



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4220

Introduced 1/5/2022, by Rep. Daniel Didech

SYNOPSIS AS INTRODUCED:

5 ILCS 120/1.02

from Ch. 102, par. 41.02

805 ILCS 105/108.11 new

Amends the General Not For Profit Corporation Act of 1986. Requires a corporation associated with a township food pantry to adopt, within 120 days after the effective date of the amendatory Act, bylaws that provide the following: (1) that the board of directors shall consist of 5 directors who shall be the township supervisor and the township trustees; (2) that the township supervisor or a township trustee shall be automatically removed from the board of directors when he or she leaves his or her office; (3) that an individual who becomes the township supervisor or a township trustee shall automatically become a member of the board of directors; (4) that the directors shall receive no compensation for services to the corporation as directors, officers, or otherwise; and (5) that the township supervisor shall be the president and treasurer of the corporation. Sets forth criteria for determining when a corporation is associated with a township food pantry. Amends the Open Meetings Act. Expands the definition of "public body" to include domestic not-for-profit corporations that are associated with a township food pantry. Effective immediately.

LRB102 21285 KTG 30396 b

1 AN ACT concerning business.

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

4 Section 5. The Open Meetings Act is amended by changing
5 Section 1.02 as follows:

6 (5 ILCS 120/1.02) (from Ch. 102, par. 41.02)

7 Sec. 1.02. For the purposes of this Act:

8 "Meeting" means any gathering, whether in person or by
9 video or audio conference, telephone call, electronic means
10 (such as, without limitation, electronic mail, electronic
11 chat, and instant messaging), or other means of
12 contemporaneous interactive communication, of a majority of a
13 quorum of the members of a public body held for the purpose of
14 discussing public business or, for a 5-member public body, a
15 quorum of the members of a public body held for the purpose of
16 discussing public business.

17 Accordingly, for a 5-member public body, 3 members of the
18 body constitute a quorum and the affirmative vote of 3 members
19 is necessary to adopt any motion, resolution, or ordinance,
20 unless a greater number is otherwise required.

21 "Public body" includes all legislative, executive,
22 administrative or advisory bodies of the State, counties,
23 townships, cities, villages, incorporated towns, school

1 districts and all other municipal corporations, boards,
2 bureaus, committees or commissions of this State, and any
3 subsidiary bodies of any of the foregoing including but not
4 limited to committees and subcommittees which are supported in
5 whole or in part by tax revenue, or which expend tax revenue,
6 except the General Assembly and committees or commissions
7 thereof. "Public body" includes tourism boards and convention
8 or civic center boards located in counties that are contiguous
9 to the Mississippi River with populations of more than 250,000
10 but less than 300,000. "Public body" includes the Health
11 Facilities and Services Review Board. "Public body" includes
12 domestic not-for-profit corporations subject to the provisions
13 of the General Not For Profit Corporation Act of 1986 that are
14 associated with a township food pantry. "Public body" does not
15 include a child death review team or the Illinois Child Death
16 Review Teams Executive Council established under the Child
17 Death Review Team Act, an ethics commission acting under the
18 State Officials and Employees Ethics Act, a regional youth
19 advisory board or the Statewide Youth Advisory Board
20 established under the Department of Children and Family
21 Services Statewide Youth Advisory Board Act, or the Illinois
22 Independent Tax Tribunal.

23 (Source: P.A. 97-1129, eff. 8-28-12; 98-806, eff. 1-1-15.)

24 Section 10. The General Not For Profit Corporation Act of
25 1986 is amended by adding Section 108.11 as follows:

1 (805 ILCS 105/108.11 new)

2 Sec. 108.11. Corporation associated with a township food
3 pantry.

4 (a) Notwithstanding any provision of law to the contrary,
5 within 120 days after the effective date of this amendatory
6 Act of the 102nd General Assembly a corporation associated
7 with a township food pantry shall adopt bylaws consistent with
8 the following:

9 (1) The board of directors shall consist of 5
10 directors, who shall be the township supervisor and the
11 township trustees.

12 (2) When the township supervisor or a township trustee
13 leaves his or her office, he or she shall be automatically
14 removed from the board of directors.

15 (3) When an individual becomes the township supervisor
16 or a township trustee, he or she shall automatically
17 become a member of the board of directors.

18 (4) The directors shall receive no compensation for
19 services to the corporation as directors, officers, or
20 otherwise.

21 (5) The township supervisor shall be the president and
22 treasurer of the corporation.

23 (b) A corporation is associated with a township food
24 pantry if it:

25 (1) is operated in whole or in part on township owned

1 or rented property;
2 (2) includes the name of a township in its corporate
3 name;
4 (3) is operated by township employees or by volunteers
5 who are subject to the direction of township employees; or
6 (4) receives all or any portion of its funding under
7 Section 9-15 of the Illinois Public Aid Code.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.