

1 AN ACT concerning State government.

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

4 Section 5. The Department of Central Management Services  
5 Law of the Civil Administrative Code of Illinois is amended by  
6 changing Section 405-315 as follows:

7 (20 ILCS 405/405-315) (was 20 ILCS 405/67.24)

8 Sec. 405-315. Management of State buildings and other real  
9 properties; security force; fees.

10 (a) To manage, operate, maintain, and preserve from waste  
11 the State buildings, facilities, structures, grounds, or other  
12 real properties, including, without limitation, the real  
13 properties ~~property~~ transferred to the Department under  
14 Section 405-415, including, without limitation, the State  
15 buildings listed below, and to grant easements and accept  
16 easements with respect to those properties, on such terms and  
17 conditions that in the judgment of the Director are in the best  
18 interests of the State. The Department may rent portions of  
19 these and other State buildings when in the judgment of the  
20 Director those leases or subleases will be in the best  
21 interests of the State. The leases or subleases shall not  
22 exceed 5 years unless a greater term is specifically  
23 authorized.

- 1 a. Peoria Regional Office Building
- 2 5415 North University
- 3 Peoria, Illinois 61614
- 4 b. Springfield Regional Office Building
- 5 4500 South 6th Street
- 6 Springfield, Illinois 62703
- 7 c. Champaign Regional Office Building
- 8 2125 South 1st Street
- 9 Champaign, Illinois 61820
- 10 d. Illinois State Armory Building
- 11 124 East Adams
- 12 Springfield, Illinois 62706
- 13 e. Marion Regional Office Building
- 14 2209 West Main Street
- 15 Marion, Illinois 62959
- 16 f. Kenneth Hall Regional State Office
- 17 Building
- 18 #10 Collinsville Avenue
- 19 East St. Louis, Illinois 62201
- 20 g. Rockford Regional Office Building
- 21 4402 North Main Street
- 22 P.O. Box 915
- 23 Rockford, Illinois 61105
- 24 h. State of Illinois Building
- 25 160 North LaSalle
- 26 Chicago, Illinois 60601

- 1 i. Office and Laboratory Building  
2 2121 West Taylor Street  
3 Chicago, Illinois 60602
- 4 j. Central Computer Facility  
5 201 West Adams  
6 Springfield, Illinois 62706
- 7 k. Elgin Office Building  
8 595 South State Street  
9 Elgin, Illinois 60120
- 10 l. ~~(Blank). James R. Thompson Center~~  
11 ~~Bounded by Lake, Clark, Randolph and~~  
12 ~~LaSalle Streets~~  
13 ~~Chicago, Illinois~~
- 14 m. The following buildings located within the Chicago  
15 Medical Center District:  
16 1. Lawndale Day Care Center  
17 2929 West 19th Street  
18 2. Edwards Center  
19 2020 Roosevelt Road  
20 3. Illinois Center for  
21 Rehabilitation and Education  
22 1950 West Roosevelt Road and 1151 South Wood Street  
23 4. Department of Children and  
24 Family Services District Office  
25 1026 South Damen  
26 5. The William Heally School

- 1           1731 West Taylor  
2           6. Administrative Office Building  
3           1100 South Paulina Street  
4           7. Metro Children and Adolescents Center  
5           1601 West Taylor Street  
6       n. E.J. "Zeke" Giorgi Center  
7           200 Wyman Street  
8           Rockford, Illinois  
9       o. Suburban North Facility  
10          9511 Harrison  
11          Des Plaines, Illinois  
12       p. The following buildings located within the Revenue  
13          Center in Springfield:  
14          1. State Property Control Warehouse  
15          11th & Ash  
16          2. Illinois State Museum Research & Collections  
17          Center  
18          1011 East Ash Street  
19       q. Effingham Regional Office Building  
20          401 Industrial Drive  
21          Effingham, Illinois  
22       r. The Communications Center  
23          120 West Jefferson  
24          Springfield, Illinois  
25       s. Portions or all of the basement and  
26          ground floor of the

1 State of Illinois Building

2 160 North LaSalle

3 Chicago, Illinois 60601

4 t. 115 South LaSalle Street, Chicago, Illinois

5 may be leased or subleased to persons, firms, partnerships,  
6 associations, or individuals for terms not to exceed 15 years  
7 when in the judgment of the Director those leases or subleases  
8 will be in the best interests of the State.

9 ~~Portions or all of the commercial space, which includes~~  
10 ~~the sub basement, storage mezzanine, concourse, and ground and~~  
11 ~~second floors of the~~

12 ~~James R. Thompson Center~~

13 ~~Bounded by Lake, Clark, Randolph and LaSalle Streets~~

14 ~~Chicago, Illinois~~

15 ~~may be leased or subleased to persons, firms, partnerships,~~  
16 ~~associations, or individuals for terms not to exceed 15 years~~  
17 ~~subject to renewals when in the judgment of the Director those~~  
18 ~~leases or subleases will be in the best interests of the State.~~

19 The Director is authorized to rent portions of the above  
20 described facilities to persons, firms, partnerships,  
21 associations, or individuals for terms not to exceed 30 days  
22 when those leases or subleases will not interfere with State  
23 usage of the facility. This authority is meant to supplement  
24 and shall not in any way be interpreted to restrict the  
25 Director's ability to make portions of the State of Illinois  
26 Building ~~and the James R. Thompson Center~~ available for

1 long-term commercial leases or subleases.

2 Notwithstanding the provisions above, the Department of  
3 Children and Family Services and the Department of Human  
4 Services (as successor to the Department of Rehabilitation  
5 Services and the Department of Mental Health and Developmental  
6 Disabilities) shall determine the allocation of space for  
7 direct recipient care in their respective facilities. The  
8 Department of Central Management Services shall consult with  
9 the affected agency in the allocation and lease of surplus  
10 space in these facilities. Potential lease arrangements shall  
11 not endanger the direct recipient care responsibilities in  
12 these facilities.

13 (b) To appoint, subject to the Personnel Code, persons to  
14 be members of a police and security force. Members of the  
15 security force shall be peace officers when performing duties  
16 pursuant to this Section and as such shall have all of the  
17 powers possessed by policemen in cities and sheriffs,  
18 including the power to make arrests on view or issue citations  
19 for violations of State statutes or city or county ordinances,  
20 except that in counties of more than 1,000,000 population, any  
21 powers created by this subsection shall be exercised only (i)  
22 when necessary to protect the property, personnel, or  
23 interests of the Department or any State agency for whom the  
24 Department manages, operates, or maintains property or (ii)  
25 when specifically requested by appropriate State or local law  
26 enforcement officials, and except that within counties of

1 1,000,000 or less population, these powers shall be exercised  
2 only when necessary to protect the property, personnel, or  
3 interests of the State of Illinois and only while on property  
4 managed, operated, or maintained by the Department.

5 Nothing in this subsection shall be construed so as to  
6 make it conflict with any provisions of, or rules promulgated  
7 under, the Personnel Code.

8 (c) To charge reasonable fees for the lease, rental, use,  
9 or occupancy of State facilities managed, operated, or  
10 maintained by the Department. All moneys collected under this  
11 Section shall be deposited in a revolving fund in the State  
12 treasury known as the Facilities Management Revolving Fund.

13 (d) (Blank). ~~Provisions of this Section relating to the~~  
14 ~~James R. Thompson Center are subject to the provisions of~~  
15 ~~Section 7.4 of the State Property Control Act.~~

16 (Source: P.A. 93-19, eff. 6-20-03; 93-839, eff. 7-30-04;  
17 94-91, eff. 7-1-05.)

18 Section 10. The State Property Control Act is amended by  
19 changing Section 7.1 as follows:

20 (30 ILCS 605/7.1) (from Ch. 127, par. 133b10.1)

21 Sec. 7.1. (a) Except as otherwise provided by law, all  
22 surplus real property held by the State of Illinois shall be  
23 disposed of by the administrator as provided in this Section.  
24 "Surplus real property," as used in this Section, means any

1 real property to which the State holds fee simple title or  
2 lesser interest, and is vacant and determined by the head of  
3 the owning agency to no longer be required for the State  
4 agency's needs and responsibilities and has no foreseeable use  
5 by the owning agency. Title to the surplus real property may  
6 remain with the owning agency throughout the disposition  
7 process if approved by the Administrator; however, the  
8 Administrator and the Department of Central Management  
9 Services shall have sole responsibility and authority for  
10 disposing of the property as set out in this Section.

11 (b) All responsible officers shall submit an Annual Real  
12 Property Utilization Report to the Administrator, or annual  
13 update of such report, on forms required by the Administrator,  
14 by August ~~July~~ 31 of each year. The Administrator may require  
15 such documentation as he deems reasonably necessary in  
16 connection with this Report, and shall require that such  
17 Report include the following information:

18 (1) A legal description of all real property owned by  
19 the State under the control of the responsible officer.

20 (2) A description of the use of the real property  
21 listed under (1).

22 (3) A list of any improvements made to such real  
23 property during the previous year.

24 (4) The dates on which the State first acquired its  
25 interest in such real property, and the purchase price and  
26 source of the funds used to acquire the property.

1           (5) Plans for the future use of currently unused real  
2           property.

3           (6) A declaration of any surplus real property. On or  
4           before October 31 of each year the Administrator shall  
5           furnish copies of each responsible officer's report along  
6           with a list of surplus property indexed by legislative  
7           district to the General Assembly.

8           This report shall be filed with the Speaker, the Minority  
9           Leader and the Clerk of the House of Representatives and the  
10          President, the Minority Leader and the Secretary of the Senate  
11          and shall be duplicated and made available to the members of  
12          the General Assembly for evaluation by such members for  
13          possible liquidation of unused public property at public sale.

14          (c) Following receipt of the Annual Real Property  
15          Utilization Report required under paragraph (b), the  
16          Administrator shall notify all State agencies by October 31 of  
17          all declared surplus real property.

18          (d) Any surplus real property shall be disposed of by the  
19          Administrator. No appraisal is required if during his initial  
20          survey of surplus real property the Administrator determines  
21          such property has a fair market value of less than \$5,000. If  
22          the value of such property is determined by the Administrator  
23          in his initial survey to be \$5,000 or more, then the  
24          Administrator shall obtain 2 appraisals of such real property,  
25          which shall include known liabilities, including, but not  
26          limited to, environmental costs. The average of these 2

1 appraisals shall represent the fair market value of the  
2 surplus real property.

3 No surplus real property may be conveyed by the  
4 Administrator for less than the fair market value, unless the  
5 Administrator makes a written determination that it is in the  
6 best interests of the State to establish a different value.  
7 That written determination shall be published in the Illinois  
8 Procurement Bulletin. Such written determination, along with  
9 an affidavit setting forth the conditions and circumstances  
10 that make the use of a different value in the best interests of  
11 the State, shall also be filed with the Executive Ethics  
12 Commission. The Executive Ethics Commission shall have 30 days  
13 to review the written determination. The Executive Ethics  
14 Commission may order an additional 30 days to review the  
15 written determination. The Administrator shall provide the  
16 Executive Ethics Commission with any information requested by  
17 the Executive Ethics Commission related to the Administrator's  
18 determination of the value of the surplus real property. If  
19 the Executive Ethics Commission objects in writing to the  
20 value determined by the Administrator, then the Administrator  
21 shall not convey the surplus real property for less than  
22 either the fair market value as determined by the average of  
23 appraisals or an amount agreed upon by the Executive Ethics  
24 Commission and the Administrator. Circumstances in which it is  
25 in the best interests of the State to establish a different  
26 value may include, but are not limited to, the following: (i)

1 an auction did not yield any bids at the established fair  
2 market value; (ii) a unit of local government is interested in  
3 acquiring the surplus real property; or (iii) the costs to the  
4 State of maintaining such surplus real property are  
5 sufficiently high that it would be reasonable to a prudent  
6 person to sell such surplus real property for less than the  
7 fair market value established by the average of the  
8 appraisals. In no event shall the Administrator sell surplus  
9 real property for less than 75% of fair market value and before  
10 such property has been offered to an interested unit of local  
11 government or made available at public auction.

12 Prior to offering the surplus real property for sale to  
13 the public the Administrator shall give notice in writing of  
14 the existence of the surplus real property to each State  
15 agency and to the governing bodies of the county and of all  
16 cities, villages and incorporated towns in the county in which  
17 such real property is located. Any such State agency or  
18 governing body may notify the Administrator of its interest in  
19 acquiring the surplus real property within a notice period set  
20 by the Administrator of at least 30 days. If any State agency  
21 notifies the Administrator of its interest in acquiring the  
22 surplus property, the Administrator may deny any such requests  
23 by such agency if the Administrator determines that it is more  
24 advantageous to the State to dispose of the surplus real  
25 property to a governing body or the public. If a governing body  
26 notifies the Administrator of its interest in acquiring the

1 property, then the Administrator shall wait a minimum of 30  
2 additional days during which the Administrator may engage in  
3 negotiations with such governing body for the sale of the  
4 surplus real property. After the notice period set by the  
5 Administrator of at least 30 days has passed, the  
6 Administrator may sell the surplus real property by public  
7 auction, which may include an electronic auction or the use of  
8 sealed bids, following notice of such sale by publication on 3  
9 separate days not less than 15 nor more than 30 days prior to  
10 the sale in the State newspaper and in a newspaper having  
11 general circulation in the county in which the surplus real  
12 property is located. The Administrator shall post "For Sale"  
13 signs of a conspicuous nature on such surplus real property  
14 offered for sale to the public. If no acceptable offers for the  
15 surplus real property are received, the Administrator may have  
16 new appraisals of such property made. The Administrator shall  
17 have all power necessary to convey surplus real property under  
18 this Section. All moneys received for the sale of surplus real  
19 property shall be deposited in the General Revenue Fund,  
20 except that:

21 (1) Where moneys expended for the acquisition of such  
22 real property were from a special fund which is still a  
23 special fund in the State treasury, this special fund  
24 shall be reimbursed in the amount of the original  
25 expenditure and any amount in excess thereof shall be  
26 deposited in the General Revenue Fund.

1           (2) Whenever a State mental health facility operated  
2           by the Department of Human Services is closed and the real  
3           estate on which the facility is located is sold by the  
4           State, the net proceeds of the sale of the real estate  
5           shall be deposited into the Community Mental Health  
6           Medicaid Trust Fund.

7           (3) Whenever a State developmental disabilities  
8           facility operated by the Department of Human Services is  
9           closed and the real estate on which the facility is  
10          located is sold by the State, the net proceeds of the sale  
11          of the real estate shall be deposited into the Community  
12          Developmental Disability Services Medicaid Trust Fund.

13          The Administrator shall have authority to order such  
14          surveys, abstracts of title, or commitments for title  
15          insurance as may, in his reasonable discretion, be deemed  
16          necessary to demonstrate to prospective purchasers or bidders  
17          good and marketable title in any property offered for sale  
18          pursuant to this Section. Unless otherwise specifically  
19          authorized by the General Assembly, all conveyances of  
20          property made by the Administrator shall be by quit claim  
21          deed.

22          (e) The Administrator shall submit an annual report on or  
23          before February 1 to the Governor and the General Assembly  
24          containing a detailed statement of surplus real property  
25          either transferred or conveyed under this Section.

26          (Source: P.A. 102-280, eff. 8-6-21.)