

1 AN ACT concerning conveyances.

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

4 Section 5. The Department of Central Management Services  
5 Law of the Civil Administrative Code of Illinois is amended  
6 by changing Section 405-315 as follows:

7 (20 ILCS 405/405-315) (was 20 ILCS 405/67.24)

8 Sec. 405-315. Management of State buildings; security  
9 force; fees.

10 (a) To manage, operate, maintain, and preserve from  
11 waste the State buildings listed below. The Department may  
12 rent portions of these and other State buildings when in the  
13 judgment of the Director those leases or subleases will be in  
14 the best interests of the State. The leases or subleases  
15 shall not exceed 5 years unless a greater term is  
16 specifically authorized.

- 17 a. Peoria Regional Office Building  
18 5415 North University  
19 Peoria, Illinois 61614
- 20 b. Springfield Regional Office Building  
21 4500 South 6th Street  
22 Springfield, Illinois 62703
- 23 c. Champaign Regional Office Building  
24 2125 South 1st Street  
25 Champaign, Illinois 61820
- 26 d. Illinois State Armory Building  
27 124 East Adams  
28 Springfield, Illinois 62706
- 29 e. Marion Regional Office Building  
30 2209 West Main Street  
31 Marion, Illinois 62959

- 1           f.   Kenneth Hall Regional State Office
- 2                Building
- 3                #10 Collinsville Avenue
- 4                East St. Louis, Illinois 62201
- 5           g.   Rockford Regional Office Building
- 6                4402 North Main Street
- 7                P.O. Box 915
- 8                Rockford, Illinois 61105
- 9           h.   State of Illinois Building
- 10               160 North LaSalle
- 11               Chicago, Illinois 60601
- 12           i.   Office and Laboratory Building
- 13               2121 West Taylor Street
- 14               Chicago, Illinois 60602
- 15           j.   Central Computer Facility
- 16               201 West Adams
- 17               Springfield, Illinois 62706
- 18           k.   Elgin Office Building
- 19               595 South State Street
- 20               Elgin, Illinois 60120
- 21           l.   James R. Thompson Center
- 22               Bounded by Lake, Clark, Randolph and
- 23               LaSalle Streets
- 24               Chicago, Illinois
- 25           m.   The following buildings located within the Chicago
- 26               Medical Center District:
- 27                1.   Lawndale Day Care Center
- 28                2929 West 19th Street
- 29                2.   Edwards Center
- 30                2020 Roosevelt Road
- 31                3.   Illinois Center for
- 32                Rehabilitation and Education
- 33                1950 West Roosevelt Road and 1151 South Wood Street
- 34                4.   Department of Children and

1 Family Services District Office  
2 1026 South Damen

3 5. The William Heally School  
4 1731 West Taylor

5 6. Administrative Office Building  
6 1100 South Paulina Street

7 7. Metro Children and Adolescents Center  
8 1601 West Taylor Street

9 n. E.J. "Zeke" Giorgi Center  
10 200 Wyman Street  
11 Rockford, Illinois

12 o. Suburban North Facility  
13 9511 Harrison  
14 Des Plaines, Illinois

15 p. The following buildings located within the Revenue  
16 Center in Springfield:

17 1. State Property Control Warehouse  
18 11th & Ash

19 2. Illinois State Museum Research & Collections  
20 Center  
21 1011 East Ash Street

22 q. Effingham Regional Office Building  
23 401 Industrial Drive  
24 Effingham, Illinois

25 r. The Communications Center  
26 120 West Jefferson  
27 Springfield, Illinois

28 s. Portions or all of the basement and  
29 ground floor of the  
30 State of Illinois Building  
31 160 North LaSalle  
32 Chicago, Illinois 60601

33 may be leased or subleased to persons, firms, partnerships,  
34 associations, or individuals for terms not to exceed 15 years

1 when in the judgment of the Director those leases or  
2 subleases will be in the best interests of the State.

3 Portions or all of the commercial space, which includes  
4 the sub-basement, storage mezzanine, concourse, and ground  
5 and second floors of the

6 James R. Thompson Center

7 Bounded by Lake, Clark, Randolph and LaSalle Streets

8 Chicago, Illinois

9 may be leased or subleased to persons, firms, partnerships,  
10 associations, or individuals for terms not to exceed 15 years  
11 subject to renewals when in the judgment of the Director  
12 those leases or subleases will be in the best interests of  
13 the State.

14 The Director is authorized to rent portions of the above  
15 described facilities to persons, firms, partnerships,  
16 associations, or individuals for terms not to exceed 30 days  
17 when those leases or subleases will not interfere with State  
18 usage of the facility. This authority is meant to supplement  
19 and shall not in any way be interpreted to restrict the  
20 Director's ability to make portions of the State of Illinois  
21 Building and the James R. Thompson Center available for  
22 long-term commercial leases or subleases.

23 Provided however, that all rentals or fees charged to  
24 persons, firms, partnerships, associations, or individuals  
25 for any lease or use of space in the above described  
26 facilities made for terms not to exceed 30 days in length  
27 shall be deposited in a special fund in the State treasury to  
28 be known as the Special Events Revolving Fund.

29 Notwithstanding the provisions above, the Department of  
30 Children and Family Services and the Department of Human  
31 Services (as successor to the Department of Rehabilitation  
32 Services and the Department of Mental Health and  
33 Developmental Disabilities) shall determine the allocation of  
34 space for direct recipient care in their respective

1 facilities. The Department of Central Management Services  
2 shall consult with the affected agency in the allocation and  
3 lease of surplus space in these facilities. Potential lease  
4 arrangements shall not endanger the direct recipient care  
5 responsibilities in these facilities.

6 (b) To appoint, subject to the Personnel Code, persons  
7 to be members of a police and security force. Members of the  
8 security force shall be peace officers when performing duties  
9 pursuant to this Section and as such shall have all of the  
10 powers possessed by policemen in cities and sheriffs,  
11 including the power to make arrests on view or issue  
12 citations for violations of State statutes or city or county  
13 ordinances, except that in counties of more than 1,000,000  
14 population, any powers created by this subsection shall be  
15 exercised only (i) when necessary to protect the property,  
16 personnel, or interests of the Department or any State agency  
17 for whom the Department manages, operates, or maintains  
18 property or (ii) when specifically requested by appropriate  
19 State or local law enforcement officials, and except that  
20 within counties of 1,000,000 or less population, these powers  
21 shall be exercised only when necessary to protect the  
22 property, personnel, or interests of the State of Illinois  
23 and only while on property managed, operated, or maintained  
24 by the Department.

25 Nothing in this subsection shall be construed so as to  
26 make it conflict with any provisions of, or rules promulgated  
27 under, the Personnel Code.

28 (c) To charge reasonable fees to all State agencies  
29 utilizing facilities operated by the Department for occupancy  
30 related fees and charges. All fees collected under this  
31 subsection shall be deposited in a special fund in the State  
32 treasury known as the Facilities Management Revolving Fund.  
33 As used in this subsection, the term "State agencies" means  
34 all departments, officers, commissions, institutions, boards,

1 and bodies politic and corporate of the State.

2 (d) Provisions of this Section relating to the James R.  
3 Thompson Center are subject to the provisions of Section 7.4  
4 of the State Property Control Act.

5 (Source: P.A. 91-239, eff. 1-1-00; 92-302, eff. 8-9-01.)

6 Section 10. The State Finance Act is amended by changing  
7 Section 25 as follows:

8 (30 ILCS 105/25) (from Ch. 127, par. 161)

9 Sec. 25. Fiscal year limitations.

10 (a) All appropriations shall be available for  
11 expenditure for the fiscal year or for a lesser period if the  
12 Act making that appropriation so specifies. A deficiency or  
13 emergency appropriation shall be available for expenditure  
14 only through June 30 of the year when the Act making that  
15 appropriation is enacted unless that Act otherwise provides.

16 (b) Outstanding liabilities as of June 30, payable from  
17 appropriations which have otherwise expired, may be paid out  
18 of the expiring appropriations during the 2-month period  
19 ending at the close of business on August 31. Any service  
20 involving professional or artistic skills or any personal  
21 services by an employee whose compensation is subject to  
22 income tax withholding must be performed as of June 30 of the  
23 fiscal year in order to be considered an "outstanding  
24 liability as of June 30" that is thereby eligible for payment  
25 out of the expiring appropriation.

26 However, payment of tuition reimbursement claims under  
27 Section 14-7.03 or 18-3 of the School Code may be made by the  
28 State Board of Education from its appropriations for those  
29 respective purposes for any fiscal year, even though the  
30 claims reimbursed by the payment may be claims attributable  
31 to a prior fiscal year, and payments may be made at the  
32 direction of the State Superintendent of Education from the

1 fund from which the appropriation is made without regard to  
2 any fiscal year limitations.

3 Medical payments may be made by the Department of  
4 Veterans' Affairs from its appropriations for those purposes  
5 for any fiscal year, without regard to the fact that the  
6 medical services being compensated for by such payment may  
7 have been rendered in a prior fiscal year.

8 Medical payments may be made by the Department of Public  
9 Aid and child care payments may be made by the Department of  
10 Human Services (as successor to the Department of Public Aid)  
11 from appropriations for those purposes for any fiscal year,  
12 without regard to the fact that the medical or child care  
13 services being compensated for by such payment may have been  
14 rendered in a prior fiscal year; and payments may be made at  
15 the direction of the Department of Central Management  
16 Services from the Health Insurance Reserve Fund and the Local  
17 Government Health Insurance Reserve Fund without regard to  
18 any fiscal year limitations.

19 Additionally, payments may be made by the Department of  
20 Human Services from its appropriations, or any other State  
21 agency from its appropriations with the approval of the  
22 Department of Human Services, from the Immigration Reform and  
23 Control Fund for purposes authorized pursuant to the  
24 Immigration Reform and Control Act of 1986, without regard to  
25 any fiscal year limitations.

26 Further, with respect to costs incurred in fiscal years  
27 2002 and 2003 only, payments may be made by the State  
28 Treasurer from its appropriations from the Capital Litigation  
29 Trust Fund without regard to any fiscal year limitations.

30 Lease payments may be made by the Department of Central  
31 Management Services under the sale and leaseback provisions  
32 of Section 7.4 of the State Property Control Act with respect  
33 to the James R. Thompson Center and the Elgin Mental Health  
34 Center and surrounding land from appropriations for that

1 purpose without regard to any fiscal year limitations.

2 Lease payments may be made under the sale and leaseback  
3 provisions of Section 7.5 of the State Property Control Act  
4 with respect to the Illinois State Toll Highway Authority  
5 headquarters building and surrounding land without regard to  
6 any fiscal year limitations.

7 (c) Further, payments may be made by the Department of  
8 Public Health and the Department of Human Services (acting as  
9 successor to the Department of Public Health under the  
10 Department of Human Services Act) from their respective  
11 appropriations for grants for medical care to or on behalf of  
12 persons suffering from chronic renal disease, persons  
13 suffering from hemophilia, rape victims, and premature and  
14 high-mortality risk infants and their mothers and for grants  
15 for supplemental food supplies provided under the United  
16 States Department of Agriculture Women, Infants and Children  
17 Nutrition Program, for any fiscal year without regard to the  
18 fact that the services being compensated for by such payment  
19 may have been rendered in a prior fiscal year.

20 (d) The Department of Public Health and the Department  
21 of Human Services (acting as successor to the Department of  
22 Public Health under the Department of Human Services Act)  
23 shall each annually submit to the State Comptroller, Senate  
24 President, Senate Minority Leader, Speaker of the House,  
25 House Minority Leader, and the respective Chairmen and  
26 Minority Spokesmen of the Appropriations Committees of the  
27 Senate and the House, on or before December 31, a report of  
28 fiscal year funds used to pay for services provided in any  
29 prior fiscal year. This report shall document by program or  
30 service category those expenditures from the most recently  
31 completed fiscal year used to pay for services provided in  
32 prior fiscal years.

33 (e) The Department of Public Aid and the Department of  
34 Human Services (acting as successor to the Department of

1 Public Aid) shall each annually submit to the State  
2 Comptroller, Senate President, Senate Minority Leader,  
3 Speaker of the House, House Minority Leader, the respective  
4 Chairmen and Minority Spokesmen of the Appropriations  
5 Committees of the Senate and the House, on or before November  
6 30, a report that shall document by program or service  
7 category those expenditures from the most recently completed  
8 fiscal year used to pay for (i) services provided in prior  
9 fiscal years and (ii) services for which claims were received  
10 in prior fiscal years.

11 (f) The Department of Human Services (as successor to  
12 the Department of Public Aid) shall annually submit to the  
13 State Comptroller, Senate President, Senate Minority Leader,  
14 Speaker of the House, House Minority Leader, and the  
15 respective Chairmen and Minority Spokesmen of the  
16 Appropriations Committees of the Senate and the House, on or  
17 before December 31, a report of fiscal year funds used to pay  
18 for services (other than medical care) provided in any prior  
19 fiscal year. This report shall document by program or  
20 service category those expenditures from the most recently  
21 completed fiscal year used to pay for services provided in  
22 prior fiscal years.

23 (g) In addition, each annual report required to be  
24 submitted by the Department of Public Aid under subsection  
25 (e) shall include the following information with respect to  
26 the State's Medicaid program:

27 (1) Explanations of the exact causes of the  
28 variance between the previous year's estimated and actual  
29 liabilities.

30 (2) Factors affecting the Department of Public  
31 Aid's liabilities, including but not limited to numbers  
32 of aid recipients, levels of medical service utilization  
33 by aid recipients, and inflation in the cost of medical  
34 services.

1           (3) The results of the Department's efforts to  
2           combat fraud and abuse.

3           (h) As provided in Section 4 of the General Assembly  
4           Compensation Act, any utility bill for service provided to a  
5           General Assembly member's district office for a period  
6           including portions of 2 consecutive fiscal years may be paid  
7           from funds appropriated for such expenditure in either fiscal  
8           year.

9           (i) An agency which administers a fund classified by the  
10          Comptroller as an internal service fund may issue rules for:

11           (1) billing user agencies in advance based on  
12           estimated charges for goods or services;

13           (2) issuing credits during the subsequent fiscal  
14           year for all user agency payments received during the  
15           prior fiscal year which were in excess of the final  
16           amounts owed by the user agency for that period; and

17           (3) issuing catch-up billings to user agencies  
18           during the subsequent fiscal year for amounts remaining  
19           due when payments received from the user agency during  
20           the prior fiscal year were less than the total amount  
21           owed for that period.

22          User agencies are authorized to reimburse internal service  
23          funds for catch-up billings by vouchers drawn against their  
24          respective appropriations for the fiscal year in which the  
25          catch-up billing was issued.

26          (Source: P.A. 92-885, eff. 1-13-03.)

27          Section 12. The Illinois Procurement Code is amended by  
28          adding Sections 40-45 and 40-46 as follows:

29           (30 ILCS 500/40-45 new)

30           Sec. 40-45. Leases exempt from Article. A lease entered  
31           into by the State under Section 7.4 of the State Property  
32           Control Act is not subject to the provisions of this Article.

1 (30 ILCS 500/40-46 new)

2 Sec. 40-46. Leases exempt from Article. A lease entered  
3 into under Section 7.5 of the State Property Control Act is  
4 not subject to the provisions of this Article.

5 Section 15. The State Property Control Act is amended by  
6 adding Sections 7.4 and 7.5 as follows:

7 (30 ILCS 605/7.4 new)

8 Sec. 7.4. James R. Thompson Center; Elgin Mental Health  
9 Center.

10 (a) Notwithstanding any other provision of this Act or  
11 any other law to the contrary, the administrator is  
12 authorized under this Section to dispose of or mortgage (i)  
13 the James R. Thompson Center located in Chicago, Illinois and  
14 (ii) the Elgin Mental Health Center and surrounding land  
15 located at 750 S. State Street, Elgin, Illinois in any of the  
16 following ways:

17 (1) The administrator may sell the property as  
18 provided in subsection (b).

19 (2) The administrator may sell the property as  
20 provided in subsection (b), and the administrator may  
21 immediately thereafter enter into a leaseback or other  
22 agreement that directly or indirectly gives the State a  
23 right to use, control, and possess the property.  
24 Notwithstanding any other provision of law, a lease  
25 entered into by the administrator under this subdivision  
26 (a)(2) may last for any period not exceeding 99 years.

27 (3) The administrator may enter into a mortgage  
28 agreement, using the property as collateral, to receive a  
29 loan or a line of credit based on the equity available in  
30 the property. Any loan obtained or line of credit  
31 established under this subdivision (a)(3) must require  
32 repayment in full in 20 years or less.

1       (b) The administrator shall obtain 3 appraisals of the  
2       real property transferred under subdivision (a)(1) or (a)(2)  
3       of this Section, one of which shall be performed by an  
4       appraiser residing in the county in which the real property  
5       is located. The average of these 3 appraisals, plus the costs  
6       of obtaining the appraisals, shall represent the fair market  
7       value of the real property. No property may be conveyed under  
8       subdivision (a)(1) or (a)(2) of this Section by the  
9       administrator for less than the fair market value. The  
10       administrator may sell the real property by public auction  
11       following notice of the sale by publication on 3 separate  
12       days not less than 15 nor more than 30 days prior to the sale  
13       in a daily newspaper having general circulation in the county  
14       in which the real property is located. If no acceptable  
15       offers for the real property are received, the administrator  
16       may have new appraisals of the property made. The  
17       administrator shall have all power necessary to convey real  
18       property under subdivision (a)(1) or (a)(2) of this Section.

19       The administrator shall have authority to order such  
20       surveys, abstracts of title, or commitments for title  
21       insurance as may, in his or her reasonable discretion, be  
22       deemed necessary to demonstrate to prospective purchasers,  
23       bidders, or mortgagees good and marketable title in any  
24       property offered for sale or mortgage under this Section.  
25       Unless otherwise specifically authorized by the General  
26       Assembly, all conveyances of property made by the  
27       administrator under subdivision (a)(1) or (a)(2) of this  
28       Section shall be by quit claim deed.

29       (c) All moneys received from the sale or mortgage of real  
30       property under this Section shall be deposited into the  
31       General Revenue Fund.

32       (d) The administrator is authorized to enter into any  
33       agreements and execute any documents necessary to exercise  
34       the authority granted by this Section.

1       (e) Any agreement to dispose of or mortgage (i) the James  
2       R. Thompson Center located in Chicago, Illinois or (ii) the  
3       Elgin Mental Health Center and surrounding land located at  
4       750 S. State Street, Elgin, Illinois pursuant to the  
5       authority granted by this Section must be entered into no  
6       later than one year after the effective date of this  
7       amendatory Act of the 93rd General Assembly.

8           (30 ILCS 605/7.5 new)

9       Sec. 7.5. Illinois State Toll Highway Authority  
10       headquarters.

11       (a) Notwithstanding any other provision of this Act or  
12       any other law to the contrary, the Illinois State Toll  
13       Highway Authority, as set forth in items (1) through (3), is  
14       authorized under this Section to dispose of or mortgage the  
15       Illinois State Toll Highway Authority headquarters building  
16       and surrounding land, located at 2700 Ogden Avenue, Downers  
17       Grove, Illinois in any of the following ways:

18           (1) The Authority may sell the property as provided  
19           in subsection (b).

20           (2) The Authority may sell the property as provided  
21           in subsection (b) and may immediately thereafter enter  
22           into a leaseback or other agreement that directly or  
23           indirectly gives the State or the Authority a right to  
24           use, control, and possess the property. Notwithstanding  
25           any other provision of law, a lease entered into under  
26           this subdivision (a)(2) may last for any period not  
27           exceeding 99 years.

28           (3) The Authority may enter into a mortgage  
29           agreement, using the property as collateral, to receive a  
30           loan or a line of credit based on the equity available in  
31           the property. Any loan obtained or line of credit  
32           established under this subdivision (a)(3) must require  
33           repayment in full in 20 years or less.

1       (b) The Illinois State Toll Highway Authority shall  
2 obtain 3 appraisals of the real property transferred under  
3 subdivision (a)(1) or (a)(2) of this Section, one of which  
4 shall be performed by an appraiser residing in the county in  
5 which the real property is located. The average of these 3  
6 appraisals, plus the costs of obtaining the appraisals, shall  
7 represent the fair market value of the real property. No  
8 property may be conveyed under subdivision (a)(1) or (a)(2)  
9 of this Section by the Authority for less than the fair  
10 market value. The Authority may sell the real property by  
11 public auction following notice of the sale by publication on  
12 3 separate days not less than 15 nor more than 30 days prior  
13 to the sale in a daily newspaper having general circulation  
14 in the county in which the real property is located. If no  
15 acceptable offers for the real property are received, the  
16 Authority may have new appraisals of the property made. The  
17 Authority shall have all power necessary to convey real  
18 property under subdivision (a)(1) or (a)(2) of this Section.

19       The Illinois State Toll Highway Authority shall have  
20 authority to order such surveys, abstracts of title, or  
21 commitments for title insurance as may, in his or her  
22 reasonable discretion, be deemed necessary to demonstrate to  
23 prospective purchasers, bidders, or mortgagees good and  
24 marketable title in any property offered for sale or mortgage  
25 under this Section. Unless otherwise specifically authorized  
26 by the General Assembly, all conveyances of property made by  
27 the Authority under subdivision (a)(1) or (a)(2) of this  
28 Section shall be by quit claim deed.

29       (c) All moneys received from the sale or mortgage of real  
30 property under this Section shall be deposited into the  
31 General Revenue Fund.

32       (d) The Authority is authorized to enter into any  
33 agreements and execute any documents necessary to exercise  
34 the authority granted by this Section.

1       (e) Any agreement to dispose of or mortgage the Illinois  
 2       State Toll Highway Authority headquarters building and  
 3       surrounding land located at 2700 Ogden Avenue, Downers Grove,  
 4       Illinois pursuant to the authority granted by this Section  
 5       must be entered into no later than one year after the  
 6       effective date of this amendatory Act of the 93rd General  
 7       Assembly.

8       (f) The provisions of this Section apply and control  
 9       notwithstanding any other provision of this Act or any other  
 10       law to the contrary.

11       Section 20. The Property Tax Code is amended by changing  
 12       Sections 9-195 and 15-55 and adding Section 15-185 as  
 13       follows:

14       (35 ILCS 200/9-195)

15       Sec. 9-195. Leasing of exempt property.

16       (a) Except as provided in Sections 15-35, 15-55, 15-60,  
 17       15-100, and 15-103, and 15-185, when property which is exempt  
 18       from taxation is leased to another whose property is not  
 19       exempt, and the leasing of which does not make the property  
 20       taxable, the leasehold estate and the appurtenances shall be  
 21       listed as the property of the lessee thereof, or his or her  
 22       assignee. Taxes on that property shall be collected in the  
 23       same manner as on property that is not exempt, and the lessee  
 24       shall be liable for those taxes. However, no tax lien shall  
 25       attach to the exempt real estate. The changes made by this  
 26       amendatory Act of 1997 and by this amendatory Act of the 91st  
 27       General Assembly are declaratory of existing law and shall  
 28       not be construed as a new enactment. The changes made by  
 29       Public Acts 88-221 and 88-420 that are incorporated into this  
 30       Section by this amendatory Act of 1993 are declarative of  
 31       existing law and are not a new enactment.

32       (b) The provisions of this Section regarding taxation of

1 leasehold interests in exempt property do not apply to any  
2 leasehold interest created pursuant to any transaction  
3 described in subsection (e) of Section 15-35, subsection  
4 (c-5) of Section 15-60, subsection (b) of Section 15-100, ~~or~~  
5 Section 15-103, or Section 15-185.

6 (Source: P.A. 91-513, eff. 8-13-99; 92-844, eff. 8-23-02;  
7 92-846, eff. 8-23-02.)

8 (35 ILCS 200/15-55)

9 Sec. 15-55. State property.

10 (a) All property belonging to the State of Illinois is  
11 exempt. However, the State agency holding title shall file  
12 the certificate of ownership and use required by Section  
13 15-10, together with a copy of any written lease or  
14 agreement, in effect on March 30 of the assessment year,  
15 concerning parcels of 1 acre or more, or an explanation of  
16 the terms of any oral agreement under which the property is  
17 leased, subleased or rented.

18 The leased property shall be assessed to the lessee and  
19 the taxes thereon extended and billed to the lessee, and  
20 collected in the same manner as for property which is not  
21 exempt. The lessee shall be liable for the taxes and no lien  
22 shall attach to the property of the State.

23 For the purposes of this Section, the word "leases"  
24 includes licenses, franchises, operating agreements and other  
25 arrangements under which private individuals, associations or  
26 corporations are granted the right to use property of the  
27 Illinois State Toll Highway Authority and includes all  
28 property of the Authority used by others without regard to  
29 the size of the leased parcel.

30 (b) However, all property of every kind belonging to the  
31 State of Illinois, which is or may hereafter be leased to the  
32 Illinois Prairie Path Corporation, shall be exempt from all  
33 assessments, taxation or collection, despite the making of

1 any such lease, if it is used for:

2 (1) (a) conservation, nature trail or any other  
3 charitable, scientific, educational or recreational  
4 purposes with public benefit, including the preserving  
5 and aiding in the preservation of natural areas, objects,  
6 flora, fauna or biotic communities;

7 (2) (b) the establishment of footpaths, trails and  
8 other protected areas;

9 (3) (c) the conservation of the proper use of  
10 natural resources or the promotion of the study of plant  
11 and animal communities and of other phases of ecology,  
12 natural history and conservation;

13 (4) (d) the promotion of education in the fields of  
14 nature, preservation and conservation; or

15 (5) (e) similar public recreational activities  
16 conducted by the Illinois Prairie Path Corporation.

17 No lien shall attach to the property of the State. No tax  
18 liability shall become the obligation of or be enforceable  
19 against Illinois Prairie Path Corporation.

20 (c) If the State sells the James R. Thompson Center or  
21 the Elgin Mental Health Center and surrounding land located  
22 at 750 S. State Street, Elgin, Illinois, as provided in  
23 subdivision (a)(2) of Section 7.4 of the State Property  
24 Control Act, to another entity whose property is not exempt  
25 and immediately thereafter enters into a leaseback or other  
26 agreement that directly or indirectly gives the State a right  
27 to use, control, and possess the property, that portion of  
28 the property leased and occupied exclusively by the State  
29 shall remain exempt under this Section. For the property to  
30 remain exempt under this subsection (c), the State must  
31 retain an option to purchase the property at a future date  
32 or, within the limitations period for reverters, the property  
33 must revert back to the State.

34 If the property has been conveyed as described in this

1 subsection (c), the property is no longer exempt pursuant to  
2 this Section as of the date when:

3 (1) the right of the State to use, control, and  
4 possess the property has been terminated; or

5 (2) the State no longer has an option to purchase or  
6 otherwise acquire the property and there is no provision  
7 for a reverter of the property to the State within the  
8 limitations period for reverters.

9 Pursuant to Sections 15-15 and 15-20 of this Code, the  
10 State shall notify the chief county assessment officer of any  
11 transaction under this subsection (c). The chief county  
12 assessment officer shall determine initial and continuing  
13 compliance with the requirements of this Section for tax  
14 exemption. Failure to notify the chief county assessment  
15 officer of a transaction under this subsection (c) or to  
16 otherwise comply with the requirements of Sections 15-15 and  
17 15-20 of this Code shall, in the discretion of the chief  
18 county assessment officer, constitute cause to terminate the  
19 exemption, notwithstanding any other provision of this Code.

20 (c-1) If the Illinois State Toll Highway Authority sells  
21 the Illinois State Toll Highway Authority headquarters  
22 building and surrounding land, located at 2700 Ogden Avenue,  
23 Downers Grove, Illinois as provided in subdivision (a)(2) of  
24 Section 7.5 of the State Property Control Act, to another  
25 entity whose property is not exempt and immediately  
26 thereafter enters into a leaseback or other agreement that  
27 directly or indirectly gives the State or the Illinois State  
28 Toll Highway Authority a right to use, control, and possess  
29 the property, that portion of the property leased and  
30 occupied exclusively by the State or the Authority shall  
31 remain exempt under this Section. For the property to remain  
32 exempt under this subsection (c), the Authority must retain  
33 an option to purchase the property at a future date or,  
34 within the limitations period for reverters, the property

1 must revert back to the Authority.

2 If the property has been conveyed as described in this  
3 subsection (c), the property is no longer exempt pursuant to  
4 this Section as of the date when:

5 (1) the right of the State or the Authority to use,  
6 control, and possess the property has been terminated; or

7 (2) the Authority no longer has an option to  
8 purchase or otherwise acquire the property and there is  
9 no provision for a reverter of the property to the  
10 Authority within the limitations period for reverters.

11 Pursuant to Sections 15-15 and 15-20 of this Code, the  
12 Authority shall notify the chief county assessment officer of  
13 any transaction under this subsection (c). The chief county  
14 assessment officer shall determine initial and continuing  
15 compliance with the requirements of this Section for tax  
16 exemption. Failure to notify the chief county assessment  
17 officer of a transaction under this subsection (c) or to  
18 otherwise comply with the requirements of Sections 15-15 and  
19 15-20 of this Code shall, in the discretion of the chief  
20 county assessment officer, constitute cause to terminate the  
21 exemption, notwithstanding any other provision of this Code.

22 (d) Public Act 81-1026 applies to all leases or  
23 agreements entered into or renewed on or after September 24,  
24 1979.

25 (Source: P.A. 86-413; 88-455.)

26 (35 ILCS 200/15-185 new)

27 Sec. 15-185. Leaseback exemption. Notwithstanding  
28 anything in this Code to the contrary, all property owned by  
29 a municipality with a population of over 500,000 inhabitants,  
30 or a unit of local government whose jurisdiction includes  
31 territory located in whole or in part within a municipality  
32 with a population of over 500,000 inhabitants, shall remain  
33 exempt from taxation and any leasehold interest in that

1 property shall not be subject to taxation under Section 9-195  
 2 if, for the purpose of obtaining financing, the property is  
 3 directly or indirectly leased, sold, or otherwise transferred  
 4 to another entity whose property is not exempt and  
 5 immediately thereafter is the subject of a leaseback or other  
 6 agreement that directly or indirectly gives the municipality  
 7 or unit of local government (i) a right to use, control, and  
 8 possess the property or (ii) a right to require the other  
 9 entity, or the other entity's designee or assignee, to use  
 10 the property in the performance of services for the  
 11 municipality or unit of local government. The property shall  
 12 no longer be exempt under this Section as of the date when  
 13 the right of the municipality or unit of local government to  
 14 use, control, and possess the property or to require the  
 15 performance of services is terminated and the municipality or  
 16 unit of local government no longer has any option to purchase  
 17 or otherwise reacquire the interest in the property which was  
 18 transferred by the municipality or unit of local government.

19 For purposes of this Section, "municipality" means a  
 20 municipality as defined in Section 1-1-2 of the Illinois  
 21 Municipal Code, and "unit of local government" means a unit  
 22 of local government as defined in Article VII, Section 1 of  
 23 the Constitution of the State of Illinois. The provisions of  
 24 this Section supersede and control over any conflicting  
 25 provisions of this Code.

26 Section 25. The Liquor Control Act of 1934 is amended by  
 27 changing Section 6-15 as follows:

28 (235 ILCS 5/6-15) (from Ch. 43, par. 130)  
 29 Sec. 6-15. No alcoholic liquors shall be sold or  
 30 delivered in any building belonging to or under the control  
 31 of the State or any political subdivision thereof except as  
 32 provided in this Act. The corporate authorities of any city,

1 village, incorporated town or township may provide by  
2 ordinance, however, that alcoholic liquor may be sold or  
3 delivered in any specifically designated building belonging  
4 to or under the control of the municipality or township, or  
5 in any building located on land under the control of the  
6 municipality; provided that such township complies with all  
7 applicable local ordinances in any incorporated area of the  
8 township. Alcoholic liquors may be delivered to and sold at  
9 any airport belonging to or under the control of a  
10 municipality of more than 25,000 inhabitants, or in any  
11 building or on any golf course owned by a park district  
12 organized under the Park District Code, subject to the  
13 approval of the governing board of the district, or in any  
14 building or on any golf course owned by a forest preserve  
15 district organized under the Downstate Forest Preserve  
16 District Act, subject to the approval of the governing board  
17 of the district, or on the grounds within 500 feet of any  
18 building owned by a forest preserve district organized under  
19 the Downstate Forest Preserve District Act during times when  
20 food is dispensed for consumption within 500 feet of the  
21 building from which the food is dispensed, subject to the  
22 approval of the governing board of the district, or in a  
23 building owned by a Local Mass Transit District organized  
24 under the Local Mass Transit District Act, subject to the  
25 approval of the governing Board of the District, or in  
26 Bicentennial Park, or on the premises of the City of Mendota  
27 Lake Park located adjacent to Route 51 in Mendota, Illinois,  
28 or on the premises of Camden Park in Milan, Illinois, or in  
29 the community center owned by the City of Loves Park that is  
30 located at 1000 River Park Drive in Loves Park, Illinois, or,  
31 in connection with the operation of an established food  
32 serving facility during times when food is dispensed for  
33 consumption on the premises, and at the following aquarium  
34 and museums located in public parks: Art Institute of

1 Chicago, Chicago Academy of Sciences, Chicago Historical  
2 Society, Field Museum of Natural History, Museum of Science  
3 and Industry, DuSable Museum of African American History,  
4 John G. Shedd Aquarium and Adler Planetarium, or at Lakeview  
5 Museum of Arts and Sciences in Peoria, or in connection with  
6 the operation of the facilities of the Chicago Zoological  
7 Society or the Chicago Horticultural Society on land owned by  
8 the Forest Preserve District of Cook County, or on any land  
9 used for a golf course or for recreational purposes owned by  
10 the Forest Preserve District of Cook County, subject to the  
11 control of the Forest Preserve District Board of  
12 Commissioners and applicable local law, provided that dram  
13 shop liability insurance is provided at maximum coverage  
14 limits so as to hold the District harmless from all financial  
15 loss, damage, and harm, or in any building located on land  
16 owned by the Chicago Park District if approved by the Park  
17 District Commissioners, or on any land used for a golf course  
18 or for recreational purposes and owned by the Illinois  
19 International Port District if approved by the District's  
20 governing board, or at any airport, golf course, faculty  
21 center, or facility in which conference and convention type  
22 activities take place belonging to or under control of any  
23 State university or public community college district,  
24 provided that with respect to a facility for conference and  
25 convention type activities alcoholic liquors shall be limited  
26 to the use of the convention or conference participants or  
27 participants in cultural, political or educational activities  
28 held in such facilities, and provided further that the  
29 faculty or staff of the State university or a public  
30 community college district, or members of an organization of  
31 students, alumni, faculty or staff of the State university or  
32 a public community college district are active participants  
33 in the conference or convention, or in Memorial Stadium on  
34 the campus of the University of Illinois at Urbana-Champaign

1 during games in which the Chicago Bears professional football  
2 team is playing in that stadium during the renovation of  
3 Soldier Field, not more than one and a half hours before the  
4 start of the game and not after the end of the third quarter  
5 of the game, or by a catering establishment which has rented  
6 facilities from a board of trustees of a public community  
7 college district, or, if approved by the District board, on  
8 land owned by the Metropolitan Sanitary District of Greater  
9 Chicago and leased to others for a term of at least 20 years.  
10 Nothing in this Section precludes the sale or delivery of  
11 alcoholic liquor in the form of original packaged goods in  
12 premises located at 500 S. Racine in Chicago belonging to the  
13 University of Illinois and used primarily as a grocery store  
14 by a commercial tenant during the term of a lease that  
15 predates the University's acquisition of the premises; but  
16 the University shall have no power or authority to renew,  
17 transfer, or extend the lease with terms allowing the sale of  
18 alcoholic liquor; and the sale of alcoholic liquor shall be  
19 subject to all local laws and regulations. After the  
20 acquisition by Winnebago County of the property located at  
21 404 Elm Street in Rockford, a commercial tenant who sold  
22 alcoholic liquor at retail on a portion of the property under  
23 a valid license at the time of the acquisition may continue  
24 to do so for so long as the tenant and the County may agree  
25 under existing or future leases, subject to all local laws  
26 and regulations regarding the sale of alcoholic liquor. Each  
27 facility shall provide dram shop liability in maximum  
28 insurance coverage limits so as to save harmless the State,  
29 municipality, State university, airport, golf course, faculty  
30 center, facility in which conference and convention type  
31 activities take place, park district, Forest Preserve  
32 District, public community college district, aquarium,  
33 museum, or sanitary district from all financial loss, damage  
34 or harm. Alcoholic liquors may be sold at retail in buildings

1 of golf courses owned by municipalities in connection with  
2 the operation of an established food serving facility during  
3 times when food is dispensed for consumption upon the  
4 premises. Alcoholic liquors may be delivered to and sold at  
5 retail in any building owned by a fire protection district  
6 organized under the Fire Protection District Act, provided  
7 that such delivery and sale is approved by the board of  
8 trustees of the district, and provided further that such  
9 delivery and sale is limited to fundraising events and to a  
10 maximum of 6 events per year.

11 Alcoholic liquor may be delivered to and sold at retail  
12 in the Dorchester Senior Business Center owned by the Village  
13 of Dolton if the alcoholic liquor is sold or dispensed only  
14 in connection with organized functions for which the planned  
15 attendance is 20 or more persons, and if the person or  
16 facility selling or dispensing the alcoholic liquor has  
17 provided dram shop liability insurance in maximum limits so  
18 as to hold harmless the Village of Dolton and the State from  
19 all financial loss, damage and harm.

20 Alcoholic liquors may be delivered to and sold at retail  
21 in any building used as an Illinois State Armory provided:

22 (i) the Adjutant General's written consent to the  
23 issuance of a license to sell alcoholic liquor in such  
24 building is filed with the Commission;

25 (ii) the alcoholic liquor is sold or dispensed only  
26 in connection with organized functions held on special  
27 occasions;

28 (iii) the organized function is one for which the  
29 planned attendance is 25 or more persons; and

30 (iv) the facility selling or dispensing the  
31 alcoholic liquors has provided dram shop liability  
32 insurance in maximum limits so as to save harmless the  
33 facility and the State from all financial loss, damage or  
34 harm.

1           Alcoholic liquors may be delivered to and sold at retail  
2           in the Chicago Civic Center, provided that:

3                   (i) the written consent of the Public Building  
4           Commission which administers the Chicago Civic Center is  
5           filed with the Commission;

6                   (ii) the alcoholic liquor is sold or dispensed only  
7           in connection with organized functions held on special  
8           occasions;

9                   (iii) the organized function is one for which the  
10          planned attendance is 25 or more persons;

11                   (iv) the facility selling or dispensing the  
12          alcoholic liquors has provided dram shop liability  
13          insurance in maximum limits so as to hold harmless the  
14          Civic Center, the City of Chicago and the State from all  
15          financial loss, damage or harm; and

16                   (v) all applicable local ordinances are complied  
17          with.

18          Alcoholic liquors may be delivered or sold in any  
19          building belonging to or under the control of any city,  
20          village or incorporated town where more than 75% of the  
21          physical properties of the building is used for commercial or  
22          recreational purposes, and the building is located upon a  
23          pier extending into or over the waters of a navigable lake or  
24          stream or on the shore of a navigable lake or stream.  
25          Alcoholic liquor may be sold in buildings under the control  
26          of the Department of Natural Resources when written consent  
27          to the issuance of a license to sell alcoholic liquor in such  
28          buildings is filed with the Commission by the Department of  
29          Natural Resources. Notwithstanding any other provision of  
30          this Act, alcoholic liquor sold by a United States Army Corps  
31          of Engineers or Department of Natural Resources  
32          concessionaire who was operating on June 1, 1991 for  
33          on-premises consumption only is not subject to the provisions  
34          of Articles IV and IX. Beer and wine may be sold on the

1 premises of the Joliet Park District Stadium owned by the  
2 Joliet Park District when written consent to the issuance of  
3 a license to sell beer and wine in such premises is filed  
4 with the local liquor commissioner by the Joliet Park  
5 District. Beer and wine may be sold in buildings on the  
6 grounds of State veterans' homes when written consent to the  
7 issuance of a license to sell beer and wine in such buildings  
8 is filed with the Commission by the Department of Veterans'  
9 Affairs, and the facility shall provide dram shop liability  
10 in maximum insurance coverage limits so as to save the  
11 facility harmless from all financial loss, damage or harm.  
12 Such liquors may be delivered to and sold at any property  
13 owned or held under lease by a Metropolitan Pier and  
14 Exposition Authority or Metropolitan Exposition and  
15 Auditorium Authority.

16 Beer and wine may be sold and dispensed at professional  
17 sporting events and at professional concerts and other  
18 entertainment events conducted on premises owned by the  
19 Forest Preserve District of Kane County, subject to the  
20 control of the District Commissioners and applicable local  
21 law, provided that dram shop liability insurance is provided  
22 at maximum coverage limits so as to hold the District  
23 harmless from all financial loss, damage and harm.

24 Nothing in this Section shall preclude the sale or  
25 delivery of beer and wine at a State or county fair or the  
26 sale or delivery of beer or wine at a city fair in any  
27 otherwise lawful manner.

28 Alcoholic liquors may be sold at retail in buildings in  
29 State parks under the control of the Department of Natural  
30 Resources, provided:

31 a. the State park has overnight lodging facilities  
32 with some restaurant facilities or, not having overnight  
33 lodging facilities, has restaurant facilities which serve  
34 complete luncheon and dinner or supper meals,

1           b. consent to the issuance of a license to sell  
 2 alcoholic liquors in the buildings has been filed with  
 3 the commission by the Department of Natural Resources,  
 4 and

5           c. the alcoholic liquors are sold by the State park  
 6 lodge or restaurant concessionaire only during the hours  
 7 from 11 o'clock a.m. until 12 o'clock midnight.  
 8 Notwithstanding any other provision of this Act,  
 9 alcoholic liquor sold by the State park or restaurant  
 10 concessionaire is not subject to the provisions of  
 11 Articles IV and IX.

12           Alcoholic liquors may be sold at retail in buildings on  
 13 properties under the control of the Historic Sites and  
 14 Preservation Division of the Historic Preservation Agency or  
 15 the Abraham Lincoln Presidential Library and Museum provided:

16           a. the property has overnight lodging facilities  
 17 with some restaurant facilities or, not having overnight  
 18 lodging facilities, has restaurant facilities which serve  
 19 complete luncheon and dinner or supper meals,

20           b. consent to the issuance of a license to sell  
 21 alcoholic liquors in the buildings has been filed with  
 22 the commission by the Historic Sites and Preservation  
 23 Division of the Historic Preservation Agency or the  
 24 Abraham Lincoln Presidential Library and Museum, and

25           c. the alcoholic liquors are sold by the lodge or  
 26 restaurant concessionaire only during the hours from 11  
 27 o'clock a.m. until 12 o'clock midnight.

28           The sale of alcoholic liquors pursuant to this Section  
 29 does not authorize the establishment and operation of  
 30 facilities commonly called taverns, saloons, bars, cocktail  
 31 lounges, and the like except as a part of lodge and  
 32 restaurant facilities in State parks or golf courses owned by  
 33 Forest Preserve Districts with a population of less than  
 34 3,000,000 or municipalities or park districts.

1           Alcoholic liquors may be sold at retail in the  
2           Springfield Administration Building of the Department of  
3           Transportation and the Illinois State Armory in Springfield;  
4           provided, that the controlling government authority may  
5           consent to such sales only if

6           a. the request is from a not-for-profit  
7           organization;

8           b. such sales would not impede normal operations of  
9           the departments involved;

10          c. the not-for-profit organization provides dram  
11          shop liability in maximum insurance coverage limits and  
12          agrees to defend, save harmless and indemnify the State  
13          of Illinois from all financial loss, damage or harm;

14          d. no such sale shall be made during normal working  
15          hours of the State of Illinois; and

16          e. the consent is in writing.

17          Alcoholic liquors may be sold at retail in buildings in  
18          recreational areas of river conservancy districts under the  
19          control of, or leased from, the river conservancy districts.  
20          Such sales are subject to reasonable local regulations as  
21          provided in Article IV; however, no such regulations may  
22          prohibit or substantially impair the sale of alcoholic  
23          liquors on Sundays or Holidays.

24          Alcoholic liquors may be provided in long term care  
25          facilities owned or operated by a county under Division 5-21  
26          or 5-22 of the Counties Code, when approved by the facility  
27          operator and not in conflict with the regulations of the  
28          Illinois Department of Public Health, to residents of the  
29          facility who have had their consumption of the alcoholic  
30          liquors provided approved in writing by a physician licensed  
31          to practice medicine in all its branches.

32          Alcoholic liquors may be delivered to and dispensed in  
33          State housing assigned to employees of the Department of  
34          Corrections. No person shall furnish or allow to be furnished

1 any alcoholic liquors to any prisoner confined in any jail,  
2 reformatory, prison or house of correction except upon a  
3 physician's prescription for medicinal purposes.

4 Alcoholic liquors may be sold at retail or dispensed at  
5 the Willard Ice Building in Springfield, at the State Library  
6 in Springfield, and at Illinois State Museum facilities by  
7 (1) an agency of the State, whether legislative, judicial or  
8 executive, provided that such agency first obtains written  
9 permission to sell or dispense alcoholic liquors from the  
10 controlling government authority, or by (2) a not-for-profit  
11 organization, provided that such organization:

12 a. Obtains written consent from the controlling  
13 government authority;

14 b. Sells or dispenses the alcoholic liquors in a  
15 manner that does not impair normal operations of State  
16 offices located in the building;

17 c. Sells or dispenses alcoholic liquors only in  
18 connection with an official activity in the building;

19 d. Provides, or its catering service provides, dram  
20 shop liability insurance in maximum coverage limits and  
21 in which the carrier agrees to defend, save harmless and  
22 indemnify the State of Illinois from all financial loss,  
23 damage or harm arising out of the selling or dispensing  
24 of alcoholic liquors.

25 Nothing in this Act shall prevent a not-for-profit  
26 organization or agency of the State from employing the  
27 services of a catering establishment for the selling or  
28 dispensing of alcoholic liquors at authorized functions.

29 The controlling government authority for the Willard Ice  
30 Building in Springfield shall be the Director of the  
31 Department of Revenue. The controlling government authority  
32 for Illinois State Museum facilities shall be the Director of  
33 the Illinois State Museum. The controlling government  
34 authority for the State Library in Springfield shall be the

1 Secretary of State.

2 Alcoholic liquors may be delivered to and sold at retail  
3 or dispensed at any facility, property or building under the  
4 jurisdiction of the Historic Sites and Preservation Division  
5 of the Historic Preservation Agency or the Abraham Lincoln  
6 Presidential Library and Museum where the delivery, sale or  
7 dispensing is by (1) an agency of the State, whether  
8 legislative, judicial or executive, provided that such agency  
9 first obtains written permission to sell or dispense  
10 alcoholic liquors from a controlling government authority, or  
11 by (2) a not-for-profit organization provided that such  
12 organization:

13 a. Obtains written consent from the controlling  
14 government authority;

15 b. Sells or dispenses the alcoholic liquors in a  
16 manner that does not impair normal workings of State  
17 offices or operations located at the facility, property  
18 or building;

19 c. Sells or dispenses alcoholic liquors only in  
20 connection with an official activity of the  
21 not-for-profit organization in the facility, property or  
22 building;

23 d. Provides, or its catering service provides, dram  
24 shop liability insurance in maximum coverage limits and  
25 in which the carrier agrees to defend, save harmless and  
26 indemnify the State of Illinois from all financial loss,  
27 damage or harm arising out of the selling or dispensing  
28 of alcoholic liquors.

29 The controlling government authority for the Historic  
30 Sites and Preservation Division of the Historic Preservation  
31 Agency shall be the Director of the Historic Sites and  
32 Preservation, and the controlling government authority for  
33 the Abraham Lincoln Presidential Library and Museum shall be  
34 the Director of the Abraham Lincoln Presidential Library and

1 Museum.

2 Alcoholic liquors may be sold at retail or dispensed at  
3 the James R. Thompson Center in Chicago, subject to the  
4 provisions of Section 7.4 of the State Property Control Act,  
5 and 222 South College Street in Springfield, Illinois by (1)  
6 a commercial tenant or subtenant conducting business on the  
7 premises under a lease or sublease made pursuant to Section  
8 405-315 of the Department of Central Management Services Law  
9 (20 ILCS 405/405-315), provided that such tenant or subtenant  
10 who sells or dispenses alcoholic liquors shall procure and  
11 maintain dram shop liability insurance in maximum coverage  
12 limits and in which the carrier agrees to defend, indemnify  
13 and save harmless the State of Illinois from all financial  
14 loss, damage or harm arising out of the sale or dispensing of  
15 alcoholic liquors, or by (2) an agency of the State, whether  
16 legislative, judicial or executive, provided that such agency  
17 first obtains written permission to sell or dispense  
18 alcoholic liquors from the Director of Central Management  
19 Services, or by (3) a not-for-profit organization, provided  
20 that such organization:

21 a. Obtains written consent from the Department of  
22 Central Management Services;

23 b. Sells or dispenses the alcoholic liquors in a  
24 manner that does not impair normal operations of State  
25 offices located in the building;

26 c. Sells or dispenses alcoholic liquors only in  
27 connection with an official activity in the building;

28 d. Provides, or its catering service provides, dram  
29 shop liability insurance in maximum coverage limits and  
30 in which the carrier agrees to defend, save harmless and  
31 indemnify the State of Illinois from all financial loss,  
32 damage or harm arising out of the selling or dispensing  
33 of alcoholic liquors.

34 Nothing in this Act shall prevent a not-for-profit

1 organization or agency of the State from employing the  
2 services of a catering establishment for the selling or  
3 dispensing of alcoholic liquors at functions authorized by  
4 the Director of Central Management Services.

5 Alcoholic liquors may be sold or delivered at any  
6 facility owned by the Illinois Sports Facilities Authority  
7 provided that dram shop liability insurance has been made  
8 available in a form, with such coverage and in such amounts  
9 as the Authority reasonably determines is necessary.

10 Alcoholic liquors may be sold at retail or dispensed at  
11 the Rockford State Office Building by (1) an agency of the  
12 State, whether legislative, judicial or executive, provided  
13 that such agency first obtains written permission to sell or  
14 dispense alcoholic liquors from the Department of Central  
15 Management Services, or by (2) a not-for-profit organization,  
16 provided that such organization:

17 a. Obtains written consent from the Department of  
18 Central Management Services;

19 b. Sells or dispenses the alcoholic liquors in a  
20 manner that does not impair normal operations of State  
21 offices located in the building;

22 c. Sells or dispenses alcoholic liquors only in  
23 connection with an official activity in the building;

24 d. Provides, or its catering service provides, dram  
25 shop liability insurance in maximum coverage limits and  
26 in which the carrier agrees to defend, save harmless and  
27 indemnify the State of Illinois from all financial loss,  
28 damage or harm arising out of the selling or dispensing  
29 of alcoholic liquors.

30 Nothing in this Act shall prevent a not-for-profit  
31 organization or agency of the State from employing the  
32 services of a catering establishment for the selling or  
33 dispensing of alcoholic liquors at functions authorized by  
34 the Department of Central Management Services.

1           Alcoholic liquors may be sold or delivered in a building  
2           that is owned by McLean County, situated on land owned by the  
3           county in the City of Bloomington, and used by the McLean  
4           County Historical Society if the sale or delivery is approved  
5           by an ordinance adopted by the county board, and the  
6           municipality in which the building is located may not  
7           prohibit that sale or delivery, notwithstanding any other  
8           provision of this Section. The regulation of the sale and  
9           delivery of alcoholic liquor in a building that is owned by  
10          McLean County, situated on land owned by the county, and used  
11          by the McLean County Historical Society as provided in this  
12          paragraph is an exclusive power and function of the State and  
13          is a denial and limitation under Article VII, Section 6,  
14          subsection (h) of the Illinois Constitution of the power of a  
15          home rule municipality to regulate that sale and delivery.

16          Alcoholic liquors may be sold or delivered in any  
17          building situated on land held in trust for any school  
18          district organized under Article 34 of the School Code, if  
19          the building is not used for school purposes and if the sale  
20          or delivery is approved by the board of education.

21          Alcoholic liquors may be sold or delivered in buildings  
22          owned by the Community Building Complex Committee of Boone  
23          County, Illinois if the person or facility selling or  
24          dispensing the alcoholic liquor has provided dram shop  
25          liability insurance with coverage and in amounts that the  
26          Committee reasonably determines are necessary.

27          Alcoholic liquors may be sold or delivered in the  
28          building located at 1200 Centerville Avenue in Belleville,  
29          Illinois and occupied by either the Belleville Area Special  
30          Education District or the Belleville Area Special Services  
31          Cooperative.

32          (Source: P.A. 91-239, eff. 1-1-00; 91-922, eff. 7-7-00;  
33          92-512, eff. 1-1-02; 92-583, eff. 6-26-02; 92-600, eff.  
34          7-1-02; revised 9-3-02.)

1 Section 30. The Toll Highway Act is amended by changing  
2 Section 8 as follows:

3 (605 ILCS 10/8) (from Ch. 121, par. 100-8)

4 Sec. 8. The Authority shall have the power:

5 (a) To acquire, own, use, hire, lease, operate and  
6 dispose of personal property, real property (except with  
7 respect to the headquarters building and surrounding land of  
8 the Authority located at 2700 Ogden Avenue, Downers Grove,  
9 Illinois, which may be sold or mortgaged only as provided in  
10 Section 7.5 of the State Property Control Act to the extent  
11 that such property is subject to the State Property Control  
12 Act at the time of the proposed sale), any interest therein,  
13 including rights-of-way, franchises and easements.

14 (b) To enter into all contracts and agreements necessary  
15 or incidental to the performance of its powers under this  
16 Act. All employment contracts let under this Act shall be in  
17 conformity with the applicable provisions of "An Act  
18 regulating wages of laborers, mechanics and other workers  
19 employed under contracts for public works," approved June 26,  
20 1941, as amended.

21 (c) To employ and discharge, without regard to the  
22 requirements of any civil service or personnel act, such  
23 administrative, engineering, traffic, architectural,  
24 construction, and financial experts, and inspectors, and such  
25 other employees, as are necessary in the Authority's judgment  
26 to carry out the purposes of this Act; and to establish and  
27 administer standards of classification of all of such persons  
28 with respect to their compensation, duties, performance, and  
29 tenure; and to enter into contracts of employment with such  
30 persons for such periods and on such terms as the Authority  
31 deems desirable.

32 (d) To appoint by and with the consent of the Attorney  
33 General, assistant attorneys for such Authority, which said

1 assistant attorneys shall be under the control, direction and  
2 supervision of the Attorney General and shall serve at his  
3 pleasure.

4 (e) To retain special counsel, subject to the approval  
5 of the Attorney General, as needed from time to time, and fix  
6 their compensation, provided however, such special counsel  
7 shall be subject to the control, direction and supervision of  
8 the Attorney General and shall serve at his pleasure.

9 (f) To acquire, construct, relocate, operate, regulate  
10 and maintain a system of toll highways through and within the  
11 State of Illinois. However, the Authority does not have the  
12 power to acquire, operate, regulate or maintain any system of  
13 toll highways or toll bridges or portions of them (including  
14 but not limited to any system organized pursuant to Division  
15 108 of Article 11 of the Illinois Municipal Code) in the  
16 event either of the following conditions exists at the time  
17 the proposed acquisition, operation, regulation or  
18 maintenance of such system is to become effective:

19 (1) the principal or interest on bonds or other  
20 instruments evidencing indebtedness of the system are in  
21 default; or

22 (2) the principal or interest on bonds or other  
23 instruments evidencing indebtedness of the system have been  
24 in default at any time during the 5 year period prior to the  
25 proposed acquisition.

26 To facilitate such construction, operation and  
27 maintenance and subject to the approval of the Division of  
28 Highways of the Department of Transportation, the Authority  
29 shall have the full use and advantage of the engineering  
30 staff and facilities of the Department.

31 (Source: P.A. 83-1258.)

32 Section 90. The State Mandates Act is amended by adding  
33 Section 8.27 as follows:

1           (30 ILCS 805/8.27 new)  
2           Sec. 8.27. Exempt mandate. Notwithstanding Sections 6  
3           and 8 of this Act, no reimbursement by the State is required  
4           for the implementation of any mandate created by this  
5           amendatory Act of the 93rd General Assembly.

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