

1 AN ACT concerning finance.

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

4 Section 5. The Eastern Illinois Economic Development
5 Authority Act is amended by changing Section 35 as follows:

6 (70 ILCS 506/35)

7 Sec. 35. Bonds.

8 (a) The Authority, with the written approval of the
9 Governor, shall have the continuing power to issue bonds,
10 notes, or other evidences of indebtedness in an aggregate
11 amount outstanding not to exceed \$500,000,000 ~~\$250,000,000~~ for
12 the following purposes: (i) development, construction,
13 acquisition, or improvement of projects, including those
14 established by business entities locating or expanding
15 property within the territorial jurisdiction of the Authority;
16 (ii) entering into venture capital agreements with businesses
17 locating or expanding within the territorial jurisdiction of
18 the Authority; (iii) acquisition and improvement of any
19 property necessary and useful in connection therewith; and (iv)
20 for the purposes of the Employee Ownership Assistance Act. For
21 the purpose of evidencing the obligations of the Authority to
22 repay any money borrowed, the Authority may, pursuant to
23 resolution, from time to time, issue and dispose of its

1 interest-bearing revenue bonds, notes, or other evidences of
2 indebtedness and may also from time to time issue and dispose
3 of such bonds, notes, or other evidences of indebtedness to
4 refund, at maturity, at a redemption date or in advance of
5 either, any bonds, notes, or other evidences of indebtedness
6 pursuant to redemption provisions or at any time before
7 maturity. All such bonds, notes, or other evidences of
8 indebtedness shall be payable solely and only from the revenues
9 or income to be derived from loans made with respect to
10 projects, from the leasing or sale of the projects, or from any
11 other funds available to the Authority for such purposes. The
12 bonds, notes, or other evidences of indebtedness may bear such
13 date or dates, may mature at such time or times not exceeding
14 40 years from their respective dates, may bear interest at such
15 rate or rates not exceeding the maximum rate permitted by the
16 Bond Authorization Act, may be in such form, may carry such
17 registration privileges, may be executed in such manner, may be
18 payable at such place or places, may be made subject to
19 redemption in such manner and upon such terms, with or without
20 premium, as is stated on the face thereof, may be authenticated
21 in such manner and may contain such terms and covenants as may
22 be provided by an applicable resolution.

23 (b) The holder or holders of any bonds, notes, or other
24 evidences of indebtedness issued by the Authority may bring
25 suits at law or proceedings in equity to compel the performance
26 and observance by any corporation or person or by the Authority

1 or any of its agents or employees of any contract or covenant
2 made with the holders of the bonds, notes, or other evidences
3 of indebtedness, to compel such corporation, person, the
4 Authority, and any of its agents or employees to perform any
5 duties required to be performed for the benefit of the holders
6 of the bonds, notes, or other evidences of indebtedness by the
7 provision of the resolution authorizing their issuance and to
8 enjoin the corporation, person, the Authority, and any of its
9 agents or employees from taking any action in conflict with any
10 contract or covenant.

11 (c) If the Authority fails to pay the principal of or
12 interest on any of the bonds or premium, if any, as the bond
13 becomes due, a civil action to compel payment may be instituted
14 in the appropriate circuit court by the holder or holders of
15 the bonds on which the default of payment exists or by an
16 indenture trustee acting on behalf of the holders. Delivery of
17 a summons and a copy of the complaint to the chairman of the
18 Board shall constitute sufficient service to give the circuit
19 court jurisdiction over the subject matter of the suit and
20 jurisdiction over the Authority and its officers named as
21 defendants for the purpose of compelling such payment. Any
22 case, controversy, or cause of action concerning the validity
23 of this Act relates to the revenue of the State of Illinois.

24 (d) Notwithstanding the form and tenor of any bond, note,
25 or other evidence of indebtedness and in the absence of any
26 express recital on its face that it is non-negotiable, all such

1 bonds, notes, and other evidences of indebtedness shall be
2 negotiable instruments. Pending the preparation and execution
3 of any bonds, notes, or other evidences of indebtedness,
4 temporary bonds, notes, or evidences of indebtedness may be
5 issued as provided by ordinance.

6 (e) To secure the payment of any or all of such bonds,
7 notes, or other evidences of indebtedness, the revenues to be
8 received by the Authority from a lease agreement or loan
9 agreement shall be pledged, and, for the purpose of setting
10 forth the covenants and undertakings of the Authority in
11 connection with the issuance of the bonds, notes, or other
12 evidences of indebtedness and the issuance of any additional
13 bonds, notes or other evidences of indebtedness payable from
14 such revenues, income, or other funds to be derived from
15 projects, the Authority may execute and deliver a mortgage or
16 trust agreement. A remedy for any breach or default of the
17 terms of any mortgage or trust agreement by the Authority may
18 be by mandamus proceeding in the appropriate circuit court to
19 compel performance and compliance under the terms of the
20 mortgage or trust agreement, but the trust agreement may
21 prescribe by whom or on whose behalf the action may be
22 instituted.

23 (f) Bonds or notes shall be secured as provided in the
24 authorizing ordinance which may include, notwithstanding any
25 other provision of this Act, in addition to any other security,
26 a specific pledge, assignment of and lien on, or security

1 interest in any or all revenues or money of the Authority, from
2 whatever source, which may, by law, be used for debt service
3 purposes and a specific pledge, or assignment of and lien on,
4 or security interest in any funds or accounts established or
5 provided for by ordinance of the Authority authorizing the
6 issuance of the bonds or notes.

7 (g) The State of Illinois pledges to and agrees with the
8 holders of the bonds and notes of the Authority issued pursuant
9 to this Section 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 the
12 holders of bonds or notes or in any way impair the rights and
13 remedies of those holders until the bonds and notes, together
14 with interest thereon, with interest on any unpaid installments
15 of interest, and all costs and expenses in connection with any
16 action or proceedings by or on behalf of the holders, are fully
17 met and discharged. In addition, the State pledges to and
18 agrees with the holders of the bonds and notes of the Authority
19 issued pursuant to this Section that the State will not limit
20 or alter the basis on which State funds are to be paid to the
21 Authority as provided in this Act, or the use of such funds, so
22 as to impair the terms of any such contract. The Authority is
23 authorized to include these pledges and agreements of the State
24 in any contract with the holders of bonds or notes issued
25 pursuant to this Section.

26 (h) (Blank).

1 (Source: P.A. 98-750, eff. 1-1-15.)

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