



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2311

Introduced 2/7/2025, by Sen. Laura Ellman

SYNOPSIS AS INTRODUCED:

615 ILCS 15/5.1 new
615 ILCS 15/5.2 new
615 ILCS 15/5.3 new
615 ILCS 15/5.4 new

Amends the Flood Control Act of 1945. Requires, not later than July 1, 2026 and before the end of each successive 5-year period after that date, the Department of Natural Resources to prepare and adopt a comprehensive State flood. Provides that the State flood plan must: (1) provide for orderly preparation for and response to flood conditions to protect against the loss of life and property; (2) be a guide to State and local flood control policy; and (3) contribute to water development where possible. Provides that the Department shall adopt guidance principles for the State flood plan that reflect the public interest of the entire State. Requires the Department to: (1) designate flood planning regions corresponding to each river basin; (2) provide technical and financial assistance to the flood planning groups; and (3) adopt guidance principles for the regional flood plans, including procedures for amending adopted plans. Requires the Department to prepare and adopt a plan describing the repair and maintenance needs of flood control dams and prepare and adopt a new plan before the end of the 10th year following the adoption of a plan. Creates the State Flood Plan Implementation Advisory Committee to review the overall operation, function, and structure of the State flood plan and rules adopted by the Department to implement the State flood plan.

LRB104 07197 LNS 17234 b

1 AN ACT concerning transportation.

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

4 Section 5. The Flood Control Act of 1945 is amended by
5 adding Sections 5.1, 5.2, 5.3, and 5.4 as follows:

6 (615 ILCS 15/5.1 new)

7 Sec. 5.1. State flood plan.

8 (a) Not later than July 1, 2026, and before the end of each
9 successive 5-year period after that date, the Department of
10 Natural Resources shall prepare and adopt a comprehensive
11 State flood plan that incorporates the regional flood plans
12 approved under Section 5.2. The State flood plan must:

13 (1) provide for orderly preparation for and response
14 to flood conditions to protect against the loss of life
15 and property;

16 (2) be a guide to State and local flood control
17 policy; and

18 (3) contribute to water development where possible.

19 (b) The State flood plan must include:

20 (1) an evaluation of the condition and adequacy of
21 flood control infrastructure on a regional basis;

22 (2) a statewide, ranked list of ongoing and proposed
23 flood control and mitigation projects and strategies

1 necessary to protect against the loss of life and property
2 from flooding and a discussion of how those projects and
3 strategies might further water development, where
4 applicable;

5 (3) an analysis of completed, ongoing, and proposed
6 flood control projects included in previous State flood
7 plans, including which projects received funding;

8 (4) an analysis of development in the 100-year
9 floodplain areas as defined by the federal Emergency
10 Management Agency; and

11 (5) legislative recommendations the Department of
12 Natural Resources considers necessary to facilitate flood
13 control planning and project construction.

14 (c) The Department of Natural Resources, in coordination
15 with the Department of Agriculture and the Illinois Emergency
16 Management Agency and Office of Homeland Security, shall adopt
17 guidance principles for the State flood plan that reflect the
18 public interest of the entire State. The Department of Natural
19 Resources shall review and revise the guidance principles,
20 with input from the Department of Agriculture and the Illinois
21 Emergency Management Agency and Office of Homeland Security,
22 as necessary and at least every fifth year to coincide with the
23 5-year cycle for adoption of a new State flood plan.

24 (d) On adoption of a State flood plan, the Department of
25 Natural Resources shall deliver the plan to the Governor and
26 the General Assembly.

1 (e) Not later than July 1, 2026, the Department of Natural
2 Resources shall adopt guidance principles for the regional
3 flood plans and designate flood planning regions corresponding
4 to each river basin.

5 (615 ILCS 15/5.2 new)

6 Sec. 5.2. Regional flood planning.

7 (a) The Department of Natural Resources shall:

8 (1) designate flood planning regions corresponding to
9 each river basin;

10 (2) provide technical and financial assistance to the
11 flood planning groups; and

12 (3) adopt guidance principles for the regional flood
13 plans, including procedures for amending adopted plans.

14 (b) In designating flood planning regions, the Department
15 of Natural Resources may divide river basins to avoid having
16 an impracticably large area for efficient planning in a flood
17 planning region.

18 (c) The Department of Natural Resources shall designate
19 representatives from each flood planning region to serve as
20 the initial flood planning group. The initial flood planning
21 group may then designate additional representatives to serve
22 on the flood planning group. The initial flood planning group
23 shall designate additional representatives if necessary to
24 ensure adequate representation from the interests in its
25 region, including the public, counties, municipalities,

1 industries, agricultural interests, environmental interests,
2 small businesses, electric generating utilities, river
3 authorities, water districts, and water utilities. The flood
4 planning group shall maintain adequate representation from
5 those interests. In addition, the Department of Natural
6 Resources, the Department of Agriculture, and the Illinois
7 Emergency Management Agency and Office of Homeland Security
8 each shall appoint a representative to serve as an ex officio
9 member of each flood planning group.

10 (d) Each regional flood planning group shall hold public
11 meetings as provided by Department of Natural Resources rule
12 to gather from interested persons, including members of the
13 public and other political subdivisions located in that
14 county, suggestions and recommendations as to issues,
15 provisions, projects, and strategies that should be considered
16 for inclusion in a regional flood plan.

17 (e) Each flood planning group shall consider the
18 information collected under subsection (d) in creating a
19 regional flood plan. A regional flood plan must:

20 (1) use information based on scientific data and
21 updated mapping; and

22 (2) include:

23 (A) a general description of the condition and
24 functionality of flood control infrastructure in the
25 flood planning region;

26 (B) flood control projects under construction or

1 in the planning stage;

2 (C) information on land use changes and population
3 growth in the flood planning region;

4 (D) an identification of the areas in the flood
5 planning region that are prone to flood and flood
6 control solutions for those areas; and

7 (E) an indication of whether a particular flood
8 control solution:

9 (i) meets an emergency need;

10 (ii) uses federal money as a funding
11 component; and

12 (iii) may also serve as a water supply source.

13 (f) After a flood planning group prepares a regional flood
14 plan, the group shall hold at least one public meeting in a
15 central location in the flood planning region to accept
16 comments on the regional flood plan. The flood planning group
17 shall:

18 (1) cooperate with the Department of Natural Resources
19 to determine what method of providing notice for the
20 public meeting is most accessible to persons in the flood
21 planning region; and

22 (2) publish, post, or otherwise disseminate notice of
23 the public meeting according to the method described by
24 paragraph (1).

25 (g) The notice published, posted, or otherwise
26 disseminated under subsection (f) must contain:

1 (1) the date, time, and location of the public meeting
2 or hearing;

3 (2) a summary of the regional flood plan;

4 (3) the name, telephone number, and address of a
5 person to whom questions or requests for additional
6 information may be submitted; and

7 (4) information on how the public may submit comments.

8 (h) After consideration of the comments received at the
9 public meeting, the flood planning group shall adopt the
10 regional flood plan and submit the adopted regional flood plan
11 to the Department of Natural Resources. The Department of
12 Natural Resources shall make a determination whether the
13 regional flood plan:

14 (1) satisfies the requirements for regional flood
15 plans adopted in the guidance principles described by
16 subsection (a);

17 (2) adequately provides for the preservation of life
18 and property and the development of water supply sources,
19 where applicable; and

20 (3) affects a neighboring area.

21 (i) If the Department of Natural Resources makes a
22 determination that an element of a regional flood plan
23 negatively affects a neighboring area, the Department of
24 Natural Resources must coordinate with the affected area to
25 adjust the plan to ensure that no neighboring area is
26 negatively affected by the plan.

1 (j) The Department of Natural Resources shall approve a
2 regional flood plan when it:

3 (1) satisfies the requirements of paragraphs (1) and
4 (2) of subsection (h); and

5 (2) does not negatively affect a neighboring area.

6 (k) A flood planning group may amend a regional flood plan
7 after the plan has been approved by the Department of Natural
8 Resources according to rules adopted by the Department of
9 Natural Resources.

10 (l) Not later than July 1, 2027, each flood planning group
11 shall submit a regional flood plan to the Department of
12 Natural Resources for the group's flood planning region.

13 (615 ILCS 15/5.3 new)

14 Sec. 5.3. Ten-year dam repair and maintenance plan;
15 reports.

16 (a) In this Section, "plan" means the 10-year dam repair,
17 rehabilitation, and maintenance plan adopted under this
18 Section.

19 (b) The Department of Natural Resources shall prepare and
20 adopt a plan describing the repair and maintenance needs of
21 flood control dams and prepare and adopt a new plan before the
22 end of the 10th year following the adoption of a plan.

23 (c) The Department of Natural Resources shall prepare a
24 report of the repair and maintenance needs of all dams that:

25 (1) are not licensed by the federal Energy Regulatory

1 Commission;

2 (2) do not have flood storage;

3 (3) are required to pass floodwaters; and

4 (4) have failed.

5 (d) Each year, the Department of Natural Resources shall
6 deliver to the General Assembly a report regarding progress
7 made on items listed in the plan. If an update to the report or
8 plan is necessary before the yearly report or before the end of
9 the 10-year cycle, the Department of Natural Resources must
10 deliver to the General Assembly an amended report or plan.

11 (615 ILCS 15/5.4 new)

12 Sec. 5.4. State Flood Plan Implementation Advisory
13 Committee.

14 (a) The State Flood Plan Implementation Advisory Committee
15 is composed of the following members:

16 (1) one member of the Senate, appointed by the Senate
17 President;

18 (2) one member of the Senate, appointed by the
19 Minority Leader of the Senate;

20 (3) one member of the House of Representatives,
21 appointed by the Speaker of the House;

22 (4) one member of the House of Representatives,
23 appointed by the Minority Leader of the House;

24 (5) a representative of the Illinois Emergency
25 Management Agency and Office of Homeland Security, chosen

1 by the Illinois Emergency Management Agency and Office of
2 Homeland Security; and

3 (6) a representative of the Department of Natural
4 Resources, chosen by the Department of Natural Resources.

5 (b) The member of the Senate appointed by the Senate
6 President and the member of the House of Representatives
7 appointed by the Speaker of the House shall serve as the
8 co-chairs of the State Flood Plan Implementation Advisory
9 Committee.

10 (c) The State Flood Plan Implementation Advisory Committee
11 may hold public hearings, formal meetings, or work sessions.
12 The State Flood Plan Implementation Advisory Committee may not
13 take formal action at a public hearing, formal meeting, or
14 work session unless a quorum of the State Flood Plan
15 Implementation Advisory Committee is present.

16 (d) Except as otherwise provided by this subsection, a
17 member of the State Flood Plan Implementation Advisory
18 Committee is not entitled to receive compensation for service
19 on the State Flood Plan Implementation Advisory Committee or
20 reimbursement for expenses incurred in the performance of
21 official duties as a member of the State Flood Plan
22 Implementation Advisory Committee. Service on the State Flood
23 Plan Implementation Advisory Committee by a member of the
24 Senate or House of Representatives is considered legislative
25 service for which the member is entitled to reimbursement and
26 other benefits in the same manner and to the same extent as for

1 other legislative service.

2 (e) The State Flood Plan Implementation Advisory Committee
3 shall review the overall operation, function, and structure of
4 the State flood plan and rules adopted by the Department of
5 Natural Resources to implement the State flood plan at least
6 semiannually and may provide comments and recommendations to
7 the Department of Natural Resources on any matter.

8 (f) The State Flood Plan Implementation Advisory Committee
9 may adopt rules, procedures, and policies as needed to
10 administer this Section and implement its responsibilities.

11 (g) The State Flood Plan Implementation Advisory Committee
12 shall make recommendations to the Department of Natural
13 Resources regarding information to be posted on the Department
14 of Natural Resources' website.