

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 Illinois Governmental Ethics Act is amended
5 by changing Section 4A-101 as follows:

6 (5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

7 Sec. 4A-101. Persons required to file with the Secretary
8 of State. The following persons shall file verified written
9 statements of economic interests with the Secretary of State,
10 as provided in this Article:

11 (a) Members of the General Assembly and candidates for
12 nomination or election to the General Assembly.

13 (b) Persons holding an elected office in the Executive
14 Branch of this State, and candidates for nomination or
15 election to these offices.

16 (c) Members of a Commission or Board created by the
17 Illinois Constitution, and candidates for nomination or
18 election to such Commission or Board.

19 (d) Persons whose appointment to office is subject to
20 confirmation by the Senate and persons appointed by the
21 Governor to any other position on a board or commission
22 described in subsection (a) of Section 15 of the
23 Gubernatorial Boards and Commissions Act.

1 (e) Holders of, and candidates for nomination or
2 election to, the office of judge or associate judge of the
3 Circuit Court and the office of judge of the Appellate or
4 Supreme Court.

5 (f) Persons who are employed by any branch, agency,
6 authority or board of the government of this State,
7 including but not limited to, the Illinois State Toll
8 Highway Authority, the Illinois Housing Development
9 Authority, the Illinois Community College Board, and
10 institutions under the jurisdiction of the Board of
11 Trustees of the University of Illinois, Board of Trustees
12 of Southern Illinois University, Board of Trustees of
13 Chicago State University, Board of Trustees of Eastern
14 Illinois University, Board of Trustees of Governors State
15 University, Board of Trustees of Illinois State
16 University, Board of Trustees of Northeastern Illinois
17 University, Board of Trustees of Northern Illinois
18 University, Board of Trustees of Western Illinois
19 University, or Board of Trustees of the Illinois
20 Mathematics and Science Academy, and are compensated for
21 services as employees and not as independent contractors
22 and who:

23 (1) are, or function as, the head of a department,
24 commission, board, division, bureau, authority or
25 other administrative unit within the government of
26 this State, or who exercise similar authority within

1 the government of this State;

2 (2) have direct supervisory authority over, or
3 direct responsibility for the formulation,
4 negotiation, issuance or execution of contracts
5 entered into by the State in the amount of \$5,000 or
6 more;

7 (3) have authority for the issuance or
8 promulgation of rules and regulations within areas
9 under the authority of the State;

10 (4) have authority for the approval of
11 professional licenses;

12 (5) have responsibility with respect to the
13 financial inspection of regulated nongovernmental
14 entities;

15 (6) adjudicate, arbitrate, or decide any judicial
16 or administrative proceeding, or review the
17 adjudication, arbitration or decision of any judicial
18 or administrative proceeding within the authority of
19 the State;

20 (7) have supervisory responsibility for 20 or more
21 employees of the State;

22 (8) negotiate, assign, authorize, or grant naming
23 rights or sponsorship rights regarding any property or
24 asset of the State, whether real, personal, tangible,
25 or intangible; or

26 (9) have responsibility with respect to the

1 procurement of goods or services.

2 (f-5) Members of the board of commissioners of any
3 flood prevention district created under the Flood
4 Prevention District Act or the Beardstown Regional Flood
5 Prevention District Act.

6 (g) (Blank).

7 (h) (Blank).

8 (i) (Blank).

9 (j) Persons on the Board of Trustees of the Illinois
10 Mathematics and Science Academy.

11 (k) (Blank).

12 (l) Special government agents. A "special government
13 agent" is a person who is directed, retained, designated,
14 appointed, or employed, with or without compensation, by
15 or on behalf of a statewide executive branch
16 constitutional officer to make an ex parte communication
17 under Section 5-50 of the State Officials and Employees
18 Ethics Act or Section 5-165 of the Illinois Administrative
19 Procedure Act.

20 (m) (Blank).

21 (n) Members of the board of any retirement system or
22 investment board established under the Illinois Pension
23 Code, if not required to file under any other provision of
24 this Section.

25 (o) (Blank).

26 (p) Members of the investment advisory panel created

1 under Section 20 of the Illinois Prepaid Tuition Act.

2 (g) Persons serving as Executive Director or otherwise
3 involved with directing the affairs of a Regional
4 Development Authority. As used in this subsection,
5 "Regional Development Authority" has the meaning given to
6 that term in Section 1-5 of the State Officials and
7 Employees Ethics Act.

8 This Section shall not be construed to prevent any unit of
9 local government from enacting financial disclosure
10 requirements that mandate more information than required by
11 this Act.

12 (Source: P.A. 101-81, eff. 7-12-19; 101-221, eff. 8-9-19.)

13 Section 10. The State Officials and Employees Ethics Act
14 is amended by changing Sections 1-5, 20-5, 20-10, 20-23, and
15 75-5 and changing the heading of Article 75 as follows:

16 (5 ILCS 430/1-5)

17 Sec. 1-5. Definitions. As used in this Act:

18 "Appointee" means a person appointed to a position in or
19 with a State agency, regardless of whether the position is
20 compensated.

21 "Board members of Regional Development Authorities" means
22 any person appointed to serve on the governing board of a
23 Regional Development Authority.

24 "Board members of Regional Transit Boards" means any

1 person appointed to serve on the governing board of a Regional
2 Transit Board.

3 "Campaign for elective office" means any activity in
4 furtherance of an effort to influence the selection,
5 nomination, election, or appointment of any individual to any
6 federal, State, or local public office or office in a
7 political organization, or the selection, nomination, or
8 election of Presidential or Vice-Presidential electors, but
9 does not include activities (i) relating to the support or
10 opposition of any executive, legislative, or administrative
11 action (as those terms are defined in Section 2 of the Lobbyist
12 Registration Act), (ii) relating to collective bargaining, or
13 (iii) that are otherwise in furtherance of the person's
14 official State duties.

15 "Candidate" means a person who has filed nominating papers
16 or petitions for nomination or election to an elected State
17 office, or who has been appointed to fill a vacancy in
18 nomination, and who remains eligible for placement on the
19 ballot at either a general primary election or general
20 election.

21 "Collective bargaining" has the same meaning as that term
22 is defined in Section 3 of the Illinois Public Labor Relations
23 Act.

24 "Commission" means an ethics commission created by this
25 Act.

26 "Compensated time" means any time worked by or credited to

1 a State employee that counts toward any minimum work time
2 requirement imposed as a condition of employment with a State
3 agency, but does not include any designated State holidays or
4 any period when the employee is on a leave of absence.

5 "Compensatory time off" means authorized time off earned
6 by or awarded to a State employee to compensate in whole or in
7 part for time worked in excess of the minimum work time
8 required of that employee as a condition of employment with a
9 State agency.

10 "Contribution" has the same meaning as that term is
11 defined in Section 9-1.4 of the Election Code.

12 "Employee" means (i) any person employed full-time,
13 part-time, or pursuant to a contract and whose employment
14 duties are subject to the direction and control of an employer
15 with regard to the material details of how the work is to be
16 performed or (ii) any appointed or elected commissioner,
17 trustee, director, or board member of a board of a State
18 agency, including any retirement system or investment board
19 subject to the Illinois Pension Code or (iii) any other
20 appointee.

21 "Employment benefits" include but are not limited to the
22 following: modified compensation or benefit terms; compensated
23 time off; or change of title, job duties, or location of office
24 or employment. An employment benefit may also include
25 favorable treatment in determining whether to bring any
26 disciplinary or similar action or favorable treatment during

1 the course of any disciplinary or similar action or other
2 performance review.

3 "Executive branch constitutional officer" means the
4 Governor, Lieutenant Governor, Attorney General, Secretary of
5 State, Comptroller, and Treasurer.

6 "Gift" means any gratuity, discount, entertainment,
7 hospitality, loan, forbearance, or other tangible or
8 intangible item having monetary value including, but not
9 limited to, cash, food and drink, and honoraria for speaking
10 engagements related to or attributable to government
11 employment or the official position of an employee, member, or
12 officer. The value of a gift may be further defined by rules
13 adopted by the appropriate ethics commission or by the Auditor
14 General for the Auditor General and for employees of the
15 office of the Auditor General.

16 "Governmental entity" means a unit of local government
17 (including a community college district) or a school district
18 but not a State agency, ~~or~~ a Regional Transit Board, or a
19 Regional Development Authority.

20 "Leave of absence" means any period during which a State
21 employee does not receive (i) compensation for State
22 employment, (ii) service credit towards State pension
23 benefits, and (iii) health insurance benefits paid for by the
24 State.

25 "Legislative branch constitutional officer" means a member
26 of the General Assembly and the Auditor General.

1 "Legislative leader" means the President and Minority
2 Leader of the Senate and the Speaker and Minority Leader of the
3 House of Representatives.

4 "Member" means a member of the General Assembly.

5 "Officer" means an executive branch constitutional officer
6 or a legislative branch constitutional officer.

7 "Political" means any activity in support of or in
8 connection with any campaign for elective office or any
9 political organization, but does not include activities (i)
10 relating to the support or opposition of any executive,
11 legislative, or administrative action (as those terms are
12 defined in Section 2 of the Lobbyist Registration Act), (ii)
13 relating to collective bargaining, or (iii) that are otherwise
14 in furtherance of the person's official State duties or
15 governmental and public service functions.

16 "Political organization" means a party, committee,
17 association, fund, or other organization (whether or not
18 incorporated) that is required to file a statement of
19 organization with the State Board of Elections or a county
20 clerk under Section 9-3 of the Election Code, but only with
21 regard to those activities that require filing with the State
22 Board of Elections or a county clerk.

23 "Prohibited political activity" means:

24 (1) Preparing for, organizing, or participating in any
25 political meeting, political rally, political
26 demonstration, or other political event.

1 (2) Soliciting contributions, including but not
2 limited to the purchase of, selling, distributing, or
3 receiving payment for tickets for any political
4 fundraiser, political meeting, or other political event.

5 (3) Soliciting, planning the solicitation of, or
6 preparing any document or report regarding any thing of
7 value intended as a campaign contribution.

8 (4) Planning, conducting, or participating in a public
9 opinion poll in connection with a campaign for elective
10 office or on behalf of a political organization for
11 political purposes or for or against any referendum
12 question.

13 (5) Surveying or gathering information from potential
14 or actual voters in an election to determine probable vote
15 outcome in connection with a campaign for elective office
16 or on behalf of a political organization for political
17 purposes or for or against any referendum question.

18 (6) Assisting at the polls on election day on behalf
19 of any political organization or candidate for elective
20 office or for or against any referendum question.

21 (7) Soliciting votes on behalf of a candidate for
22 elective office or a political organization or for or
23 against any referendum question or helping in an effort to
24 get voters to the polls.

25 (8) Initiating for circulation, preparing,
26 circulating, reviewing, or filing any petition on behalf

1 of a candidate for elective office or for or against any
2 referendum question.

3 (9) Making contributions on behalf of any candidate
4 for elective office in that capacity or in connection with
5 a campaign for elective office.

6 (10) Preparing or reviewing responses to candidate
7 questionnaires in connection with a campaign for elective
8 office or on behalf of a political organization for
9 political purposes.

10 (11) Distributing, preparing for distribution, or
11 mailing campaign literature, campaign signs, or other
12 campaign material on behalf of any candidate for elective
13 office or for or against any referendum question.

14 (12) Campaigning for any elective office or for or
15 against any referendum question.

16 (13) Managing or working on a campaign for elective
17 office or for or against any referendum question.

18 (14) Serving as a delegate, alternate, or proxy to a
19 political party convention.

20 (15) Participating in any recount or challenge to the
21 outcome of any election, except to the extent that under
22 subsection (d) of Section 6 of Article IV of the Illinois
23 Constitution each house of the General Assembly shall
24 judge the elections, returns, and qualifications of its
25 members.

26 "Prohibited source" means any person or entity who:

1 (1) is seeking official action (i) by the member or
2 officer or (ii) in the case of an employee, by the employee
3 or by the member, officer, State agency, or other employee
4 directing the employee;

5 (2) does business or seeks to do business (i) with the
6 member or officer or (ii) in the case of an employee, with
7 the employee or with the member, officer, State agency, or
8 other employee directing the employee;

9 (3) conducts activities regulated (i) by the member or
10 officer or (ii) in the case of an employee, by the employee
11 or by the member, officer, State agency, or other employee
12 directing the employee;

13 (4) has interests that may be substantially affected
14 by the performance or non-performance of the official
15 duties of the member, officer, or employee;

16 (5) is registered or required to be registered with
17 the Secretary of State under the Lobbyist Registration
18 Act, except that an entity not otherwise a prohibited
19 source does not become a prohibited source merely because
20 a registered lobbyist is one of its members or serves on
21 its board of directors; or

22 (6) is an agent of, a spouse of, or an immediate family
23 member who is living with a "prohibited source".

24 "Regional Development Authority" means the following
25 regional development authorities:

26 (1) the Central Illinois Economic Development

1 Authority created by the Central Illinois Economic
2 Development Authority Act;

3 (2) the Eastern Illinois Economic Development
4 Authority created by the Eastern Illinois Economic
5 Development Authority Act;

6 (3) the Joliet Arsenal Development Authority created
7 by the Joliet Arsenal Development Authority Act;

8 (4) the Quad Cities Regional Economic Development
9 Authority created by Quad Cities Regional Economic
10 Development Authority Act, approved September 22, 1987;

11 (5) the Riverdale Development Authority created by the
12 Riverdale Development Authority Act;

13 (6) the Southeastern Illinois Economic Development
14 Authority created by the Southeastern Illinois Economic
15 Development Authority Act;

16 (7) the Southern Illinois Economic Development
17 Authority created by the Southern Illinois Economic
18 Development Authority Act;

19 (8) the Southwestern Illinois Development Authority
20 created by the Southwestern Illinois Development Authority
21 Act;

22 (9) the Tri-County River Valley Development Authority
23 created by the Tri-County River Valley Development
24 Authority Law;

25 (10) the Upper Illinois River Valley Development
26 Authority created by the Upper Illinois River Valley

1 Development Authority Act;

2 (11) the Illinois Urban Development Authority created
3 by the Illinois Urban Development Authority Act;

4 (12) the Western Illinois Economic Development
5 Authority created by the Western Illinois Economic
6 Development Authority Act; and

7 (13) the Will-Kankakee Regional Development Authority
8 created by the Will-Kankakee Regional Development
9 Authority Law.

10 "Regional Transit Boards" means (i) the Regional
11 Transportation Authority created by the Regional
12 Transportation Authority Act, (ii) the Suburban Bus Division
13 created by the Regional Transportation Authority Act, (iii)
14 the Commuter Rail Division created by the Regional
15 Transportation Authority Act, and (iv) the Chicago Transit
16 Authority created by the Metropolitan Transit Authority Act.

17 "State agency" includes all officers, boards, commissions
18 and agencies created by the Constitution, whether in the
19 executive or legislative branch; all officers, departments,
20 boards, commissions, agencies, institutions, authorities,
21 public institutions of higher learning as defined in Section 2
22 of the Higher Education Cooperation Act (except community
23 colleges), and bodies politic and corporate of the State; and
24 administrative units or corporate outgrowths of the State
25 government which are created by or pursuant to statute, other
26 than units of local government (including community college

1 districts) and their officers, school districts, and boards of
2 election commissioners; and all administrative units and
3 corporate outgrowths of the above and as may be created by
4 executive order of the Governor. "State agency" includes the
5 General Assembly, the Senate, the House of Representatives,
6 the President and Minority Leader of the Senate, the Speaker
7 and Minority Leader of the House of Representatives, the
8 Senate Operations Commission, and the legislative support
9 services agencies. "State agency" includes the Office of the
10 Auditor General. "State agency" does not include the judicial
11 branch.

12 "State employee" means any employee of a State agency.

13 "Ultimate jurisdictional authority" means the following:

14 (1) For members, legislative partisan staff, and
15 legislative secretaries, the appropriate legislative
16 leader: President of the Senate, Minority Leader of the
17 Senate, Speaker of the House of Representatives, or
18 Minority Leader of the House of Representatives.

19 (2) For State employees who are professional staff or
20 employees of the Senate and not covered under item (1),
21 the Senate Operations Commission.

22 (3) For State employees who are professional staff or
23 employees of the House of Representatives and not covered
24 under item (1), the Speaker of the House of
25 Representatives.

26 (4) For State employees who are employees of the

1 legislative support services agencies, the Joint Committee
2 on Legislative Support Services.

3 (5) For State employees of the Auditor General, the
4 Auditor General.

5 (6) For State employees of public institutions of
6 higher learning as defined in Section 2 of the Higher
7 Education Cooperation Act (except community colleges), the
8 board of trustees of the appropriate public institution of
9 higher learning.

10 (7) For State employees of an executive branch
11 constitutional officer other than those described in
12 paragraph (6), the appropriate executive branch
13 constitutional officer.

14 (8) For State employees not under the jurisdiction of
15 paragraph (1), (2), (3), (4), (5), (6), or (7), the
16 Governor.

17 (9) For employees of Regional Transit Boards, the
18 appropriate Regional Transit Board.

19 (10) For board members of Regional Transit Boards, the
20 Governor.

21 (11) For employees of Regional Development
22 Authorities, the appropriate Regional Development
23 Authority.

24 (12) For board members of Regional Development
25 Authorities, the Governor.

26 (Source: P.A. 96-6, eff. 4-3-09; 96-555, eff. 8-18-09;

1 96-1528, eff. 7-1-11; 96-1533, eff. 3-4-11; 97-813, eff.
2 7-13-12.)

3 (5 ILCS 430/20-5)

4 Sec. 20-5. Executive Ethics Commission.

5 (a) The Executive Ethics Commission is created.

6 (b) The Executive Ethics Commission shall consist of 9
7 commissioners. The Governor shall appoint 5 commissioners, and
8 the Attorney General, Secretary of State, Comptroller, and
9 Treasurer shall each appoint one commissioner. Appointments
10 shall be made by and with the advice and consent of the Senate
11 by three-fifths of the elected members concurring by record
12 vote. Any nomination not acted upon by the Senate within 60
13 session days of the receipt thereof shall be deemed to have
14 received the advice and consent of the Senate. If, during a
15 recess of the Senate, there is a vacancy in an office of
16 commissioner, the appointing authority shall make a temporary
17 appointment until the next meeting of the Senate when the
18 appointing authority shall make a nomination to fill that
19 office. No person rejected for an office of commissioner
20 shall, except by the Senate's request, be nominated again for
21 that office at the same session of the Senate or be appointed
22 to that office during a recess of that Senate. No more than 5
23 commissioners may be of the same political party.

24 The terms of the initial commissioners shall commence upon
25 qualification. Four initial appointees of the Governor, as

1 designated by the Governor, shall serve terms running through
2 June 30, 2007. One initial appointee of the Governor, as
3 designated by the Governor, and the initial appointees of the
4 Attorney General, Secretary of State, Comptroller, and
5 Treasurer shall serve terms running through June 30, 2008. The
6 initial appointments shall be made within 60 days after the
7 effective date of this Act.

8 After the initial terms, commissioners shall serve for
9 4-year terms commencing on July 1 of the year of appointment
10 and running through June 30 of the fourth following year.
11 Commissioners may be reappointed to one or more subsequent
12 terms.

13 Vacancies occurring other than at the end of a term shall
14 be filled by the appointing authority only for the balance of
15 the term of the commissioner whose office is vacant.

16 Terms shall run regardless of whether the position is
17 filled.

18 (c) The appointing authorities shall appoint commissioners
19 who have experience holding governmental office or employment
20 and shall appoint commissioners from the general public. A
21 person is not eligible to serve as a commissioner if that
22 person (i) has been convicted of a felony or a crime of
23 dishonesty or moral turpitude, (ii) is, or was within the
24 preceding 12 months, engaged in activities that require
25 registration under the Lobbyist Registration Act, (iii) is
26 related to the appointing authority, or (iv) is a State

1 officer or employee.

2 (d) The Executive Ethics Commission shall have
3 jurisdiction over all officers and employees of State agencies
4 other than the General Assembly, the Senate, the House of
5 Representatives, the President and Minority Leader of the
6 Senate, the Speaker and Minority Leader of the House of
7 Representatives, the Senate Operations Commission, the
8 legislative support services agencies, and the Office of the
9 Auditor General. The Executive Ethics Commission shall have
10 jurisdiction over all board members and employees of Regional
11 Transit Boards and all board members and employees of Regional
12 Development Authorities. The jurisdiction of the Commission is
13 limited to matters arising under this Act, except as provided
14 in subsection (d-5).

15 A member or legislative branch State employee serving on
16 an executive branch board or commission remains subject to the
17 jurisdiction of the Legislative Ethics Commission and is not
18 subject to the jurisdiction of the Executive Ethics
19 Commission.

20 (d-5) The Executive Ethics Commission shall have
21 jurisdiction over all chief procurement officers and
22 procurement compliance monitors and their respective staffs.
23 The Executive Ethics Commission shall have jurisdiction over
24 any matters arising under the Illinois Procurement Code if the
25 Commission is given explicit authority in that Code.

26 (d-6) (1) The Executive Ethics Commission shall have

1 jurisdiction over the Illinois Power Agency and its staff. The
2 Director of the Agency shall be appointed by a majority of the
3 commissioners of the Executive Ethics Commission, subject to
4 Senate confirmation, for a term of 2 years. The Director is
5 removable for cause by a majority of the Commission upon a
6 finding of neglect, malfeasance, absence, or incompetence.

7 (2) In case of a vacancy in the office of Director of the
8 Illinois Power Agency during a recess of the Senate, the
9 Executive Ethics Commission may make a temporary appointment
10 until the next meeting of the Senate, at which time the
11 Executive Ethics Commission shall nominate some person to fill
12 the office, and any person so nominated who is confirmed by the
13 Senate shall hold office during the remainder of the term and
14 until his or her successor is appointed and qualified. Nothing
15 in this subsection shall prohibit the Executive Ethics
16 Commission from removing a temporary appointee or from
17 appointing a temporary appointee as the Director of the
18 Illinois Power Agency.

19 (3) Prior to June 1, 2012, the Executive Ethics Commission
20 may, until the Director of the Illinois Power Agency is
21 appointed and qualified or a temporary appointment is made
22 pursuant to paragraph (2) of this subsection, designate some
23 person as an acting Director to execute the powers and
24 discharge the duties vested by law in that Director. An acting
25 Director shall serve no later than 60 calendar days, or upon
26 the making of an appointment pursuant to paragraph (1) or (2)

1 of this subsection, whichever is earlier. Nothing in this
2 subsection shall prohibit the Executive Ethics Commission from
3 removing an acting Director or from appointing an acting
4 Director as the Director of the Illinois Power Agency.

5 (4) No person rejected by the Senate for the office of
6 Director of the Illinois Power Agency shall, except at the
7 Senate's request, be nominated again for that office at the
8 same session or be appointed to that office during a recess of
9 that Senate.

10 (d-7) The Executive Ethics Commission shall have
11 jurisdiction over complainants and respondents in violation of
12 subsection (d) of Section 20-90.

13 (e) The Executive Ethics Commission must meet, either in
14 person or by other technological means, at least monthly and
15 as often as necessary. At the first meeting of the Executive
16 Ethics Commission, the commissioners shall choose from their
17 number a chairperson and other officers that they deem
18 appropriate. The terms of officers shall be for 2 years
19 commencing July 1 and running through June 30 of the second
20 following year. Meetings shall be held at the call of the
21 chairperson or any 3 commissioners. Official action by the
22 Commission shall require the affirmative vote of 5
23 commissioners, and a quorum shall consist of 5 commissioners.
24 Commissioners shall receive compensation in an amount equal to
25 the compensation of members of the State Board of Elections
26 and may be reimbursed for their reasonable expenses actually

1 incurred in the performance of their duties.

2 (f) No commissioner or employee of the Executive Ethics
3 Commission may during his or her term of appointment or
4 employment:

5 (1) become a candidate for any elective office;

6 (2) hold any other elected or appointed public office
7 except for appointments on governmental advisory boards or
8 study commissions or as otherwise expressly authorized by
9 law;

10 (3) be actively involved in the affairs of any
11 political party or political organization; or

12 (4) advocate for the appointment of another person to
13 an appointed or elected office or position or actively
14 participate in any campaign for any elective office.

15 (g) An appointing authority may remove a commissioner only
16 for cause.

17 (h) The Executive Ethics Commission shall appoint an
18 Executive Director. The compensation of the Executive Director
19 shall be as determined by the Commission. The Executive
20 Director of the Executive Ethics Commission may employ and
21 determine the compensation of staff, as appropriations permit.

22 (i) The Executive Ethics Commission shall appoint, by a
23 majority of the members appointed to the Commission, chief
24 procurement officers and may appoint procurement compliance
25 monitors in accordance with the provisions of the Illinois
26 Procurement Code. The compensation of a chief procurement

1 officer and procurement compliance monitor shall be determined
2 by the Commission.

3 (Source: P.A. 100-43, eff. 8-9-17; 101-221, eff. 8-9-19;
4 101-617, eff. 12-20-19.)

5 (5 ILCS 430/20-10)

6 Sec. 20-10. Offices of Executive Inspectors General.

7 (a) Five independent Offices of the Executive Inspector
8 General are created, one each for the Governor, the Attorney
9 General, the Secretary of State, the Comptroller, and the
10 Treasurer. Each Office shall be under the direction and
11 supervision of an Executive Inspector General and shall be a
12 fully independent office with separate appropriations.

13 (b) The Governor, Attorney General, Secretary of State,
14 Comptroller, and Treasurer shall each appoint an Executive
15 Inspector General, without regard to political affiliation and
16 solely on the basis of integrity and demonstrated ability.
17 Appointments shall be made by and with the advice and consent
18 of the Senate by three-fifths of the elected members
19 concurring by record vote. Any nomination not acted upon by
20 the Senate within 60 session days of the receipt thereof shall
21 be deemed to have received the advice and consent of the
22 Senate. If, during a recess of the Senate, there is a vacancy
23 in an office of Executive Inspector General, the appointing
24 authority shall make a temporary appointment until the next
25 meeting of the Senate when the appointing authority shall make

1 a nomination to fill that office. No person rejected for an
2 office of Executive Inspector General shall, except by the
3 Senate's request, be nominated again for that office at the
4 same session of the Senate or be appointed to that office
5 during a recess of that Senate.

6 Nothing in this Article precludes the appointment by the
7 Governor, Attorney General, Secretary of State, Comptroller,
8 or Treasurer of any other inspector general required or
9 permitted by law. The Governor, Attorney General, Secretary of
10 State, Comptroller, and Treasurer each may appoint an existing
11 inspector general as the Executive Inspector General required
12 by this Article, provided that such an inspector general is
13 not prohibited by law, rule, jurisdiction, qualification, or
14 interest from serving as the Executive Inspector General
15 required by this Article. An appointing authority may not
16 appoint a relative as an Executive Inspector General.

17 Each Executive Inspector General shall have the following
18 qualifications:

19 (1) has not been convicted of any felony under the
20 laws of this State, another State, or the United States;

21 (2) has earned a baccalaureate degree from an
22 institution of higher education; and

23 (3) has 5 or more years of cumulative service (A) with
24 a federal, State, or local law enforcement agency, at
25 least 2 years of which have been in a progressive
26 investigatory capacity; (B) as a federal, State, or local

1 prosecutor; (C) as a senior manager or executive of a
2 federal, State, or local agency; (D) as a member, an
3 officer, or a State or federal judge; or (E) representing
4 any combination of items (A) through (D).

5 The term of each initial Executive Inspector General shall
6 commence upon qualification and shall run through June 30,
7 2008. The initial appointments shall be made within 60 days
8 after the effective date of this Act.

9 After the initial term, each Executive Inspector General
10 shall serve for 5-year terms commencing on July 1 of the year
11 of appointment and running through June 30 of the fifth
12 following year. An Executive Inspector General may be
13 reappointed to one or more subsequent terms.

14 A vacancy occurring other than at the end of a term shall
15 be filled by the appointing authority only for the balance of
16 the term of the Executive Inspector General whose office is
17 vacant.

18 Terms shall run regardless of whether the position is
19 filled.

20 (c) The Executive Inspector General appointed by the
21 Attorney General shall have jurisdiction over the Attorney
22 General and all officers and employees of, and vendors and
23 others doing business with, State agencies within the
24 jurisdiction of the Attorney General. The Executive Inspector
25 General appointed by the Secretary of State shall have
26 jurisdiction over the Secretary of State and all officers and

1 employees of, and vendors and others doing business with,
2 State agencies within the jurisdiction of the Secretary of
3 State. The Executive Inspector General appointed by the
4 Comptroller shall have jurisdiction over the Comptroller and
5 all officers and employees of, and vendors and others doing
6 business with, State agencies within the jurisdiction of the
7 Comptroller. The Executive Inspector General appointed by the
8 Treasurer shall have jurisdiction over the Treasurer and all
9 officers and employees of, and vendors and others doing
10 business with, State agencies within the jurisdiction of the
11 Treasurer. The Executive Inspector General appointed by the
12 Governor shall have jurisdiction over (i) the Governor, (ii)
13 the Lieutenant Governor, (iii) all officers and employees of,
14 and vendors and others doing business with, executive branch
15 State agencies under the jurisdiction of the Executive Ethics
16 Commission and not within the jurisdiction of the Attorney
17 General, the Secretary of State, the Comptroller, or the
18 Treasurer, ~~and~~ (iv) all board members and employees of the
19 Regional Transit Boards and all vendors and others doing
20 business with the Regional Transit Boards, and (v) all board
21 members and employees of the Regional Development Authorities
22 and all vendors and others doing business with the Regional
23 Development Authorities.

24 The jurisdiction of each Executive Inspector General is to
25 investigate allegations of fraud, waste, abuse, mismanagement,
26 misconduct, nonfeasance, misfeasance, malfeasance, or

1 violations of this Act or violations of other related laws and
2 rules.

3 Each Executive Inspector General shall have jurisdiction
4 over complainants in violation of subsection (e) of Section
5 20-63 for disclosing a summary report prepared by the
6 respective Executive Inspector General.

7 (d) The compensation for each Executive Inspector General
8 shall be determined by the Executive Ethics Commission and
9 shall be provided from appropriations made to the Comptroller
10 for this purpose. For terms of office beginning on or after
11 July 1, 2023, each Executive Inspector General shall receive,
12 on July 1 of each year, beginning on July 1, 2024, an increase
13 in salary based on a cost of living adjustment as authorized by
14 Senate Joint Resolution 192 of the 86th General Assembly.
15 Subject to Section 20-45 of this Act, each Executive Inspector
16 General has full authority to organize his or her Office of the
17 Executive Inspector General, including the employment and
18 determination of the compensation of staff, such as deputies,
19 assistants, and other employees, as appropriations permit. A
20 separate appropriation shall be made for each Office of
21 Executive Inspector General.

22 (e) No Executive Inspector General or employee of the
23 Office of the Executive Inspector General may, during his or
24 her term of appointment or employment:

25 (1) become a candidate for any elective office;

26 (2) hold any other elected or appointed public office

1 except for appointments on governmental advisory boards or
2 study commissions or as otherwise expressly authorized by
3 law;

4 (3) be actively involved in the affairs of any
5 political party or political organization; or

6 (4) advocate for the appointment of another person to
7 an appointed or elected office or position or actively
8 participate in any campaign for any elective office.

9 In this subsection an appointed public office means a
10 position authorized by law that is filled by an appointing
11 authority as provided by law and does not include employment
12 by hiring in the ordinary course of business.

13 (e-1) No Executive Inspector General or employee of the
14 Office of the Executive Inspector General may, for one year
15 after the termination of his or her appointment or employment:

16 (1) become a candidate for any elective office;

17 (2) hold any elected public office; or

18 (3) hold any appointed State, county, or local
19 judicial office.

20 (e-2) The requirements of item (3) of subsection (e-1) may
21 be waived by the Executive Ethics Commission.

22 (f) An Executive Inspector General may be removed only for
23 cause and may be removed only by the appointing constitutional
24 officer. At the time of the removal, the appointing
25 constitutional officer must report to the Executive Ethics
26 Commission the justification for the removal.

1 (Source: P.A. 101-221, eff. 8-9-19; 102-558, eff. 8-20-21;
2 102-1115, eff. 1-9-23.)

3 (5 ILCS 430/20-23)

4 Sec. 20-23. Ethics Officers. Each officer and the head of
5 each State agency under the jurisdiction of the Executive
6 Ethics Commission shall designate an Ethics Officer for the
7 office or State agency. The board of each Regional Transit
8 Board shall designate an Ethics Officer for the Regional
9 Transit Board, and the board of each Regional Development
10 Authority shall designate an Ethics Officer for the Regional
11 Development Authority. Ethics Officers shall:

12 (1) act as liaisons between the State agency, ~~or~~
13 Regional Transit Board, or Regional Development Authority
14 and the appropriate Executive Inspector General and
15 between the State agency, ~~or~~ Regional Transit Board, or
16 Regional Development Authority and the Executive Ethics
17 Commission;

18 (2) review statements of economic interest and
19 disclosure forms of officers, senior employees, and
20 contract monitors before they are filed with the Secretary
21 of State; and

22 (3) provide guidance to officers and employees in the
23 interpretation and implementation of this Act, which the
24 officer or employee may in good faith rely upon. Such
25 guidance shall be based, wherever possible, upon legal

1 precedent in court decisions, opinions of the Attorney
2 General, and the findings and opinions of the Executive
3 Ethics Commission.

4 (Source: P.A. 96-1528, eff. 7-1-11.)

5 (5 ILCS 430/Art. 75 heading)

6 ARTICLE 75. REGIONAL TRANSIT BOARDS
7 AND REGIONAL DEVELOPMENT AUTHORITIES

8 (Source: P.A. 96-1528, eff. 7-1-11.)

9 (5 ILCS 430/75-5)

10 Sec. 75-5. Application of the State Officials and
11 Employees Ethics Act to the Regional Transit Boards and
12 Regional Development Authorities.

13 (a) ~~The Beginning July 1, 2011, the~~ provisions of Articles
14 1, 5, 10, 20, and 50 of this Act, as well as this Article,
15 ~~shall~~ apply to ~~the~~ Regional Transit Boards and Regional
16 Development Authorities. As used in Articles 1, 5, 10, 20, 50,
17 and 75, (i) "appointee" and "officer" include a person
18 appointed to serve on the board of a Regional Transit Board or
19 a board of a Regional Development Authority, and (ii)
20 "employee" and "State employee" include: (A) a full-time,
21 part-time, or contractual employee of a Regional Transit Board
22 or a Regional Development Authority; and (B) Authority leaders
23 of a Regional Development Authority. As used in this
24 subsection, "Authority leader" has the meaning given to that

1 term in the various Acts and Laws creating the Regional
2 Development Authorities.

3 (b) The Executive Ethics Commission shall have
4 jurisdiction over all board members and employees of the
5 Regional Transit Boards and Regional Development Authorities.
6 The Executive Inspector General appointed by the Governor
7 shall have jurisdiction over all board members, employees,
8 vendors, and others doing business with the Regional Transit
9 Boards and Regional Development Authorities to investigate
10 allegations of fraud, waste, abuse, mismanagement, misconduct,
11 nonfeasance, misfeasance, malfeasance, or violations of this
12 Act.

13 (Source: P.A. 96-1528, eff. 7-1-11.)

14 Section 15. The Central Illinois Economic Development
15 Authority Act is amended by changing Sections 10, 15, and 70
16 and by adding Sections 21 and 22 as follows:

17 (70 ILCS 504/10)

18 Sec. 10. Definitions. In this Act:

19 "Authority" means the Central Illinois Economic
20 Development Authority.

21 "Authority leader" means the Executive Director, Assistant
22 Executive Director, or any other person serving in a
23 management, administrative, or leadership role at the
24 Authority.

1 "Governmental agency" means any federal, State, or local
2 governmental body and any agency or instrumentality thereof,
3 corporate or otherwise.

4 "Person" means any natural person, firm, partnership,
5 corporation, both domestic and foreign, company, association
6 or joint stock association and includes any trustee, receiver,
7 assignee or personal representative thereof.

8 "Restricted person" means a person who has a familial or
9 business relationship with an Authority leader.

10 "Revenue bond" means any bond issued by the Authority, the
11 principal and interest of which is payable solely from
12 revenues or income derived from any project or activity of the
13 Authority.

14 "Board" means the Board of Directors of the Central
15 Illinois Economic Development Authority.

16 "Governor" means the Governor of the State of Illinois.

17 "City" means any city, village, incorporated town, or
18 township within the geographical territory of the Authority.

19 "Industrial project" means the following:

20 (1) a capital project, including one or more buildings
21 and other structures, improvements, machinery and
22 equipment whether or not on the same site or sites now
23 existing or hereafter acquired, suitable for use by any
24 manufacturing, industrial, research, transportation or
25 commercial enterprise including but not limited to use as
26 a factory, mill, processing plant, assembly plant,

1 packaging plant, fabricating plant, ethanol plant, office
2 building, industrial distribution center, warehouse,
3 repair, overhaul or service facility, freight terminal,
4 research facility, test facility, railroad facility, port
5 facility, solid waste and wastewater treatment and
6 disposal sites and other pollution control facilities,
7 resource or waste reduction, recovery, treatment and
8 disposal facilities, and including also the sites thereof
9 and other rights in land therefore whether improved or
10 unimproved, site preparation and landscaping and all
11 appurtenances and facilities incidental thereto such as
12 utilities, access roads, railroad sidings, truck docking
13 and similar facilities, parking facilities, dockage,
14 wharfage, railroad roadbed, track, trestle, depot,
15 terminal, switching and signaling equipment or related
16 equipment and other improvements necessary or convenient
17 thereto; or

18 (2) any land, buildings, machinery or equipment
19 comprising an addition to or renovation, rehabilitation or
20 improvement of any existing capital project.

21 "Housing project" or "residential project" includes a
22 specific work or improvement undertaken to provide dwelling
23 accommodations, including the acquisition, construction or
24 rehabilitation of lands, buildings and community facilities
25 and in connection therewith to provide nonhousing facilities
26 which are an integral part of a planned large-scale project or

1 new community.

2 "Commercial project" means any project, including, but not
3 limited to, one or more buildings and other structures,
4 improvements, machinery, and equipment, whether or not on the
5 same site or sites now existing or hereafter acquired,
6 suitable for use by any retail or wholesale concern,
7 distributorship, or agency.

8 "Project" means an industrial, housing, residential,
9 commercial, or service project, or any combination thereof,
10 provided that all uses fall within one of the categories
11 described above. Any project automatically includes all site
12 improvements and new construction involving sidewalks, sewers,
13 solid waste and wastewater treatment and disposal sites and
14 other pollution control facilities, resource or waste
15 reduction, recovery, treatment and disposal facilities, parks,
16 open spaces, wildlife sanctuaries, streets, highways, and
17 runways.

18 "Lease agreement" means an agreement in which a project
19 acquired by the Authority by purchase, gift, or lease is
20 leased to any person or corporation that will use, or cause the
21 project to be used, as a project, upon terms providing for
22 lease rental payments at least sufficient to pay, when due,
23 all principal of and interest and premium, if any, on any
24 bonds, notes, or other evidences of indebtedness of the
25 Authority, issued with respect to the project, providing for
26 the maintenance, insurance, and operation of the project on

1 terms satisfactory to the Authority and providing for
2 disposition of the project upon termination of the lease term,
3 including purchase options or abandonment of the premises,
4 with other terms as may be deemed desirable by the Authority.

5 "Loan agreement" means any agreement in which the
6 Authority agrees to loan the proceeds of its bonds, notes, or
7 other evidences of indebtedness, issued with respect to a
8 project, to any person or corporation which will use or cause
9 the project to be used as a project, upon terms providing for
10 loan repayment installments at least sufficient to pay, when
11 due, all principal of and interest and premium, if any, on any
12 bonds, notes, or other evidences of indebtedness of the
13 Authority issued with respect to the project, providing for
14 maintenance, insurance, and operation of the project on terms
15 satisfactory to the Authority and providing for other terms
16 deemed advisable by the Authority.

17 "Financial aid" means the expenditure of Authority funds
18 or funds provided by the Authority for the development,
19 construction, acquisition or improvement of a project, through
20 the issuance of revenue bonds, notes, or other evidences of
21 indebtedness.

22 "Costs incurred in connection with the development,
23 construction, acquisition or improvement of a project" means
24 the following:

25 (1) the cost of purchase and construction of all lands
26 and improvements in connection therewith and equipment and

1 other property, rights, easements, and franchises acquired
2 which are deemed necessary for the construction;

3 (2) financing charges;

4 (3) interest costs with respect to bonds, notes, and
5 other evidences of indebtedness of the Authority prior to
6 and during construction and for a period of 6 months
7 thereafter;

8 (4) engineering and legal expenses; and

9 (5) the costs of plans, specifications, surveys, and
10 estimates of costs and other expenses necessary or
11 incident to determining the feasibility or practicability
12 of any project, together with such other expenses as may
13 be necessary or incident to the financing, insuring,
14 acquisition, and construction of a specific project and
15 the placing of the same in operation.

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

17 (70 ILCS 504/15)

18 Sec. 15. Creation.

19 (a) There is created a political subdivision, body
20 politic, and municipal corporation named the Central Illinois
21 Economic Development Authority. The territorial jurisdiction
22 of the Authority is that geographic area within the boundaries
23 of the following counties: Macon, Sangamon, Menard, Logan,
24 Christian, DeWitt, Macoupin, Montgomery, Calhoun, Greene, and
25 Jersey and any navigable waters and air space located therein.

1 (b) The governing and administrative powers of the
2 Authority shall be vested in a body consisting of 15 members as
3 follows:

4 (1) Ex officio members. The Director of Commerce and
5 Economic Opportunity, or a designee of that Department,
6 shall serve as an ex officio member.

7 (2) Public members. Three members shall be appointed
8 by the Governor with the advice and consent of the Senate.
9 The county board chairperson of the following counties
10 shall each appoint one member: Macon, Sangamon, Menard,
11 Logan, Christian, DeWitt, Macoupin, Montgomery, Calhoun,
12 Greene, and Jersey. All public members shall reside within
13 the territorial jurisdiction of the Authority. The public
14 members shall be persons of recognized ability and
15 experience in one or more of the following areas: economic
16 development, finance, banking, industrial development,
17 state or local government, commercial agriculture, small
18 business management, real estate development, community
19 development, venture finance, organized labor, or civic or
20 community organization.

21 (c) 8 members shall constitute a quorum, and the Board may
22 not meet or take any action without a quorum present.

23 (d) The chairperson of the Authority shall be elected
24 annually by the Board and must be a public member that resides
25 within the territorial jurisdiction of the Authority.

26 (e) The terms of all initial members of the Authority

1 shall begin 30 days after the effective date of this Act. Of
2 the 3 original public members appointed by the Governor, 1
3 shall serve until the third Monday in January, 2007; 1 shall
4 serve until the third Monday in January, 2008; 1 shall serve
5 until the third Monday in January, 2009. The initial terms of
6 the original public members appointed by the county board
7 chairpersons shall be determined by lot, according to the
8 following schedule: (i) 3 shall serve until the third Monday
9 in January, 2007, (ii) 3 shall serve until the third Monday in
10 January, 2008, (iii) 3 shall serve until the third Monday in
11 January, 2009, and (iv) 2 shall serve until the third Monday in
12 January, 2010. All successors to these original public members
13 shall be appointed by the original appointing authority and
14 all appointments made by the Governor shall be made with the
15 advice and consent of the Senate, pursuant to subsection (b),
16 and shall hold office for a term of 6 years commencing the
17 third Monday in January of the year in which their term
18 commences, except in the case of an appointment to fill a
19 vacancy. Vacancies occurring among the public members shall be
20 filled for the remainder of the term. In case of vacancy in a
21 Governor-appointed membership when the Senate is not in
22 session, the Governor may make a temporary appointment until
23 the next meeting of the Senate when a person shall be nominated
24 to fill the office and, upon confirmation by the Senate, he or
25 she shall hold office during the remainder of the term and
26 until a successor is appointed and qualified. Members of the

1 Authority are not entitled to compensation for their services
2 as members but are entitled to reimbursement for all necessary
3 expenses incurred in connection with the performance of their
4 duties as members.

5 (f) The Governor may remove any public member of the
6 Authority appointed by the Governor or a predecessor Governor
7 in case of incompetence, neglect of duty, or malfeasance in
8 office. The chairperson of a county board may remove any
9 public member appointed by that chairperson or a predecessor
10 county board chairperson in case of incompetence, neglect of
11 duty, or malfeasance in office.

12 (g) The Board shall appoint an Executive Director who
13 shall have a background in finance, including familiarity with
14 the legal and procedural requirements of issuing bonds, real
15 estate, or economic development and administration. The
16 Executive Director shall hold office at the discretion of the
17 Board. The Executive Director shall be the chief
18 administrative and operational officer of the Authority, shall
19 direct and supervise its administrative affairs and general
20 management, perform such other duties as may be prescribed
21 from time to time by the members, and receive compensation
22 fixed by the Authority. The Department of Commerce and
23 Economic Opportunity shall pay the compensation of the
24 Executive Director from appropriations received for that
25 purpose. The Executive Director shall attend all meetings of
26 the Authority. However, no action of the Authority shall be

1 invalid on account of the absence of the Executive Director
2 from a meeting. The Authority may engage the services of the
3 Illinois Finance Authority, attorneys, appraisers, engineers,
4 accountants, credit analysts, and other consultants if the
5 Central Illinois Economic Development Authority deems it
6 advisable.

7 (Source: P.A. 94-995, eff. 7-3-06.)

8 (70 ILCS 504/21 new)

9 Sec. 21. Requests for assistance; disclosure of economic
10 interests.

11 (a) The Authority may not hear a request for assistance
12 from a restricted person. This prohibition extends to business
13 relationships between a person who is an Authority leader
14 within one year prior to the request for assistance and to any
15 entity in which a restricted person holds or, within the past 2
16 years, held an ownership interest of 10% or more.

17 (b) An Authority leader shall disclose and recuse himself
18 or herself from matters relating to requests for assistance
19 from an entity that is relocating full-time employees from
20 another Authority's counties if (i) both Authorities contract
21 with or employ the same Authority leader or (ii) there is or,
22 within the past 2 years of the request, there was a business
23 relationship between the Authority leaders at the 2
24 Authorities.

25 (c) The Board of the Authority shall vote to renew the

1 appointment of the Executive Director and other Authority
2 leaders on an annual basis. All contracts shall be approved on
3 an annual basis and use a public process to solicit
4 applications. This requirement does not apply to full-time
5 employees of the Authority unless otherwise required by
6 applicable State law or local ordinance.

7 (g) Each Authority leader shall submit a statement of
8 economic interest in accordance with Article 4A of the
9 Illinois Governmental Ethics Act. Additionally, each Authority
10 leader shall disclose to the Board outside sources of income
11 and any business relationships in economic development
12 consulting or lobbying. Reporting shall include the source of
13 income, services provided, and timeline of when services were
14 provided. If the source of income is a firm or organization
15 with multiple clients, the report shall list all of the
16 entities for which the individual provided services.

17 (70 ILCS 504/22 new)

18 Sec. 22. Open meetings; record disclosure.

19 (a) The Authority is subject to the Open Meetings Act and
20 the Freedom of Information Act. Documents subject to the
21 Freedom of Information Act include, but are not limited to,
22 expenses, payroll, origination bonuses, and other financial
23 details of the Authority.

24 (b) A contract or agreement entered into by the Authority
25 must be posted on the Authority's website. The Authority shall

1 provide a detailed report of the Authority's financial
2 information on the Authority's website, including, but not
3 limited to, a statement of profits and losses, balance sheet,
4 and income statement of the Authority.

5 (70 ILCS 504/70)

6 Sec. 70. Reports; commitment notice. The Authority shall
7 annually submit a report of its finances to the Auditor
8 General. The Authority shall annually submit a report of its
9 activities to the Governor and to the General Assembly.

10 The Authority shall provide notice to the General
11 Assembly, the Department of Commerce and Economic Opportunity,
12 and the Governor once the Authority enters into a commitment
13 to support the financing of a project. The notice to the
14 General Assembly shall be filed with the Clerk of the House of
15 Representatives and the Secretary of the Senate, in electronic
16 form only, in the manner that the Clerk and the Secretary shall
17 direct.

18 (Source: P.A. 94-995, eff. 7-3-06.)

19 Section 20. The Eastern Illinois Economic Development
20 Authority Act is amended by changing Sections 10, 15, and 70
21 and by adding Sections 21 and 22 as follows:

22 (70 ILCS 506/10)

23 Sec. 10. Definitions. In this Act:

1 "Authority" means the Eastern Illinois Economic
2 Development Authority.

3 "Authority leader" means the Executive Director, Assistant
4 Executive Director, or any other person serving in a
5 management, administrative, or leadership role at the
6 Authority.

7 "Governmental agency" means any federal, State, or local
8 governmental body and any agency or instrumentality thereof,
9 corporate or otherwise.

10 "Person" means any natural person, firm, partnership,
11 corporation, both domestic and foreign, company, association
12 or joint stock association and includes any trustee, receiver,
13 assignee or personal representative thereof.

14 "Restricted person" means a person who has a familial or
15 business relationship with an Authority leader.

16 "Revenue bond" means any bond issued by the Authority, the
17 principal and interest of which is payable solely from
18 revenues or income derived from any project or activity of the
19 Authority.

20 "Board" means the Board of Directors of the Eastern
21 Illinois Economic Development Authority.

22 "Governor" means the Governor of the State of Illinois.

23 "City" means any city, village, incorporated town, or
24 township within the geographical territory of the Authority.

25 "Industrial project" means the following:

26 (1) a capital project, including one or more buildings

1 and other structures, improvements, machinery and
2 equipment whether or not on the same site or sites now
3 existing or hereafter acquired, suitable for use by any
4 manufacturing, industrial, research, transportation or
5 commercial enterprise including but not limited to use as
6 a factory, mill, processing plant, assembly plant,
7 packaging plant, fabricating plant, ethanol plant, office
8 building, industrial distribution center, warehouse,
9 repair, overhaul or service facility, freight terminal,
10 research facility, test facility, railroad facility, port
11 facility, solid waste and wastewater treatment and
12 disposal sites and other pollution control facilities,
13 resource or waste reduction, recovery, treatment and
14 disposal facilities, and including also the sites thereof
15 and other rights in land therefore whether improved or
16 unimproved, site preparation and landscaping and all
17 appurtenances and facilities incidental thereto such as
18 utilities, access roads, railroad sidings, truck docking
19 and similar facilities, parking facilities, dockage,
20 wharfage, railroad roadbed, track, trestle, depot,
21 terminal, switching and signaling equipment or related
22 equipment and other improvements necessary or convenient
23 thereto; or

24 (2) any land, buildings, machinery or equipment
25 comprising an addition to or renovation, rehabilitation or
26 improvement of any existing capital project.

1 "Housing project" or "residential project" includes a
2 specific work or improvement undertaken to provide dwelling
3 accommodations, including the acquisition, construction, or
4 rehabilitation of lands, buildings, and community facilities,
5 and to provide non-housing facilities which are an integral
6 part of a planned large-scale project or new community.

7 "Commercial project" means any project, including, but not
8 limited to, one or more buildings and other structures,
9 improvements, machinery, and equipment, whether or not on the
10 same site or sites now existing or hereafter acquired,
11 suitable for use by any retail or wholesale concern,
12 distributorship, or agency.

13 "Project" means an industrial, housing, residential,
14 commercial, or service project, or any combination thereof,
15 provided that all uses fall within one of the categories
16 described above. Any project automatically includes all site
17 improvements and new construction involving sidewalks, sewers,
18 solid waste and wastewater treatment and disposal sites and
19 other pollution control facilities, resource or waste
20 reduction, recovery, treatment and disposal facilities, parks,
21 open spaces, wildlife sanctuaries, streets, highways, and
22 runways.

23 "Lease agreement" means an agreement in which a project
24 acquired by the Authority by purchase, gift, or lease is
25 leased to any person or corporation that will use, or cause the
26 project to be used, as a project, upon terms providing for

1 lease rental payments at least sufficient to pay, when due,
2 all principal of and interest and premium, if any, on any
3 bonds, notes, or other evidences of indebtedness of the
4 Authority, issued with respect to the project, providing for
5 the maintenance, insurance, and operation of the project on
6 terms satisfactory to the Authority and providing for
7 disposition of the project upon termination of the lease term,
8 including purchase options or abandonment of the premises,
9 with other terms as may be deemed desirable by the Authority.

10 "Loan agreement" means any agreement in which the
11 Authority agrees to loan the proceeds of its bonds, notes, or
12 other evidences of indebtedness, issued with respect to a
13 project, to any person or corporation which will use or cause
14 the project to be used as a project, upon terms providing for
15 loan repayment installments at least sufficient to pay, when
16 due, all principal of and interest and premium, if any, on any
17 bonds, notes, or other evidences of indebtedness of the
18 Authority issued with respect to the project, providing for
19 maintenance, insurance, and operation of the project on terms
20 satisfactory to the Authority and providing for other terms
21 deemed advisable by the Authority.

22 "Financial aid" means the expenditure of Authority funds
23 or funds provided by the Authority for the development,
24 construction, acquisition or improvement of a project, through
25 the issuance of revenue bonds, notes, or other evidences of
26 indebtedness.

1 "Costs incurred in connection with the development,
2 construction, acquisition or improvement of a project" means
3 the following:

4 (1) the cost of purchase and construction of all lands
5 and improvements in connection therewith and equipment and
6 other property, rights, easements, and franchises acquired
7 which are deemed necessary for the construction;

8 (2) financing charges;

9 (3) interest costs with respect to bonds, notes, and
10 other evidences of indebtedness of the Authority prior to
11 and during construction and for a period of 6 months
12 thereafter;

13 (4) engineering and legal expenses; and

14 (5) the costs of plans, specifications, surveys, and
15 estimates of costs and other expenses necessary or
16 incident to determining the feasibility or practicability
17 of any project, together with such other expenses as may
18 be necessary or incident to the financing, insuring,
19 acquisition, and construction of a specific project and
20 the placing of the same in operation.

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

22 (70 ILCS 506/15)

23 Sec. 15. Creation.

24 (a) There is created a political subdivision, body
25 politic, and municipal corporation named the Eastern Illinois

1 Economic Development Authority. The territorial jurisdiction
2 of the Authority is that geographic area within the boundaries
3 of the following counties: Ford, Iroquois, Piatt, Champaign,
4 Vermilion, Douglas, Moultrie, Shelby, Coles, and Edgar and any
5 navigable waters and air space located therein.

6 (b) The governing and administrative powers of the
7 Authority shall be vested in a body consisting of 14 members as
8 follows:

9 (1) Ex officio members. The Director of Commerce and
10 Economic Opportunity, or a designee of that Department,
11 shall serve as an ex officio member.

12 (2) Public members. Three members shall be appointed
13 by the Governor with the advice and consent of the Senate.
14 The county board chairperson of the following counties
15 shall each appoint one member: Ford, Iroquois, Piatt,
16 Champaign, Vermilion, Douglas, Moultrie, Shelby, Coles,
17 and Edgar. All public members shall reside within the
18 territorial jurisdiction of the Authority. The public
19 members shall be persons of recognized ability and
20 experience in one or more of the following areas: economic
21 development, finance, banking, industrial development,
22 state or local government, commercial agriculture, small
23 business management, real estate development, community
24 development, venture finance, organized labor, or civic or
25 community organization.

26 (c) A majority of the members appointed under item (2) of

1 subsection (b) of this Section shall constitute a quorum, and
2 the Board may not meet or take any action without a quorum
3 present.

4 (d) The chairperson of the Authority shall be elected
5 annually by the Board and must be a public member that resides
6 within the territorial jurisdiction of the Authority.

7 (e) The terms of all initial members of the Authority
8 shall begin 30 days after the effective date of this Act. Of
9 the 3 original public members appointed by the Governor, 1
10 shall serve until the third Monday in January, 2006; 1 shall
11 serve until the third Monday in January, 2007; 1 shall serve
12 until the third Monday in January, 2008. The initial terms of
13 the original public members appointed by the county board
14 chairpersons shall be determined by lot, according to the
15 following schedule: (i) 2 shall serve until the third Monday
16 in January, 2006, (ii) 2 shall serve until the third Monday in
17 January, 2007, (iii) 2 shall serve until the third Monday in
18 January, 2008, (iv) 2 shall serve until the third Monday in
19 January, 2009, and (v) 2 shall serve until the third Monday in
20 January, 2010. All successors to these original public members
21 shall be appointed by the original appointing authority and
22 all appointments made by the Governor shall be made with the
23 advice and consent of the Senate, pursuant to subsection (b),
24 and shall hold office for a term of 6 years commencing the
25 third Monday in January of the year in which their term
26 commences, except in the case of an appointment to fill a

1 vacancy. Vacancies occurring among the public members shall be
2 filled for the remainder of the term. In case of vacancy in a
3 Governor-appointed membership when the Senate is not in
4 session, the Governor may make a temporary appointment until
5 the next meeting of the Senate when a person shall be nominated
6 to fill the office and, upon confirmation by the Senate, he or
7 she shall hold office during the remainder of the term and
8 until a successor is appointed and qualified. Members of the
9 Authority are not entitled to compensation for their services
10 as members but are entitled to reimbursement for all necessary
11 expenses incurred in connection with the performance of their
12 duties as members.

13 (f) The Governor or a county board chairperson, as the
14 case may be, may remove any public member of the Authority in
15 case of incompetence, neglect of duty, or malfeasance in
16 office. The chairperson of a county board may remove any
17 public member appointed by that chairperson in the case of
18 incompetence, neglect of duty, or malfeasance in office.

19 (g) The Board shall appoint an Executive Director who
20 shall have a background in finance, including familiarity with
21 the legal and procedural requirements of issuing bonds, real
22 estate, or economic development and administration. The
23 Executive Director shall hold office at the discretion of the
24 Board. The Executive Director shall be the chief
25 administrative and operational officer of the Authority, shall
26 direct and supervise its administrative affairs and general

1 management, perform such other duties as may be prescribed
2 from time to time by the members, and receive compensation
3 fixed by the Authority. The Department of Commerce and
4 Economic Opportunity shall pay the compensation of the
5 Executive Director from appropriations received for that
6 purpose. The Executive Director shall attend all meetings of
7 the Authority. However, no action of the Authority shall be
8 invalid on account of the absence of the Executive Director
9 from a meeting. The Authority may engage the services of the
10 Illinois Finance Authority, attorneys, appraisers, engineers,
11 accountants, credit analysts, and other consultants if the
12 Eastern Illinois Economic Development Authority deems it
13 advisable.

14 (Source: P.A. 94-203, eff. 7-13-05; 95-854, eff. 8-18-08.)

15 (70 ILCS 506/21 new)

16 Sec. 21. Requests for assistance; disclosure of economic
17 interests.

18 (a) The Authority may not hear a request for assistance
19 from a restricted person. This prohibition extends to business
20 relationships between a person who is an Authority leader
21 within one year prior to the request for assistance and to any
22 entity in which a restricted person holds or, within the past 2
23 years, held an ownership interest of 10% or more.

24 (b) An Authority leader shall disclose and recuse himself
25 or herself from matters relating to requests for assistance

1 from an entity that is relocating full-time employees from
2 another Authority's counties if (i) both Authorities contract
3 with or employ the same Authority leader or (ii) there is or,
4 within the past 2 years of the request, there was a business
5 relationship between the Authority leaders at the 2
6 Authorities.

7 (c) The Board of the Authority shall vote to renew the
8 appointment of the Executive Director and other Authority
9 leaders on an annual basis. All contracts shall be approved on
10 an annual basis and use a public process to solicit
11 applications. This requirement does not apply to full-time
12 employees of the Authority unless otherwise required by
13 applicable State law or local ordinance.

14 (d) Each Authority leader shall submit a statement of
15 economic interest in accordance with Article 4A of the
16 Illinois Governmental Ethics Act. Additionally, each Authority
17 leader shall disclose to the Board outside sources of income
18 and any business relationships in economic development
19 consulting or lobbying. Reporting shall include the source of
20 income, services provided, and timeline of when services were
21 provided. If the source of income is a firm or organization
22 with multiple clients, the report shall list all of the
23 entities for which the individual provided services.

24 (70 ILCS 506/22 new)

25 Sec. 22. Open meetings; record disclosure.

1 (a) The Authority is subject to the Open Meetings Act and
2 the Freedom of Information Act. Documents subject to the
3 Freedom of Information Act include, but are not limited to,
4 expenses, payroll, origination bonuses, and other financial
5 details of the Authority.

6 (b) A contract or agreement entered into by the Authority
7 must be posted on the Authority's website. The Authority shall
8 provide a detailed report of the Authority's financial
9 information on the Authority's website, including, but not
10 limited to, a statement of profits and losses, balance sheet,
11 and income statement of the Authority.

12 (70 ILCS 506/70)

13 Sec. 70. Reports; commitment notice. The Authority shall
14 annually submit a report of its finances to the Auditor
15 General. The Authority shall annually submit a report of its
16 activities to the Governor and to the General Assembly.

17 The Authority shall provide notice to the General
18 Assembly, the Department of Commerce and Economic Opportunity,
19 and the Governor once the Authority enters into a commitment
20 to support the financing of a project. The notice to the
21 General Assembly shall be filed with the Clerk of the House of
22 Representatives and the Secretary of the Senate, in electronic
23 form only, in the manner that the Clerk and the Secretary shall
24 direct.

25 (Source: P.A. 94-203, eff. 7-13-05.)

1 Section 25. The Joliet Arsenal Development Authority Act
2 is amended by changing Section 50 and by adding Sections
3 10.75, 10.80, 20, 21, and 22 as follows:

4 (70 ILCS 508/10.75 new)

5 Sec. 10.75. Authority leader. "Authority leader" means the
6 Executive Director, Assistant Executive Director, or any other
7 person serving in a management, administrative, or leadership
8 role at the Authority.

9 (70 ILCS 508/10.80 new)

10 Sec. 10.80. Restricted person. "Restricted person" means a
11 person who has a familial or business relationship with an
12 Authority leader.

13 (70 ILCS 508/20)

14 Sec. 20. Actions of the Authority. All official acts of
15 the Authority shall require the affirmative vote of at least 6
16 members of the Board at a meeting of the Board at which the
17 members casting those affirmative votes are present. It is the
18 duty of the Authority to promote development within its
19 territorial jurisdiction. The Authority shall use the powers
20 conferred on it by this Act to assist in the development,
21 construction, and acquisition of industrial or commercial
22 projects within its territorial jurisdiction.

1 6 members shall constitute a quorum, and the Board may not
2 meet or take any action without a quorum present.

3 (Source: P.A. 89-333, eff. 8-17-95.)

4 (70 ILCS 508/21 new)

5 Sec. 21. Requests for assistance; disclosure of economic
6 interests.

7 (a) The Authority may not hear a request for assistance
8 from a restricted person. This prohibition extends to business
9 relationships between a person who is an Authority leader
10 within one year prior to the request for assistance and to any
11 entity in which a restricted person holds or, within the past 2
12 years, held an ownership interest of 10% or more.

13 (b) An Authority leader shall disclose and recuse himself
14 or herself from matters relating to requests for assistance
15 from an entity that is relocating full-time employees from
16 another Authority's counties if (i) both Authorities contract
17 with or employ the same Authority leader or (ii) there is or,
18 within the past 2 years of the request, there was a business
19 relationship between the Authority leaders at the 2
20 Authorities.

21 (c) The Board of the Authority shall vote to renew the
22 appointment of the Executive Director and other Authority
23 leaders on an annual basis. All contracts shall be approved on
24 an annual basis and use a public process to solicit
25 applications. This requirement does not apply to full-time

1 employees of the Authority unless otherwise required by
2 applicable State law or local ordinance.

3 (d) Each Authority leader shall submit a statement of
4 economic interest in accordance with Article 4A of the
5 Illinois Governmental Ethics Act. Additionally, each Authority
6 leader shall disclose to the Board outside sources of income
7 and any business relationships in economic development
8 consulting or lobbying. Reporting shall include the source of
9 income, services provided, and timeline of when services were
10 provided. If the source of income is a firm or organization
11 with multiple clients, the report shall list all of the
12 entities for which the individual provided services.

13 (70 ILCS 508/22 new)

14 Sec. 22. Open meetings; record disclosure.

15 (a) The Authority is subject to the Open Meetings Act and
16 the Freedom of Information Act. Documents subject to the
17 Freedom of Information Act include, but are not limited to,
18 expenses, payroll, origination bonuses, and other financial
19 details of the Authority.

20 (b) A contract or agreement entered into by the Authority
21 must be posted on the Authority's website. The Authority shall
22 provide a detailed report of the Authority's financial
23 information on the Authority's website, including, but not
24 limited to, a statement of profits and losses, balance sheet,
25 and income statement of the Authority.

1 (70 ILCS 508/50)

2 Sec. 50. Reports; commitment notice. The Authority shall
3 annually submit a report of its finances to the Auditor
4 General. The Authority shall annually submit a report of its
5 activities to the Governor and General Assembly.

6 The Authority shall provide notice to the General
7 Assembly, the Department of Commerce and Economic Opportunity,
8 and the Governor once the Authority enters into a commitment
9 to support the financing of a project. The notice to the
10 General Assembly shall be filed with the Clerk of the House of
11 Representatives and the Secretary of the Senate, in electronic
12 form only, in the manner that the Clerk and the Secretary shall
13 direct.

14 (Source: P.A. 89-333, eff. 8-17-95.)

15 Section 30. The Quad Cities Regional Economic Development
16 Authority Act, approved September 22, 1987 is amended by
17 changing Sections 3, 4, 5, 6, and 14 as follows:

18 (70 ILCS 510/3) (from Ch. 85, par. 6203)

19 Sec. 3. The following terms, whenever used or referred to
20 in this Act, shall have the following meanings, except in such
21 instances where the context may clearly indicate otherwise:

22 (a) "Authority" means the Quad Cities Regional Economic
23 Development Authority created by this Act.

1 (a-5) "Authority leader" means the Executive Director,
2 Assistant Executive Director, or any other person serving in a
3 management, administrative, or leadership role at the
4 Authority.

5 (b) "Governmental agency" means any federal, State or
6 local governmental body, and any agency or instrumentality
7 thereof, corporate or otherwise.

8 (c) "Person" means any natural person, firm, partnership,
9 corporation, both domestic and foreign, company, association
10 or joint stock association and includes any trustee, receiver,
11 assignee or personal representative thereof.

12 (c-5) "Restricted person" means a person who has a
13 familial or business relationship with an Authority leader.

14 (d) "Revenue bond" means any bond issued by the Authority
15 the principal and interest of which is payable solely from
16 revenues or income derived from any project or activity of the
17 Authority.

18 (e) "Board" means the Quad Cities Regional Economic
19 Development Authority Board of Directors.

20 (f) "Governor" means the Governor of the State of
21 Illinois.

22 (g) "City" means any city, village, incorporated town or
23 township within the geographical territory of the Authority.

24 (h) "Industrial project" means (1) a capital project,
25 including one or more buildings and other structures,
26 improvements, machinery and equipment whether or not on the

1 same site or sites now existing or hereafter acquired,
2 suitable for use by any manufacturing, industrial, research,
3 transportation or commercial enterprise including but not
4 limited to use as a factory, mill, processing plant, assembly
5 plant, packaging plant, fabricating plant, office building,
6 industrial distribution center, warehouse, repair, overhaul or
7 service facility, freight terminal, research facility, test
8 facility, railroad facility, solid waste and wastewater
9 treatment and disposal sites and other pollution control
10 facilities, resource or waste reduction, recovery, treatment
11 and disposal facilities, and including also the sites thereof
12 and other rights in land therefor whether improved or
13 unimproved, site preparation and landscaping and all
14 appurtenances and facilities incidental thereto such as
15 utilities, access roads, railroad sidings, truck docking and
16 similar facilities, parking facilities, dockage, wharfage,
17 railroad roadbed, track, trestle, depot, terminal, switching
18 and signaling equipment or related equipment and other
19 improvements necessary or convenient thereto; or (2) any land,
20 buildings, machinery or equipment comprising an addition to or
21 renovation, rehabilitation or improvement of any existing
22 capital project.

23 (i) "Housing project" or "residential project" includes a
24 specific work or improvement undertaken to provide dwelling
25 accommodations, including the acquisition, construction or
26 rehabilitation of lands, buildings and community facilities

1 and in connection therewith to provide nonhousing facilities
2 which are an integral part of a planned large-scale project or
3 new community.

4 (j) "Commercial project" means any project, including but
5 not limited to one or more buildings and other structures,
6 improvements, machinery and equipment whether or not on the
7 same site or sites now existing or hereafter acquired,
8 suitable for use by any retail or wholesale concern,
9 distributorship or agency, any cultural facilities of a
10 for-profit or not-for-profit type including but not limited to
11 educational, theatrical, recreational and entertainment,
12 sports facilities, racetracks, stadiums, convention centers,
13 exhibition halls, arenas, opera houses and theaters,
14 waterfront improvements, swimming pools, boat storage,
15 moorage, docking facilities, restaurants, velodromes,
16 coliseums, sports training facilities, parking facilities,
17 terminals, hotels and motels, gymnasiums, medical facilities
18 and port facilities.

19 (k) "Project" means an industrial, housing, residential,
20 commercial or service project or any combination thereof
21 provided that all uses shall fall within one of the categories
22 described above. Any project, of any nature whatsoever, shall
23 automatically include all site improvements and new
24 construction involving sidewalks, sewers, solid waste and
25 wastewater treatment and disposal sites and other pollution
26 control facilities, resource or waste reduction, recovery,

1 treatment and disposal facilities, parks, open spaces,
2 wildlife sanctuaries, streets, highways and runways.

3 (l) "Lease agreement" shall mean an agreement whereby a
4 project acquired by the Authority by purchase, gift or lease
5 is leased to any person or corporation which will use or cause
6 the project to be used as a project as heretofore defined upon
7 terms providing for lease rental payments at least sufficient
8 to pay when due all principal of and interest and premium, if
9 any, on any bonds, notes or other evidences of indebtedness of
10 the Authority issued with respect to such project, providing
11 for the maintenance, insurance and operation of the project on
12 terms satisfactory to the Authority and providing for
13 disposition of the project upon termination of the lease term,
14 including purchase options or abandonment of the premises,
15 with such other terms as may be deemed desirable by the
16 Authority.

17 (m) "Loan agreement" means any agreement pursuant to which
18 the Authority agrees to loan the proceeds of its bonds, notes
19 or other evidences of indebtedness issued with respect to a
20 project to any person or corporation which will use or cause
21 the project to be used as a project as heretofore defined upon
22 terms providing for loan repayment installments at least
23 sufficient to pay when due all principal of and interest and
24 premium, if any, on any bonds, notes or other evidences of
25 indebtedness of the Authority issued with respect to the
26 project, providing for maintenance, insurance and operation of

1 the project on terms satisfactory to the Authority and
2 providing for other matters as may be deemed advisable by the
3 Authority.

4 (n) "Financial aid" means the expenditure of Authority
5 funds or funds provided by the Authority through the issuance
6 of its revenue bonds, notes or other evidences of indebtedness
7 for the development, construction, acquisition or improvement
8 of a project.

9 (o) "Costs incurred in connection with the development,
10 construction, acquisition or improvement of a project" means
11 the following: the cost of purchase and construction of all
12 lands and improvements in connection therewith and equipment
13 and other property, rights, easements and franchises acquired
14 which are deemed necessary for such construction; financing
15 charges; interest costs with respect to bonds, notes and other
16 evidences of indebtedness of the Authority prior to and during
17 construction and for a period of 6 months thereafter;
18 engineering and legal expenses; the costs of plans,
19 specifications, surveys and estimates of costs and other
20 expenses necessary or incident to determining the feasibility
21 or practicability of any project, together with such other
22 expenses as may be necessary or incident to the financing,
23 insuring, acquisition and construction of a specific project
24 and the placing of the same in operation.

25 (p) "Terminal" means a public place, station or depot for
26 receiving and delivering passengers, baggage, mail, freight or

1 express matter and any combination thereof in connection with
2 the transportation of persons and property on water or land or
3 in the air.

4 (q) "Terminal facilities" means all land, buildings,
5 structures, improvements, equipment and appliances useful in
6 the operation of public warehouse, storage and transportation
7 facilities and industrial, manufacturing or commercial
8 activities for the accommodation of or in connection with
9 commerce by water or land or in the air or useful as an aid, or
10 constituting an advantage or convenience to, the safe landing,
11 taking off and navigation of aircraft or the safe and
12 efficient operation or maintenance of a public airport.

13 (r) "Port facilities" means all public structures, except
14 terminal facilities as defined herein, that are in, over,
15 under or adjacent to navigable waters and are necessary for or
16 incident to the furtherance of water commerce and includes the
17 widening and deepening of slips, harbors and navigable waters.

18 (s) "Airport" means any locality, either land or water,
19 which is used or designed for the landing and taking off of
20 aircraft or for the location of runways, landing fields,
21 aerodromes, hangars, buildings, structures, airport roadways
22 and other facilities.

23 (Source: P.A. 85-713.)

24 (70 ILCS 510/4) (from Ch. 85, par. 6204)

25 Sec. 4. (a) There is hereby created a political

1 subdivision, body politic and municipal corporation named the
2 Quad Cities Regional Economic Development Authority. The
3 territorial jurisdiction of the Authority is that geographic
4 area within the boundaries of Jo Daviess, Carroll, Whiteside,
5 Stephenson, Lee, Rock Island, Henry, Knox, ~~and~~ Mercer,
6 Winnebago, and Boone counties in the State of Illinois and any
7 navigable waters and air space located therein.

8 (b) The governing and administrative powers of the
9 Authority shall be vested in a body consisting of 18 ~~16~~ members
10 including, as an ex officio member, the Director of Commerce
11 and Economic Opportunity, or his or her designee. The other
12 members of the Authority shall be designated "public members",
13 6 of whom shall be appointed by the Governor with the advice
14 and consent of the Senate. Of the 6 members appointed by the
15 Governor, one shall be from a city within the Authority's
16 territory with a population of 25,000 or more and the
17 remainder shall be appointed at large. Of the 6 members
18 appointed by the Governor, 2 members shall have business or
19 finance experience. One member shall be appointed by each of
20 the county board chairmen of Rock Island, Henry, Knox, ~~and~~
21 Mercer, Winnebago, and Boone Counties with the advice and
22 consent of the respective county board. Within 60 days after
23 the effective date of this amendatory Act of the 97th General
24 Assembly, one additional public member shall be appointed by
25 each of the county board chairpersons of Jo Daviess, Carroll,
26 Whiteside, Stephenson, and Lee counties with the advice and

1 consent of the respective county board. Of the public members
2 added by this amendatory Act of the 97th General Assembly, one
3 shall serve for a one-year term, 2 shall serve for 2-year
4 terms, and 2 shall serve for 3-year terms, to be determined by
5 lot. Their successors shall serve for 3-year terms. Within 60
6 days after the effective date of this amendatory Act of the
7 103rd General Assembly, one additional public member shall be
8 appointed by each of the county board chairperson of Winnebago
9 and Boone counties with the advice and consent of the
10 respective county board. Of the public members added by this
11 amendatory Act of the 103rd General Assembly, one shall serve
12 for a 2-year term and one shall serve for a 3-year term, to be
13 determined by lot. Their successors shall serve for 3-year
14 terms. All public members shall reside within the territorial
15 jurisdiction of this Act. Ten ~~Nine~~ members shall constitute a
16 quorum, and the Board may not meet or take any action without a
17 quorum present. The public members shall be persons of
18 recognized ability and experience in one or more of the
19 following areas: economic development, finance, banking,
20 industrial development, small business management, real estate
21 development, community development, venture finance, organized
22 labor or civic, community or neighborhood organization. The
23 Chairman of the Authority shall be a public member elected by
24 the affirmative vote of not fewer than 10 ~~6~~ members of the
25 Authority, ~~except that any chairperson elected on or after the~~
26 ~~effective date of this amendatory Act of the 97th General~~

1 ~~Assembly shall be elected by the affirmative vote of not fewer~~
2 ~~than 9 members.~~ The term of the Chairman shall be one year.

3 (c) The terms of the initial members of the Authority
4 shall begin 30 days after the effective date of this Act,
5 except (i) the terms of those members added by this amendatory
6 Act of 1989 shall begin 30 days after the effective date of
7 this amendatory Act of 1989 and (ii) the terms of those members
8 added by this amendatory Act of the 92nd General Assembly
9 shall begin 30 days after the effective date of this
10 amendatory Act of the 92nd General Assembly. Of the 10 public
11 members appointed pursuant to this Act, 2 (one of whom shall be
12 appointed by the Governor) shall serve until the third Monday
13 in January, 1989, 2 (one of whom shall be appointed by the
14 Governor) shall serve until the third Monday in January, 1990,
15 2 (one of whom shall be appointed by the Governor) shall serve
16 until the third Monday in January, 1991, 2 (both of whom shall
17 be appointed by the Governor) shall serve until the third
18 Monday in January, 1992, and 2 (one of whom shall be appointed
19 by the Governor and one of whom shall be appointed by the
20 county board chairman of Knox County) shall serve until the
21 third Monday in January, 2004. The initial terms of the
22 members appointed by the county board chairmen (other than the
23 county board chairman of Knox County) shall be determined by
24 lot. All successors shall be appointed by the original
25 appointing authority and hold office for a term of 3 years
26 commencing the third Monday in January of the year in which

1 their term commences, except in case of an appointment to fill
2 a vacancy. Vacancies occurring among the public members shall
3 be filled for the remainder of the term. In case of vacancy in
4 a Governor-appointed membership when the Senate is not in
5 session, the Governor may make a temporary appointment until
6 the next meeting of the Senate when a person shall be nominated
7 to fill such office, and any person so nominated who is
8 confirmed by the Senate shall hold office during the remainder
9 of the term and until a successor shall be appointed and
10 qualified. Members of the Authority shall not be entitled to
11 compensation for their services as members but shall be
12 entitled to reimbursement for all necessary expenses incurred
13 in connection with the performance of their duties as members.

14 (d) The Governor may remove any public member of the
15 Authority appointed by the Governor in case of incompetency,
16 neglect of duty, or malfeasance in office. The Chairman of a
17 county board may remove any public member of the Authority
18 appointed by such Chairman in the case of incompetency,
19 neglect of duty, or malfeasance in office.

20 (e) The Board shall appoint an Executive Director who
21 shall have a background in finance, including familiarity with
22 the legal and procedural requirements of issuing bonds, real
23 estate or economic development and administration. The
24 Executive Director shall hold office at the discretion of the
25 Board. The Executive Director shall be the chief
26 administrative and operational officer of the Authority, shall

1 direct and supervise its administrative affairs and general
2 management, shall perform such other duties as may be
3 prescribed from time to time by the members and shall receive
4 compensation fixed by the Authority. The Authority may engage
5 the services of such other agents and employees, including
6 attorneys, appraisers, engineers, accountants, credit analysts
7 and other consultants, as it may deem advisable and may
8 prescribe their duties and fix their compensation.

9 (f) The Board shall create a task force to study and make
10 recommendations to the Board on the economic development of
11 the territory within the jurisdiction of this Act. The number
12 of members constituting the task force shall be set by the
13 Board and may vary from time to time. The Board may set a
14 specific date by which the task force is to submit its final
15 report and recommendations to the Board.

16 (Source: P.A. 97-278, eff. 8-8-11; 98-463, eff. 8-16-13.)

17 (70 ILCS 510/5) (from Ch. 85, par. 6205)

18 Sec. 5. Conflicts of interest; requests for assistance;
19 disclosure of economic interests. ~~Interest. Members or~~
20 ~~employees of authority — conflicting relations or interests —~~
21 ~~effects.~~

22 (a) No member of the Authority or officer, agent or
23 employee thereof other than the representatives of a
24 professional sports team shall, in his or her own name or in
25 the name of a nominee, be an officer, director or hold an

1 ownership interest of more than 7-1/2% in any person,
2 association, trust, corporation, partnership or other entity
3 which is, in its own name or in the name of a nominee, a party
4 to a contract or agreement upon which the member or officer,
5 agent or employee may be called upon to act or vote.

6 (b) With respect to any direct or any indirect interest,
7 other than an interest prohibited in subsection (a), in a
8 contract or agreement upon which the member or officer, agent
9 or employee may be called upon to act or vote, a member of the
10 Authority or officer, agent or employee thereof shall disclose
11 the same to the secretary of the Authority prior to the taking
12 of final action by the Authority concerning such contract or
13 agreement and shall so disclose the nature and extent of such
14 interest and his or her acquisition thereof, which disclosures
15 shall be publicly acknowledged by the Authority and entered
16 upon the minutes of the Authority. If a member of the Authority
17 or officer, agent or employee thereof holds such an interest
18 then he or she shall refrain from any further official
19 involvement in regard to such contract or agreement, from
20 voting on any matter pertaining to such contract or agreement,
21 and from communicating with other members of the Authority or
22 its officers, agents and employees concerning said contract or
23 agreement. Notwithstanding any other provision of law, any
24 contract or agreement entered into in conformity with this
25 subsection (b) shall not be void or invalid by reason of the
26 interest described in this subsection, nor shall any person so

1 disclosing the interest and refraining from further official
2 involvement as provided in this subsection be guilty of an
3 offense, be removed from office or be subject to any other
4 penalty on account of such interest.

5 (c) Any contract or agreement made in violation of
6 subsection (a) or (b) of this Section shall be null and void
7 and give rise to no action against the Authority. No real
8 estate to which a member or employee of the Authority holds
9 legal title or in which such person has any beneficial
10 interest, including any interest in a land trust, shall be
11 purchased by the Authority or by a nonprofit corporation or
12 limited-profit entity for a development to be financed under
13 this Act. All members and employees of the Authority shall
14 file annually with the Authority a record of all real estate in
15 this State of which such person holds legal title or in which
16 such person has any beneficial interest, including any
17 interest in a land trust. In the event it is later disclosed
18 that the Authority has purchased real estate in which a member
19 or employee had an interest, such purchase shall be voidable
20 by the Authority and the member or employee involved shall be
21 disqualified from membership in or employment by the
22 Authority.

23 (d) The Authority may not hear a request for assistance
24 from a restricted person. This prohibition extends to business
25 relationships between a person who is an Authority leader
26 within one year prior to the request for assistance and to any

1 entity in which a restricted person holds or, within the past 2
2 years, held an ownership interest of 10% or more.

3 (e) An Authority leader shall disclose and recuse himself
4 or herself from matters relating to requests for assistance
5 from an entity that is relocating full-time employees from
6 another Authority's counties if (i) both Authorities contract
7 with or employ the same Authority leader or (ii) there is or,
8 within the past 2 years of the request, there was a business
9 relationship between the Authority leaders at the 2
10 Authorities.

11 (f) The Board of the Authority shall vote to renew the
12 appointment of the Executive Director and other Authority
13 leaders on an annual basis. All contracts shall be approved on
14 an annual basis and use a public process to solicit
15 applications. This requirement does not apply to full-time
16 employees of the Authority unless otherwise required by
17 applicable State law or local ordinance.

18 (g) Each Authority leader shall submit a statement of
19 economic interest in accordance with Article 4A of the
20 Illinois Governmental Ethics Act. Additionally, each Authority
21 leader shall disclose to the Board outside sources of income
22 and any business relationships in economic development
23 consulting or lobbying. Reporting shall include the source of
24 income, services provided, and timeline of when services were
25 provided. If the source of income is a firm or organization
26 with multiple clients, the report shall list all of the

1 entities for which the individual provided services.

2 (Source: P.A. 85-713.)

3 (70 ILCS 510/6) (from Ch. 85, par. 6206)

4 Sec. 6. Records, ~~and~~ reports, and notices of the
5 Authority. The secretary shall keep a record of the
6 proceedings of the Authority. The treasurer of the Authority
7 shall be custodian of all Authority funds, and shall be bonded
8 in such amount as the other members of the Authority may
9 designate. The accounts and bonds of the Authority shall be
10 set up and maintained in a manner approved by the Auditor
11 General, and the Authority shall file with the Auditor General
12 a certified annual report within 120 days after the close of
13 its fiscal year. The Authority shall also file with the
14 Governor, the Secretary of the Senate, the Clerk of the House
15 of Representatives, and the Commission on Government
16 Forecasting and Accountability, by March 1 of each year, a
17 written report covering its activities and any activities of
18 any instrumentality corporation established pursuant to this
19 Act for the previous fiscal year. In its report to be filed by
20 March 1, 1988, the Authority shall present an economic
21 development strategy for the Quad Cities region for the year
22 beginning July 1, 1988 and for the 4 years next ensuing. In
23 each annual report thereafter, the Authority shall make
24 modifications in such economic development strategy for the 4
25 years beginning on the next ensuing July 1, to reflect changes

1 in economic conditions or other factors, including the
2 policies of the Authority and the State of Illinois. It also
3 shall present an economic development strategy for the fifth
4 year beginning after the next ensuing July 1. The strategy
5 shall recommend specific legislative and administrative action
6 by the State, the Authority, units of local government or
7 other governmental agencies. Such recommendations may include,
8 but are not limited to, new programs, modifications to
9 existing programs, credit enhancements for bonds issued by the
10 Authority, and amendments to this Act. When filed, such report
11 shall be a public record and open for inspection at the offices
12 of the Authority during normal business hours.

13 The Authority is subject to the Open Meetings Act and the
14 Freedom of Information Act. Documents subject to the Freedom
15 of Information Act include, but are not limited to, expenses,
16 payroll, origination bonuses, and other financial details of
17 the Authority.

18 A contract or agreement entered into by the Authority must
19 be posted on the Authority's website. The Authority shall
20 provide a detailed report of the Authority's financial
21 information on the Authority's website, including, but not
22 limited to, a statement of profits and losses, balance sheet,
23 and income statement of the Authority.

24 The Authority shall provide notice to the General
25 Assembly, the Department of Commerce and Economic Opportunity,
26 and the Governor once the Authority enters into a commitment

1 to support the financing of a project. The notice to the
2 General Assembly shall be filed with the Clerk of the House of
3 Representatives and the Secretary of the Senate, in electronic
4 form only, in the manner that the Clerk and the Secretary shall
5 direct.

6 (Source: P.A. 100-1148, eff. 12-10-18.)

7 (70 ILCS 510/14) (from Ch. 85, par. 6214)

8 Sec. 14. Additional powers and duties.

9 (a) The Authority may, but need not, acquire title to any
10 project with respect to which it exercises its authority.

11 (b) The Authority shall have the power to enter into
12 intergovernmental agreements with the State of Illinois, the
13 counties of Jo Daviess, Carroll, Whiteside, Stephenson, Lee,
14 Knox, Winnebago, Boone, Rock Island, Henry, or Mercer, the
15 State of Iowa or any authority established by the State of
16 Iowa, the Illinois Finance Authority, the Illinois Housing
17 Development Authority, the United States government and any
18 agency or instrumentality of the United States, any unit of
19 local government located within the territory of the Authority
20 or any other unit of government to the extent allowed by
21 Article VII, Section 10 of the Illinois Constitution and the
22 Intergovernmental Cooperation Act.

23 (c) The Authority shall have the power to share employees
24 with other units of government, including agencies of the
25 United States, agencies of the State of Illinois and agencies

1 or personnel of any unit of local government.

2 (d) The Authority shall have the power to exercise powers
3 and issue bonds as if it were a municipality so authorized in
4 Divisions 12.1, 74, 74.1, 74.3 and 74.5 of Article 11 of the
5 Illinois Municipal Code.

6 (Source: P.A. 93-205, eff. 1-1-04.)"; and

7 Section 35. The Riverdale Development Authority Act is
8 amended by changing Sections 10, 15, and 45 and by adding
9 Sections 21 and 22 as follows:

10 (70 ILCS 516/10)

11 Sec. 10. Definitions. In this Act words and phrases have
12 the meanings set forth in this Section.

13 "Authority" means the Riverdale Development Authority
14 created by this Act.

15 "Authority leader" means the Executive Director,
16 Assistant Executive Director, or any other person serving
17 in a management, administrative, or leadership role at the
18 Authority.

19 "Board" means the Board of Directors of the Authority.

20 "Costs incurred in connection with the development,
21 construction, acquisition, or improvement of a project"
22 means: the cost of purchase and construction of all lands
23 and related improvements, together with the equipment and
24 other property, rights, easements, and franchises acquired

1 that are deemed necessary for the construction; the costs
2 of environmental suits, studies and analyses and
3 subsequent clean-up activities necessary to qualify the
4 area as needing no further remediation; financing charges;
5 interest costs with respect to revenue bonds, notes, and
6 other evidences of indebtedness of the Authority prior to
7 and during construction and for a period of 36 months
8 thereafter; engineering and legal expenses; the costs of
9 plans, specifications, surveys, and estimates of costs and
10 other expenses necessary or incident to determining the
11 feasibility or practicability of any project, together
12 with such other expenses as may be necessary or incident
13 to the financing, insuring, acquisition, and construction
14 of a specific project and the placing of the project in
15 operation.

16 "Financial aid" means the expenditure of Authority
17 funds or funds provided by the Authority through the
18 issuance of its revenue bonds, notes, or other evidences
19 of indebtedness for the development, construction,
20 acquisition, or improvement of a project.

21 "Governmental agency" means any federal, State, county
22 or local governmental body, and any agency or
23 instrumentality thereof, corporate or otherwise.

24 "Lease agreement" means an agreement under which a
25 project acquired by the Authority by purchase, gift, or
26 lease is leased to any person or governmental agency that

1 will use or cause the project to be used as a project upon
2 terms providing for lease rental payments at least
3 sufficient to pay when due the lessee's pro rata share of
4 all principal and interest and premium, if any, on any
5 revenue bonds, notes, or other evidences of indebtedness
6 of the Authority issued with respect to the project,
7 providing for the maintenance, insurance, and operation of
8 the project on terms satisfactory to the Authority, and
9 providing for disposition of the project upon termination
10 of the lease term, including purchase options or
11 abandonment of the premises, with such other terms as may
12 be deemed desirable by the Authority.

13 "Loan agreement" means any agreement by which the
14 Authority agrees to loan the proceeds of its revenue
15 bonds, notes, or other evidences of indebtedness issued
16 with respect to a project to any person or governmental
17 agency that will use or cause the project to be used as a
18 project upon terms providing for loan repayment
19 installments at least sufficient to pay when due the
20 borrower's pro rata share of all principal of and interest
21 and premium, if any, on any revenue bonds, notes, or other
22 evidences of indebtedness of the Authority issued with
23 respect to the project, providing for maintenance,
24 insurance, and operation of the project on terms
25 satisfactory to the Authority, and providing for other
26 matters as may be deemed advisable by the Authority.

1 "Person" includes without limitation an individual,
2 corporation, partnership, unincorporated association, and
3 any other legal entity, including a trustee, receiver,
4 assignee, or personal representative of the entity.

5 "Project" means an industrial, commercial,
6 freight-oriented or residential project or any combination
7 thereof provided that all uses shall fall within one of
8 those categories, including but not limited to one or more
9 buildings and other structures, improvements, machinery
10 and equipment whether or not on the same site or any land,
11 buildings, machinery, or equipment comprising an addition
12 to or renovation, rehabilitation, or improvement of any
13 existing capital project. Any project shall automatically
14 include all site improvements and new construction
15 involving sidewalks, sewers, landscaping and all
16 appurtenances and facilities incidental thereto such as
17 utilities, access roads, railroad sidings, truck docking,
18 and similar facilities, parking facilities, railroad
19 roadbed, track, trestle, depot, terminal, intermodal
20 facilities, switching and signaling equipment, or related
21 equipment and other improvements necessary or convenient
22 thereto, solid waste and wastewater treatment and disposal
23 sites and other pollution control facilities, resource or
24 waste reduction, recovery, treatment, and disposal
25 facilities, open spaces, streets, highways, and runways.

26 "Restricted person" means a person who has a familial

1 or business relationship with an Authority leader.

2 "Revenue bond" or "bond" means any bond issued by the
3 Authority under the supervision of the Illinois Finance
4 Authority, the principal and interest of which are payable
5 solely from revenues or income derived from any project or
6 activity of the Authority.

7 "Terminal" means a public place, station, or depot for
8 receiving and delivering passengers, baggage, mail,
9 freight, or express matter and any combination thereof in
10 connection with the transportation of persons and property
11 on land.

12 "Terminal facilities" means all land, buildings,
13 structures, improvements, equipment, and appliances useful
14 in the operation of public warehouse, storage, and
15 transportation facilities and industrial, manufacturing,
16 or commercial activities for the accommodation of or in
17 connection with commerce by land.

18 (Source: P.A. 94-1093, eff. 1-26-07.)

19 (70 ILCS 516/15)

20 Sec. 15. Creation of Authority; Board members; officers.

21 (a) The Riverdale Development Authority is created as a
22 political subdivision, body politic, and municipal
23 corporation.

24 (b) The jurisdiction of the Authority shall extend over
25 the approximately 1,200 acres (1.87 sq. miles), more or less,

1 of largely industrial, commercial and residential property
2 located between and adjacent to the CSX's Barr Yard and IHB's
3 Blue Island Yard, exclusive of those yards and other rail
4 lines and utility property, but including: the property
5 generally bounded by I-57 on the west; east along Jackson
6 Street and Indian Boundary Line to Halsted Avenue; south on
7 Halsted to Forestview Avenue continuing east to the Norfolk
8 Southern Railway; north along the Norfolk Southern Railway to
9 the Little Calumet River, east along the River to the
10 northeastern tip of the peninsula crossing the River at the
11 height of 130th Street to the Canadian National-Illinois
12 Central Railroad property line continuing south along the rail
13 line and crossing the River again; east along the River to
14 Indiana Avenue; south to 136th Street; west on 136th Street to
15 the Norfolk Southern Railway then northwest to the northern
16 boundary of Mohawk Park at the height of Blue Island-Riverdale
17 Road and thence west on Blue Island-Riverdale Road to the
18 eastern edge of the Commonwealth Edison easement at the height
19 of Stewart Avenue and then south on Stewart Avenue to 142nd
20 Street; west on 142nd Street continuing along the southern
21 boundary of the IHB Blue Island Yard following this boundary
22 line west to I-57.

23 (c) The governing and administrative powers of the
24 Authority shall be vested in its Board of Directors consisting
25 of 5 members, 3 of whom shall be appointed by the Mayor of
26 Riverdale and 2 of whom shall be appointed by the Governor. All

1 persons appointed as members of the Board shall have
2 recognized ability and experience in one or more of the
3 following areas: economic development, finance, banking,
4 industrial development, business management, real estate,
5 community development, organized labor, or civic, community,
6 or neighborhood organization.

7 (d) The terms of the 5 initial appointees to the Authority
8 shall commence 30 days after the effective date of this Act. Of
9 the 5 appointees initially appointed (i) one of Riverdale's
10 appointees and one of the Governor's appointees shall be
11 appointed to serve terms expiring on the third Monday in
12 January, 2009; (ii) one of Riverdale's appointees shall be
13 appointed to serve a term expiring on the third Monday in
14 January, 2010; and (iii) one of Riverdale's appointees and 1
15 of the Governor's appointees shall be appointed to serve terms
16 expiring on the third Monday in January, 2011. All successors
17 shall be appointed by the original appointing authority and
18 hold office for a term of 4 years commencing the third Monday
19 in January of the year in which their term commences, except in
20 case of an appointment to fill a vacancy. Vacancies shall be
21 filled for the remainder of the term. Each member appointed to
22 the Board shall serve until his or her successor is appointed
23 and qualified.

24 (e) The Chairperson of the Board shall be elected by the
25 Board annually from among its members.

26 (f) The appointing authority may remove any member of the

1 Board in case of incompetency, neglect of duty, or malfeasance
2 in office.

3 (g) Members of the Board shall serve without compensation
4 for their services as members but may be reimbursed for all
5 necessary expenses incurred in connection with the performance
6 of their duties as members.

7 (h) The Board may appoint an Executive Director who shall
8 have a background in administration, planning, real estate,
9 economic development, finance, or law. The Executive Director
10 shall hold office at the discretion of the Board. The
11 Executive Director shall be the chief administrative and
12 operational officer of the Authority, shall direct and
13 supervise its administrative affairs and general management,
14 shall perform such other duties as may be prescribed from time
15 to time by the Board, and shall receive compensation fixed by
16 the Board. The Executive Director shall attend all meetings of
17 the Board; however, no action of the Board or the Authority
18 shall be invalid on account of the absence of the Executive
19 Director from a meeting. The Board may engage the services of
20 such other agents and employees, including planners,
21 attorneys, appraisers, engineers, accountants, credit analysts
22 and other consultants, and may prescribe their duties and fix
23 their compensation.

24 (i) The Board shall meet on the call of its Chairperson or
25 upon written notice of 3 members of the Board. 3 members shall
26 constitute a quorum, and the Board may not meet or take any

1 action without a quorum present.

2 (j) All official acts of the Authority shall require the
3 affirmative vote of at least 3 of the members of the Board
4 present and voting at a meeting of the Board.

5 (Source: P.A. 94-1093, eff. 1-26-07.)

6 (70 ILCS 516/21 new)

7 Sec. 21. Requests for assistance; disclosure of economic
8 interests.

9 (a) The Authority may not hear a request for assistance
10 from a restricted person. This prohibition extends to business
11 relationships between a person who is an Authority leader
12 within one year prior to the request for assistance and to any
13 entity in which a restricted person holds or, within the past 2
14 years, held an ownership interest of 10% or more.

15 (b) An Authority leader shall disclose and recuse himself
16 or herself from matters relating to requests for assistance
17 from an entity that is relocating full-time employees from
18 another Authority's counties if (i) both Authorities contract
19 with or employ the same Authority leader or (ii) there is or,
20 within the past 2 years of the request, there was a business
21 relationship between the Authority leaders at the 2
22 Authorities.

23 (c) The Board of the Authority shall vote to renew the
24 appointment of the Executive Director and other Authority
25 leaders on an annual basis. All contracts shall be approved on

1 an annual basis and use a public process to solicit
2 applications. This requirement does not apply to full-time
3 employees of the Authority unless otherwise required by
4 applicable State law or local ordinance.

5 (d) Each Authority leader shall submit a statement of
6 economic interest in accordance with Article 4A of the
7 Illinois Governmental Ethics Act. Additionally, each Authority
8 leader shall disclose to the Board outside sources of income
9 and any business relationships in economic development
10 consulting or lobbying. Reporting shall include the source of
11 income, services provided, and timeline of when services were
12 provided. If the source of income is a firm or organization
13 with multiple clients, the report shall list all of the
14 entities for which the individual provided services.

15 (70 ILCS 516/22 new)

16 Sec. 22. Open meetings; record disclosure.

17 (a) The Authority is subject to the Open Meetings Act and
18 the Freedom of Information Act. Documents subject to the
19 Freedom of Information Act include, but are not limited to,
20 expenses, payroll, origination bonuses, and other financial
21 details of the Authority.

22 (b) A contract or agreement entered into by the Authority
23 must be posted on the Authority's website. The Authority shall
24 provide a detailed report of the Authority's financial
25 information on the Authority's website, including, but not

1 limited to, a statement of profits and losses, balance sheet,
2 and income statement of the Authority.

3 (70 ILCS 516/45)

4 Sec. 45. Reports; commitment notice. The Authority shall,
5 annually, submit a report of its finances to the Auditor
6 General. The Authority shall, annually, submit a report of its
7 activities to the Governor and to the General Assembly.

8 The Authority shall provide notice to the General
9 Assembly, the Department of Commerce and Economic Opportunity,
10 and the Governor once the Authority enters into a commitment
11 to support the financing of a project. The notice to the
12 General Assembly shall be filed with the Clerk of the House of
13 Representatives and the Secretary of the Senate, in electronic
14 form only, in the manner that the Clerk and the Secretary shall
15 direct.

16 (Source: P.A. 94-1093, eff. 1-26-07.)

17 Section 40. The Southeastern Illinois Economic Development
18 Authority Act is amended by changing Sections 15, 20, and 70
19 and by adding Sections 26 and 27 as follows:

20 (70 ILCS 518/15)

21 Sec. 15. Definitions. In this Act:

22 "Authority" means the Southeastern Illinois Economic
23 Development Authority.

1 "Authority leader" means the Executive Director, Assistant
2 Executive Director, or any other person serving in a
3 management, administrative, or leadership role at the
4 Authority.

5 "Governmental agency" means any federal, State, or local
6 governmental body and any agency or instrumentality thereof,
7 corporate or otherwise.

8 "Person" means any natural person, firm, partnership,
9 corporation, both domestic and foreign, company, association
10 or joint stock association and includes any trustee, receiver,
11 assignee or personal representative thereof.

12 "Restricted person" means a person who has a familial or
13 business relationship with an Authority leader.

14 "Revenue bond" means any bond issued by the Authority, the
15 principal and interest of which is payable solely from
16 revenues or income derived from any project or activity of the
17 Authority.

18 "Board" means the Board of Directors of the Southeastern
19 Illinois Economic Development Authority.

20 "Governor" means the Governor of the State of Illinois.

21 "City" means any city, village, incorporated town, or
22 township within the geographical territory of the Authority.

23 "Industrial project" means the following:

24 (1) a capital project, including one or more buildings
25 and other structures, improvements, machinery and
26 equipment whether or not on the same site or sites now

1 existing or hereafter acquired, suitable for use by any
2 manufacturing, industrial, research, transportation or
3 commercial enterprise including but not limited to use as
4 a factory, mill, processing plant, assembly plant,
5 packaging plant, fabricating plant, ethanol plant, office
6 building, industrial distribution center, warehouse,
7 repair, overhaul or service facility, freight terminal,
8 research facility, test facility, power generation
9 facility, mining operation, railroad facility, solid waste
10 and wastewater treatment and disposal sites and other
11 pollution control facilities, resource or waste reduction,
12 recovery, treatment and disposal facilities,
13 tourism-related facilities, including hotels, theaters,
14 water parks, and amusement parks, and including also the
15 sites thereof and other rights in land therefore whether
16 improved or unimproved, site preparation and landscaping
17 and all appurtenances and facilities incidental thereto
18 such as utilities, access roads, railroad sidings, truck
19 docking and similar facilities, parking facilities,
20 dockage, wharfage, railroad roadbed, track, trestle,
21 depot, terminal, switching and signaling equipment or
22 related equipment and other improvements necessary or
23 convenient thereto; or

24 (2) any land, buildings, machinery or equipment
25 comprising an addition to or renovation, rehabilitation or
26 improvement of any existing capital project.

1 "Housing project" or "residential project" includes a
2 specific work or improvement undertaken to provide dwelling
3 accommodations, including the acquisition, construction or
4 rehabilitation of lands, buildings and community facilities
5 and in connection therewith to provide nonhousing facilities
6 which are an integral part of a planned large-scale project or
7 new community.

8 "Commercial project" means any project, including, but not
9 limited to, one or more buildings and other structures,
10 improvements, machinery, and equipment, whether or not on the
11 same site or sites now existing or hereafter acquired,
12 suitable for use by any retail or wholesale concern,
13 distributorship, or agency, or health facility or retirement
14 facility.

15 "Project" means an industrial, housing, residential,
16 commercial, or service project, or any combination thereof,
17 provided that all uses fall within one of the categories
18 described above. Any project automatically includes all site
19 improvements and new construction involving sidewalks, sewers,
20 solid waste and wastewater treatment and disposal sites and
21 other pollution control facilities, resource or waste
22 reduction, recovery, treatment and disposal facilities, parks,
23 open spaces, wildlife sanctuaries, streets, highways, and
24 runways.

25 "Lease agreement" means an agreement in which a project
26 acquired by the Authority by purchase, gift, or lease is

1 leased to any person or corporation that will use, or cause the
2 project to be used, as a project, upon terms providing for
3 lease rental payments at least sufficient to pay, when due,
4 all principal of and interest and premium, if any, on any
5 bonds, notes, or other evidences of indebtedness of the
6 Authority, issued with respect to the project, providing for
7 the maintenance, insurance, and operation of the project on
8 terms satisfactory to the Authority and providing for
9 disposition of the project upon termination of the lease term,
10 including purchase options or abandonment of the premises,
11 with other terms as may be deemed desirable by the Authority.

12 "Loan agreement" means any agreement in which the
13 Authority agrees to loan the proceeds of its bonds, notes, or
14 other evidences of indebtedness, issued with respect to a
15 project, to any person or corporation which will use or cause
16 the project to be used as a project, upon terms providing for
17 loan repayment installments at least sufficient to pay, when
18 due, all principal of and interest and premium, if any, on any
19 bonds, notes, or other evidences of indebtedness of the
20 Authority issued with respect to the project, providing for
21 maintenance, insurance, and operation of the project on terms
22 satisfactory to the Authority and providing for other terms
23 deemed advisable by the Authority.

24 "Financial aid" means the expenditure of Authority funds
25 or funds provided by the Authority for the development,
26 construction, acquisition or improvement of a project, through

1 the issuance of revenue bonds, notes, or other evidences of
2 indebtedness.

3 "Costs incurred in connection with the development,
4 construction, acquisition or improvement of a project" means
5 the following:

6 (1) the cost of purchase and construction of all lands
7 and improvements in connection therewith and equipment and
8 other property, rights, easements, and franchises acquired
9 which are deemed necessary for the construction;

10 (2) financing charges;

11 (3) interest costs with respect to bonds, notes, and
12 other evidences of indebtedness of the Authority prior to
13 and during construction and for a period of 6 months
14 thereafter;

15 (4) engineering and legal expenses; and

16 (5) the costs of plans, specifications, surveys, and
17 estimates of costs and other expenses necessary or
18 incident to determining the feasibility or practicability
19 of any project, together with such other expenses as may
20 be necessary or incident to the financing, insuring,
21 acquisition, and construction of a specific project and
22 the placing of the same in operation.

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

24 (70 ILCS 518/20)

25 Sec. 20. Creation.

1 (a) There is created a political subdivision, body
2 politic, and municipal corporation named the Southeastern
3 Illinois Economic Development Authority. The territorial
4 jurisdiction of the Authority is that geographic area within
5 the boundaries of the following counties: Fayette, Cumberland,
6 Clark, Effingham, Jasper, Crawford, Marion, Clay, Richland,
7 Lawrence, Jefferson, Wayne, Edwards, Wabash, Hamilton, and
8 White; Irvington Township in Washington County; and any
9 navigable waters and air space located therein.

10 (b) The governing and administrative powers of the
11 Authority shall be vested in a body consisting of 27 members as
12 follows:

13 (1) Public members. Nine members shall be appointed by
14 the Governor with the advice and consent of the Senate.
15 The county board chairmen of the following counties shall
16 each appoint one member: Clark, Clay, Crawford,
17 Cumberland, Edwards, Effingham, Fayette, Hamilton, Jasper,
18 Jefferson, Lawrence, Marion, Richland, Wabash, Washington,
19 Wayne, and White.

20 (2) One member shall be appointed by the Director of
21 Commerce and Economic Opportunity.

22 All public members shall reside within the territorial
23 jurisdiction of the Authority. The public members shall be
24 persons of recognized ability and experience in one or more of
25 the following areas: economic development, finance, banking,
26 industrial development, state or local government, commercial

1 agriculture, small business management, real estate
2 development, community development, venture finance, organized
3 labor, or civic or community organization.

4 (c) Fourteen members shall constitute a quorum, and the
5 Board may not meet or take any action without a quorum present.

6 (d) The chairman of the Authority shall be elected
7 annually by the Board.

8 (e) The terms of the initial members of the Authority
9 shall begin 30 days after the effective date of this Act. Of
10 the 10 original members appointed by the Governor and the
11 Director of Commerce and Economic Opportunity pursuant to
12 subsection (b), one shall serve until the third Monday in
13 January, 2005; one shall serve until the third Monday in
14 January, 2006; 2 shall serve until the third Monday in
15 January, 2007; 2 shall serve until the third Monday in
16 January, 2008; 2 shall serve until the third Monday in
17 January, 2009; and 2 shall serve until the third Monday in
18 January, 2010. The terms of the initial public members of the
19 Authority appointed by the county board chairmen shall begin
20 30 days after the effective date of this amendatory Act of the
21 97th General Assembly. The terms of the initial public members
22 appointed by the county board chairmen shall be determined by
23 lot, according to the following schedule: (i) 4 shall serve
24 until the third Monday in January, 2013, (ii) 4 shall serve
25 until the third Monday in January, 2014, (iii) 3 shall serve
26 until the third Monday in January, 2015, (iv) 3 shall serve

1 until the third Monday in January, 2016, and (v) 3 shall serve
2 until the third Monday in January, 2017. All successors to
3 these initial members shall be appointed by the original
4 appointing authority pursuant to subsection (b), and shall
5 hold office for a term of 3 years commencing the third Monday
6 in January of the year in which their term commences, except in
7 the case of an appointment to fill a vacancy. Vacancies
8 occurring among the members shall be filled for the remainder
9 of the term. In case of a vacancy in a Governor-appointed
10 membership when the Senate is not in session, the Governor may
11 make a temporary appointment until the next meeting of the
12 Senate when a person shall be nominated to fill the office and,
13 upon confirmation by the Senate, he or she shall hold office
14 during the remainder of the term and until a successor is
15 appointed and qualified. Members of the Authority are not
16 entitled to compensation for their services as members but are
17 entitled to reimbursement for all necessary expenses incurred
18 in connection with the performance of their duties as members.
19 Members of the Board may participate in Board meetings by
20 teleconference or video conference.

21 (f) The Governor may remove any public member of the
22 Authority appointed by the Governor, and the Director of
23 Commerce and Economic Opportunity may remove any member
24 appointed by the Director, in case of incompetence, neglect of
25 duty, or malfeasance in office. The chairman of a county
26 board, with the approval of a majority vote of the county

1 board, may remove any public member appointed by that chairman
2 in the case of incompetence, neglect of duty, or malfeasance
3 in office.

4 (g) The Board shall appoint an Executive Director who
5 shall have a background in finance, including familiarity with
6 the legal and procedural requirements of issuing bonds, real
7 estate, or economic development and administration. The
8 Executive Director shall hold office at the discretion of the
9 Board. The Executive Director shall be the chief
10 administrative and operational officer of the Authority, shall
11 direct and supervise its administrative affairs and general
12 management, perform such other duties as may be prescribed
13 from time to time by the members, and receive compensation
14 fixed by the Authority. The Executive Director shall attend
15 all meetings of the Authority. However, no action of the
16 Authority shall be invalid on account of the absence of the
17 Executive Director from a meeting. The Authority may engage
18 the services of the Illinois Finance Authority, attorneys,
19 appraisers, engineers, accountants, credit analysts, and other
20 consultants, if the Southeastern Illinois Economic Development
21 Authority deems it advisable.

22 (Source: P.A. 97-717, eff. 6-29-12.)

23 (70 ILCS 518/26 new)

24 Sec. 26. Requests for assistance; disclosure of economic
25 interests.

1 (a) The Authority may not hear a request for assistance
2 from a restricted person. This prohibition extends to business
3 relationships between a person who is an Authority leader
4 within one year prior to the request for assistance and to any
5 entity in which a restricted person holds or, within the past 2
6 years, held an ownership interest of 10% or more.

7 (b) An Authority leader shall disclose and recuse himself
8 or herself from matters relating to requests for assistance
9 from an entity that is relocating full-time employees from
10 another Authority's counties if (i) both Authorities contract
11 with or employ the same Authority leader or (ii) there is or,
12 within the past 2 years of the request, there was a business
13 relationship between the Authority leaders at the 2
14 Authorities.

15 (c) The Board of the Authority shall vote to renew the
16 appointment of the Executive Director and other Authority
17 leaders on an annual basis. All contracts shall be approved on
18 an annual basis and use a public process to solicit
19 applications. This requirement does not apply to full-time
20 employees of the Authority unless otherwise required by
21 applicable State law or local ordinance.

22 (d) Each Authority leader shall submit a statement of
23 economic interest in accordance with Article 4A of the
24 Illinois Governmental Ethics Act. Additionally, each Authority
25 leader shall disclose to the Board outside sources of income
26 and any business relationships in economic development

1 consulting or lobbying. Reporting shall include the source of
2 income, services provided, and timeline of when services were
3 provided. If the source of income is a firm or organization
4 with multiple clients, the report shall list all of the
5 entities for which the individual provided services.

6 (70 ILCS 518/27 new)

7 Sec. 27. Open meetings; record disclosure.

8 (a) The Authority is subject to the Open Meetings Act and
9 the Freedom of Information Act. Documents subject to the
10 Freedom of Information Act include, but are not limited to,
11 expenses, payroll, origination bonuses, and other financial
12 details of the Authority.

13 (b) A contract or agreement entered into by the Authority
14 must be posted on the Authority's website. The Authority shall
15 provide a detailed report of the Authority's financial
16 information on the Authority's website, including, but not
17 limited to, a statement of profits and losses, balance sheet,
18 and income statement of the Authority.

19 (70 ILCS 518/70)

20 Sec. 70. Reports; ~~commitment notice and audit.~~

21 (a) The Authority shall annually submit a report of its
22 finances to the Auditor General. The Authority shall annually
23 submit a report of its activities to the Governor and to the
24 General Assembly.

1 (b) (Blank).

2 (c) The Authority shall provide notice to the General
3 Assembly, the Department of Commerce and Economic Opportunity,
4 and the Governor once the Authority enters into a commitment
5 to support the financing of a project. The notice to the
6 General Assembly shall be filed with the Clerk of the House of
7 Representatives and the Secretary of the Senate, in electronic
8 form only, in the manner that the Clerk and the Secretary shall
9 direct.

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

11 Section 45. The Southern Illinois Economic Development
12 Authority Act is amended by changing Sections 5-15, 5-20, and
13 5-75 and by adding Sections 5-26 and 5-27 as follows:

14 (70 ILCS 519/5-15)

15 Sec. 5-15. Definitions. In this Act:

16 "Authority" means the Southern Illinois Economic
17 Development Authority.

18 "Authority leader" means the Executive Director, Assistant
19 Executive Director, or any other person serving in a
20 management, administrative, or leadership role at the
21 Authority.

22 "Governmental agency" means any federal, State, or local
23 governmental body and any agency or instrumentality thereof,
24 corporate or otherwise.

1 "Person" means any natural person, firm, partnership,
2 corporation, both domestic and foreign, company, association
3 or joint stock association and includes any trustee, receiver,
4 assignee or personal representative thereof.

5 "Restricted person" means a person who has a familial or
6 business relationship with an Authority leader.

7 "Revenue bond" means any bond issued by the Authority, the
8 principal and interest of which is payable solely from
9 revenues or income derived from any project or activity of the
10 Authority.

11 "Board" means the Board of Directors of the Southern
12 Illinois Economic Development Authority.

13 "Governor" means the Governor of the State of Illinois.

14 "City" means any city, village, incorporated town, or
15 township within the geographical territory of the Authority.

16 "Industrial project" means the following:

17 (1) a capital project, including one or more buildings
18 and other structures, improvements, machinery and
19 equipment whether or not on the same site or sites now
20 existing or hereafter acquired, suitable for use by any
21 manufacturing, industrial, research, transportation or
22 commercial enterprise including but not limited to use as
23 a factory, mill, processing plant, assembly plant,
24 packaging plant, fabricating plant, ethanol plant, office
25 building, industrial distribution center, warehouse,
26 repair, overhaul or service facility, freight terminal,

1 research facility, test facility, railroad facility, port
2 facility, solid waste and wastewater treatment and
3 disposal sites and other pollution control facilities,
4 resource or waste reduction, recovery, treatment and
5 disposal facilities, and including also the sites thereof
6 and other rights in land therefore whether improved or
7 unimproved, site preparation and landscaping and all
8 appurtenances and facilities incidental thereto such as
9 utilities, access roads, railroad sidings, truck docking
10 and similar facilities, parking facilities, dockage,
11 wharfage, railroad roadbed, track, trestle, depot,
12 terminal, switching and signaling equipment or related
13 equipment and other improvements necessary or convenient
14 thereto; or

15 (2) any land, buildings, machinery or equipment
16 comprising an addition to or renovation, rehabilitation or
17 improvement of any existing capital project.

18 "Housing project" or "residential project" includes a
19 specific work or improvement undertaken to provide dwelling
20 accommodations, including the acquisition, construction or
21 rehabilitation of lands, buildings and community facilities
22 and in connection therewith to provide nonhousing facilities
23 which are an integral part of a planned large-scale project or
24 new community.

25 "Commercial project" means any project, including, but not
26 limited to, one or more buildings and other structures,

1 improvements, machinery, and equipment, whether or not on the
2 same site or sites now existing or hereafter acquired,
3 suitable for use by any retail or wholesale concern,
4 distributorship, or agency.

5 "Project" means an industrial, housing, residential,
6 commercial, or service project, or any combination thereof,
7 provided that all uses fall within one of the categories
8 described above. Any project automatically includes all site
9 improvements and new construction involving sidewalks, sewers,
10 solid waste and wastewater treatment and disposal sites and
11 other pollution control facilities, resource or waste
12 reduction, recovery, treatment and disposal facilities, parks,
13 open spaces, wildlife sanctuaries, streets, highways, and
14 runways.

15 "Lease agreement" means an agreement in which a project
16 acquired by the Authority by purchase, gift, or lease is
17 leased to any person or corporation that will use, or cause the
18 project to be used, as a project, upon terms providing for
19 lease rental payments at least sufficient to pay, when due,
20 all principal of and interest and premium, if any, on any
21 bonds, notes, or other evidences of indebtedness of the
22 Authority, issued with respect to the project, providing for
23 the maintenance, insurance, and operation of the project on
24 terms satisfactory to the Authority and providing for
25 disposition of the project upon termination of the lease term,
26 including purchase options or abandonment of the premises,

1 with other terms as may be deemed desirable by the Authority.

2 "Loan agreement" means any agreement in which the
3 Authority agrees to loan the proceeds of its bonds, notes, or
4 other evidences of indebtedness, issued with respect to a
5 project, to any person or corporation which will use or cause
6 the project to be used as a project, upon terms providing for
7 loan repayment installments at least sufficient to pay, when
8 due, all principal of and interest and premium, if any, on any
9 bonds, notes, or other evidences of indebtedness of the
10 Authority issued with respect to the project, providing for
11 maintenance, insurance, and operation of the project on terms
12 satisfactory to the Authority and providing for other terms
13 deemed advisable by the Authority.

14 "Financial aid" means the expenditure of Authority funds
15 or funds provided by the Authority for the development,
16 construction, acquisition or improvement of a project, through
17 the issuance of revenue bonds, notes, or other evidences of
18 indebtedness.

19 "Costs incurred in connection with the development,
20 construction, acquisition or improvement of a project" means
21 the following:

22 (1) the cost of purchase and construction of all lands
23 and improvements in connection therewith and equipment and
24 other property, rights, easements, and franchises acquired
25 which are deemed necessary for the construction;

26 (2) financing charges;

1 (3) interest costs with respect to bonds, notes, and
2 other evidences of indebtedness of the Authority prior to
3 and during construction and for a period of 6 months
4 thereafter;

5 (4) engineering and legal expenses; and

6 (5) the costs of plans, specifications, surveys, and
7 estimates of costs and other expenses necessary or
8 incident to determining the feasibility or practicability
9 of any project, together with such other expenses as may
10 be necessary or incident to the financing, insuring,
11 acquisition, and construction of a specific project and
12 the placing of the same in operation.

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

14 (70 ILCS 519/5-20)

15 Sec. 5-20. Creation.

16 (a) There is created a political subdivision, body
17 politic, and municipal corporation named the Southern Illinois
18 Economic Development Authority. The territorial jurisdiction
19 of the Authority is that geographic area within the boundaries
20 of the following counties: Franklin, Perry, Randolph, Jackson,
21 Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin,
22 Alexander, Pulaski, and Massac and any navigable waters and
23 air space located therein.

24 (b) The governing and administrative powers of the
25 Authority shall be vested in a body consisting of 21 members as

1 follows:

2 (1) Ex officio member. The Director of Commerce and
3 Economic Opportunity, or a designee of that Department,
4 shall serve as an ex officio member.

5 (2) Public members. Six members shall be appointed by
6 the Governor with the advice and consent of the Senate.
7 The county board chairmen of the following counties shall
8 each appoint one member: Franklin, Perry, Randolph,
9 Jackson, Williamson, Saline, Gallatin, Union, Johnson,
10 Pope, Hardin, Alexander, Pulaski, and Massac. All public
11 members shall reside within the territorial jurisdiction
12 of the Authority. The public members shall be persons of
13 recognized ability and experience in one or more of the
14 following areas: economic development, finance, banking,
15 industrial development, state or local government,
16 commercial agriculture, small business management, real
17 estate development, community development, venture
18 finance, organized labor, or civic or community
19 organization.

20 (c) 11 members shall constitute a quorum, and the Board
21 may not meet or take any action without a quorum present.

22 (d) The chairman of the Authority shall be elected
23 annually by the Board and must be a public member that resides
24 within the territorial jurisdiction of the Authority.

25 (e) The terms of all initial members of the Authority
26 shall begin 30 days after the effective date of this Act. Of

1 the 6 original public members appointed by the Governor, 2
2 shall serve until the third Monday in January, 2007; 1 shall
3 serve until the third Monday in January, 2008; 1 shall serve
4 until the third Monday in January, 2009; 1 shall serve until
5 the third Monday in January, 2010; and 1 shall serve until the
6 third Monday in January, 2011. The initial terms of the
7 original public members appointed by the county board chairmen
8 shall be determined by lot, according to the following
9 schedule: (i) 3 shall serve until the third Monday in January,
10 2007, (ii) 3 shall serve until the third Monday in January,
11 2008, (iii) 3 shall serve until the third Monday in January,
12 2009, (iv) 3 shall serve until the third Monday in January,
13 2010, and (v) 2 shall serve until the third Monday in January,
14 2011. All successors to these original public members shall be
15 appointed by the original appointing authority and all
16 appointments made by the Governor shall be made with the
17 advice and consent of the Senate, pursuant to subsection (b),
18 and shall hold office for a term of 6 years commencing the
19 third Monday in January of the year in which their term
20 commences, except in the case of an appointment to fill a
21 vacancy. Vacancies occurring among the public members shall be
22 filled for the remainder of the term. In case of vacancy in a
23 Governor-appointed membership when the Senate is not in
24 session, the Governor may make a temporary appointment until
25 the next meeting of the Senate when a person shall be nominated
26 to fill the office and, upon confirmation by the Senate, he or

1 she shall hold office during the remainder of the term and
2 until a successor is appointed and qualified. Members of the
3 Authority are not entitled to compensation for their services
4 as members but are entitled to reimbursement for all necessary
5 expenses incurred in connection with the performance of their
6 duties as members.

7 (f) The Governor may remove any public member of the
8 Authority in case of incompetence, neglect of duty, or
9 malfeasance in office. The chairman of a county board may
10 remove any public member appointed by that chairman in the
11 case of incompetence, neglect of duty, or malfeasance in
12 office.

13 (g) The Board shall appoint an Executive Director who
14 shall have a background in finance, including familiarity with
15 the legal and procedural requirements of issuing bonds, real
16 estate, or economic development and administration. The
17 Executive Director shall hold office at the discretion of the
18 Board. The Executive Director shall be the chief
19 administrative and operational officer of the Authority, shall
20 direct and supervise its administrative affairs and general
21 management, perform such other duties as may be prescribed
22 from time to time by the members, and receive compensation
23 fixed by the Authority. The Department of Commerce and
24 Community Affairs shall pay the compensation of the Executive
25 Director from appropriations received for that purpose. The
26 Executive Director shall attend all meetings of the Authority.

1 However, no action of the Authority shall be invalid on
2 account of the absence of the Executive Director from a
3 meeting. The Authority may engage the services of the Illinois
4 Finance Authority, attorneys, appraisers, engineers,
5 accountants, credit analysts, and other consultants if the
6 Southern Illinois Economic Development Authority deems it
7 advisable.

8 (Source: P.A. 94-1021, eff. 7-12-06.)

9 (70 ILCS 519/5-26 new)

10 Sec. 5-26. Requests for assistance; disclosure of economic
11 interests.

12 (a) The Authority may not hear a request for assistance
13 from a restricted person. This prohibition extends to business
14 relationships between a person who is an Authority leader
15 within one year prior to the request for assistance and to any
16 entity in which a restricted person holds or, within the past 2
17 years, held an ownership interest of 10% or more.

18 (b) An Authority leader shall disclose and recuse himself
19 or herself from matters relating to requests for assistance
20 from an entity that is relocating full-time employees from
21 another Authority's counties if (i) both Authorities contract
22 with or employ the same Authority leader or (ii) there is or,
23 within the past 2 years of the request, there was a business
24 relationship between the Authority leaders at the 2
25 Authorities.

1 (c) The Board of the Authority shall vote to renew the
2 appointment of the Executive Director and other Authority
3 leaders on an annual basis. All contracts shall be approved on
4 an annual basis and use a public process to solicit
5 applications. This requirement does not apply to full-time
6 employees of the Authority unless otherwise required by
7 applicable State law or local ordinance.

8 (d) Each Authority leader shall submit a statement of
9 economic interest in accordance with Article 4A of the
10 Illinois Governmental Ethics Act. Additionally, each Authority
11 leader shall disclose to the Board outside sources of income
12 and any business relationships in economic development
13 consulting or lobbying. Reporting shall include the source of
14 income, services provided, and timeline of when services were
15 provided. If the source of income is a firm or organization
16 with multiple clients, the report shall list all of the
17 entities for which the individual provided services.

18 (70 ILCS 519/5-27 new)

19 Sec. 5-27. Open meetings; record disclosure.

20 (a) The Authority is subject to the Open Meetings Act and
21 the Freedom of Information Act. Documents subject to the
22 Freedom of Information Act include, but are not limited to,
23 expenses, payroll, origination bonuses, and other financial
24 details of the Authority.

25 (b) A contract or agreement entered into by the Authority

1 must be posted on the Authority's website. The Authority shall
2 provide a detailed report of the Authority's financial
3 information on the Authority's website, including, but not
4 limited to, a statement of profits and losses, balance sheet,
5 and income statement of the Authority.

6 (70 ILCS 519/5-75)

7 Sec. 5-75. Reports; commitment notice. The Authority shall
8 annually submit a report of its finances to the Auditor
9 General. The Authority shall annually submit a report of its
10 activities to the Governor and to the General Assembly.

11 The Authority shall provide notice to the General
12 Assembly, the Department of Commerce and Economic Opportunity,
13 and the Governor once the Authority enters into a commitment
14 to support the financing of a project. The notice to the
15 General Assembly shall be filed with the Clerk of the House of
16 Representatives and the Secretary of the Senate, in electronic
17 form only, in the manner that the Clerk and the Secretary shall
18 direct.

19 (Source: P.A. 94-1021, eff. 7-12-06.)

20 Section 50. The Southwestern Illinois Development
21 Authority Act is amended by changing Sections 3, 4, 5, 8, and
22 11.1 and by adding Sections 5.1 and 6.1 as follows:

23 (70 ILCS 520/3) (from Ch. 85, par. 6153)

1 Sec. 3. The following terms, whenever used or referred to
2 in this Act, shall have the following meanings, except in such
3 instances where the context may clearly indicate otherwise:

4 (a) "Authority" means the Southwestern Illinois
5 Development Authority created by this Act.

6 (a-5) "Authority leader" means the Executive Director,
7 Assistant Executive Director, or any other person serving in a
8 management, administrative, or leadership role at the
9 Authority.

10 (b) "Governmental agency" means any federal, State or
11 local governmental body, and any agency or instrumentality
12 thereof, corporate or otherwise.

13 (c) "Person" means any natural person, firm, partnership,
14 corporation, both domestic and foreign, company, association
15 or joint stock association and includes any trustee, receiver,
16 assignee or personal representative thereof.

17 (c-5) "Restricted person" means a person who has a
18 familial or business relationship with an Authority leader.

19 (d) "Revenue bond" means any bond issued by the Authority
20 the principal and interest of which is payable solely from
21 revenues or income derived from any project or activity of the
22 Authority.

23 (e) "Board" means the Southwestern Illinois Development
24 Authority Board of Directors.

25 (f) "Governor" means the Governor of the State of
26 Illinois.

1 (g) "City" means any city, village, incorporated town or
2 township within the geographical territory of the Authority.

3 (h) "Industrial project" means (1) a capital project,
4 including one or more buildings and other structures,
5 improvements, machinery and equipment whether or not on the
6 same site or sites now existing or hereafter acquired,
7 suitable for use by any manufacturing, industrial, research,
8 transportation or commercial enterprise including but not
9 limited to use as a factory, mill, processing plant, assembly
10 plant, packaging plant, fabricating plant, office building,
11 industrial distribution center, warehouse, repair, overhaul or
12 service facility, freight terminal, research facility, test
13 facility, railroad facility, solid waste and wastewater
14 treatment and disposal sites and other pollution control
15 facilities, resource or waste reduction, recovery, treatment
16 and disposal facilities, and including also the sites thereof
17 and other rights in land therefor whether improved or
18 unimproved, site preparation and landscaping and all
19 appurtenances and facilities incidental thereto such as
20 utilities, access roads, railroad sidings, truck docking and
21 similar facilities, parking facilities, dockage, wharfage,
22 railroad roadbed, track, trestle, depot, terminal, switching
23 and signaling equipment or related equipment and other
24 improvements necessary or convenient thereto; or (2) any land,
25 buildings, machinery or equipment comprising an addition to or
26 renovation, rehabilitation or improvement of any existing

1 capital project.

2 (i) "Housing project" or "residential project" includes a
3 specific work or improvement undertaken to provide dwelling
4 accommodations, including the acquisition, construction or
5 rehabilitation of lands, buildings and community facilities
6 and in connection therewith to provide nonhousing facilities
7 which are an integral part of a planned large-scale project or
8 new community.

9 (j) "Commercial project" means any project, including but
10 not limited to one or more buildings and other structures,
11 improvements, machinery and equipment whether or not on the
12 same site or sites now existing or hereafter acquired,
13 suitable for use by any retail or wholesale concern,
14 distributorship or agency, any cultural facilities of a
15 for-profit or not-for-profit type including but not limited to
16 educational, theatrical, recreational and entertainment,
17 sports facilities, racetracks, stadiums, convention centers,
18 exhibition halls, arenas, opera houses and theaters,
19 waterfront improvements, swimming pools, boat storage,
20 moorage, docking facilities, restaurants, velodromes,
21 coliseums, sports training facilities, parking facilities,
22 terminals, hotels and motels, gymnasiums, medical facilities
23 and port facilities.

24 (k) "Unit of local government" means a unit of local
25 government, as defined in Section 1 of Article VII of the
26 Illinois Constitution, and any local public entity as that

1 term is defined in the Local Governmental and Governmental
2 Employees Tort Immunity Act and such unit of local government
3 or local public entity is located within the geographical
4 territory of the Authority or, for the purposes of the Flood
5 Prevention District Act, is located within Monroe County,
6 Illinois.

7 (l) "Local government project" means a project or other
8 undertaking that is authorized or required by law to be
9 acquired, constructed, reconstructed, equipped, improved,
10 rehabilitated, replaced, maintained, or otherwise undertaken
11 in any manner by a unit of local government.

12 (m) "Local government security" means a bond, note, or
13 other evidence of indebtedness that a unit of local government
14 is legally authorized to issue for the purpose of financing a
15 public purpose project or to issue for any other lawful public
16 purpose under any provision of the Illinois Constitution or
17 laws of this State, whether the obligation is payable from
18 taxes or revenues, rates, charges, assessments,
19 appropriations, grants, or any other lawful source or
20 combination thereof, and specifically includes, without
21 limitation, obligations under any lease or lease purchase
22 agreement lawfully entered into by the unit of local
23 government for the acquisition or use of facilities or
24 equipment.

25 (n) "Project" means an industrial, housing, residential,
26 commercial, local government, or service project or any

1 combination thereof provided that all uses shall fall within
2 one of the categories described above. Any project, of any
3 nature whatsoever, shall automatically include all site
4 improvements and new construction involving sidewalks, sewers,
5 solid waste and wastewater treatment and disposal sites and
6 other pollution control facilities, resource or waste
7 reduction, recovery, treatment and disposal facilities, parks,
8 open spaces, wildlife sanctuaries, streets, highways and
9 runways.

10 (o) "Lease agreement" shall mean an agreement whereby a
11 project acquired by the Authority by purchase, gift or lease
12 is leased to any person or corporation which will use or cause
13 the project to be used as a project as heretofore defined upon
14 terms providing for lease rental payments at least sufficient
15 to pay when due all principal of and interest and premium, if
16 any, on any bonds, notes or other evidences of indebtedness of
17 the Authority issued with respect to such project, providing
18 for the maintenance, insurance and operation of the project on
19 terms satisfactory to the Authority and providing for
20 disposition of the project upon termination of the lease term,
21 including purchase options or abandonment of the premises,
22 with such other terms as may be deemed desirable by the
23 Authority.

24 (p) "Loan agreement" means any agreement pursuant to which
25 the Authority agrees to loan the proceeds of its bonds, notes
26 or other evidences of indebtedness issued with respect to a

1 project to any person or corporation which will use or cause
2 the project to be used as a project as heretofore defined upon
3 terms providing for loan repayment installments at least
4 sufficient to pay when due all principal of and interest and
5 premium, if any, on any bonds, notes or other evidences of
6 indebtedness of the Authority issued with respect to the
7 project, providing for maintenance, insurance and operation of
8 the project on terms satisfactory to the Authority and
9 providing for other matters as may be deemed advisable by the
10 Authority.

11 (q) "Financial aid" means the expenditure of Authority
12 funds or funds provided by the Authority through the issuance
13 of its revenue bonds, notes or other evidences of indebtedness
14 for the development, construction, acquisition or improvement
15 of a project.

16 (r) "Costs incurred in connection with the development,
17 construction, acquisition or improvement of a project" means
18 the following: the cost of purchase and construction of all
19 lands and improvements in connection therewith and equipment
20 and other property, rights, easements and franchises acquired
21 which are deemed necessary for such construction; financing
22 charges; interest costs with respect to bonds, notes and other
23 evidences of indebtedness of the Authority prior to and during
24 construction and for a period of 6 months thereafter;
25 engineering and legal expenses; the costs of plans,
26 specifications, surveys and estimates of costs and other

1 expenses necessary or incident to determining the feasibility
2 or practicability of any project, together with such other
3 expenses as may be necessary or incident to the financing,
4 insuring, acquisition and construction of a specific project
5 and the placing of the same in operation.

6 (s) "Terminal" means a public place, station or depot for
7 receiving and delivering passengers, baggage, mail, freight or
8 express matter and any combination thereof in connection with
9 the transportation of persons and property on water or land or
10 in the air.

11 (t) "Terminal facilities" means all land, buildings,
12 structures, improvements, equipment and appliances useful in
13 the operation of public warehouse, storage and transportation
14 facilities and industrial, manufacturing or commercial
15 activities for the accommodation of or in connection with
16 commerce by water or land or in the air or useful as an aid, or
17 constituting an advantage or convenience to, the safe landing,
18 taking off and navigation of aircraft or the safe and
19 efficient operation or maintenance of a public airport.

20 (u) "Port facilities" means all public structures, except
21 terminal facilities as defined herein, that are in, over,
22 under or adjacent to navigable waters and are necessary for or
23 incident to the furtherance of water commerce and includes the
24 widening and deepening of slips, harbors and navigable waters.

25 (v) "Airport" means any locality, either land or water,
26 which is used or designed for the landing and taking off of

1 aircraft or for the location of runways, landing fields,
2 aerodromes, hangars, buildings, structures, airport roadways
3 and other facilities.

4 (Source: P.A. 95-723, eff. 6-23-08.)

5 (70 ILCS 520/4) (from Ch. 85, par. 6154)

6 Sec. 4. (a) There is hereby created a political
7 subdivision, body politic and municipal corporation named the
8 Southwestern Illinois Development Authority. The territorial
9 jurisdiction of the Authority is that geographic area within
10 the boundaries of Madison, St. Clair, Bond, ~~and~~ Clinton, and
11 Monroe counties in the State of Illinois and any navigable
12 waters and air space located therein.

13 (b) The governing and administrative powers of the
14 Authority shall be vested in a body consisting of 15 voting ~~14~~
15 members including, as ex officio members, the Director of
16 Commerce and Economic Opportunity, or his or her designee, and
17 the Secretary of Transportation, or his or her designee. The
18 other 13 voting ~~12~~ members of the Authority shall be
19 designated "public members", 6 of whom shall be appointed by
20 the Governor with the advice and consent of the Senate, 2 of
21 whom shall be appointed by the county board chairman of
22 Madison County, 2 of whom shall be appointed by the county
23 board chairman of St. Clair County, one of whom shall be
24 appointed by the county board chairman of Bond County, ~~and~~ one
25 of whom shall be appointed by the county board chairman of

1 Clinton County, and one of whom shall be appointed by the
2 county board chairman of Monroe County. All public members
3 shall reside within the territorial jurisdiction of this Act.
4 Eight voting members shall constitute a quorum, and the Board
5 may not meet or take any action without a quorum present. The
6 public members shall be persons of recognized ability and
7 experience in one or more of the following areas: economic
8 development, finance, banking, industrial development, small
9 business management, real estate development, community
10 development, venture finance, organized labor or civic,
11 community or neighborhood organization. The Chairman of the
12 Authority shall be elected by the Board annually from the
13 voting members ~~appointed by the county board chairmen.~~

14 (c) Except as otherwise provided in this subsection, the
15 ~~The~~ terms of all members of the Authority shall begin 30 days
16 after the effective date of this Act. Of the 8 public members
17 initially appointed pursuant to this Act, 3 shall serve until
18 the third Monday in January, 1988, 3 shall serve until the
19 third Monday in January, 1989, and 2 shall serve until the
20 third Monday in January, 1990. The public members initially
21 appointed under this amendatory Act of the 94th General
22 Assembly shall serve until the third Monday in January, 2008.
23 The member initially appointed pursuant to this amendatory Act
24 of the 103rd General Assembly by the county board chairman of
25 Monroe County shall serve until the third Monday in January
26 2026. All successors shall be appointed by the original

1 appointing authority and hold office for a term of 3 years
2 commencing the third Monday in January of the year in which
3 their term commences, except in case of an appointment to fill
4 a vacancy. Vacancies occurring among the public members shall
5 be filled for the remainder of the term. In case of vacancy in
6 a Governor-appointed membership when the Senate is not in
7 session, the Governor may make a temporary appointment until
8 the next meeting of the Senate when a person shall be nominated
9 to fill such office, and any person so nominated who is
10 confirmed by the Senate shall hold office during the remainder
11 of the term and until a successor shall be appointed and
12 qualified. Members of the Authority shall not be entitled to
13 compensation for their services as members but shall be
14 entitled to reimbursement for all necessary expenses incurred
15 in connection with the performance of their duties as members.

16 (d) The Governor may remove any public member of the
17 Authority in case of incompetency, neglect of duty, or
18 malfeasance in office.

19 (e) The Board shall appoint an Executive Director who
20 shall have a background in finance, including familiarity with
21 the legal and procedural requirements of issuing bonds, real
22 estate or economic development and administration. The
23 Executive Director shall hold office at the discretion of the
24 Board. The Executive Director shall be the chief
25 administrative and operational officer of the Authority, shall
26 direct and supervise its administrative affairs and general

1 management, shall perform such other duties as may be
2 prescribed from time to time by the members and shall receive
3 compensation fixed by the Authority. The Executive Director
4 shall attend all meetings of the Authority; however, no action
5 of the Authority shall be invalid on account of the absence of
6 the Executive Director from a meeting. The Authority may
7 engage the services of such other agents and employees,
8 including attorneys, appraisers, engineers, accountants,
9 credit analysts and other consultants, as it may deem
10 advisable and may prescribe their duties and fix their
11 compensation.

12 (f) The Board may, by majority vote, nominate up to 4
13 non-voting members for appointment by the Governor. Non-voting
14 members shall be persons of recognized ability and experience
15 in one or more of the following areas: economic development,
16 finance, banking, industrial development, small business
17 management, real estate development, community development,
18 venture finance, organized labor, or civic, community, or
19 neighborhood organization. Non-voting members shall serve at
20 the pleasure of the Board. All non-voting members may attend
21 meetings of the Board and shall be reimbursed as provided in
22 subsection (c).

23 (g) The Board shall create a task force to study and make
24 recommendations to the Board on the economic development of
25 the city of East St. Louis and on the economic development of
26 the riverfront within the territorial jurisdiction of this

1 Act. The members of the task force shall reside within the
2 territorial jurisdiction of this Act, shall serve at the
3 pleasure of the Board and shall be persons of recognized
4 ability and experience in one or more of the following areas:
5 economic development, finance, banking, industrial
6 development, small business management, real estate
7 development, community development, venture finance, organized
8 labor or civic, community or neighborhood organization. The
9 number of members constituting the task force shall be set by
10 the Board and may vary from time to time. The Board may set a
11 specific date by which the task force is to submit its final
12 report and recommendations to the Board.

13 (Source: P.A. 96-443, eff. 8-14-09.)

14 (70 ILCS 520/5) (from Ch. 85, par. 6155)

15 Sec. 5. All official acts of the Authority shall require
16 the approval of at least 8 voting members. It shall be the duty
17 of the Authority to promote development within the geographic
18 confines of Madison, Bond, Clinton, ~~and~~ St. Clair, and Monroe
19 counties. The Authority shall use the powers herein conferred
20 upon it to assist in the development, construction and
21 acquisition of industrial, commercial, housing or residential
22 projects within Madison, Bond, Clinton, ~~and~~ St. Clair, and
23 Monroe counties.

24 (Source: P.A. 94-1096, eff. 6-1-07.)

1 (70 ILCS 520/5.1 new)

2 Sec. 5.1. Open meetings; record disclosure.

3 (a) The Authority is subject to the Open Meetings Act and
4 the Freedom of Information Act. Documents subject to the
5 Freedom of Information Act include, but are not limited to,
6 expenses, payroll, origination bonuses, and other financial
7 details of the Authority.

8 (b) A contract or agreement entered into by the Authority
9 must be posted on the Authority's website. The Authority shall
10 provide a detailed report of the Authority's financial
11 information on the Authority's website, including, but not
12 limited to, a statement of profits and losses, balance sheet,
13 and income statement of the Authority.

14 (70 ILCS 520/6.1 new)

15 Sec. 6.1. Commitment notice. The Authority shall provide
16 notice to the General Assembly, the Department of Commerce and
17 Economic Opportunity, and the Governor once the Authority
18 enters into a commitment to support the financing of a
19 project. The notice to the General Assembly shall be filed
20 with the Clerk of the House of Representatives and the
21 Secretary of the Senate, in electronic form only, in the
22 manner that the Clerk and the Secretary shall direct.

23 (70 ILCS 520/8) (from Ch. 85, par. 6158)

24 Sec. 8. (a) The Authority may, but need not, acquire title

1 to any project with respect to which it exercises its
2 authority.

3 (b) The Authority shall have power to acquire by purchase,
4 lease, gift or otherwise any property or rights therein from
5 any person or persons, the State of Illinois, any municipal
6 corporation, any local unit of government, the government of
7 the United States and any agency or instrumentality of the
8 United States, any body politic or any county useful for its
9 purposes, whether improved for the purposes of any prospective
10 project or unimproved. The Authority may also accept any
11 donation of funds for its purposes from any such source. The
12 Authority may acquire any real property, or rights therein,
13 upon condemnation. The acquisition by eminent domain of such
14 real property or any interest therein by the Authority shall
15 be in the manner provided by the Eminent Domain Act, including
16 Article 20 thereof (quick-take power).

17 The Authority shall not exercise any quick-take eminent
18 domain powers granted by State law within the corporate limits
19 of a municipality unless the governing authority of the
20 municipality authorizes the Authority to do so. The Authority
21 shall not exercise any quick-take eminent domain powers
22 granted by State law within the unincorporated areas of a
23 county unless the county board authorizes the Authority to do
24 so.

25 (c) The Authority shall have power to develop, construct
26 and improve, either under its own direction or through

1 collaboration with any approved applicant, or to acquire
2 through purchase or otherwise any project, using for such
3 purpose the proceeds derived from its sale of revenue bonds,
4 notes or other evidences of indebtedness or governmental loans
5 or grants and to hold title in the name of the Authority to
6 such projects.

7 (d) The Authority shall have the power to enter into
8 intergovernmental agreements with the State of Illinois, the
9 counties of Bond, Clinton, Madison, Monroe, and ~~or~~ St. Clair,
10 the Southwest Regional Port District, the Illinois Finance
11 Authority, the Illinois Housing Development Authority, the
12 Metropolitan Pier and Exposition Authority, the United States
13 government and any agency or instrumentality of the United
14 States, the city of East St. Louis, any unit of local
15 government located within the territory of the Authority or
16 any other unit of government to the extent allowed by Article
17 VII, Section 10 of the Illinois Constitution and the
18 Intergovernmental Cooperation Act.

19 (e) The Authority shall have the power to share employees
20 with other units of government, including agencies of the
21 United States, agencies of the State of Illinois and agencies
22 or personnel of any unit of local government.

23 (f) The Authority shall have the power to exercise powers
24 and issue bonds as if it were a municipality so authorized in
25 Divisions 12.1, 74, 74.1, 74.3 and 74.5 of Article 11 of the
26 Illinois Municipal Code.

1 (Source: P.A. 93-205, eff. 1-1-04; 94-1055, eff. 1-1-07.)

2 (70 ILCS 520/11.1) (from Ch. 85, par. 6161.1)

3 Sec. 11.1. (a) No member of the Authority or officer,
4 agent, or employee of the Authority shall, in his or her own
5 name or in the name of a nominee, be an officer or director of
6 or hold an ownership of more than 7.5% in any person,
7 association, trust, corporation, partnership, or other entity
8 that is, in its own name or in the name of a nominee, a party
9 to a contract or agreement upon which the member, officer,
10 agent, or employee may be called upon to act or vote.

11 (b) With respect to any direct or any indirect interest,
12 other than an interest prohibited in subsection (a), in a
13 contract or agreement upon which the member, officer, agent,
14 or employee may be called upon to act or vote, the member,
15 officer, agent, or employee shall disclose that interest to
16 the secretary of the Authority before the taking of final
17 action by the Authority concerning that contract or agreement
18 and shall also disclose the nature and extent of that interest
19 and his or her acquisition of that interest, which disclosures
20 shall be publicly acknowledged by the Authority and entered
21 upon the minutes of the Authority. If a member of the Authority
22 or an officer, agent, or employee of the Authority holds such
23 an interest, then he or she shall refrain from any further
24 official involvement in regard to the contract or agreement,
25 from voting on any matter pertaining to the contract or

1 agreement, and from communicating with other members of the
2 Authority or its officers, agents, and employees concerning
3 the contract or agreement. Notwithstanding any other provision
4 of law, any contract or agreement entered into in conformity
5 with this subsection (b) shall not be void or invalid by reason
6 of an interest described in this subsection, nor shall any
7 person so disclosing the interest and refraining from further
8 official involvement as provided in this subsection be guilty
9 of an offense, be removed from office, or be subject to any
10 other penalty on account of that interest.

11 (c) Any contract or agreement made in violation of
12 subsection (a) or (b) is void and gives rise to no action
13 against the Authority.

14 (d) The Authority may not hear a request for assistance
15 from a restricted person. This prohibition extends to business
16 relationships between a person who is an Authority leader
17 within one year prior to the request for assistance and to any
18 entity in which a restricted person holds or, within the past 2
19 years, held an ownership interest of 10% or more.

20 (e) An Authority leader shall disclose and recuse himself
21 or herself from matters relating to requests for assistance
22 from an entity that is relocating full-time employees from
23 another Authority's counties if (i) both Authorities contract
24 with or employ the same Authority leader or (ii) there is or,
25 within the past 2 years of the request, there was a business
26 relationship between the Authority leaders at the 2

1 Authorities.

2 (f) The Board of the Authority shall vote to renew the
3 appointment of the Executive Director and other Authority
4 leaders on an annual basis. All contracts shall be approved on
5 an annual basis and use a public process to solicit
6 applications. This requirement does not apply to full-time
7 employees of the Authority unless otherwise required by
8 applicable State law or local ordinance.

9 (g) Each Authority leader shall submit a statement of
10 economic interest in accordance with Article 4A of the
11 Illinois Governmental Ethics Act. Additionally, each Authority
12 leader shall disclose to the Board outside sources of income
13 and any business relationships in economic development
14 consulting or lobbying. Reporting shall include the source of
15 income, services provided, and timeline of when services were
16 provided. If the source of income is a firm or organization
17 with multiple clients, the report shall list all of the
18 entities for which the individual provided services.

19 (Source: P.A. 86-1455.)

20 Section 55. The Tri-County River Valley Development
21 Authority Law is amended by changing Sections 2003, 2004,
22 2008, and 2013 and by adding Sections 2005.1 and 2005.2 as
23 follows:

24 (70 ILCS 525/2003) (from Ch. 85, par. 7503)

1 Sec. 2003. Definitions. The following terms, whenever used
2 or referred to in this Article, shall have the following
3 meanings, except in such instances where the context may
4 clearly indicate otherwise:

5 (a) "Authority" means the Tri-County River Valley
6 Development Authority created by this Article.

7 (a-5) "Authority leader" means the Executive Director,
8 Assistant Executive Director, or any other person serving in a
9 management, administrative, or leadership role at the
10 Authority.

11 (b) "Governmental agency" means any federal, State or
12 local governmental body, and any agency or instrumentality
13 thereof, corporate or otherwise.

14 (c) "Person" means any natural person, firm, partnership,
15 corporation, both domestic and foreign, company, association
16 or joint stock association and includes any trustee, receiver,
17 assignee or personal representative thereof.

18 (c-5) "Restricted person" means a person who has a
19 familial or business relationship with an Authority leader.

20 (d) "Revenue bond" means any bond issued by the Authority
21 the principal and interest of which is payable solely from
22 revenues or income derived from any project or activity of the
23 Authority.

24 (e) "Board" means the Tri-County River Valley Development
25 Authority Board of Directors.

26 (f) "Governor" means the Governor of the State of

1 Illinois.

2 (g) "City" means any city, village, incorporated town or
3 township within the geographical territory of the Authority.

4 (h) "Industrial project" means (1) a capital project,
5 including one or more buildings and other structures,
6 improvements, machinery and equipment whether or not on the
7 same site or sites now existing or hereafter acquired,
8 suitable for use by any manufacturing, industrial, research,
9 transportation or commercial enterprise including but not
10 limited to use as a factory, mill, processing plant, assembly
11 plant, packaging plant, fabricating plant, office building,
12 industrial distribution center, warehouse, repair, overhaul or
13 service facility, freight terminal, research facility, test
14 facility, railroad facility, solid waste and wastewater
15 treatment and disposal sites and other pollution control
16 facilities, resource or waste reduction, recovery, treatment
17 and disposal facilities, and including also the sites thereof
18 and other rights in land therefor whether improved or
19 unimproved, site preparation and landscaping and all
20 appurtenances and facilities incidental thereto such as
21 utilities, access roads, railroad sidings, truck docking and
22 similar facilities, parking facilities, dockage, wharfage,
23 railroad roadbed, track, trestle, depot, terminal, switching
24 and signaling equipment or related equipment and other
25 improvements necessary or convenient thereto; or (2) any land,
26 buildings, machinery or equipment comprising an addition to or

1 renovation, rehabilitation or improvement of any existing
2 capital project.

3 (i) "Housing project" or "residential project" includes a
4 specific work or improvement undertaken to provide dwelling
5 accommodations, including the acquisition, construction or
6 rehabilitation of lands, buildings and community facilities
7 and in connection therewith to provide nonhousing facilities
8 which are an integral part of a planned large-scale project or
9 new community.

10 (j) "Commercial project" means any project, including but
11 not limited to one or more buildings and other structures,
12 improvements, machinery and equipment whether or not on the
13 same site or sites now existing or hereafter acquired,
14 suitable for use by any retail or wholesale concern,
15 distributorship or agency, any cultural facilities of a
16 for-profit or not-for-profit type including but not limited to
17 educational, theatrical, recreational and entertainment,
18 sports facilities, racetracks, stadiums, convention centers,
19 exhibition halls, arenas, opera houses and theaters,
20 waterfront improvements, swimming pools, boat storage,
21 moorage, docking facilities, restaurants, velodromes,
22 coliseums, sports training facilities, parking facilities,
23 terminals, hotels and motels, gymnasiums, medical facilities
24 and port facilities.

25 (k) "Project" means an industrial, housing, residential,
26 commercial or service project or any combination thereof

1 provided that all uses shall fall within one of the categories
2 described above. Any project, of any nature whatsoever, shall
3 automatically include all site improvements and new
4 construction involving sidewalks, sewers, solid waste and
5 wastewater treatment and disposal sites and other pollution
6 control facilities, resource or waste reduction, recovery,
7 treatment and disposal facilities, parks, open spaces,
8 wildlife sanctuaries, streets, highways and runways.

9 (l) "Lease agreement" shall mean an agreement whereby a
10 project acquired by the Authority by purchase, gift or lease
11 is leased to any person or corporation which will use or cause
12 the project to be used as a project as heretofore defined upon
13 terms providing for lease rental payments at least sufficient
14 to pay when due all principal of and interest and premium, if
15 any, on any bonds, notes or other evidences of indebtedness of
16 the Authority issued with respect to such project, providing
17 for the maintenance, insurance and operation of the project on
18 terms satisfactory to the Authority and providing for
19 disposition of the project upon termination of the lease term,
20 including purchase options or abandonment of the premises,
21 with such other terms as may be deemed desirable by the
22 Authority.

23 (m) "Loan agreement" means any agreement pursuant to which
24 the Authority agrees to loan the proceeds of its bonds, notes
25 or other evidences of indebtedness issued with respect to a
26 project to any person or corporation which will use or cause

1 the project to be used as a project as heretofore defined upon
2 terms providing for loan repayment installments at least
3 sufficient to pay when due all principal of and interest and
4 premium, if any, on any bonds, notes or other evidences of
5 indebtedness of the Authority issued with respect to the
6 project, providing for maintenance, insurance and operation of
7 the project on terms satisfactory to the Authority and
8 providing for other matters as may be deemed advisable by the
9 Authority.

10 (n) "Financial aid" means the expenditure of Authority
11 funds or funds provided by the Authority through the issuance
12 of its revenue bonds, notes or other evidences of indebtedness
13 for the development, construction, acquisition or improvement
14 of a project.

15 (o) "Costs incurred in connection with the development,
16 construction, acquisition or improvement of a project" means
17 the following: the cost of purchase and construction of all
18 lands and improvements in connection therewith and equipment
19 and other property, rights, easements and franchises acquired
20 which are deemed necessary for such construction; financing
21 charges; interest costs with respect to bonds, notes and other
22 evidences of indebtedness of the Authority prior to and during
23 construction and for a period of 6 months thereafter;
24 engineering and legal expenses; the costs of plans,
25 specifications, surveys and estimates of costs and other
26 expenses necessary or incident to determining the feasibility

1 or practicability of any project, together with such other
2 expenses as may be necessary or incident to the financing,
3 insuring, acquisition and construction of a specific project
4 and the placing of the same in operation.

5 (p) "Terminal" means a public place, station or depot for
6 receiving and delivering passengers, baggage, mail, freight or
7 express matter and any combination thereof in connection with
8 the transportation of persons and property on water or land or
9 in the air.

10 (q) "Terminal facilities" means all land, buildings,
11 structures, improvements, equipment and appliances useful in
12 the operation of public warehouse, storage and transportation
13 facilities and industrial, manufacturing or commercial
14 activities for the accommodation of or in connection with
15 commerce by water or land or in the air or useful as an aid, or
16 constituting an advantage or convenience to, the safe landing,
17 taking off and navigation of aircraft or the safe and
18 efficient operation or maintenance of a public airport.

19 (r) "Port facilities" means all public structures, except
20 terminal facilities as defined herein, that are in, over,
21 under or adjacent to navigable waters and are necessary for or
22 incident to the furtherance of water commerce and includes the
23 widening and deepening of slips, harbors and navigable waters.

24 (s) "Airport" means any locality, either land or water,
25 which is used or designed for the landing and taking off of
26 aircraft or for the location of runways, landing fields,

1 aerodromes, hangars, buildings, structures, airport roadways
2 and other facilities.

3 (Source: P.A. 86-1489.)

4 (70 ILCS 525/2004) (from Ch. 85, par. 7504)

5 Sec. 2004. Establishment.

6 (a) There is hereby created a political subdivision, body
7 politic and municipal corporation named the Tri-County River
8 Valley Development Authority. The territorial jurisdiction of
9 the Authority is that geographic area within the boundaries of
10 McLean, Peoria, Tazewell, and Woodford counties in the State
11 of Illinois and any navigable waters and air space located
12 therein.

13 (b) The governing and administrative powers of the
14 Authority shall be vested in a body consisting of 13 ~~11~~ members
15 including, as ex officio members, the Director of Commerce and
16 Economic Opportunity, or his or her designee, and the Director
17 of Natural Resources, or that Director's designee. The other
18 11 ~~9~~ members of the Authority shall be designated "public
19 members", 3 of whom shall be appointed by the Governor, 3 of
20 whom shall be appointed one each by the county board chairmen
21 of Peoria, Tazewell and Woodford counties and 5 ~~3~~ of whom shall
22 be appointed one each by the city councils of Bloomington,
23 East Peoria, Normal, Pekin, and Peoria. All public members
24 shall reside within the territorial jurisdiction of this Act.
25 Seven ~~Six~~ members shall constitute a quorum, and the Board may

1 not meet or take any action without a quorum present. The
2 public members shall be persons of recognized ability and
3 experience in one or more of the following areas: economic
4 development, finance, banking, industrial development, small
5 business management, real estate development, community
6 development, venture finance, organized labor or civic,
7 community or neighborhood organization. The Chairman of the
8 Authority shall be elected by the Board annually from the 8 ~~6~~
9 members appointed by the county board chairmen and city
10 councils.

11 (c) The terms of all members of the Authority shall begin
12 30 days after the effective date of this Article. Of the 9
13 public members appointed pursuant to this Act, 3 shall serve
14 until the third Monday in January 1992, 3 shall serve until the
15 third Monday in January 1993, and 3 shall serve until the third
16 Monday in January 1994. All successors shall be appointed by
17 the original appointing authority and hold office for a term
18 of 3 years commencing the third Monday in January of the year
19 in which their term commences, except in case of an
20 appointment to fill a vacancy. The initial member appointed by
21 the city council of Bloomington shall serve until the third
22 Monday in January 2025. The initial member appointed by the
23 city council of Normal shall serve until the third Monday in
24 January 2026. Vacancies occurring among the public members
25 shall be filled for the remainder of the term. In case of
26 vacancy in a Governor-appointed membership when the Senate is

1 not in session, the Governor may make a temporary appointment
2 until the next meeting of the Senate when a person shall be
3 nominated to fill such office, and any person so nominated who
4 is confirmed by the Senate shall hold office during the
5 remainder of the term and until a successor shall be appointed
6 and qualified. Members of the Authority shall not be entitled
7 to compensation for their services as members but may be
8 reimbursed for all necessary expenses incurred in connection
9 with the performance of their duties as members.

10 (d) The Governor may remove any public member of the
11 Authority in case of incompetency, neglect of duty, or
12 malfeasance in office.

13 (e) The Board may appoint an Executive Director who shall
14 have a background in finance, including familiarity with the
15 legal and procedural requirements of issuing bonds, real
16 estate or economic development and administration. The
17 Executive Director shall hold office at the discretion of the
18 Board. The Executive Director shall be the chief
19 administrative and operational officer of the Authority, shall
20 direct and supervise its administrative affairs and general
21 management, shall perform such other duties as may be
22 prescribed from time to time by the members and shall receive
23 compensation fixed by the Authority. The Executive Director
24 shall attend all meetings of the Authority; however, no action
25 of the Authority shall be invalid on account of the absence of
26 the Executive Director from a meeting. The Authority may

1 engage the services of such other agents and employees,
2 including attorneys, appraisers, engineers, accountants,
3 credit analysts and other consultants, as it may deem
4 advisable and may prescribe their duties and fix their
5 compensation.

6 (f) The Board may, by majority vote, nominate up to 4
7 non-voting members for appointment by the Governor. Non-voting
8 members shall be persons of recognized ability and experience
9 in one or more of the following areas: economic development,
10 finance, banking, industrial development, small business
11 management, real estate development, community development,
12 venture finance, organized labor or civic, community or
13 neighborhood organization. Non-voting members shall serve at
14 the pleasure of the Board. All non-voting members may attend
15 meetings of the Board and may be reimbursed as provided in
16 subsection (c).

17 (g) The Board shall create a task force to study and make
18 recommendations to the Board on the economic development of
19 the territory within the jurisdiction of this Act. The members
20 of the task force shall reside within the territorial
21 jurisdiction of this Article, shall serve at the pleasure of
22 the Board and shall be persons of recognized ability and
23 experience in one or more of the following areas: economic
24 development, finance, banking, industrial development, small
25 business management, real estate development, community
26 development, venture finance, organized labor or civic,

1 community or neighborhood organization. The number of members
2 constituting the task force shall be set by the Board and may
3 vary from time to time. The Board may set a specific date by
4 which the task force is to submit its final report and
5 recommendations to the Board.

6 (Source: P.A. 94-793, eff. 5-19-06.)

7 (70 ILCS 525/2005.1 new)

8 Sec. 2005.1. Requests for assistance; disclosure of
9 economic interests.

10 (a) The Authority may not hear a request for assistance
11 from a restricted person. This prohibition extends to business
12 relationships between a person who is an Authority leader
13 within one year prior to the request for assistance and to any
14 entity in which a restricted person holds or, within the past 2
15 years, held an ownership interest of 10% or more.

16 (b) An Authority leader shall disclose and recuse himself
17 or herself from matters relating to requests for assistance
18 from an entity that is relocating full-time employees from
19 another Authority's counties if (i) both Authorities contract
20 with or employ the same Authority leader or (ii) there is or,
21 within the past 2 years of the request, there was a business
22 relationship between the Authority leaders at the 2
23 Authorities.

24 (c) The Board of the Authority shall vote to renew the
25 appointment of the Executive Director and other Authority

1 leaders on an annual basis. All contracts shall be approved on
2 an annual basis and use a public process to solicit
3 applications. This requirement does not apply to full-time
4 employees of the Authority unless otherwise required by
5 applicable State law or local ordinance.

6 (d) Each Authority leader shall submit a statement of
7 economic interest in accordance with Article 4A of the
8 Illinois Governmental Ethics Act. Additionally, each Authority
9 leader shall disclose to the Board outside sources of income
10 and any business relationships in economic development
11 consulting or lobbying. Reporting shall include the source of
12 income, services provided, and timeline of when services were
13 provided. If the source of income is a firm or organization
14 with multiple clients, the report shall list all of the
15 entities for which the individual provided services.

16 (70 ILCS 525/2005.2 new)

17 Sec. 2005.2. Open meetings; record disclosure.

18 (a) The Authority is subject to the Open Meetings Act and
19 the Freedom of Information Act. Documents subject to the
20 Freedom of Information Act include, but are not limited to,
21 expenses, payroll, origination bonuses, and other financial
22 details of the Authority.

23 (b) A contract or agreement entered into by the Authority
24 must be posted on the Authority's website. The Authority shall
25 provide a detailed report of the Authority's financial

1 information on the Authority's website, including, but not
2 limited to, a statement of profits and losses, balance sheet,
3 and income statement of the Authority.

4 (70 ILCS 525/2008) (from Ch. 85, par. 7508)

5 Sec. 2008. Acquisition.

6 (a) The Authority may, but need not, acquire title to any
7 project with respect to which it exercises its authority.

8 (b) The Authority shall have power to acquire by purchase,
9 lease, gift or otherwise any property or rights therein from
10 any person or persons, the State of Illinois, any municipal
11 corporation, any local unit of government, the government of
12 the United States and any agency or instrumentality of the
13 United States, any body politic or any county useful for its
14 purposes, whether improved for the purposes of any prospective
15 project or unimproved. The Authority may also accept any
16 donation of funds for its purposes from any such source.

17 (c) The Authority shall have power to develop, construct
18 and improve, either under its own direction or through
19 collaboration with any approved applicant, or to acquire
20 through purchase or otherwise any project, using for such
21 purpose the proceeds derived from its sale of revenue bonds,
22 notes or other evidences of indebtedness or governmental loans
23 or grants and to hold title in the name of the Authority to
24 such projects.

25 (d) The Authority shall have the power to enter into

1 intergovernmental agreements with the State of Illinois, the
2 counties of McLean, Peoria, Tazewell, or Woodford, the
3 Illinois Finance Authority, the Illinois Housing Development
4 Authority, the Metropolitan Pier and Exposition Authority, the
5 United States government and any agency or instrumentality of
6 the United States, any unit of local government located within
7 the territory of the Authority or any other unit of government
8 to the extent allowed by Article VII, Section 10 of the
9 Illinois Constitution and the Intergovernmental Cooperation
10 Act.

11 (e) The Authority shall have the power to share employees
12 with other units of government, including agencies of the
13 United States, agencies of the State of Illinois and agencies
14 or personnel of any unit of local government.

15 (f) The Authority shall have the power to exercise powers
16 and issue bonds as if it were a municipality so authorized in
17 Divisions 12.1, 74, 74.1, 74.3 and 74.5 of Article 11 of the
18 Illinois Municipal Code.

19 (Source: P.A. 93-205, eff. 1-1-04.)

20 (70 ILCS 525/2013) (from Ch. 85, par. 7513)

21 Sec. 2013. Reports; commitment notice. The Authority shall
22 annually submit a report of its finances to the Auditor
23 General. The Authority shall annually submit a report of its
24 activities to the Governor and General Assembly.

25 The Authority shall provide notice to the General

1 Assembly, the Department of Commerce and Economic Opportunity,
2 and the Governor once the Authority enters into a commitment
3 to support the financing of a project. The notice to the
4 General Assembly shall be filed with the Clerk of the House of
5 Representatives and the Secretary of the Senate, in electronic
6 form only, in the manner that the Clerk and the Secretary shall
7 direct.

8 (Source: P.A. 86-1489.)

9 Section 60. The Upper Illinois River Valley Development
10 Authority Act is amended by changing Sections 3, 4, and 14 and
11 by adding Sections 5.1 and 5.2 as follows:

12 (70 ILCS 530/3) (from Ch. 85, par. 7153)

13 Sec. 3. Definitions. The following terms, whenever used or
14 referred to in this Act, shall have the following meanings,
15 except in such instances where the context may clearly
16 indicate otherwise:

17 (a) "Authority" means the Upper Illinois River Valley
18 Development Authority created by this Act.

19 (a-5) "Authority leader" means the Executive Director,
20 Assistant Executive Director, or any other person serving in a
21 management, administrative, or leadership role at the
22 Authority.

23 (b) "Governmental agency" means any federal, State or
24 local governmental body, and any agency or instrumentality

1 thereof, corporate or otherwise.

2 (c) "Person" means any natural person, firm, partnership,
3 corporation, both domestic and foreign, company, association
4 or joint stock association and includes any trustee, receiver,
5 assignee or personal representative thereof.

6 (c-5) "Restricted person" means a person who has a
7 familial or business relationship with an Authority leader.

8 (d) "Revenue bond" means any bond issued by the Authority
9 the principal and interest of which is payable solely from
10 revenues or income derived from any project or activity of the
11 Authority.

12 (e) "Board" means the Upper Illinois River Valley
13 Development Authority Board of Directors.

14 (f) "Governor" means the Governor of the State of
15 Illinois.

16 (g) "City" means any city, village, incorporated town or
17 township within the geographical territory of the Authority.

18 (h) "Industrial project" means (1) a capital project,
19 including one or more buildings and other structures,
20 improvements, machinery and equipment whether or not on the
21 same site or sites now existing or hereafter acquired,
22 suitable for use by any manufacturing, industrial, research,
23 transportation or commercial enterprise including but not
24 limited to use as a factory, mill, processing plant, assembly
25 plant, packaging plant, fabricating plant, office building,
26 industrial distribution center, warehouse, repair, overhaul or

1 service facility, freight terminal, research facility, test
2 facility, railroad facility, solid waste and wastewater
3 treatment and disposal sites and other pollution control
4 facilities, resource or waste reduction, recovery, treatment
5 and disposal facilities, and including also the sites thereof
6 and other rights in land therefor whether improved or
7 unimproved, site preparation and landscaping and all
8 appurtenances and facilities incidental thereto such as
9 utilities, access roads, railroad sidings, truck docking and
10 similar facilities, parking facilities, dockage, wharfage,
11 railroad roadbed, track, trestle, depot, terminal, switching
12 and signaling equipment or related equipment and other
13 improvements necessary or convenient thereto; or (2) any land,
14 buildings, machinery or equipment comprising an addition to or
15 renovation, rehabilitation or improvement of any existing
16 capital project.

17 (i) "Housing project" or "residential project" includes a
18 specific work or improvement undertaken to provide dwelling
19 accommodations, including the acquisition, construction or
20 rehabilitation of lands, buildings and community facilities
21 and in connection therewith to provide nonhousing facilities
22 which are an integral part of a planned large-scale project or
23 new community.

24 (j) "Commercial project" means any project, including but
25 not limited to one or more buildings and other structures,
26 improvements, machinery and equipment whether or not on the

1 same site or sites now existing or hereafter acquired,
2 suitable for use by any retail or wholesale concern,
3 distributorship or agency, any cultural facilities of a
4 for-profit or not-for-profit type including but not limited to
5 educational, theatrical, recreational and entertainment,
6 sports facilities, racetracks, stadiums, convention centers,
7 exhibition halls, arenas, opera houses and theaters,
8 waterfront improvements, swimming pools, boat storage,
9 moorage, docking facilities, restaurants, velodromes,
10 coliseums, sports training facilities, parking facilities,
11 terminals, hotels and motels, gymnasiums, medical facilities
12 and port facilities.

13 (k) "Project" means an industrial, housing, residential,
14 commercial or service project or any combination thereof
15 provided that all uses shall fall within one of the categories
16 described above. Any project, of any nature whatsoever, shall
17 automatically include all site improvements and new
18 construction involving sidewalks, sewers, solid waste and
19 wastewater treatment and disposal sites and other pollution
20 control facilities, resource or waste reduction, recovery,
21 treatment and disposal facilities, parks, open spaces,
22 wildlife sanctuaries, streets, highways and runways.

23 (l) "Lease agreement" shall mean an agreement whereby a
24 project acquired by the Authority by purchase, gift or lease
25 is leased to any person or corporation which will use or cause
26 the project to be used as a project as heretofore defined upon

1 terms providing for lease rental payments at least sufficient
2 to pay when due all principal of and interest and premium, if
3 any, on any bonds, notes or other evidences of indebtedness of
4 the Authority issued with respect to such project, providing
5 for the maintenance, insurance and operation of the project on
6 terms satisfactory to the Authority and providing for
7 disposition of the project upon termination of the lease term,
8 including purchase options or abandonment of the premises,
9 with such other terms as may be deemed desirable by the
10 Authority.

11 (m) "Loan agreement" means any agreement pursuant to which
12 the Authority agrees to loan the proceeds of its bonds, notes
13 or other evidences of indebtedness issued with respect to a
14 project to any person or corporation which will use or cause
15 the project to be used as a project as heretofore defined upon
16 terms providing for loan repayment installments at least
17 sufficient to pay when due all principal of and interest and
18 premium, if any, on any bonds, notes or other evidences of
19 indebtedness of the Authority issued with respect to the
20 project, providing for maintenance, insurance and operation of
21 the project on terms satisfactory to the Authority and
22 providing for other matters as may be deemed advisable by the
23 Authority.

24 (n) "Financial aid" means the expenditure of Authority
25 funds or funds provided by the Authority through the issuance
26 of its revenue bonds, notes or other evidences of indebtedness

1 for the development, construction, acquisition or improvement
2 of a project.

3 (o) "Costs incurred in connection with the development,
4 construction, acquisition or improvement of a project" means
5 the following: the cost of purchase and construction of all
6 lands and improvements in connection therewith and equipment
7 and other property, rights, easements and franchises acquired
8 which are deemed necessary for such construction; financing
9 charges; interest costs with respect to bonds, notes and other
10 evidences of indebtedness of the Authority prior to and during
11 construction and for a period of 6 months thereafter;
12 engineering and legal expenses; the costs of plans,
13 specifications, surveys and estimates of costs and other
14 expenses necessary or incident to determining the feasibility
15 or practicability of any project, together with such other
16 expenses as may be necessary or incident to the financing,
17 insuring, acquisition and construction of a specific project
18 and the placing of the same in operation.

19 (p) "Terminal" means a public place, station or depot for
20 receiving and delivering passengers, baggage, mail, freight or
21 express matter and any combination thereof in connection with
22 the transportation of persons and property on water or land or
23 in the air.

24 (q) "Terminal facilities" means all land, buildings,
25 structures, improvements, equipment and appliances useful in
26 the operation of public warehouse, storage and transportation

1 facilities and industrial, manufacturing or commercial
2 activities for the accommodation of or in connection with
3 commerce by water or land or in the air or useful as an aid, or
4 constituting an advantage or convenience to, the safe landing,
5 taking off and navigation of aircraft or the safe and
6 efficient operation or maintenance of a public airport.

7 (r) "Port facilities" means all public structures, except
8 terminal facilities as defined herein, that are in, over,
9 under or adjacent to navigable waters and are necessary for or
10 incident to the furtherance of water commerce and includes the
11 widening and deepening of slips, harbors and navigable waters.

12 (s) "Airport" means any locality, either land or water,
13 which is used or designed for the landing and taking off of
14 aircraft or for the location of runways, landing fields,
15 aerodromes, hangars, buildings, structures, airport roadways
16 and other facilities.

17 (Source: P.A. 86-1024.)

18 (70 ILCS 530/4) (from Ch. 85, par. 7154)

19 Sec. 4. Establishment.

20 (a) There is hereby created a political subdivision, body
21 politic and municipal corporation named the Upper Illinois
22 River Valley Development Authority. The territorial
23 jurisdiction of the Authority is that geographic area within
24 the boundaries of Grundy, LaSalle, Bureau, Putnam, Kendall,
25 Kane, Lake, McHenry, and Marshall counties in the State of

1 Illinois and any navigable waters and air space located
2 therein.

3 (b) The governing and administrative powers of the
4 Authority shall be vested in a body consisting of 21 members
5 including, as ex officio members, the Director of Commerce and
6 Economic Opportunity, or his or her designee, and the Director
7 of the Department of Central Management Services, or his or
8 her designee. The other 19 members of the Authority shall be
9 designated "public members", 10 of whom shall be appointed by
10 the Governor with the advice and consent of the Senate and 9 of
11 whom shall be appointed one each by the county board chairmen
12 of Grundy, LaSalle, Bureau, Putnam, Kendall, Kane, Lake,
13 McHenry, and Marshall counties. All public members shall
14 reside within the territorial jurisdiction of this Act. Eleven
15 members shall constitute a quorum, and the Board may not meet
16 or take any action without a quorum present. The public
17 members shall be persons of recognized ability and experience
18 in one or more of the following areas: economic development,
19 finance, banking, industrial development, small business
20 management, real estate development, community development,
21 venture finance, organized labor or civic, community or
22 neighborhood organization. The Chairman of the Authority shall
23 be elected by the Board annually from the 9 members appointed
24 by the county board chairmen.

25 (c) The terms of all initial members of the Authority
26 shall begin 30 days after the effective date of this Act. Of

1 the 14 public members appointed pursuant to this Act, 4
2 appointed by the Governor shall serve until the third Monday
3 in January, 1992, 4 appointed by the Governor shall serve
4 until the third Monday in January, 1993, one appointed by the
5 Governor shall serve until the third Monday in January, 1994,
6 one appointed by the Governor shall serve until the third
7 Monday in January 1999, the member appointed by the county
8 board chairman of LaSalle County shall serve until the third
9 Monday in January, 1992, the members appointed by the county
10 board chairmen of Grundy County, Bureau County, Putnam County,
11 and Marshall County shall serve until the third Monday in
12 January, 1994, and the member appointed by the county board
13 chairman of Kendall County shall serve until the third Monday
14 in January, 1999. The initial members appointed by the
15 chairmen of the county boards of Kane and McHenry counties
16 shall serve until the third Monday in January, 2003. The
17 initial members appointed by the chairman of the county board
18 of Lake County shall serve until the third Monday in January,
19 2018. All successors shall be appointed by the original
20 appointing authority and hold office for a term of 3 years
21 commencing the third Monday in January of the year in which
22 their term commences, except in case of an appointment to fill
23 a vacancy. Vacancies occurring among the public members shall
24 be filled for the remainder of the term. In case of vacancy in
25 a Governor-appointed membership when the Senate is not in
26 session, the Governor may make a temporary appointment until

1 the next meeting of the Senate when a person shall be nominated
2 to fill such office, and any person so nominated who is
3 confirmed by the Senate shall hold office during the remainder
4 of the term and until a successor shall be appointed and
5 qualified. Members of the Authority shall not be entitled to
6 compensation for their services as members but shall be
7 entitled to reimbursement for all necessary expenses incurred
8 in connection with the performance of their duties as members.

9 (d) The Governor may remove any public member of the
10 Authority in case of incompetency, neglect of duty, or
11 malfeasance in office.

12 (e) The Board shall appoint an Executive Director who
13 shall have a background in finance, including familiarity with
14 the legal and procedural requirements of issuing bonds, real
15 estate or economic development and administration. The
16 Executive Director shall hold office at the discretion of the
17 Board. The Executive Director shall be the chief
18 administrative and operational officer of the Authority, shall
19 direct and supervise its administrative affairs and general
20 management, shall perform such other duties as may be
21 prescribed from time to time by the members and shall receive
22 compensation fixed by the Authority. The Executive Director
23 shall attend all meetings of the Authority; however, no action
24 of the Authority shall be invalid on account of the absence of
25 the Executive Director from a meeting. The Authority may
26 engage the services of such other agents and employees,

1 including attorneys, appraisers, engineers, accountants,
2 credit analysts and other consultants, as it may deem
3 advisable and may prescribe their duties and fix their
4 compensation.

5 (f) The Board may, by majority vote, nominate up to 4
6 non-voting members for appointment by the Governor. Non-voting
7 members shall be persons of recognized ability and experience
8 in one or more of the following areas: economic development,
9 finance, banking, industrial development, small business
10 management, real estate development, community development,
11 venture finance, organized labor or civic, community or
12 neighborhood organization. Non-voting members shall serve at
13 the pleasure of the Board. All non-voting members may attend
14 meetings of the Board and shall be reimbursed as provided in
15 subsection (c).

16 (g) The Board shall create a task force to study and make
17 recommendations to the Board on the economic development of
18 the territory within the jurisdiction of this Act. The members
19 of the task force shall reside within the territorial
20 jurisdiction of this Act, shall serve at the pleasure of the
21 Board and shall be persons of recognized ability and
22 experience in one or more of the following areas: economic
23 development, finance, banking, industrial development, small
24 business management, real estate development, community
25 development, venture finance, organized labor or civic,
26 community or neighborhood organization. The number of members

1 constituting the task force shall be set by the Board and may
2 vary from time to time. The Board may set a specific date by
3 which the task force is to submit its final report and
4 recommendations to the Board.

5 (Source: P.A. 99-499, eff. 1-29-16.)

6 (70 ILCS 530/5.1 new)

7 Sec. 5.1. Requests for assistance; disclosure of economic
8 interests.

9 (a) The Authority may not hear a request for assistance
10 from a restricted person. This prohibition extends to business
11 relationships between a person who is an Authority leader
12 within one year prior to the request for assistance and to any
13 entity in which a restricted person holds or, within the past 2
14 years, held an ownership interest of 10% or more.

15 (b) An Authority leader shall disclose and recuse himself
16 or herself from matters relating to requests for assistance
17 from an entity that is relocating full-time employees from
18 another Authority's counties if (i) both Authorities contract
19 with or employ the same Authority leader or (ii) there is or,
20 within the past 2 years of the request, there was a business
21 relationship between the Authority leaders at the 2
22 Authorities.

23 (c) The Board of the Authority shall vote to renew the
24 appointment of the Executive Director and other Authority
25 leaders on an annual basis. All contracts shall be approved on

1 an annual basis and use a public process to solicit
2 applications. This requirement does not apply to full-time
3 employees of the Authority unless otherwise required by
4 applicable State law or local ordinance.

5 (d) Each Authority leader shall submit a statement of
6 economic interest in accordance with Article 4A of the
7 Illinois Governmental Ethics Act. Additionally, each Authority
8 leader shall disclose to the Board outside sources of income
9 and any business relationships in economic development
10 consulting or lobbying. Reporting shall include the source of
11 income, services provided, and timeline of when services were
12 provided. If the source of income is a firm or organization
13 with multiple clients, the report shall list all of the
14 entities for which the individual provided services.

15 (70 ILCS 530/5.2 new)

16 Sec. 5.2. Open meetings; record disclosure.

17 (a) The Authority is subject to the Open Meetings Act and
18 the Freedom of Information Act. Documents subject to the
19 Freedom of Information Act include, but are not limited to,
20 expenses, payroll, origination bonuses, and other financial
21 details of the Authority.

22 (b) A contract or agreement entered into by the Authority
23 must be posted on the Authority's website. The Authority shall
24 provide a detailed report of the Authority's financial
25 information on the Authority's website, including, but not

1 limited to, a statement of profits and losses, balance sheet,
2 and income statement of the Authority.

3 (70 ILCS 530/14) (from Ch. 85, par. 7164)

4 Sec. 14. Reports; commitment notice. The Authority shall
5 annually submit a report of its finances to the Auditor
6 General. The Authority shall annually submit a report of its
7 activities to the Governor and General Assembly.

8 The Authority shall provide notice to the General
9 Assembly, the Department of Commerce and Economic Opportunity,
10 and the Governor once the Authority enters into a commitment
11 to support the financing of a project. The notice to the
12 General Assembly shall be filed with the Clerk of the House of
13 Representatives and the Secretary of the Senate, in electronic
14 form only, in the manner that the Clerk and the Secretary shall
15 direct.

16 (Source: P.A. 86-1024.)

17 Section 65. The Illinois Urban Development Authority Act
18 is amended by changing Sections 3, 4, 5, and 6 as follows:

19 (70 ILCS 531/3)

20 Sec. 3. Definitions. The following terms, whenever used or
21 referred to in this Act, shall have the following meanings,
22 except in such instances where the context may clearly
23 indicate otherwise:

1 "Authority" means the Illinois Urban Development Authority
2 created by this Act.

3 "Authority leader" means the Executive Director, Assistant
4 Executive Director, or any other person serving in a
5 management, administrative, or leadership role at the
6 Authority.

7 "Board" means the Illinois Urban Development Authority
8 Board of Directors.

9 "Bonds" shall include bonds, notes, or other evidence of
10 indebtedness.

11 "Commercial project" means any project, including but not
12 limited to one or more buildings and other structures,
13 improvements, machinery, and equipment whether or not on the
14 same site or sites now existing or hereafter acquired,
15 suitable for use by any retail or wholesale concern,
16 distributorship, or agency, any cultural facilities of a
17 for-profit or not-for-profit type including but not limited to
18 educational, theatrical, recreational and entertainment,
19 sports facilities, racetracks, stadiums, convention centers,
20 exhibition halls, arenas, opera houses and theaters,
21 waterfront improvements, swimming pools, boat storage,
22 moorage, docking facilities, restaurants, coliseums, sports
23 training facilities, parking facilities, terminals, hotels and
24 motels, gymnasiums, medical facilities, and port facilities.

25 "Costs incurred in connection with the development,
26 construction, acquisition, or improvement of a project" means

1 the cost of purchase and construction of all lands and
2 improvements in connection with a project and equipment and
3 other property, rights, easements, and franchises acquired
4 that are deemed necessary for such construction; financing
5 charges; interest costs with respect to bonds, notes, and
6 other evidences of indebtedness of the Authority prior to and
7 during construction and for a period of 6 months thereafter;
8 engineering and legal expenses; the costs of plans,
9 specifications, surveys, and estimates of costs and other
10 expenses necessary or incident to determining the feasibility
11 or practicability of any project, together with such other
12 expenses as may be necessary or incident to the financing,
13 insuring, acquisition, and construction of a specific project
14 and the placing of the same in operation.

15 "Develop" or "development" means to do one or more of the
16 following: plan, design, develop, lease, acquire, install,
17 construct, reconstruct, rehabilitate, extend, or expand.

18 "Financial aid" means the expenditure of Authority funds
19 or funds provided by the Authority through the issuance of its
20 revenue bonds, notes, or other evidences of indebtedness for
21 the development, construction, acquisition, or improvement of
22 a project.

23 "Governmental agency" means any federal, State or local
24 governmental body, and any agency or instrumentality thereof,
25 corporate or otherwise.

26 "Governor" means the Governor of the State of Illinois.

1 "Housing project" or "residential project" includes a
2 specific work or improvement undertaken to provide dwelling
3 accommodations, including the acquisition, construction,
4 leasing, or rehabilitation of lands, buildings, and community
5 facilities and in connection therewith to provide nonhousing
6 facilities which are an integral part of a planned large-scale
7 project or new community.

8 "Industrial project" means (1) a capital project,
9 including one or more buildings and other structures,
10 improvements, machinery, and equipment whether or not on the
11 same site or sites now existing or hereafter acquired,
12 suitable for use by any manufacturing, industrial, research,
13 transportation, or commercial enterprise including but not
14 limited to use as a factory, mill, processing plant, assembly
15 plant, packaging plant, fabricating plant, office building,
16 industrial distribution center, warehouse, repair, overhaul or
17 service facility, freight terminal, research facility, test
18 facility, railroad facility, solid waste and wastewater
19 treatment and disposal sites and other pollution control
20 facilities, resource or waste reduction, recovery, treatment
21 and disposal facilities, and including also the sites thereof
22 and other rights in land therefor whether improved or
23 unimproved, site preparation and landscaping and all
24 appurtenances and facilities incidental thereto such as
25 utilities, access roads, railroad sidings, truck docking and
26 similar facilities, parking facilities, dockage, wharfage,

1 railroad roadbed, track, trestle, depot, terminal, switching,
2 and signaling equipment or related equipment and other
3 improvements necessary or convenient thereto; or (2) any land,
4 buildings, machinery or equipment comprising an addition to or
5 renovation, rehabilitation or improvement of any existing
6 capital project.

7 "Lease agreement" means an agreement whereby a project
8 acquired by the Authority by purchase, gift, or lease is
9 leased to any person or corporation that will use or cause the
10 project to be used as a project as defined in this Act upon
11 terms providing for lease rental payments at least sufficient
12 to pay when due all principal of and interest and premium, if
13 any, on any bonds, notes or other evidences of indebtedness of
14 the Authority issued with respect to such project, providing
15 for the maintenance, insurance, and operation of the project
16 on terms satisfactory to the Authority, and providing for
17 disposition of the project upon termination of the lease term,
18 including purchase options or abandonment of the premises,
19 with such other terms as may be deemed desirable by the
20 Authority. The Authority may, directly or indirectly, lease or
21 otherwise transfer property the Authority owns to another and
22 such leased property shall remain tax exempt.

23 "Loan agreement" means any agreement pursuant to which the
24 Authority agrees to loan the proceeds of its bonds, notes, or
25 other evidences of indebtedness issued with respect to a
26 project to any person or corporation that will use or cause the

1 project to be used as a project as defined in this Act upon
2 terms providing for loan repayment installments at least
3 sufficient to pay when due all principal and interest and
4 premium, if any, on any bonds, notes, or other evidences of
5 indebtedness of the Authority issued with respect to the
6 project, providing for maintenance, insurance, and operation
7 of the project on terms satisfactory to the Authority and
8 providing for other matters as may be deemed advisable by the
9 Authority.

10 "Maintain" or "maintenance" includes ordinary maintenance,
11 repair, rehabilitation, capital maintenance, maintenance
12 replacement, and any other categories of maintenance that may
13 be designated by the local, regional, or State transportation
14 agency.

15 "Municipal poverty rate" is the percentage of total
16 population of the municipality having income levels below the
17 poverty level as determined by the Authority based upon the
18 most recent data released by the United States Census Bureau
19 before the beginning of such calendar year.

20 "Occupational license" means a license issued by the
21 Illinois Gaming Board to a person or entity to perform an
22 occupation which the Illinois Gaming Board has identified as
23 requiring a license to engage in riverboat, dockside, or
24 land-based gambling in Illinois.

25 "Operate" or "operation" means to do one or more of the
26 following: maintain, improve, equip, modify, or otherwise

1 operate.

2 "Person" means any natural person, firm, partnership,
3 corporation, both domestic and foreign, company, association,
4 or joint stock association and includes any trustee, receiver,
5 assignee, or personal representative thereof.

6 "Project" means an industrial, housing, residential,
7 commercial, transportation, or service project, or any
8 combination thereof, provided that all uses shall fall within
9 one of those categories. Any project, of any nature
10 whatsoever, shall automatically include all site improvements
11 and new construction involving sidewalks, sewers, solid waste
12 and wastewater treatment and disposal sites and other
13 pollution control facilities, resource or waste reduction,
14 recovery, treatment and disposal facilities, parks, open
15 spaces, wildlife sanctuaries, streets, highways, and runways.

16 "Restricted person" means a person who has a familial or
17 business relationship with an Authority leader.

18 "Revenue bond" means any bond issued by the Authority
19 under the supervision of the Illinois Finance Authority, the
20 principal and interest of which are payable solely from
21 revenues or income derived from any project or activity of the
22 Authority.

23 "Transportation facility" means any new or existing road,
24 highway, toll highway, bridge, tunnel, intermodal facility,
25 intercity or high-speed passenger rail, or other
26 transportation facility or infrastructure, excluding airports.

1 The term "transportation facility" may refer to one or more
2 transportation facilities that are proposed to be developed or
3 operated as part of a single transportation project.

4 "Transportation project" means one or more transportation
5 improvement projects including, but not limited to, new or
6 existing roads or highways, new or expanded intermodal
7 projects, and new or expanded transit projects,
8 transit-oriented development, intercity rail, and passenger
9 rail. "Transportation project" does not include airport
10 projects.

11 (Source: P.A. 98-384, eff. 8-16-13.)

12 (70 ILCS 531/4)

13 Sec. 4. Illinois Urban Development Authority. There is
14 hereby created a political subdivision, body politic and
15 corporate by the name of Illinois Urban Development Authority.
16 The exercise by the Authority of the powers conferred by law
17 shall be an essential public function. The governing powers of
18 the Authority shall be vested in a body consisting of 11
19 members appointed as follows: one member appointed by the
20 Mayor of the City of Chicago that has expertise, skill, and
21 experience in economic development; one member appointed by
22 the President of the Cook County Board that has expertise,
23 skill, and experience in economic development; 4 members
24 appointed by the Governor who are residents of a municipality,
25 other than a municipality with a population greater than

1 1,000,000, whose municipal poverty rate is greater than 3% in
2 excess of the statewide average; 2 members appointed by the
3 Governor that have an expertise, skill, and experience in
4 labor relations; and 3 members appointed by the Governor that
5 have an expertise, skill, and experience operating a business
6 that is certified by the State of Illinois as a Disadvantaged
7 Business Enterprise, Minority Business Enterprise, or Women
8 Business Enterprise.

9 Six members shall constitute a quorum. However, when a
10 quorum of members of the Authority is physically present at
11 the meeting site, other Authority members may participate in
12 and act at any meeting through the use of a conference
13 telephone or other communications equipment by means of which
14 all persons participating in the meeting can hear each other.
15 Participation in such meeting shall constitute attendance and
16 presence in person at the meeting of the person or persons so
17 participating. The Chairman of the Authority shall be elected
18 by the Authority. All board members shall be persons of
19 recognized ability and experience in one or more of the
20 following areas: economic development, finance, banking,
21 industrial development, small business management, real estate
22 development, community development, venture finance,
23 construction, and labor relations. The Board may not meet or
24 take any action unless the quorum of 6 members are physically
25 present, are present by phone, or are otherwise present as
26 required by this paragraph.

1 The terms of all members of the Authority shall begin 30
2 days after the effective date of this Act. Of the 11 members
3 first appointed pursuant to this Act, 4 shall serve until the
4 third Monday in January 2011, 4 shall serve until the third
5 Monday in January 2012, and 3 shall serve until the third
6 Monday in January 2013. All board members shall hold office
7 for a term of 4 years commencing the third Monday in January of
8 the year in which their term commences, except in case of an
9 appointment to fill a vacancy. In case of vacancy in the office
10 when the Senate is not in session, the Governor may make a
11 temporary appointment until the next meeting of the Senate
12 when he shall nominate such person to fill such office, and any
13 person so nominated who is confirmed by the Senate, shall hold
14 his office during the remainder of the term and until his
15 successor shall be appointed and qualified. If the Senate is
16 not in session, the Governor may make temporary appointments
17 in the case of vacancies.

18 Members of the Authority shall not be entitled to
19 compensation for their services as members but shall be
20 entitled to reimbursement for all necessary expenses incurred
21 in connection with the performance of their duties as members.
22 The Governor may remove any member of the Authority in case of
23 incompetency, neglect of duty, or malfeasance in office, after
24 service on the member of a copy of the written charges against
25 the member and an opportunity to be publicly heard in person or
26 by counsel in the his or her defense upon not less than 10

1 days' notice.

2 The members of the Authority shall appoint an Executive
3 Director, who must be a person knowledgeable in the areas of
4 financial markets and instruments and the financing of
5 business enterprises, to hold office at the pleasure of the
6 members. The Executive Director shall be the chief
7 administrative and operational officer of the Authority and
8 shall direct and supervise its administrative affairs and
9 general management and perform such other duties as may be
10 prescribed from time to time by the members and shall receive
11 compensation fixed by the Authority. The Executive Director or
12 any committee of the members may carry out any
13 responsibilities of the members as the members by resolution
14 may delegate. The Executive Director shall attend all meetings
15 of the Authority; however, no action of the Authority shall be
16 invalid on account of the absence of the Executive Director
17 from a meeting. The Authority may engage the services of such
18 other agents and employees, including attorneys, appraisers,
19 engineers, accountants, credit analysts, and other
20 consultants, as it may deem advisable and may prescribe their
21 duties and fix their compensation.

22 The Authority shall determine the municipal poverty rate
23 and the statewide average municipal poverty rate annually by
24 using the most recent data released by the United States
25 Census Bureau before the beginning of each calendar year. The
26 Authority shall have the sole and exclusive authority to

1 determine the municipal poverty rate and the statewide average
2 municipal poverty rate and to determine whether a
3 municipality's poverty rate is greater than 3% in excess of
4 the statewide average so long as the determination is based on
5 the most recent data released by the United States Census
6 Bureau.

7 (Source: P.A. 96-234, eff. 1-1-10.)

8 (70 ILCS 531/5)

9 Sec. 5. Conflicts of interest; requests for assistance;
10 disclosure of economic interests.

11 (a) No member of the Authority or officer, agent, or
12 employee thereof shall, in the member's own name or in the name
13 of a nominee, be an officer, director, or hold an ownership
14 interest in any person, association, trust, corporation,
15 partnership, or other entity which is, in its own name or in
16 the name of a nominee, a party to a contract or agreement upon
17 which the member or officer, agent or employee may be called
18 upon to act or vote.

19 (b) With respect to any direct or any indirect interest,
20 other than an interest prohibited in subsection (a), in a
21 contract or agreement upon which the member or officer, agent
22 or employee may be called upon to act or vote, a member of the
23 Authority or officer, agent, or employee thereof must disclose
24 the interest to the secretary of the Authority prior to the
25 taking of final action by the Authority concerning the

1 contract or agreement and shall disclose the nature and extent
2 of the interest and his or her acquisition thereof, which
3 shall be publicly acknowledged by the Authority and entered
4 upon the minutes of the Authority. If a member of the Authority
5 or officer, agent, or employee thereof holds such an interest
6 then the member shall refrain from any further official
7 involvement in regard to the contract or agreement, from
8 voting on any matter pertaining to the contract or agreement,
9 and from communicating with other members of the Authority or
10 its officers, agents, and employees concerning the contract or
11 agreement. Notwithstanding any other provision of law, any
12 contract or agreement entered into in conformity with this
13 subsection shall not be void or invalid by reason of the
14 interest described in this subsection, nor shall any person
15 disclosing an interest and refraining from further official
16 involvement as provided in this subsection be guilty of an
17 offense, be removed from office, or be subject to any other
18 penalty on account of the interest.

19 (c) Any contract or agreement made in violation of
20 subsections (a) or (b) shall be null and void, whether or not
21 the contract performance has been authorized, and shall give
22 rise to no action against the Authority. No real estate to
23 which a member or employee of the Authority holds legal title
24 or in which a member or employee of the Authority has any
25 beneficial interest, including any interest in a land trust,
26 shall be purchased by the Authority or by a nonprofit

1 corporation or limited-profit entity for a development to be
2 financed under this Act.

3 All members and employees of the Authority shall file
4 annually with the Authority a record of all real estate in this
5 State to which the member or employee holds legal title or in
6 which the member or employee has any beneficial interest,
7 including any interest in a land trust. In the event it is
8 later disclosed that the Authority has purchased real estate
9 in which a member or employee had an interest, that purchase
10 shall be voidable by the Authority and the member or employee
11 involved shall be disqualified from membership in or
12 employment by the Authority.

13 (d) The Authority may not hear a request for assistance
14 from a restricted person. This prohibition extends to business
15 relationships between a person who is an Authority leader
16 within one year prior to the request for assistance and to any
17 entity in which a restricted person holds or, within the past 2
18 years, held an ownership interest of 10% or more.

19 (e) An Authority leader shall disclose and recuse himself
20 or herself from matters relating to requests for assistance
21 from an entity that is relocating full-time employees from
22 another Authority's counties if (i) both Authorities contract
23 with or employ the same Authority leader or (ii) there is or,
24 within the past 2 years of the request, there was a business
25 relationship between the Authority leaders at the 2
26 Authorities.

1 (f) The Board of the Authority shall vote to renew the
2 appointment of the Executive Director and other Authority
3 leaders on an annual basis. All contracts shall be approved on
4 an annual basis and use a public process to solicit
5 applications. This requirement does not apply to full-time
6 employees of the Authority unless otherwise required by
7 applicable State law or local ordinance.

8 (g) Each Authority leader shall submit a statement of
9 economic interest in accordance with Article 4A of the
10 Illinois Governmental Ethics Act. Additionally, each Authority
11 leader shall disclose to the Board outside sources of income
12 and any business relationships in economic development
13 consulting or lobbying. Reporting shall include the source of
14 income, services provided, and timeline of when services were
15 provided. If the source of income is a firm or organization
16 with multiple clients, the report shall list all of the
17 entities for which the individual provided services.

18 (Source: P.A. 96-234, eff. 1-1-10.)

19 (70 ILCS 531/6)

20 Sec. 6. Records, ~~and~~ reports, and notices of the
21 Authority. The secretary shall keep a record of the
22 proceedings of the Authority. The treasurer of the Authority
23 shall be custodian of all Authority funds, and shall be bonded
24 in such amount as the other members of the Authority may
25 designate. The accounts and bonds of the Authority shall be

1 set up and maintained in a manner approved by the Auditor
2 General, and the Authority shall file with the Auditor General
3 a certified annual report within 120 days after the close of
4 its fiscal year. The Authority shall also file with the
5 Governor, the Secretary of the Senate, the Clerk of the House
6 of Representatives, and the Commission on Government
7 Forecasting and Accountability, by March 1 of each year, a
8 written report covering its activities and any activities of
9 any instrumentality corporation established under this Act for
10 the previous fiscal year. In its report to be filed by March 1,
11 2010, the Authority shall present an economic development
12 strategy for all municipalities with a municipal poverty rate
13 greater than 3% in excess of the statewide average, the
14 Authority shall make modifications in the economic development
15 strategy for the 4 years beginning on the next ensuing July 1,
16 to reflect changes in economic conditions or other factors,
17 including the policies of the Authority and the State of
18 Illinois. It shall also present an economic development
19 strategy for the fifth year beginning after the next ensuing
20 July 1. The strategy shall recommend specific legislative and
21 administrative action by the State, the Authority, units of
22 local government, or other governmental agencies. These
23 recommendations may include, but are not limited to, new
24 programs, modifications to existing programs, credit
25 enhancements for bonds issued by the Authority, and amendments
26 to this Act. When filed, the report shall be a public record

1 and open for inspection at the offices of the Authority during
2 normal business hours.

3 The Authority is subject to the Open Meetings Act and the
4 Freedom of Information Act. Documents subject to the Freedom
5 of Information Act include, but are not limited to, expenses,
6 payroll, origination bonuses, and other financial details of
7 the Authority.

8 A contract or agreement entered into by the Authority must
9 be posted on the Authority's website. The Authority shall
10 provide a detailed report of the Authority's financial
11 information on the Authority's website, including, but not
12 limited to, a statement of profits and losses, balance sheet,
13 and income statement of the Authority.

14 The Authority shall provide notice to the General
15 Assembly, the Department of Commerce and Economic Opportunity,
16 and the Governor once the Authority enters into a commitment
17 to support the financing of a project. The notice to the
18 General Assembly shall be filed with the Clerk of the House of
19 Representatives and the Secretary of the Senate, in electronic
20 form only, in the manner that the Clerk and the Secretary shall
21 direct.

22 (Source: P.A. 100-1148, eff. 12-10-18.)

23 Section 70. The Western Illinois Economic Development
24 Authority Act is amended by changing Sections 15, 20, and 75
25 and by adding Sections 26 and 27 as follows:

1 (70 ILCS 532/15)

2 Sec. 15. Definitions. In this Act:

3 "Authority" means the Western Illinois Economic
4 Development Authority.

5 "Authority leader" means the Executive Director, Assistant
6 Executive Director, or any other person serving in a
7 management, administrative, or leadership role at the
8 Authority.

9 "Governmental agency" means any federal, State, or local
10 governmental body and any agency or instrumentality thereof,
11 corporate or otherwise.

12 "Person" means any natural person, firm, partnership,
13 corporation, both domestic and foreign, company, association
14 or joint stock association and includes any trustee, receiver,
15 assignee or personal representative thereof.

16 "Restricted person" means a person who has a familial or
17 business relationship with an Authority leader.

18 "Revenue bond" means any bond issued by the Authority, the
19 principal and interest of which is payable solely from
20 revenues or income derived from any project or activity of the
21 Authority.

22 "Board" means the Board of Directors of the Western
23 Illinois Economic Development Authority.

24 "Governor" means the Governor of the State of Illinois.

25 "City" means any city, village, incorporated town, or

1 township within the geographical territory of the Authority.

2 "Industrial project" means the following:

3 (1) a capital project, including one or more buildings
4 and other structures, improvements, machinery and
5 equipment whether or not on the same site or sites now
6 existing or hereafter acquired, suitable for use by any
7 manufacturing, industrial, research, transportation or
8 commercial enterprise including but not limited to use as
9 a factory, mill, processing plant, assembly plant,
10 packaging plant, fabricating plant, ethanol plant, office
11 building, industrial distribution center, warehouse,
12 repair, overhaul or service facility, freight terminal,
13 research facility, test facility, railroad facility, port
14 facility, solid waste and wastewater treatment and
15 disposal sites and other pollution control facilities,
16 resource or waste reduction, recovery, treatment and
17 disposal facilities, and including also the sites thereof
18 and other rights in land therefore whether improved or
19 unimproved, site preparation and landscaping and all
20 appurtenances and facilities incidental thereto such as
21 utilities, access roads, railroad sidings, truck docking
22 and similar facilities, parking facilities, dockage,
23 wharfage, railroad roadbed, track, trestle, depot,
24 terminal, switching and signaling equipment or related
25 equipment and other improvements necessary or convenient
26 thereto; or

1 (2) any land, buildings, machinery or equipment
2 comprising an addition to or renovation, rehabilitation or
3 improvement of any existing capital project.

4 "Housing project" or "residential project" includes a
5 specific work or improvement undertaken to provide dwelling
6 accommodations, including the acquisition, construction or
7 rehabilitation of lands, buildings and community facilities
8 and in connection therewith to provide nonhousing facilities
9 which are an integral part of a planned large-scale project or
10 new community.

11 "Commercial project" means any project, including, but not
12 limited to, one or more buildings and other structures,
13 improvements, machinery, and equipment, whether or not on the
14 same site or sites now existing or hereafter acquired,
15 suitable for use by any retail or wholesale concern,
16 distributorship, or agency.

17 "Project" means an industrial, housing, residential,
18 commercial, or service project, or any combination thereof,
19 provided that all uses fall within one of the categories
20 described above. Any project automatically includes all site
21 improvements and new construction involving sidewalks, sewers,
22 solid waste and wastewater treatment and disposal sites and
23 other pollution control facilities, resource or waste
24 reduction, recovery, treatment and disposal facilities, parks,
25 open spaces, wildlife sanctuaries, streets, highways, and
26 runways.

1 "Lease agreement" means an agreement in which a project
2 acquired by the Authority by purchase, gift, or lease is
3 leased to any person or corporation that will use, or cause the
4 project to be used, as a project, upon terms providing for
5 lease rental payments at least sufficient to pay, when due,
6 all principal of and interest and premium, if any, on any
7 bonds, notes, or other evidences of indebtedness of the
8 Authority, issued with respect to the project, providing for
9 the maintenance, insurance, and operation of the project on
10 terms satisfactory to the Authority and providing for
11 disposition of the project upon termination of the lease term,
12 including purchase options or abandonment of the premises,
13 with other terms as may be deemed desirable by the Authority.

14 "Loan agreement" means any agreement in which the
15 Authority agrees to loan the proceeds of its bonds, notes, or
16 other evidences of indebtedness, issued with respect to a
17 project, to any person or corporation which will use or cause
18 the project to be used as a project, upon terms providing for
19 loan repayment installments at least sufficient to pay, when
20 due, all principal of and interest and premium, if any, on any
21 bonds, notes, or other evidences of indebtedness of the
22 Authority issued with respect to the project, providing for
23 maintenance, insurance, and operation of the project on terms
24 satisfactory to the Authority and providing for other terms
25 deemed advisable by the Authority.

26 "Financial aid" means the expenditure of Authority funds

1 or funds provided by the Authority for the development,
2 construction, acquisition or improvement of a project, through
3 the issuance of revenue bonds, notes, or other evidences of
4 indebtedness.

5 "Costs incurred in connection with the development,
6 construction, acquisition or improvement of a project" means
7 the following:

8 (1) the cost of purchase and construction of all lands
9 and improvements in connection therewith and equipment and
10 other property, rights, easements, and franchises acquired
11 which are deemed necessary for the construction;

12 (2) financing charges;

13 (3) interest costs with respect to bonds, notes, and
14 other evidences of indebtedness of the Authority prior to
15 and during construction and for a period of 6 months
16 thereafter;

17 (4) engineering and legal expenses; and

18 (5) the costs of plans, specifications, surveys, and
19 estimates of costs and other expenses necessary or
20 incident to determining the feasibility or practicability
21 of any project, together with such other expenses as may
22 be necessary or incident to the financing, insuring,
23 acquisition, and construction of a specific project and
24 the placing of the same in operation.

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

1 (70 ILCS 532/20)

2 Sec. 20. Creation.

3 (a) There is created a political subdivision, body
4 politic, and municipal corporation named the Western Illinois
5 Economic Development Authority. The territorial jurisdiction
6 of the Authority is that geographic area within the boundaries
7 of the following counties: Warren, Henderson, Hancock,
8 McDonough, Fulton, Mason, Cass, Schuyler, Brown, Adams, Scott,
9 Morgan, and Pike and any navigable waters and air space
10 located therein.

11 (b) The governing and administrative powers of the
12 Authority shall be vested in a body consisting of 21 members as
13 follows:

14 (1) Ex officio members. The Director of Commerce and
15 Economic Opportunity, or a designee of that Department,
16 and the Director of Central Management Services, or a
17 designee of that Department, shall serve as ex officio
18 members.

19 (2) Public members. Six members shall be appointed by
20 the Governor with the advice and consent of the Senate.
21 The county board chairmen of the following counties shall
22 each appoint one member: Warren, Henderson, Hancock,
23 McDonough, Fulton, Mason, Cass, Schuyler, Brown, Adams,
24 Scott, Morgan, and Pike. All public members shall reside
25 within the territorial jurisdiction of the Authority. The
26 public members shall be persons of recognized ability and

1 experience in one or more of the following areas: economic
2 development, finance, banking, industrial development,
3 state or local government, commercial agriculture, small
4 business management, real estate development, community
5 development, venture finance, organized labor, or civic or
6 community organization.

7 (c) 11 members shall constitute a quorum, and the Board
8 may not meet or take any action without a quorum present.

9 (d) The chairman of the Authority shall be elected
10 annually by the Board and must be a public member that resides
11 within the territorial jurisdiction of the Authority.

12 (e) The terms of all initial members of the Authority
13 shall begin 30 days after the effective date of this Act. Of
14 the 6 original public members appointed by the Governor, 2
15 shall serve until the third Monday in January, 2005; 1 shall
16 serve until the third Monday in January, 2006; 1 shall serve
17 until the third Monday in January, 2007; 1 shall serve until
18 the third Monday in January, 2008; and 1 shall serve until the
19 third Monday in January, 2009. The initial terms of the
20 original public members appointed by the county board chairmen
21 shall be determined by lot, according to the following
22 schedule: (i) 3 shall serve until the third Monday in January,
23 2005, (ii) 3 shall serve until the third Monday in January,
24 2006, (iii) 3 shall serve until the third Monday in January,
25 2007, (iv) 2 shall serve until the third Monday in January,
26 2008, and (v) 2 shall serve until the third Monday in January,

1 2009. All successors to these original public members shall be
2 appointed by the original appointing authority and all
3 appointments made by the Governor shall be made with the
4 advice and consent of the Senate, pursuant to subsection (b),
5 and shall hold office for a term of 6 years commencing the
6 third Monday in January of the year in which their term
7 commences, except in the case of an appointment to fill a
8 vacancy. Vacancies occurring among the public members shall be
9 filled for the remainder of the term. In case of vacancy in a
10 Governor-appointed membership when the Senate is not in
11 session, the Governor may make a temporary appointment until
12 the next meeting of the Senate when a person shall be nominated
13 to fill the office and, upon confirmation by the Senate, he or
14 she shall hold office during the remainder of the term and
15 until a successor is appointed and qualified. Members of the
16 Authority are not entitled to compensation for their services
17 as members but are entitled to reimbursement for all necessary
18 expenses incurred in connection with the performance of their
19 duties as members.

20 (f) The Governor may remove any public member of the
21 Authority in case of incompetence, neglect of duty, or
22 malfeasance in office. The chairman of a county board may
23 remove any public member appointed by that chairman in the
24 case of incompetence, neglect of duty, or malfeasance in
25 office.

26 (g) The Board shall appoint an Executive Director who

1 shall have a background in finance, including familiarity with
2 the legal and procedural requirements of issuing bonds, real
3 estate, or economic development and administration. The
4 Executive Director shall hold office at the discretion of the
5 Board. The Executive Director shall be the chief
6 administrative and operational officer of the Authority, shall
7 direct and supervise its administrative affairs and general
8 management, perform such other duties as may be prescribed
9 from time to time by the members, and receive compensation
10 fixed by the Authority. The Department of Commerce and
11 Community Affairs shall pay the compensation of the Executive
12 Director from appropriations received for that purpose. The
13 Executive Director shall attend all meetings of the Authority.
14 However, no action of the Authority shall be invalid on
15 account of the absence of the Executive Director from a
16 meeting. The Authority may engage the services of the Illinois
17 Finance Authority, attorneys, appraisers, engineers,
18 accountants, credit analysts, and other consultants if the
19 Western Illinois Economic Development Authority deems it
20 advisable.

21 (Source: P.A. 93-874, eff. 8-6-04.)

22 (70 ILCS 532/26 new)

23 Sec. 26. Requests for assistance; disclosure of economic
24 interests.

25 (a) The Authority may not hear a request for assistance

1 from a restricted person. This prohibition extends to business
2 relationships between a person who is an Authority leader
3 within one year prior to the request for assistance and to any
4 entity in which a restricted person holds or, within the past 2
5 years, held an ownership interest of 10% or more.

6 (b) An Authority leader shall disclose and recuse himself
7 or herself from matters relating to requests for assistance
8 from an entity that is relocating full-time employees from
9 another Authority's counties if (i) both Authorities contract
10 with or employ the same Authority leader or (ii) there is or,
11 within the past 2 years of the request, there was a business
12 relationship between the Authority leaders at the 2
13 Authorities.

14 (c) The Board of the Authority shall vote to renew the
15 appointment of the Executive Director and other Authority
16 leaders on an annual basis. All contracts shall be approved on
17 an annual basis and use a public process to solicit
18 applications. This requirement does not apply to full-time
19 employees of the Authority unless otherwise required by
20 applicable State law or local ordinance.

21 (d) Each Authority leader shall submit a statement of
22 economic interest in accordance with Article 4A of the
23 Illinois Governmental Ethics Act. Additionally, each Authority
24 leader shall disclose to the Board outside sources of income
25 and any business relationships in economic development
26 consulting or lobbying. Reporting shall include the source of

1 income, services provided, and timeline of when services were
2 provided. If the source of income is a firm or organization
3 with multiple clients, the report shall list all of the
4 entities for which the individual provided services.

5 (70 ILCS 532/27 new)

6 Sec. 27. Open meetings; record disclosure.

7 (a) The Authority is subject to the Open Meetings Act and
8 the Freedom of Information Act. Documents subject to the
9 Freedom of Information Act include, but are not limited to,
10 expenses, payroll, origination bonuses, and other financial
11 details of the Authority.

12 (b) A contract or agreement entered into by the Authority
13 must be posted on the Authority's website. The Authority shall
14 provide a detailed report of the Authority's financial
15 information on the Authority's website, including, but not
16 limited to, a statement of profits and losses, balance sheet,
17 and income statement of the Authority.

18 (70 ILCS 532/75)

19 Sec. 75. Reports; commitment notice. The Authority shall
20 annually submit a report of its finances to the Auditor
21 General. The Authority shall annually submit a report of its
22 activities to the Governor and to the General Assembly.

23 The Authority shall provide notice to the General
24 Assembly, the Department of Commerce and Economic Opportunity,

1 and the Governor once the Authority enters into a commitment
2 to support the financing of a project. The notice to the
3 General Assembly shall be filed with the Clerk of the House of
4 Representatives and the Secretary of the Senate, in electronic
5 form only, in the manner that the Clerk and the Secretary shall
6 direct.

7 (Source: P.A. 93-874, eff. 8-6-04.)

8 Section 75. The Will-Kankakee Regional Development
9 Authority Law is amended by changing Sections 3, 4, and 13 and
10 by adding Sections 5.1 and 5.2 as follows:

11 (70 ILCS 535/3) (from Ch. 85, par. 7453)

12 Sec. 3. Definitions. The following terms, whenever used or
13 referred to in this Act, shall have the following meanings,
14 except in such instances where the context may clearly
15 indicate otherwise:

16 (a) "Authority" means the Will-Kankakee Regional
17 Development Authority created by this Act.

18 (a-5) "Authority leader" means the Executive Director,
19 Assistant Executive Director, or any other person serving in a
20 management, administrative, or leadership role at the
21 Authority.

22 (b) "Governmental agency" means any federal, State or
23 local governmental body, and any agency or instrumentality
24 thereof, corporate or otherwise.

1 (c) "Person" means any natural person, firm, partnership,
2 corporation, both domestic and foreign, company, association
3 or joint stock association and includes any trustee, receiver,
4 assignee or personal representative thereof.

5 (c-5) "Restricted person" means a person who has a
6 familial or business relationship with an Authority leader.

7 (d) "Revenue bond" means any bond issued by the Authority
8 the principal and interest of which is payable solely from
9 revenues or income derived from any project or activity of the
10 Authority.

11 (e) "Board" means the Will-Kankakee Regional Development
12 Authority Board of Directors.

13 (f) "Governor" means the Governor of the State of
14 Illinois.

15 (g) "City" means any city, village, incorporated town or
16 township within the geographical territory of the Authority.

17 (h) "Industrial project" means (1) a capital project,
18 including one or more buildings and other structures,
19 improvements, machinery and equipment whether or not on the
20 same site or sites now existing or hereafter acquired,
21 suitable for use by any manufacturing, industrial, research,
22 transportation or commercial enterprise including but not
23 limited to use as a factory, mill, processing plant, assembly
24 plant, packaging plant, fabricating plant, office building,
25 industrial distribution center, warehouse, repair, overhaul or
26 service facility, freight terminal, research facility, test

1 facility, railroad facility, solid waste and wastewater
2 treatment and disposal sites and other pollution control
3 facilities, resource or waste reduction, recovery, treatment
4 and disposal facilities, and including also the sites thereof
5 and other rights in land therefor whether improved or
6 unimproved, site preparation and landscaping and all
7 appurtenances and facilities incidental thereto such as
8 utilities, access roads, railroad sidings, truck docking and
9 similar facilities, parking facilities, dockage, wharfage,
10 railroad roadbed, track, trestle, depot, terminal, switching
11 and signaling equipment or related equipment and other
12 improvements necessary or convenient thereto; or (2) any land,
13 buildings, machinery or equipment comprising an addition to or
14 renovation, rehabilitation or improvement of any existing
15 capital project.

16 (h-5) "Housing project" or "residential project" includes
17 a specific work or improvement undertaken to provide dwelling
18 accommodations, including the acquisition, construction or
19 rehabilitation of lands, buildings and community facilities
20 and in connection therewith to provide nonhousing facilities
21 which are an integral part of a planned large-scale project or
22 new community.

23 (i) "Commercial project" means any project, including but
24 not limited to one or more buildings and other structures,
25 improvements, machinery and equipment whether or not on the
26 same site or sites now existing or hereafter acquired,

1 suitable for use by any retail or wholesale concern,
2 distributorship or agency, any cultural facilities of a
3 for-profit or not-for-profit type including but not limited to
4 educational, theatrical, recreational and entertainment,
5 sports facilities, racetracks, stadiums, convention centers,
6 exhibition halls, arenas, opera houses and theaters,
7 waterfront improvements, swimming pools, boat storage,
8 moorage, docking facilities, restaurants, velodromes,
9 coliseums, sports training facilities, parking facilities,
10 terminals, hotels and motels, gymnasiums, medical facilities
11 and port facilities.

12 (j) "Project" means an industrial, commercial or service
13 project or any combination thereof provided that all uses
14 shall fall within one of the categories described above. Any
15 project, of any nature whatsoever, shall automatically include
16 all site improvements and new construction involving
17 sidewalks, sewers, solid waste and wastewater treatment and
18 disposal sites and other pollution control facilities,
19 resource or waste reduction, recovery, treatment and disposal
20 facilities, parks, open spaces, wildlife sanctuaries, streets,
21 highways and runways.

22 (k) "Lease agreement" shall mean an agreement whereby a
23 project acquired by the Authority by purchase, gift or lease
24 is leased to any person or corporation which will use or cause
25 the project to be used as a project as heretofore defined upon
26 terms providing for lease rental payments at least sufficient

1 to pay when due all principal of and interest and premium, if
2 any, on any bonds, notes or other evidences of indebtedness of
3 the Authority issued with respect to such project, providing
4 for the maintenance, insurance and operation of the project on
5 terms satisfactory to the Authority and providing for
6 disposition of the project upon termination of the lease term,
7 including purchase options or abandonment of the premises,
8 with such other terms as may be deemed desirable by the
9 Authority.

10 (l) "Loan agreement" means any agreement pursuant to which
11 the Authority agrees to loan the proceeds of its bonds, notes
12 or other evidences of indebtedness issued with respect to a
13 project to any person or corporation which will use or cause
14 the project to be used as a project as heretofore defined upon
15 terms providing for loan repayment installments at least
16 sufficient to pay when due all principal of and interest and
17 premium, if any, on any bonds, notes or other evidences of
18 indebtedness of the Authority issued with respect to the
19 project, providing for maintenance, insurance and operation of
20 the project on terms satisfactory to the Authority and
21 providing for other matters as may be deemed advisable by the
22 Authority.

23 (m) "Financial aid" means the expenditure of Authority
24 funds or funds provided by the Authority through the issuance
25 of its revenue bonds, notes or other evidences of indebtedness
26 for the development, construction, acquisition or improvement

1 of a project.

2 (n) "Costs incurred in connection with the development,
3 construction, acquisition or improvement of a project" means
4 the following: the cost of purchase and construction of all
5 lands and improvements in connection therewith and equipment
6 and other property, rights, easements and franchises acquired
7 which are deemed necessary for such construction; financing
8 charges; interest costs with respect to bonds, notes and other
9 evidences of indebtedness of the Authority prior to and during
10 construction and for a period of 6 months thereafter;
11 engineering and legal expenses; the costs of plans,
12 specifications, surveys and estimates of costs and other
13 expenses necessary or incident to determining the feasibility
14 or practicability of any project, together with such other
15 expenses as may be necessary or incident to the financing,
16 insuring, acquisition and construction of a specific project
17 and the placing of the same in operation.

18 (o) "Terminal" means a public place, station or depot for
19 receiving and delivering passengers, baggage, mail, freight or
20 express matter and any combination thereof in connection with
21 the transportation of persons and property on water or land or
22 in the air.

23 (p) "Terminal facilities" means all land, buildings,
24 structures, improvements, equipment and appliances useful in
25 the operation of public warehouse, storage and transportation
26 facilities and industrial, manufacturing or commercial

1 activities for the accommodation of or in connection with
2 commerce by water or land or in the air or useful as an aid, or
3 constituting an advantage or convenience to, the safe landing,
4 taking off and navigation of aircraft or the safe and
5 efficient operation or maintenance of a public airport.

6 (q) "Port facilities" means all public structures, except
7 terminal facilities as defined herein, that are in, over,
8 under or adjacent to navigable waters and are necessary for or
9 incident to the furtherance of water commerce and includes the
10 widening and deepening of slips, harbors and navigable waters.

11 (r) "Airport" means any locality, either land or water,
12 which is used or designed for the landing and taking off of
13 aircraft or for the location of runways, landing fields,
14 aerodromes, hangars, buildings, structures, airport roadways
15 and other facilities.

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

17 (70 ILCS 535/4) (from Ch. 85, par. 7454)

18 Sec. 4. Establishment.

19 (a) There is hereby created a political subdivision, body
20 politic and municipal corporation named the Will-Kankakee
21 Regional Development Authority. The territorial jurisdiction
22 of the Authority is that geographic area within the boundaries
23 of Will and Kankakee counties in the State of Illinois and any
24 navigable waters and air space located therein.

25 (b) The governing and administrative powers of the

1 Authority shall be vested in a body consisting of 10 members
2 including, as an ex officio member, the Director of Commerce
3 and Economic Opportunity, or his or her designee. The other 9
4 members of the Authority shall be designated "public members",
5 3 of whom shall be appointed by the Governor, 3 of whom shall
6 be appointed by the county board chairman of Will County, and 3
7 of whom shall be appointed by the county board chairman of
8 Kankakee County. All public members shall reside within the
9 territorial jurisdiction of this Act. Six members shall
10 constitute a quorum, and the Board may not meet or take any
11 action without a quorum present. The public members shall be
12 persons of recognized ability and experience in one or more of
13 the following areas: economic development, finance, banking,
14 industrial development, small business management, real estate
15 development, community development, venture finance, organized
16 labor or civic, community or neighborhood organization. The
17 Chairman of the Authority shall be elected by the Board
18 annually from the 6 members appointed by the county board
19 chairmen.

20 (c) The terms of all members of the Authority shall begin
21 30 days after the effective date of this Act. Of the 9 public
22 members appointed pursuant to this Act, 3 shall serve until
23 the third Monday in January 1992, 3 shall serve until the third
24 Monday in January 1993, and 3 shall serve until the third
25 Monday in January 1994. All successors shall be appointed by
26 the original appointing authority and hold office for a term

1 of 3 years commencing the third Monday in January of the year
2 in which their term commences, except in case of an
3 appointment to fill a vacancy. Vacancies occurring among the
4 public members shall be filled for the remainder of the term.
5 In case of vacancy in a Governor-appointed membership when the
6 Senate is not in session, the Governor may make a temporary
7 appointment until the next meeting of the Senate when a person
8 shall be nominated to fill such office, and any person so
9 nominated who is confirmed by the Senate shall hold office
10 during the remainder of the term and until a successor shall be
11 appointed and qualified. Members of the Authority shall not be
12 entitled to compensation for their services as members but may
13 be reimbursed for all necessary expenses incurred in
14 connection with the performance of their duties as members.

15 (d) The Governor may remove any public member of the
16 Authority in case of incompetency, neglect of duty, or
17 malfeasance in office.

18 (e) The Board may appoint an Executive Director who shall
19 have a background in finance, including familiarity with the
20 legal and procedural requirements of issuing bonds, real
21 estate or economic development and administration. The
22 Executive Director shall hold office at the discretion of the
23 Board. The Executive Director shall be the chief
24 administrative and operational officer of the Authority, shall
25 direct and supervise its administrative affairs and general
26 management, shall perform such other duties as may be

1 prescribed from time to time by the members and shall receive
2 compensation fixed by the Authority. The Executive Director
3 shall attend all meetings of the Authority; however, no action
4 of the Authority shall be invalid on account of the absence of
5 the Executive Director from a meeting. The Authority may
6 engage the services of such other agents and employees,
7 including attorneys, appraisers, engineers, accountants,
8 credit analysts and other consultants, as it may deem
9 advisable and may prescribe their duties and fix their
10 compensation.

11 (f) The Board may, by majority vote, nominate up to 4
12 non-voting members for appointment by the Governor. Non-voting
13 members shall be persons of recognized ability and experience
14 in one or more of the following areas: economic development,
15 finance, banking, industrial development, small business
16 management, real estate development, community development,
17 venture finance, organized labor or civic, community or
18 neighborhood organization. Non-voting members shall serve at
19 the pleasure of the Board. All non-voting members may attend
20 meetings of the Board and may be reimbursed as provided in
21 subsection (c).

22 (g) The Board shall create a task force to study and make
23 recommendations to the Board on the economic development of
24 the territory within the jurisdiction of this Act. The members
25 of the task force shall reside within the territorial
26 jurisdiction of this Act, shall serve at the pleasure of the

1 Board and shall be persons of recognized ability and
2 experience in one or more of the following areas: economic
3 development, finance, banking, industrial development, small
4 business management, real estate development, community
5 development, venture finance, organized labor or civic,
6 community or neighborhood organization. The number of members
7 constituting the task force shall be set by the Board and may
8 vary from time to time. The Board may set a specific date by
9 which the task force is to submit its final report and
10 recommendations to the Board.

11 (Source: P.A. 94-793, eff. 5-19-06.)

12 (70 ILCS 535/5.1 new)

13 Sec. 5.1. Requests for assistance; disclosure of economic
14 interests.

15 (a) The Authority may not hear a request for assistance
16 from a restricted person. This prohibition extends to business
17 relationships between a person who is an Authority leader
18 within one year prior to the request for assistance and to any
19 entity in which a restricted person holds or, within the past 2
20 years, held an ownership interest of 10% or more.

21 (b) An Authority leader shall disclose and recuse himself
22 or herself from matters relating to requests for assistance
23 from an entity that is relocating full-time employees from
24 another Authority's counties if (i) both Authorities contract
25 with or employ the same Authority leader or (ii) there is or,

1 within the past 2 years of the request, there was a business
2 relationship between the Authority leaders at the 2
3 Authorities.

4 (c) The Board of the Authority shall vote to renew the
5 appointment of the Executive Director and other Authority
6 leaders on an annual basis. All contracts shall be approved on
7 an annual basis and use a public process to solicit
8 applications. This requirement does not apply to full-time
9 employees of the Authority unless otherwise required by
10 applicable State law or local ordinance.

11 (d) Each Authority leader shall submit a statement of
12 economic interest in accordance with Article 4A of the
13 Illinois Governmental Ethics Act. Additionally, each Authority
14 leader shall disclose to the Board outside sources of income
15 and any business relationships in economic development
16 consulting or lobbying. Reporting shall include the source of
17 income, services provided, and timeline of when services were
18 provided. If the source of income is a firm or organization
19 with multiple clients, the report shall list all of the
20 entities for which the individual provided services.

21 (70 ILCS 535/5.2 new)

22 Sec. 5.2. Open meetings; record disclosure.

23 (a) The Authority is subject to the Open Meetings Act and
24 the Freedom of Information Act. Documents subject to the
25 Freedom of Information Act include, but are not limited to,

1 expenses, payroll, origination bonuses, and other financial
2 details of the Authority.

3 (b) A contract or agreement entered into by the Authority
4 must be posted on the Authority's website. The Authority shall
5 provide a detailed report of the Authority's financial
6 information on the Authority's website, including, but not
7 limited to, a statement of profits and losses, balance sheet,
8 and income statement of the Authority.

9 (70 ILCS 535/13) (from Ch. 85, par. 7463)

10 Sec. 13. Reports; commitment notice. The Authority shall
11 annually submit a report of its finances to the Auditor
12 General. The Authority shall annually submit a report of its
13 activities to the Governor and General Assembly.

14 The Authority shall provide notice to the General
15 Assembly, the Department of Commerce and Economic Opportunity,
16 and the Governor once the Authority enters into a commitment
17 to support the financing of a project. The notice to the
18 General Assembly shall be filed with the Clerk of the House of
19 Representatives and the Secretary of the Senate, in electronic
20 form only, in the manner that the Clerk and the Secretary shall
21 direct.

22 (Source: P.A. 86-1481.)

23 Section 99. Effective date. This Act takes effect July 1,
24 2023.