



Rep. Marcus C. Evans, Jr.

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1 AMENDMENT TO SENATE BILL 2466

2 AMENDMENT NO. _____. Amend Senate Bill 2466 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Open Space Lands Acquisition and
5 Development Act is amended by changing Sections 2, 3, 5, 6, and
6 9 as follows:

7 (525 ILCS 35/2) (from Ch. 85, par. 2102)

8 Sec. 2. Definitions. As used in this Act:

9 "Applicant" means a local government that files an
10 application for a grant under this Act.

11 "Complete application" means an application that has all
12 of the required documentation and is submitted within the
13 notice of funding opportunity application period.

14 "Department" means the Department of Natural Resources.

15 "Director" means the Director of Natural Resources.

16 "Distressed community" means an eligible local government,

1 as determined by the Department, that meets at least one of the
2 following criteria, as determined by the Department:

3 (1) the area has a poverty rate of at least 20%
4 according to the latest American Community Survey from the
5 United States Census Bureau;

6 (2) 75% or more of the children in the area
7 participate in the national school lunch program according
8 to reported statistics from the State Board of Education;

9 (3) at least 20% of the households in the area receive
10 assistance under the Supplemental Nutrition Assistance
11 Program; or

12 (4) the area has an average unemployment rate, as
13 determined by the Department of Employment Security, that
14 is more than 120% of the national unemployment average, as
15 determined by the United States Department of Labor, for a
16 period of at least 2 consecutive calendar years preceding
17 the date of the application.

18 If any one or more of the criteria listed in paragraphs
19 (1), (2), (3), or (4) of this definition have not been
20 published within 3 years of an application that is made under
21 this Act, then any of the criteria that is over 3 years old
22 shall not be used by the Department in determining if a local
23 government is a distressed community.

24 "Distressed location" means a census tract or comparable
25 geographic area, as determined by the Department, that meets
26 at least one of the following criteria, as determined by the

1 Department:

2 (1) the area has a poverty rate of at least 20%
3 according to the latest American Community Survey from the
4 United States Census Bureau;

5 (2) 75% or more of the children in the area
6 participate in the national school lunch program according
7 to reported statistics from the State Board of Education;

8 (3) at least 20% of the households in the area receive
9 assistance under the Supplemental Nutrition Assistance
10 Program; or

11 (4) the area has an average unemployment rate, as
12 determined by the Department of Employment Security, that
13 is more than 120% of the national unemployment average, as
14 determined by the United States Department of Labor, for a
15 period of at least 2 consecutive calendar years preceding
16 the date of the application.

17 If any one or more of the criteria listed in paragraphs
18 (1), (2), (3), or (4) of this definition have not been
19 published within 3 years of an application that is made under
20 this Act, then any of the criteria that is over 3 years old
21 shall not be used by the Department in determining if a
22 location is a distressed location.

23 "Local government" means a county, township, municipality,
24 park district, conservation district, forest preserve
25 district, river conservancy district, or any other unit of
26 local government empowered to expend public funds for the

1 acquisition and development of land for public outdoor parks
2 or recreation or conservation purposes.

3 "Notice of funding opportunity" means the notice provided
4 to the public that is required under the Grant Accountability
5 and Transparency Act, which provides detailed instructions on
6 how much funding is expected to be available, who can apply for
7 the funding, how to apply for the funding, the notice of
8 funding opportunity application period, and how the
9 applications will be scored.

10 "Notice of funding opportunity application period" means
11 the period during which applications for grants issued under
12 this Act must be submitted to the Department.

13 "Project" means a proposal for the acquisition of open
14 space lands or for the capital development of park,
15 recreation, or conservation areas by a local government.

16 ~~As used in this Act, unless the context otherwise requires,~~
17 ~~the terms defined in the Sections following this Section and~~
18 ~~preceding Section 3 have the meanings ascribed to them in~~
19 ~~those Sections.~~

20 (Source: P.A. 97-333, eff. 8-12-11.)

21 (525 ILCS 35/3) (from Ch. 85, par. 2103)

22 Sec. 3. Grants to local governments.

23 (a) From appropriations made from the Capital Development
24 Fund, Build Illinois Bond Fund or other available or
25 designated funds for such purposes, the Department shall make

1 grants to local governments as financial assistance for the
2 capital development and improvement of park, recreation or
3 conservation areas, marinas and shorelines, including planning
4 and engineering costs, and for the acquisition of open space
5 lands, including acquisition of easements and other property
6 interests less than fee simple ownership if the Department
7 determines that such property interests are sufficient to
8 carry out the purposes of this Act, subject to the conditions
9 and limitations set forth in this Act.

10 (b) No more than 10% of the amount so appropriated for any
11 fiscal year may be committed or expended on any one project
12 described in an application under this Act.

13 (c) Except as otherwise provided in subsection (d) for
14 ~~grants awarded from new appropriations in fiscal years 2023~~
15 ~~through fiscal year 2025~~, any grant under this Act to a unit of
16 local government shall be conditioned upon the state providing
17 assistance on a 50/50 matching basis for the acquisition of
18 open space lands and for capital development and improvement
19 proposals.

20 (d) (1) A distressed location project located within a
21 distressed community shall be eligible, as determined by the
22 Department, for assistance of up to 100% for the acquisition
23 of open space lands and for capital development and
24 improvement proposals that are in conformity with the purposes
25 of this Act.

26 (2) A project located within a distressed community,

1 regardless of whether the project is located within a
2 distressed location, However, a local government defined as
3 "distressed" under criteria adopted by the Department through
4 administrative rule shall be eligible, as determined by the
5 Department, for assistance of up to 90% for the acquisition of
6 open space lands and for capital development and improvement
7 proposals that are in conformity with the purposes of this Act
8 as determined by the Department. , provided that

9 (3) A distressed location project that is not located in a
10 distressed community shall be eligible, as determined by the
11 Department, for assistance of up to 75% for the acquisition of
12 open space lands and for capital development and improvement
13 proposals that are in conformity with the purposes of this
14 Act.

15 (e) No ~~no~~ more than 10% of the amount appropriated under
16 this Act in any fiscal year shall be ~~is~~ made available as
17 grants to distressed communities under paragraph (1) of
18 subsection (d). No more than 30% of the amount appropriated
19 under this Act in any fiscal year shall be made available as
20 grants to distressed communities under paragraph (2) of
21 subsection (d). No more than 10% of the amount appropriated
22 under this Act in any fiscal year shall be made available as
23 grants to communities where the distressed location project is
24 not located in a distressed community under paragraph (3) of
25 subsection (d). local governments. For grants awarded from new
26 appropriations in fiscal years 2023 through fiscal year 2025

1 ~~only, a local government defined as "distressed" is eligible~~
2 ~~for assistance up to 100% for the acquisition of open space~~
3 ~~lands and for capital development and improvement proposals.~~
4 ~~The Department may make more than 10% of the amount~~
5 ~~appropriated in fiscal years 2023 through fiscal year 2025~~
6 ~~available as grants to distressed local governments.~~

7 (f) To be awarded a grant under this Section, a grant
8 applicant must submit a complete application and comply with
9 the requirements of the notice of funding opportunity.

10 (g) An advance payment of a minimum of 50% of any grant
11 made to a unit of local government under this Act must be paid
12 to the unit of local government at the time the Department
13 awards the grant. A unit of local government may opt out of the
14 advanced payment option at the time of the award of the grant.
15 The remainder of the grant shall be distributed to the local
16 government quarterly on a reimbursement basis. The Department
17 shall consider an applicant's request for an extension to a
18 grant under this Act if (i) the advanced payment is expended or
19 legally obligated within the 2 years required by Section 5 of
20 the Illinois Grant Funds Recovery Act or (ii) no advanced
21 payment was made.

22 (Source: P.A. 102-200, eff. 7-30-21; 102-699, eff. 4-19-22;
23 103-8, eff. 6-7-23; 103-588, eff. 6-5-24.)

24 (525 ILCS 35/5) (from Ch. 85, par. 2105)

25 Sec. 5. Prioritization of projects. In considering

1 applications for grants under this Act, the Department shall
2 give priority to projects that: ~~which will~~

3 (1) will provide the greatest benefit to the residents
4 of the areas of the State which have the highest
5 concentration or density of population; ~~7~~

6 (2) ~~which~~ are based upon criteria established by the
7 Department that ~~which~~ reflect outdoor recreation needs and
8 priorities identified through the Statewide Comprehensive
9 Outdoor Recreation Plan (SCORP) Program carried out by the
10 Department; ~~7~~ ~~or~~

11 (3) are located in distressed locations and distressed
12 communities; or

13 (4) ~~which~~ are located in flood plain areas.

14 The total amount of grants made for any fiscal year may not
15 exceed the amount of the appropriation for grants made for
16 that fiscal year.

17 (Source: P.A. 84-109.)

18 (525 ILCS 35/6) (from Ch. 85, par. 2106)

19 Sec. 6. Consideration of grant applications. The
20 Department shall consider all applications for grants for a
21 fiscal year before awarding any grants for that year. No
22 consideration shall be given for that fiscal year to an
23 application that has not been timely filed. If an application
24 does not describe a project that is compatible with the
25 purposes of this Act, the Department shall deny that

1 application. The Department shall evaluate those applications
2 that have been timely filed and have been approved as being
3 compatible with the purposes of this Act and, subject to the
4 limits established by Section 3, list in order of priority the
5 applicant, project and dollar amount of each grant recommended
6 to be awarded. The Department shall also indicate on the
7 priority listing of approved projects the last grant that
8 ~~which~~ may be paid during that fiscal year because of the limit
9 of moneys appropriated for grants for that fiscal year.

10 (Source: P.A. 84-109.)

11 (525 ILCS 35/9) (from Ch. 85, par. 2109)

12 Sec. 9. Rulemaking. The Department shall adopt ~~promulgate~~
13 rules and regulations to effectuate the purposes of this Act.

14 (Source: P.A. 84-109.)

15 (525 ILCS 35/2.01 rep.)

16 (525 ILCS 35/2.02 rep.)

17 (525 ILCS 35/2.03 rep.)

18 (525 ILCS 35/2.04 rep.)

19 (525 ILCS 35/2.05 rep.)

20 (525 ILCS 35/11.1 rep.)

21 Section 15. The Open Space Lands Acquisition and
22 Development Act is amended by repealing Sections 2.01, 2.02,
23 2.03, 2.04, 2.05, and 11.1."