

SB3633



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3633

Introduced 2/9/2024, by Sen. Robert F. Martwick

SYNOPSIS AS INTRODUCED:

30 ILCS 545/2

from Ch. 127, par. 132.52

Amends the Public Contract Fraud Act. Provides that the Attorney General need not approve the title for lands needed for public works or improvements if the consideration paid does not exceed \$25,000 (currently, \$10,000). Effective immediately.

LRB103 36328 HLH 66426 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Public Contract Fraud Act is amended by
5 changing Section 2 as follows:

6 (30 ILCS 545/2) (from Ch. 127, par. 132.52)

7 Sec. 2. Spending money without obtaining title to land;
8 approval of title by Attorney General.

9 (a) Except as otherwise provided in Section 2 of the
10 Superconducting Super Collider Act or for projects constructed
11 under the Bikeway Act, any person or persons, commissioner or
12 commissioners, or other officer or officers, entrusted with
13 the construction or repair of any public work or improvement,
14 as set forth in Section 1, who shall expend or cause to be
15 expended upon such public work or improvement, the whole or
16 any part of the moneys appropriated therefor, or who shall
17 commence work, or in any way authorize work to be commenced,
18 thereon, without first having obtained a title, by purchase,
19 donation, condemnation or otherwise, to all lands needed for
20 such public work or improvement, running to the People of the
21 State of Illinois; such title to be approved by the Attorney
22 General, and his approval certified by the Secretary of State
23 and placed on record in his office, shall be deemed guilty of a

1 Class A misdemeanor.

2 (b) Approval of title by the Attorney General for all
3 lands needed for a public work or improvement shall not be
4 required as established under subsection (a) of this Section
5 and the State Comptroller may draw warrant in payment of
6 consideration for all such lands without requiring approval of
7 title by the Attorney General if consideration to be paid does
8 not exceed \$25,000 ~~\$10,000~~ and the title acquired for such
9 lands is for:

10 (1) a fee simple title or easement acquired by the
11 State for highway right-of-way; or

12 (2) an acquisition of rights or easements of access,
13 crossing, light, air or view to, from or over a freeway
14 vested in abutting property; or

15 (3) a fee simple title or easement used to place
16 utility lines and connect a permanent public work or
17 improvement owned by the State to main utility lines; or

18 (4) for the purpose of flood relief or other water
19 resource projects.

20 (c) This Section does not apply to any otherwise lawful
21 expenditures for the construction, completion, remodeling,
22 maintenance and equipment of buildings and other facilities
23 made in connection with and upon premises owned by the
24 Illinois Building Authority, nor shall this Section apply to
25 improvements to real estate leased by any State agency as
26 defined in the Illinois State Auditing Act, provided the

1 leasehold improvements were contracted for by an agency with
2 leasing authority and in compliance with the rules and
3 regulations promulgated by such agency for that purpose.

4 (Source: P.A. 88-676, eff. 12-14-94; 89-78, eff. 6-30-95.)

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