



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB0138

Introduced 1/24/2023, by Sen. Win Stoller

SYNOPSIS AS INTRODUCED:

210 ILCS 85/17 new

Amends the Hospital Licensing Act. Provides that a municipality, political subdivision, State agency, or other governmental entity that owns or operates a hospital under any law authorizing or establishing a hospital or hospital district shall, relative to the delivery of health care services, have, in addition to any authority vested by law, the authority and legal capacity concerning the specified use and investment of funds. Provides that conversion of public funds for the benefit of any individual concerning the specified use and investment of funds shall constitute grounds for review and action by the Attorney General or the applicable State's Attorney. Provides that a municipality, political subdivision, State agency, or other governmental entity exercising the powers granted for the use and investment of funds shall be subject to all applicable public purchasing requirements and the requirements of the Open Meetings Act.

LRB103 25713 CPF 52062 b

1 AN ACT concerning regulation.

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

4 Section 5. The Hospital Licensing Act is amended by adding
5 Section 17 as follows:

6 (210 ILCS 85/17 new)

7 Sec. 17. Hospital investment.

8 (a) Notwithstanding any provision of law to the contrary,
9 a municipality, political subdivision, State agency, or other
10 governmental entity that owns or operates a hospital under any
11 law authorizing or establishing a hospital or hospital
12 district shall, with respect to the delivery of health care
13 services, have, in addition to any authority vested by law,
14 the following authority and legal capacity:

15 (1) to expend funds, including public funds in any
16 form, or devote the resources of the hospital or hospital
17 district for the successful performance of the hospital or
18 hospital district's public purpose or the promotion of
19 health, provided that the expenditures in whatever form
20 are reasonable under the facts and circumstances of the
21 situation; and

22 (2) to invest hospital funds in any security
23 recommended by a registered investment adviser or by a

1 bank or trust company exercising its trust powers; funds
2 invested under this paragraph must be invested according
3 to written investment policies and written investment
4 procedures established by the governmental entity.

5 (b) The conversion of public funds for the benefit of any
6 individual in the exercise of the powers granted under this
7 Section shall constitute grounds for review and action by the
8 Attorney General or the applicable State's Attorney.

9 (c) A municipality, political subdivision, State agency,
10 or other governmental entity exercising the powers granted
11 under this Section shall be subject to all applicable public
12 purchasing requirements and the requirements of the Open
13 Meetings Act.