source: P.A. 94-896, eff. 7-1-06.)

(50 ILCS 752/20)

Sec. 20. Board of directors. IPSAN shall be governed by a board of directors. The IPSAN Board shall consist of 6 voting ~~14~~ members. Three members ~~Nine of the members shall be voting members, 3 of whom~~ shall be appointed by the Illinois Sheriffs' Association, and 3 members ~~of whom~~ shall be appointed by the Illinois Association of Chiefs of Police. To the extent practical, voting members should be active or retired chiefs of police or sheriffs, should represent Statewide interests of the Associations that appointed them, and should attend board meetings, ~~and 3 of whom shall be appointed by the Illinois Fire Chiefs Association, all of those Associations consisting of representatives of criminal justice agencies that are the users of criminal justice information systems developed and operated for them by the Authority before the effective date of this Act or by the IPSAN on or after the effective date of this Act. Voting members shall be appointed in such a fashion as to guarantee the representation of all 3 systems (ALERTS, ALECS, and PIMS).~~ The Director of Corrections, the Director of the Illinois Emergency Management Agency, the Director of the Illinois State Police, the Sheriff of Cook County, and the Superintendent of the Chicago Police Department, or the designee of each, may be invited by the board of directors to

serve as shall be non-voting ex officio members. The Executive Director appointed under Section 30 of this Act shall serve as a non-voting ex-officio member of the board.

Members shall serve terms of one year at the pleasure of the Association making the appointment, but shall be eligible for re-appointment. ~~Of the initial members appointed, 6 members shall serve 4 year terms and 3 members shall serve 2 year terms, as designated by the respective Associations. Thereafter, members appointed shall serve 4 year terms.~~ A vacancy among members appointed shall be filled in the same manner as the original ~~by~~ appointment for the remainder of the vacated term.

Members of the Board shall receive no compensation but shall be reimbursed for reasonable expenses incurred in the performance of their duties. However, a board member who is a retired chief of police or retired sheriff may be entitled to reimbursement for services provided to or on behalf of IPSAN as may be appropriate.

The Board shall designate a temporary president ~~chair~~ of the Board from among the members, who shall serve until a permanent president ~~chair~~ is elected by the Board of Directors. The Board shall meet at the call of the president, or as otherwise provided in the bylaws, rules, and policies of the board ~~chair~~.

IPSAN shall comply with reporting requirements under the General Not for Profit Corporation Act of 1986 and related

regulations promulgated by the Secretary of State. The Executive Director appointed under Section 30 of this Act shall have the authority to sign and file all required reports.

~~Not less than 90 days after a majority of the members of the Board of Directors of the IPSAN are appointed, the Board shall develop a policy adopted by resolution of the Board stating the Board's plan for the use of services provided by businesses owned by minorities, females, and persons with disabilities, as defined under the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. The Board shall provide a copy of this resolution to the Governor and the General Assembly upon its adoption.~~

~~On December 31 of each year, the Board shall report to the General Assembly and the Governor regarding the use of services provided by businesses owned by minorities, females, and persons with disabilities, as defined under the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.~~

(Source: P.A. 94-896, eff. 7-1-06.)

(50 ILCS 752/30)

Sec. 30. Powers of the Board of Directors. The Board of Directors shall have the power to:

- (1) Secure funding for programs and activities of IPSAN from federal, State, local, and private sources and from fees charged for services and published materials;

solicit, receive, hold, invest, and administer any grant. Such grants shall include federal and State grants for enhancements to public safety communications and management systems, and the promotion of interoperability between all public safety disciplines throughout the State; administer any payment, or gift of funds or property; execute a note or notes and to execute a mortgage or trust deed to secure the payment of the same with real estate, or some part thereof, or personal property owned by the corporation. Proceeds of the note or notes may be used in the acquisition of personal property or of real estate or in the erection of improvements on such real estate; and make expenditures consistent with the powers granted to it.

(2) Make and enter into contracts, agreements, and other instruments necessary or convenient for the exercise of its powers and to facilitate the use by the members of IPSAN of other criminal justice information systems and networks.

(2.5) Purchase or lease either real or personal property to be used for corporate purposes. Such purchases or leases shall be made through contracts that provide for the consideration for any such purchase or lease to be paid through installments to be made at stated intervals during a certain period of time. In no case shall such contracts provide for the consideration to be paid during a period of time in excess of 25 years.

(3) Sue and be sued, and appear and defend in all actions and proceedings, in its corporate name to the same extent as a natural person.

(4) Adopt, use, and alter a common corporate seal for IPSAN.

(5) Elect, employ, or appoint officers and agents as its affairs require and allow them reasonable compensation.

(6) Adopt, amend, and repeal bylaws and policies, not inconsistent with the powers granted to it or the articles of incorporation, for the administration of the affairs of IPSAN and the exercise of its corporate powers.

(7) Acquire, enjoy, use, and dispose of patents, copyrights, and trademarks and any licenses, radio frequencies, royalties, and other rights or interests thereunder or therein.

(8) Do all acts and things necessary or convenient to carry out the powers granted to it.

(9) Appoint an Executive Director who shall serve as the Chief Operations Officer of IPSAN and who shall direct and supervise the administrative affairs and activities of the Board and of IPSAN, in accordance with this Act and the Board's bylaws, rules, and policies.

(Source: P.A. 94-896, eff. 7-1-06.)

Sec. 35. Finances; audits; annual report.

(a) (Blank). ~~The current balance of the Criminal Justice Information Systems Trust Fund upon the effective date of this Act and all future moneys deposited into that Fund shall be promptly transferred to the IPSAN operating fund by the State Treasurer notwithstanding current obligations as determined by the IPSAN Board in cooperation with the Authority.~~

(b) IPSAN may accept funds, grants, gifts, and services from the government of the United States or its agencies, from this State or its departments, agencies, or instrumentalities, from any other governmental unit, and from private and civic sources for the purpose of funding any projects authorized by this Act.

(c) (Blank). ~~Services of personnel, use of equipment and office space, and other necessary services may be accepted from members of the Board as part of IPSAN's financial support.~~

(d) The Board shall arrange for the annual financial audit of IPSAN by one or more independent certified public accountants in accordance with generally accepted accounting principles. ~~The annual audit results shall be included in the annual report required under subsection (e) of this Section.~~

(e) IPSAN shall report annually on its activities and finances to the Governor and the members of the General Assembly.

(f) IPSAN shall comply with reporting requirements as prescribed in the General Not for Profit Corporation Act of

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1986 and related regulations promulgated by the Secretary of State.

(Source: P.A. 94-896, eff. 7-1-06.)

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