

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 Sports Facilities Authority Act is
5 amended by changing Sections 2, 3, and 13 and by adding Section
6 9.5 as follows:

7 (70 ILCS 3205/2) (from Ch. 85, par. 6002)

8 Sec. 2. Definitions; general provisions. In this Act the
9 following words have the meanings indicated:

10 (A) "Authority" means the Illinois Sports Facilities
11 Authority.

12 (B) "Facility" means:

13 (1) Stadiums, arenas or other structures for the
14 holding of athletic contests and other events and
15 gatherings, including, without limitation, baseball,
16 football, professional women's sports, and automobile
17 racing; musical, dramatic and other artistic, cultural or
18 social events; public meetings; and other public events;
19 and

20 (2) Practice fields, or other areas where professional
21 sports teams and other sports teams may practice or
22 perform.

23 (3) "Facility" also means the following types of

1 property if that property is related to or located near an
2 item listed in paragraphs (1) and (2) of subsection (B) of
3 this Section:

4 (i) Offices, parking lots and garages, access
5 roads, streets, intersections, highway interchanges,
6 pedestrian walkways, tunnels, and bridges,
7 transportation facilities, monuments, restaurants,
8 stores, and other facilities providing goods and
9 services to persons attending meetings, contests,
10 gatherings or events at the facility;

11 (ii) Other recreation areas and recreational
12 facilities;

13 (iii) Other property or structures including all
14 fixtures, furnishings, and appurtenances normally
15 associated with such facilities; and

16 (iv) Landscaping, parks, and open spaces.

17 (C) "Governmental Owner" means a body politic, public
18 corporation, political subdivision, unit of local government,
19 or municipality formed under the laws of the State of
20 Illinois, including, without limitation, the Chicago Park
21 District, that owns or is to own a facility located within the
22 corporate limits of the Authority described in Section 11 of
23 this Act and to which the Authority provides financial
24 assistance. Where the title to all or any part of a facility is
25 held by a public building commission because the public
26 building commission has financed, under the authority of the

1 Public Building Commission Act, the acquisition of real estate
2 or the construction, acquisition, or enlargement of
3 improvements to real estate, or both, for any body politic,
4 public corporation, political subdivision, unit of local
5 government, or municipality formed under the laws of the State
6 of Illinois, the term "governmental owner" when used with
7 respect to that facility means the body politic, public
8 corporation, political subdivision, unit of local government,
9 or municipality rather than the public building commission.

10 (D) "Management Agreement" means a legally binding
11 contract between the Authority and a tenant of a facility
12 owned by the Authority, which contains at least the following
13 provisions:

14 (1) a provision requiring the tenant to conduct its
15 complete regular home season schedule and any home playoff
16 events in the facility;

17 (2) a provision requiring the tenant to provide
18 routine maintenance of and to operate the facility with
19 its personnel or contractors;

20 (3) a provision requiring the tenant to advertise and
21 promote events it conducts at the facility;

22 (4) a provision requiring the tenant to operate or
23 contract for concessions for the patrons of the facility,
24 including a stadium club and restaurant where food and
25 beverages will be served; and

26 (5) a provision permitting the Authority or its

1 designee to hold other events in any such facility owned
2 by the Authority at such times as shall not unreasonably
3 interfere with the use of that facility by the tenant.

4 (E) "Assistance Agreement" means one or more legally
5 binding contracts, with respect to a facility for which the
6 Authority is to provide financial assistance as provided in
7 this Act, to which the Authority and a governmental owner of a
8 facility or its tenant, or both, and any other appropriate
9 persons are parties, which may be in the form of an
10 intergovernmental agreement.

11 (F) "Financial Assistance" means the use by the Authority,
12 pursuant to an assistance agreement, of its powers under this
13 Act, including, without limitation, the power to borrow money,
14 to issue bonds and notes, to impose an occupation tax as
15 provided in Section 19 of this Act and to receive and expend
16 the proceeds of that tax, to assist a governmental owner or its
17 tenant, or both, with one or more of the following: designing,
18 developing, establishing, constructing, erecting, acquiring,
19 repairing, reconstructing, renovating, remodeling, adding to,
20 extending, improving, equipping, operating, and maintaining a
21 facility owned or to be owned by the governmental owner.

22 (G) "Tenant" means any person with which a governmental
23 owner or the Authority has entered into an agreement for the
24 use by a professional sports team or other sports team of any
25 facility. Such an agreement may be a management agreement or
26 an assistance agreement or may be a lease of or a license,

1 permit, or similar agreement with respect to the use of a
2 facility by such team for such period as shall be agreed upon
3 by the person and the governmental owner or the Authority, as
4 the case may be.

5 (Source: P.A. 91-935, eff. 6-1-01.)

6 (70 ILCS 3205/3) (from Ch. 85, par. 6003)

7 Sec. 3. Legislative Finding and Declaration. It is hereby
8 found that as a result of deteriorating infrastructure and
9 sports facilities in the metropolitan area of Chicago, there
10 is a shortage of facilities suitable for use by professional
11 and other sports teams and musical, theatrical, cultural, and
12 other social organizations.

13 It is further found that as a result of the costs to
14 maintain, repair or replace such infrastructure and
15 facilities, and as a result of current high financing costs,
16 the private sector, without the assistance contemplated in
17 this Act, is unable to construct feasibly adequate sports
18 facilities.

19 It is further found that the creation of modern sports
20 facilities and the other results contemplated by this Act
21 would stimulate economic activity in the State of Illinois,
22 including the creation and maintenance of jobs, the creation
23 of new and lasting infrastructure and other improvements, and
24 the attraction and retention of sports and entertainment
25 events which generate economic activity.

1 It is further found that participation in sports promotes
2 physical and mental health and provides opportunities for
3 personal growth and character development and that these
4 benefits are best advanced and enjoyed when available to all
5 people on an equitable basis, including when provision is made
6 for equitable development of sports facilities for men and
7 women alike.

8 It is further found that professional sports facilities
9 can be magnets for substantial interstate tourism resulting in
10 increased retail sales, hotel and restaurant sales, and
11 entertainment industry sales, all of which increase jobs and
12 economic growth.

13 ~~It is further found that only three major league~~
14 ~~professional baseball franchises play in stadium facilities~~
15 ~~the construction of which has not been government assisted and~~
16 ~~of those three the most recently constructed facility was~~
17 ~~completed in 1914.~~

18 It is further found that government assistance was or is
19 an essential component in the financing of the construction of
20 most recently built or planned National Football League
21 stadiums.

22 It is further found that the exercise by the Authority and
23 governmental owners of the ~~additional~~ powers conferred by this
24 ~~amendatory Act of the 91st General Assembly~~ (i) will
25 materially assist the development and redevelopment of
26 government owned sports facilities and thereby alleviate in

1 part the deleterious conditions and confer the public benefits
2 described in this Section and (ii) is in the public interest
3 and is declared to be for public purposes.

4 (Source: P.A. 91-935, eff. 6-1-01.)

5 (70 ILCS 3205/9.5 new)

6 Sec. 9.5. Unlawful discrimination. A person may not be
7 prohibited, on the basis of sex, from participation in, or any
8 of the benefits of, programs or activities at facilities
9 funded under this Act, including facilities established or
10 supported by bonds issued under this Act.

11 (70 ILCS 3205/13) (from Ch. 85, par. 6013)

12 Sec. 13. Bonds and notes.

13 (A) (1) The Authority may at any time and from time to time
14 issue bonds and notes for any corporate purpose, including the
15 establishment of reserves and the payment of interest and
16 costs of issuance. The Authority shall report to the Governor
17 and the General Assembly on any male or female professional
18 sports projects brought to the Authority by a professional
19 sports team in the State. The Authority shall notify the
20 Governor, Speaker of the House of Representatives, Minority
21 Leader of the House of Representatives, President of the
22 Senate, and Minority Leader of the Senate of the proposal
23 within 2 weeks of receiving a formal request or inquiry.
24 Before the General Assembly authorizes the issuance of

1 additional bonds under this Act to fund facilities for
2 professional men's sports teams, each chamber of the General
3 Assembly may hold a hearing to publicly review any proposal
4 submitted to the Authority. If there are proposals submitted
5 by both professional men's and women's sports teams and
6 recognizing the historical lack of public funding for women's
7 sports, then the General Assembly shall encourage any future
8 bonding authority is granted in an equitable manner to assist
9 in the remediation of past inequity in funding between men's
10 and women's sports teams. In this Act the term "bonds"
11 includes notes of any kind, interim certificates, refunding
12 bonds, or any other evidence of obligation for borrowed money
13 issued under this Section 13. Bonds may be issued in one or
14 more series and may be payable and secured either on a parity
15 with or separately from other bonds.

16 (2) The bonds of any issue shall be payable solely from all
17 or any part of the property or revenues of the Authority,
18 including, without limitation:

19 (i) Rents, rates, fees, charges, or other revenues
20 payable to or any receipts of the Authority, including
21 amounts which are deposited pursuant to the Act with a
22 trustee for bondholders;

23 (ii) Payments by financial institutions, insurance
24 companies, or others pursuant to letters or lines of
25 credit, policies of insurance, or purchase agreements;

26 (iii) Investment earnings from funds or accounts

1 maintained pursuant to a bond resolution or trust
2 agreement; and

3 (iv) Proceeds of refunding bonds.

4 (3) Bonds may be authorized by a resolution of the
5 Authority and may be secured by a trust agreement by and
6 between the Authority and a corporate trustee or trustees,
7 which may be any trust company or bank having the powers of a
8 trust company within or without the State. Bonds may:

9 (i) Mature at a time or times, whether as serial bonds
10 or as term bonds or both, not exceeding 40 years from their
11 respective dates of issue;

12 (ii) Notwithstanding the provisions ~~provision~~ of the
13 Bond Authorization Act ~~"An Act to authorize public~~
14 ~~corporations to issue bonds, other evidences of~~
15 ~~indebtedness and tax anticipation warrants subject to~~
16 ~~interest rate limitations set forth therein", approved May~~
17 ~~26, 1970, as now or hereafter amended,~~ or any other
18 provision of law, bear interest at any fixed or variable
19 rate or rates determined by the method provided in the
20 resolution or trust agreement;

21 (iii) Be payable at a time or times, in the
22 denominations and form, either coupon or registered or
23 both, and carry the registration and privileges as to
24 exchange, transfer, or conversion and for the replacement
25 of mutilated, lost, or destroyed bonds as the resolution
26 or trust agreement may provide;

1 (iv) Be payable in lawful money of the United States
2 at a designated place;

3 (v) Be subject to the terms of purchase, payment,
4 redemption, refunding, or refinancing that the resolution
5 or trust agreement provides;

6 (vi) Be executed by the manual or facsimile signatures
7 of the officers of the Authority designated by the
8 Authority which signatures shall be valid at delivery even
9 for one who has ceased to hold office; and

10 (vii) Be sold in the manner and upon the terms
11 determined by the Authority.

12 (B) Any resolution or trust agreement may contain
13 provisions which shall be a part of the contract with the
14 holders of the bonds as to:

15 (1) Pledging, assigning, or directing the use,
16 investment, or disposition of all or any part of the
17 revenues of the Authority or proceeds or benefits of any
18 contract, including, without limit, any management
19 agreement or assistance agreement and conveying or
20 otherwise securing any property or property rights;

21 (2) The setting aside of loan funding deposits, debt
22 service reserves, capitalized interest accounts,
23 replacement or operating reserves, cost of issuance
24 accounts and sinking funds, and the regulation,
25 investment, and disposition thereof;

26 (3) Limitations on the purposes to which or the

1 investments in which the proceeds of sale of any issue of
2 bonds or the Authority's revenues and receipts may be
3 applied or made;

4 (4) Limitations on the issue of additional bonds, the
5 terms upon which additional bonds may be issued and
6 secured, the terms upon which additional bonds may rank on
7 a parity with, or be subordinate or superior to, other
8 bonds;

9 (5) The refunding, advance refunding, or refinancing
10 of outstanding bonds;

11 (6) The procedure, if any, by which the terms of any
12 contract with bondholders may be altered or amended and
13 the amount of bonds and holders of which must consent
14 thereto, and the manner in which consent shall be given;

15 (7) Defining the acts or omissions which shall
16 constitute a default in the duties of the Authority to
17 holders of bonds and providing the rights or remedies of
18 such holders in the event of a default which may include
19 provisions restricting individual right of action by
20 bondholders;

21 (8) Providing for guarantees, pledges of property,
22 letters of credit, or other security, or insurance for the
23 benefit of bondholders; and

24 (9) Any other matter relating to the bonds which the
25 Authority determines appropriate.

26 (C) No member of the Authority nor any person executing

1 the bonds shall be liable personally on the bonds or subject to
2 any personal liability by reason of the issuance of the bonds.

3 (D) The Authority may enter into agreements with agents,
4 banks, insurers, or others for the purpose of enhancing the
5 marketability of or security for its bonds.

6 (E) (1) A pledge by the Authority of revenues and receipts
7 as security for an issue of bonds or for the performance of its
8 obligations under any management agreement or assistance
9 agreement shall be valid and binding from the time when the
10 pledge is made.

11 (2) The revenues and receipts pledged shall immediately be
12 subject to the lien of the pledge without any physical
13 delivery or further act, and the lien of any pledge shall be
14 valid and binding against any person having any claim of any
15 kind in tort, contract, or otherwise against the Authority,
16 irrespective of whether the person has notice.

17 (3) No resolution, trust agreement, management agreement,
18 or assistance agreement or any financing statement,
19 continuation statement, or other instrument adopted or entered
20 into by the Authority need be filed or recorded in any public
21 record other than the records of the Authority in order to
22 perfect the lien against third persons, regardless of any
23 contrary provision of law.

24 (F) The Authority may issue bonds to refund, advance
25 refund, or refinance any of its bonds then outstanding,
26 including the payment of any redemption premium and any

1 interest accrued or to accrue to the earliest or any
2 subsequent date of redemption, purchase, or maturity of the
3 bonds. Refunding or advance refunding bonds may be issued for
4 the public purposes of realizing savings in the effective
5 costs of debt service, directly or through a debt
6 restructuring, for alleviating impending or actual default, or
7 for paying principal of, redemption premium, if any, and
8 interest on bonds as they mature or are subject to redemption,
9 and may be issued in one or more series in an amount in excess
10 of that of the bonds to be refunded.

11 (G) At no time shall the total outstanding bonds and notes
12 of the Authority issued under this Section 13 exceed (i)
13 \$150,000,000 in connection with facilities owned by the
14 Authority or in connection with other authorized corporate
15 purposes of the Authority and (ii) \$399,000,000 in connection
16 with facilities owned by a governmental owner other than the
17 Authority; however, the limit on the total outstanding bond
18 and notes set forth in this sentence shall not apply to any
19 refunding or restructuring bonds issued by the Authority on
20 and after June 17, 2021 (the effective date of Public Act
21 102-16) ~~this amendatory Act of the 102nd General Assembly~~ but
22 prior to December 31, 2024. Bonds which are being paid or
23 retired by issuance, sale, or delivery of bonds or notes, and
24 bonds or notes for which sufficient funds have been deposited
25 with the paying agent or trustee to provide for payment of
26 principal and interest thereon, and any redemption premium, as

1 provided in the authorizing resolution, shall not be
2 considered outstanding for the purposes of this paragraph.

3 (H) The bonds and notes of the Authority shall not be
4 indebtedness of the City of Chicago, of the State, or of any
5 political subdivision of the State other than the Authority.
6 The bonds and notes of the Authority are not general
7 obligations of the State of Illinois or the City of Chicago, or
8 of any other political subdivision of the State other than the
9 Authority, and are not secured by a pledge of the full faith
10 and credit of the State of Illinois or the City of Chicago, or
11 of any other political subdivision of the State other than the
12 Authority, and the holders of bonds and notes of the Authority
13 may not require the levy or imposition by the State or the City
14 of Chicago, or any other political subdivision of the State
15 other than the Authority, of any taxes or, except as provided
16 in this Act, the application of revenues or funds of the State
17 of Illinois or the City of Chicago or any other political
18 subdivision of the State other than the Authority to the
19 payment of bonds and notes of the Authority.

20 (I) In order to provide for the payment of debt service
21 requirements (including amounts for reserve funds and to pay
22 the costs of credit enhancements) on bonds issued pursuant to
23 this Act, the Authority may provide in any trust agreement
24 securing such bonds for a pledge and assignment of its right to
25 all amounts to be received from the Illinois Sports Facilities
26 Fund and for a pledge and assignment (subject to the terms of

1 any management agreement or assistance agreement) of all taxes
2 and other amounts to be received under Section 19 of this Act
3 and may further provide by written notice to the State
4 Treasurer and State Comptroller (which notice shall constitute
5 a direction to those officers) for a direct payment of these
6 amounts to the trustee for its bondholders.

7 (J) The State of Illinois pledges to and agrees with the
8 holders of the bonds and notes of the Authority issued
9 pursuant to this Act that the State will not limit or alter the
10 rights and powers vested in the Authority by this Act so as to
11 impair the terms of any contract made by the Authority with
12 such holders or in any way impair the rights and remedies of
13 such holders until such bonds and notes, together with
14 interest thereon, with interest on any unpaid installments of
15 interest, and all costs and expenses in connection with any
16 action or proceedings by or on behalf of such holders, are
17 fully met and discharged. In addition, the State pledges to
18 and agrees with the holders of the bonds and notes of the
19 Authority issued pursuant to this Act that the State will not
20 limit or alter the basis on which State funds are to be
21 allocated, deposited and paid to the Authority as provided in
22 this Act, or the use of such funds, so as to impair the terms
23 of any such contract. The Authority is authorized to include
24 these pledges and agreements of the State in any contract with
25 the holders of bonds or notes issued pursuant to this Section.
26 Nothing in Public Act 102-16 ~~this amendatory Act of the 102nd~~

1 ~~General Assembly~~ is intended to limit or alter the rights and
2 powers of the Authority so as to impair the terms of any
3 contract made by the Authority with the holders of the bonds
4 and notes of the Authority issued pursuant to this Act.
5 (Source: P.A. 102-16, eff. 6-17-21; revised 7-25-24.)

6 (70 ILCS 3205/7.8 rep.)

7 Section 10. The Illinois Sports Facilities Authority Act
8 is amended by repealing Section 7.8.

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