



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2639

Introduced 2/19/2021, by Rep. Kambium Buckner

SYNOPSIS AS INTRODUCED:

70 ILCS 210/5
70 ILCS 210/18

from Ch. 85, par. 1225
from Ch. 85, par. 1238

Amends the Metropolitan Pier and Exposition Authority Act. In provisions regarding the Metropolitan Pier and Exposition Authority's Chief Executive Officer's requirement to certify to the State Comptroller and the State Treasurer the amounts of incentive grant funds used during the current fiscal year, provides that, during the years 2022 through 2024, the certification shall demonstrate registered attendance in excess of 3,000 individuals or in excess of 5,000 individuals, as appropriate, rather than registered attendance in excess of 5,000 individuals or in excess of 10,000 individuals, as appropriate. Provides that, on July 15, 2022 and each July 15 thereafter through July 15, 2026, the Comptroller shall order transferred, and the Treasurer shall transfer, into the Metropolitan Pier and Exposition Authority Incentive Fund from the General Revenue Fund an amount equal to the incentive grant funds certified by the Chief Executive Officer as having been lawfully paid under the provisions of the Section in the previous fiscal year that have not otherwise been transferred into the Metropolitan Pier and Exposition Authority Incentive Fund, except that transfers in excess of \$15,000,000 shall not be made in any fiscal year. Makes other changes. Effective immediately.

LRB102 14737 AWJ 20090 b

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 Metropolitan Pier and Exposition Authority
5 Act is amended by changing Sections 5 and 18 as follows:

6 (70 ILCS 210/5) (from Ch. 85, par. 1225)

7 Sec. 5. The Metropolitan Pier and Exposition Authority
8 shall also have the following rights and powers:

9 (a) To accept from Chicago Park Fair, a corporation,
10 an assignment of whatever sums of money it may have
11 received from the Fair and Exposition Fund, allocated by
12 the Department of Agriculture of the State of Illinois,
13 and Chicago Park Fair is hereby authorized to assign, set
14 over and transfer any of those funds to the Metropolitan
15 Pier and Exposition Authority. The Authority has the right
16 and power hereafter to receive sums as may be distributed
17 to it by the Department of Agriculture of the State of
18 Illinois from the Fair and Exposition Fund pursuant to the
19 provisions of Sections 5, 6i, and 28 of the State Finance
20 Act. All sums received by the Authority shall be held in
21 the sole custody of the secretary-treasurer of the
22 Metropolitan Pier and Exposition Board.

23 (b) To accept the assignment of, assume and execute

1 any contracts heretofore entered into by Chicago Park
2 Fair.

3 (c) To acquire, own, construct, equip, lease, operate
4 and maintain grounds, buildings and facilities to carry
5 out its corporate purposes and duties, and to carry out or
6 otherwise provide for the recreational, cultural,
7 commercial or residential development of Navy Pier, and to
8 fix and collect just, reasonable and nondiscriminatory
9 charges for the use thereof. The charges so collected
10 shall be made available to defray the reasonable expenses
11 of the Authority and to pay the principal of and the
12 interest upon any revenue bonds issued by the Authority.
13 The Authority shall be subject to and comply with the Lake
14 Michigan and Chicago Lakefront Protection Ordinance, the
15 Chicago Building Code, the Chicago Zoning Ordinance, and
16 all ordinances and regulations of the City of Chicago
17 contained in the following Titles of the Municipal Code of
18 Chicago: Businesses, Occupations and Consumer Protection;
19 Health and Safety; Fire Prevention; Public Peace, Morals
20 and Welfare; Utilities and Environmental Protection;
21 Streets, Public Ways, Parks, Airports and Harbors;
22 Electrical Equipment and Installation; Housing and
23 Economic Development (only Chapter 5-4 thereof); and
24 Revenue and Finance (only so far as such Title pertains to
25 the Authority's duty to collect taxes on behalf of the
26 City of Chicago).

1 (d) To enter into contracts treating in any manner
2 with the objects and purposes of this Act.

3 (e) To lease any buildings to the Adjutant General of
4 the State of Illinois for the use of the Illinois National
5 Guard or the Illinois Naval Militia.

6 (f) To exercise the right of eminent domain by
7 condemnation proceedings in the manner provided by the
8 Eminent Domain Act, including, with respect to Site B
9 only, the authority to exercise quick take condemnation by
10 immediate vesting of title under Article 20 of the Eminent
11 Domain Act, to acquire any privately owned real or
12 personal property and, with respect to Site B only, public
13 property used for rail transportation purposes (but no
14 such taking of such public property shall, in the
15 reasonable judgment of the owner, interfere with such rail
16 transportation) for the lawful purposes of the Authority
17 in Site A, at Navy Pier, and at Site B. Just compensation
18 for property taken or acquired under this paragraph shall
19 be paid in money or, notwithstanding any other provision
20 of this Act and with the agreement of the owner of the
21 property to be taken or acquired, the Authority may convey
22 substitute property or interests in property or enter into
23 agreements with the property owner, including leases,
24 licenses, or concessions, with respect to any property
25 owned by the Authority, or may provide for other lawful
26 forms of just compensation to the owner. Any property

1 acquired in condemnation proceedings shall be used only as
2 provided in this Act. Except as otherwise provided by law,
3 the City of Chicago shall have a right of first refusal
4 prior to any sale of any such property by the Authority to
5 a third party other than substitute property. The
6 Authority shall develop and implement a relocation plan
7 for businesses displaced as a result of the Authority's
8 acquisition of property. The relocation plan shall be
9 substantially similar to provisions of the Uniform
10 Relocation Assistance and Real Property Acquisition Act
11 and regulations promulgated under that Act relating to
12 assistance to displaced businesses. To implement the
13 relocation plan the Authority may acquire property by
14 purchase or gift or may exercise the powers authorized in
15 this subsection (f), except the immediate vesting of title
16 under Article 20 of the Eminent Domain Act, to acquire
17 substitute private property within one mile of Site B for
18 the benefit of displaced businesses located on property
19 being acquired by the Authority. However, no such
20 substitute property may be acquired by the Authority
21 unless the mayor of the municipality in which the property
22 is located certifies in writing that the acquisition is
23 consistent with the municipality's land use and economic
24 development policies and goals. The acquisition of
25 substitute property is declared to be for public use. In
26 exercising the powers authorized in this subsection (f),

1 the Authority shall use its best efforts to relocate
2 businesses within the area of McCormick Place or, failing
3 that, within the City of Chicago.

4 (g) To enter into contracts relating to construction
5 projects which provide for the delivery by the contractor
6 of a completed project, structure, improvement, or
7 specific portion thereof, for a fixed maximum price, which
8 contract may provide that the delivery of the project,
9 structure, improvement, or specific portion thereof, for
10 the fixed maximum price is insured or guaranteed by a
11 third party capable of completing the construction.

12 (h) To enter into agreements with any person with
13 respect to the use and occupancy of the grounds,
14 buildings, and facilities of the Authority, including
15 concession, license, and lease agreements on terms and
16 conditions as the Authority determines. Notwithstanding
17 Section 24, agreements with respect to the use and
18 occupancy of the grounds, buildings, and facilities of the
19 Authority for a term of more than one year shall be entered
20 into in accordance with the procurement process provided
21 for in Section 25.1.

22 (i) To enter into agreements with any person with
23 respect to the operation and management of the grounds,
24 buildings, and facilities of the Authority or the
25 provision of goods and services on terms and conditions as
26 the Authority determines.

1 (j) After conducting the procurement process provided
2 for in Section 25.1, to enter into one or more contracts to
3 provide for the design and construction of all or part of
4 the Authority's Expansion Project grounds, buildings, and
5 facilities. Any contract for design and construction of
6 the Expansion Project shall be in the form authorized by
7 subsection (g), shall be for a fixed maximum price not in
8 excess of the funds that are authorized to be made
9 available for those purposes during the term of the
10 contract, and shall be entered into before commencement of
11 construction.

12 (k) To enter into agreements, including project
13 agreements with labor unions, that the Authority deems
14 necessary to complete the Expansion Project or any other
15 construction or improvement project in the most timely and
16 efficient manner and without strikes, picketing, or other
17 actions that might cause disruption or delay and thereby
18 add to the cost of the project.

19 (l) To provide incentives to organizations and
20 entities that agree to make use of the grounds, buildings,
21 and facilities of the Authority for conventions, meetings,
22 or trade shows. The incentives may take the form of
23 discounts from regular fees charged by the Authority,
24 subsidies for or assumption of the costs incurred with
25 respect to the convention, meeting, or trade show, or
26 other inducements. The Authority shall award incentives to

1 attract or retain large conventions, meetings, and trade
2 shows to its facilities under the terms set forth in this
3 subsection (1) from amounts appropriated to the Authority
4 from the Metropolitan Pier and Exposition Authority
5 Incentive Fund for this purpose.

6 No later than May 15 of each year, the Chief Executive
7 Officer of the Metropolitan Pier and Exposition Authority
8 shall certify to the State Comptroller and the State
9 Treasurer the amounts of incentive grant funds used during
10 the current fiscal year to provide incentives for
11 conventions, meetings, or trade shows that (i) have been
12 approved by the Authority, in consultation with an
13 organization meeting the qualifications set out in Section
14 5.6 of this Act, provided the Authority has entered into a
15 marketing agreement with such an organization, (ii)
16 demonstrate registered attendance in excess of 5,000
17 individuals or in excess of 10,000 individuals, as
18 appropriate, and (iii) but for the incentive, would not
19 have used the facilities of the Authority for the
20 convention, meeting, or trade show; except that, for years
21 2022 through 2024, the certification shall demonstrate
22 registered attendance in excess of 3,000 individuals or in
23 excess of 5,000 individuals, as appropriate, rather than
24 registered attendance in excess of 5,000 individuals or in
25 excess of 10,000 individuals, as appropriate. The State
26 Comptroller may request that the Auditor General conduct

1 an audit of the accuracy of the certification. If the
2 State Comptroller determines by this process of
3 certification that incentive funds, in whole or in part,
4 were disbursed by the Authority by means other than in
5 accordance with the standards of this subsection (1), then
6 any amount transferred to the Metropolitan Pier and
7 Exposition Authority Incentive Fund shall be reduced
8 during the next subsequent transfer in direct proportion
9 to that amount determined to be in violation of the terms
10 set forth in this subsection (1).

11 On July 15, 2012, the Comptroller shall order
12 transferred, and the Treasurer shall transfer, into the
13 Metropolitan Pier and Exposition Authority Incentive Fund
14 from the General Revenue Fund the sum of \$7,500,000 plus
15 an amount equal to the incentive grant funds certified by
16 the Chief Executive Officer as having been lawfully paid
17 under the provisions of this Section in the previous 2
18 fiscal years that have not otherwise been transferred into
19 the Metropolitan Pier and Exposition Authority Incentive
20 Fund, provided that transfers in excess of \$15,000,000
21 shall not be made in any fiscal year.

22 On July 15, 2013, the Comptroller shall order
23 transferred, and the Treasurer shall transfer, into the
24 Metropolitan Pier and Exposition Authority Incentive Fund
25 from the General Revenue Fund the sum of \$7,500,000 plus
26 an amount equal to the incentive grant funds certified by

1 the Chief Executive Officer as having been lawfully paid
2 under the provisions of this Section in the previous
3 fiscal year that have not otherwise been transferred into
4 the Metropolitan Pier and Exposition Authority Incentive
5 Fund, provided that transfers in excess of \$15,000,000
6 shall not be made in any fiscal year.

7 On July 15, 2014, and every year thereafter through
8 July 15, 2017, the Comptroller shall order transferred,
9 and the Treasurer shall transfer, into the Metropolitan
10 Pier and Exposition Authority Incentive Fund from the
11 General Revenue Fund an amount equal to the incentive
12 grant funds certified by the Chief Executive Officer as
13 having been lawfully paid under the provisions of this
14 Section in the previous fiscal year that have not
15 otherwise been transferred into the Metropolitan Pier and
16 Exposition Authority Incentive Fund, provided that ~~(1) no~~
17 ~~transfers with respect to any previous fiscal year shall~~
18 ~~be made after the transfer has been made with respect to~~
19 ~~the 2017 fiscal year and (2)~~ transfers in excess of
20 \$15,000,000 shall not be made in any fiscal year.

21 On July 15, 2022 and each July 15 thereafter through
22 July 15, 2026, the Comptroller shall order transferred,
23 and the Treasurer shall transfer, into the Metropolitan
24 Pier and Exposition Authority Incentive Fund from the
25 General Revenue Fund an amount equal to the incentive
26 grant funds certified by the Chief Executive Officer as

1 having been lawfully paid under the provisions of this
2 Section in the previous fiscal year that have not
3 otherwise been transferred into the Metropolitan Pier and
4 Exposition Authority Incentive Fund, provided that
5 transfers in excess of \$15,000,000 shall not be made in
6 any fiscal year.

7 No transfers for any previous year shall be made
8 pursuant to this subsection (1) after the transfer has
9 been made for the 2026 fiscal year.

10 After a transfer has been made under this subsection
11 (1), the Chief Executive Officer shall file a request for
12 payment with the Comptroller evidencing that the incentive
13 grants have been made and the Comptroller shall thereafter
14 order paid, and the Treasurer shall pay, the requested
15 amounts to the Metropolitan Pier and Exposition Authority.

16 In no case shall more than \$5,000,000 be used in any
17 one fiscal year by the Authority for incentives granted to
18 conventions, meetings, or trade shows with a registered
19 attendance of more than 5,000 and less than 10,000; except
20 that, for the 2022, 2023, and 2024 fiscal years, in no case
21 shall more than \$5,000,000 be used in such fiscal year by
22 the Authority for incentives granted to conventions,
23 meetings, or trade shows with a registered attendance of
24 more than 3,000 and less than 5,000. Amounts in the
25 Metropolitan Pier and Exposition Authority Incentive Fund
26 shall only be used by the Authority for incentives paid to

1 attract large conventions, meetings, and trade shows to
2 its facilities as provided in this subsection (1).

3 (1-5) The Village of Rosemont shall provide incentives
4 from amounts transferred into the Convention Center
5 Support Fund to retain and attract conventions, meetings,
6 or trade shows to the Donald E. Stephens Convention Center
7 under the terms set forth in this subsection (1-5).

8 No later than May 15 of each year, the Mayor of the
9 Village of Rosemont or his or her designee shall certify
10 to the State Comptroller and the State Treasurer the
11 amounts of incentive grant funds used during the previous
12 fiscal year to provide incentives for conventions,
13 meetings, or trade shows that (1) have been approved by
14 the Village, (2) demonstrate registered attendance in
15 excess of 5,000 individuals, and (3) but for the
16 incentive, would not have used the Donald E. Stephens
17 Convention Center facilities for the convention, meeting,
18 or trade show. The State Comptroller may request that the
19 Auditor General conduct an audit of the accuracy of the
20 certification.

21 If the State Comptroller determines by this process of
22 certification that incentive funds, in whole or in part,
23 were disbursed by the Village by means other than in
24 accordance with the standards of this subsection (1-5),
25 then the amount transferred to the Convention Center
26 Support Fund shall be reduced during the next subsequent

1 transfer in direct proportion to that amount determined to
2 be in violation of the terms set forth in this subsection
3 (1-5).

4 On July 15, 2012, and each year thereafter, the
5 Comptroller shall order transferred, and the Treasurer
6 shall transfer, into the Convention Center Support Fund
7 from the General Revenue Fund the amount of \$5,000,000 for
8 (i) incentives to attract large conventions, meetings, and
9 trade shows to the Donald E. Stephens Convention Center,
10 and (ii) to be used by the Village of Rosemont for the
11 repair, maintenance, and improvement of the Donald E.
12 Stephens Convention Center and for debt service on debt
13 instruments issued for those purposes by the village. No
14 later than 30 days after the transfer, the Comptroller
15 shall order paid, and the Treasurer shall pay, to the
16 Village of Rosemont the amounts transferred.

17 (m) To enter into contracts with any person conveying
18 the naming rights or other intellectual property rights
19 with respect to the grounds, buildings, and facilities of
20 the Authority.

21 (n) To enter into grant agreements with the Chicago
22 Convention and Tourism Bureau providing for the marketing
23 of the convention facilities to large and small
24 conventions, meetings, and trade shows and the promotion
25 of the travel industry in the City of Chicago, provided
26 such agreements meet the requirements of Section 5.6 of

1 this Act. Receipts of the Authority from the increase in
2 the airport departure tax authorized by Section 13(f) of
3 this amendatory Act of the 96th General Assembly and,
4 subject to appropriation to the Authority, funds deposited
5 in the Chicago Travel Industry Promotion Fund pursuant to
6 Section 6 of the Hotel Operators' Occupation Tax Act shall
7 be granted to the Bureau for such purposes.

8 (Source: P.A. 100-23, eff. 7-6-17.)

9 (70 ILCS 210/18) (from Ch. 85, par. 1238)

10 Sec. 18. The Board shall determine the times and places of
11 its meetings. ~~Regular meetings of the Board shall be held at~~
12 ~~least once in each calendar month, the time and place of such~~
13 ~~meetings to be fixed by the Board.~~ All action and meetings of
14 the Board and its committees shall be subject to the
15 provisions of the Open Meetings Act. A majority of the
16 statutorily authorized members of the Board shall constitute a
17 quorum for the transaction of business. All action of the
18 Board shall be by rule, regulation, ordinance or resolution
19 and the affirmative vote of at least a majority of the
20 statutorily authorized members shall be necessary for the
21 adoption of any rule, regulation, ordinance or resolution. All
22 rules, regulations, ordinances, resolutions and all
23 proceedings of the Authority and all documents and records in
24 its possession shall be public records, and open to public
25 inspection, except such documents and records as shall be kept

1 or prepared by the Board for use in negotiations, action or
2 proceedings to which the Authority is a party. All records of
3 the Authority shall be subject to the provisions of the
4 Illinois Freedom of Information Act.

5 (Source: P.A. 84-1027.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.