



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1657

Introduced 2/9/2011, by Sen. Michael W. Frerichs

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Finance Authority Act. Provides that the Illinois Finance Authority has the power to purchase special service area bonds and to accept assignments or pledges, or both, of special service area bonds or agreements relating to public and private green special service area projects. Amends the Special Service Area Tax Law in the Property Tax Code. Provides that the corporate authorities of a county or a municipality may establish a green special service area. Provides that those green special service areas shall include only property for which each owner of record has executed a contract or agreement with the county or municipality consenting to the inclusion of the property within the green special service area. Provides that the owner of record of each parcel of property within a green special service area may arrange for specific energy efficiency improvements, renewable energy improvements, or water use improvements and may obtain financing for those improvements through the process set forth in the ordinance establishing the green special service area. Provides that counties and municipalities may levy property taxes in connection with green special service areas. Provides that counties and municipalities may issue bonds in connection with green special service areas and may sell, assign, or pledge those bonds to the Illinois Finance Authority. Amends the Counties Code and the Illinois Municipal Code to provide that each county or municipality shall have the power and authority to engage in specified activities that relate to green special service areas. Effective immediately.

LRB097 09804 PJG 49953 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

STATE DEBT
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 5. The Illinois Finance Authority Act is amended by
5 changing Sections 820-10, 820-20, and 820-25 and by adding
6 Section 820-37 as follows:

7 (20 ILCS 3501/820-10)

8 Sec. 820-10. Definitions. The following words or terms,
9 whenever used or referred to in this Article, shall have the
10 following meanings ascribed to them, except where the context
11 clearly requires otherwise:

12 (a) "Department" means the Illinois Department of Commerce
13 and Economic Opportunity.

14 (b) "Unit of local government" means any unit of local
15 government, as defined in Article VII, Section 1 of the 1970
16 State Constitution and any local public entity as that term is
17 defined by the Local Governmental and Governmental Employees
18 Tort Immunity Act and also includes the State and any
19 instrumentality, office, officer, department, division,
20 bureau, commission, college or university thereof.

21 (c) "Energy conservation project" means any improvement,
22 repair, alteration or betterment of any building or facility or
23 any equipment, fixture or furnishing including its energy using

1 mechanical devices to be added to or used in any building or
2 facility that the Director of the Department has certified to
3 the Authority will be a cost-effective energy-related project
4 that will lower energy or utility costs in connection with the
5 operation or maintenance of such building or facility, and will
6 achieve energy cost savings sufficient to cover bond debt
7 service and other project costs within 20 ~~10~~ years from the
8 date of project installation.

9 (d) "Green special service area project" means any energy
10 efficiency improvement, renewable energy improvement, or water
11 use improvement as such terms are defined in Section 27-5 of
12 the Special Service Area Tax Law.

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

14 (20 ILCS 3501/820-20)

15 Sec. 820-20. Powers and Duties; Illinois Local Government
16 Financing Assistance Program. The Authority has the power:

17 (a) To purchase from time to time pursuant to negotiated
18 sale or to otherwise acquire from time to time any local
19 government securities issued by one or more units of local
20 government upon such terms and conditions as the Authority may
21 prescribe;

22 (b) To issue bonds in one or more series pursuant to one or
23 more resolutions of the Authority for any purpose authorized
24 under this Article, including without limitation purchasing or
25 acquiring local government securities, providing for the

1 payment of any interest deemed necessary on such bonds, paying
2 for the cost of issuance of such bonds, providing for the
3 payment of the cost of any guarantees, letters of credit,
4 insurance contracts or other similar credit support or
5 liquidity instruments, or providing for the funding of any
6 reserves deemed necessary in connection with such bonds and
7 refunding or advance refunding of any such bonds and the
8 interest and any premium thereon, pursuant to this Act;

9 (c) To provide for the funding of any reserves or other
10 funds or accounts deemed necessary by the Authority in
11 connection with any bonds issued by the Authority or local
12 government securities purchased or otherwise acquired by the
13 Authority;

14 (d) To pledge any local government security, including any
15 payments thereon, and any other funds of the Authority or funds
16 made available to the Authority which may be applied to such
17 purpose, as security for any bonds or any guarantees, letters
18 of credit, insurance contracts or similar credit support or
19 liquidity instruments securing the bonds;

20 (e) To enter into agreements or contracts with third
21 parties, whether public or private, including without
22 limitation the United States of America, the State, or any
23 department or agency thereof to obtain any appropriations,
24 grants, loans or guarantees which are deemed necessary or
25 desirable by the Authority. Any such guarantee, agreement or
26 contract may contain terms and provisions necessary or

1 desirable in connection with the program, subject to the
2 requirements established by this Article;

3 (f) To charge reasonable fees to defray the cost of
4 obtaining letters of credit, insurance contracts or other
5 similar documents, and to charge such other reasonable fees to
6 defray the cost of trustees, depositories, paying agents, bond
7 registrars, escrow agents and other administrative expenses.
8 Any such fees shall be payable by units of local government
9 whose local government securities are purchased or otherwise
10 acquired by the Authority pursuant to this Article, in such
11 amounts and at such times as the Authority shall determine, and
12 the amount of the fees need not be uniform among the various
13 units of local government whose local government securities are
14 purchased or otherwise acquired by the Authority pursuant to
15 this Article;

16 (g) To obtain and maintain guarantees, letters of credit,
17 insurance contracts or similar credit support or liquidity
18 instruments which are deemed necessary or desirable in
19 connection with any bonds or other obligations of the Authority
20 or any local government securities;

21 (h) To establish application fees and other service fees
22 and prescribe application, notification, contract, agreement,
23 security and insurance forms and rules and regulations it deems
24 necessary or appropriate;

25 (i) To provide technical assistance, at the request of any
26 unit of local government, with respect to the financing or

1 refinancing for any public purpose. In fulfillment of this
2 purpose, the Authority may request assistance from the
3 Department as necessary; any unit of local government that is
4 experiencing either a financial emergency as defined in the
5 Local Government Financial Planning and Supervision Act or a
6 condition of fiscal crisis evidenced by an impaired ability to
7 obtain financing for its public purpose projects from
8 traditional financial channels or impaired ability to fully
9 fund its obligations to fire, police and municipal employee
10 pension funds, or to bond payments or reserves, may request
11 technical assistance from the Authority in the form of a
12 diagnostic evaluation of its financial condition;

13 (j) To purchase any obligations of the Authority issued
14 pursuant to this Article;

15 (k) To sell, transfer or otherwise dispose of local
16 government securities purchased or otherwise acquired by the
17 Authority pursuant to this Article, including without
18 limitation, the sale, transfer or other disposition of
19 undivided fractionalized interests in the right to receive
20 payments of principal and premium, if any, or the right to
21 receive payments of interest or the right to receive payments
22 of principal of and premium, if any, and interest on pools of
23 such local government securities;

24 (l) To acquire, purchase, lease, sell, transfer and
25 otherwise dispose of real and personal property, or any
26 interest therein, and to issue its bonds and enter into leases,

1 contracts and other agreements with units of local government
2 in connection with such acquisitions, purchases, leases, sales
3 and other dispositions of such real and personal property;

4 (m) To make loans to banks, savings and loans and other
5 financial institutions for the purpose of purchasing or
6 otherwise acquiring local government securities, and to issue
7 its bonds, and enter into agreements and contracts in
8 connection with such loans;

9 (n) To enter into agreements or contracts with any person
10 necessary or appropriate to place the payment obligations of
11 the Authority under any of its bonds in whole or in part on any
12 interest rate basis, cash flow basis, or other basis desired by
13 the Authority, including without limitation agreements or
14 contracts commonly known as "interest rate swap agreements",
15 "forward payment conversion agreements", and "futures", or
16 agreements or contracts to exchange cash flows or a series of
17 payments, or agreements or contracts, including without
18 limitation agreements or contracts commonly known as
19 "options", "puts" or "calls", to hedge payment, rate spread, or
20 similar exposure; provided, that any such agreement or contract
21 shall not constitute an obligation for borrowed money, and
22 shall not be taken into account under Section 845-5 of this Act
23 or any other debt limit of the Authority or the State of
24 Illinois;

25 (o) To make and enter into all other agreements and
26 contracts and execute all instruments necessary or incidental

1 to performance of its duties and the execution of its powers
2 under this Article;

3 (p) To contract for and finance the costs of energy audits,
4 project-specific engineering and design specifications, and
5 any other related analyses preliminary to an energy
6 conservation project; and, to contract for and finance the cost
7 of project monitoring and data collection to verify
8 post-installation energy consumption and energy-related
9 operating costs. Any such contract shall be executed only after
10 it has been jointly negotiated by the Authority and the
11 Department; ~~and~~

12 (p-5) To purchase special service area bonds and to accept
13 assignments or pledges, or both, of special service area bonds
14 or agreements relating to public and private green special
15 service area projects, which authority shall be liberally
16 construed; and

17 (q) To exercise such other powers as are necessary or
18 incidental to the foregoing.

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

20 (20 ILCS 3501/820-25)

21 Sec. 820-25. Unit of Local Government Participation. Any
22 unit of local government is authorized to voluntarily
23 participate in this program. Any unit of local government which
24 is authorized to issue, sell and deliver its local government
25 securities under any provision of the Constitution or laws of

1 the State may issue, sell and deliver such local government
2 securities to the Authority under this Article; provided that
3 and notwithstanding any other provision of law to the contrary,
4 any such unit of local government may issue and sell any such
5 local government security at any interest rate or rates, which
6 rate or rates may be established by an index or formula which
7 may be implemented by persons appointed or retained for those
8 purposes ~~therefor~~, payable at such time or times, and at such
9 price or prices to which the unit of local government and the
10 Authority may agree. Any unit of local government may pay any
11 amount charged by the Authority pursuant to this Article. Any
12 unit of local government participating in this program may pay
13 out of the proceeds of its local government securities or out
14 of any other moneys or funds available to it for such purposes
15 any costs, fees, interest deemed necessary, premium or reserves
16 incurred or required for financing or refinancing this program,
17 including without limitation any fees charged by the Authority
18 pursuant to this Article and its share, as determined by the
19 Authority, of any costs, fees, interest deemed necessary,
20 premium or reserves incurred or required pursuant to Section
21 820-20 of this Act. All local government securities purchased
22 or otherwise acquired by the Authority pursuant to this Act
23 shall upon delivery to the Authority be accompanied by an
24 approving opinion of bond counsel as to the validity of such
25 securities. The Authority shall have discretion to purchase or
26 otherwise acquire those local government securities, as it

1 shall deem to be in the best interest of its financing program
2 for all units of local government taken as a whole. Any unit of
3 local government with the authority in connection with green
4 special service area projects to provide special service area
5 financing under the Special Service Area Tax Law is authorized
6 to issue special service area bonds and sell or assign the
7 bonds to the Authority or to assign or pledge special service
8 area bonds or agreements, or both, to the Authority.

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

10 (20 ILCS 3501/820-37 new)

11 Sec. 820-37. Unit of local government participation;
12 bonds. The Authority may assist units of local government by
13 establishing and implementing a program to issue its bonds
14 secured by special service area agreements assigned or pledged
15 to the Authority by the local governments so as to provide
16 financing for green special service area projects. The bonds
17 shall not constitute an indebtedness or obligation of the
18 State, and it shall be plainly stated on the face of each bond
19 that it does not constitute an indebtedness or obligation but
20 is payable solely from the revenues, income, or other assets of
21 the Authority that are pledged.

22 Section 10. The Property Tax Code is amended by changing
23 Section 27-5 and by adding Section 27-97 as follows:

1 (35 ILCS 200/27-5)

2 Sec. 27-5. Short title; definitions. This Article may be
3 cited as the Special Service Area Tax Law.

4 When used in this Article:

5 "Energy efficiency improvement" means any installation,
6 modification, or replacement that reduces energy consumption
7 in any residential, commercial, or industrial building,
8 structure, or other facility, including, but not limited to,
9 all of the following:

10 (1) insulation in walls, roofs, floors, foundations,
11 and heating and cooling distribution systems;

12 (2) storm windows and doors, multiglazed windows and
13 doors, heat-absorbing or heat-reflective glazed and coated
14 window and door systems, additional glazing, reductions in
15 glass area, and other window and door system modifications;

16 (3) automatic energy control systems;

17 (4) high efficiency furnaces, lighting fixtures,
18 ventilating, or air conditioning and distribution systems;

19 (5) caulking and weather-stripping;

20 (6) facilities, improvements, or systems to bring
21 natural daylight into buildings; and

22 (7) any other installation, modification, replacement,
23 facility, improvement, rehabilitation, repair, or
24 remodeling that has the effect of reducing energy
25 consumption.

26 "Green special service area" means a special service area

1 created pursuant to Section 27-97 of this Act for the purpose
2 of providing special services that are energy efficiency
3 improvements, renewable energy improvements, water use
4 improvements, or a combination of those improvements. The
5 corporate authorities of the municipality or county may
6 establish (i) multiple green special service areas pursuant to
7 a single ordinance or (ii) multiple buildings, structures,
8 facilities, improvements, or lots or parcels of land within a
9 single green special service area, which are not required to be
10 contiguous. Revenues from multiple green special service areas
11 and revenues from multiple buildings, structures, facilities,
12 improvements, or lots or parcels of land within a single green
13 special service area may be aggregated for a pledge as security
14 for bonds issued pursuant to Section 27-45 of this Act.

15 "Renewable energy improvement" means any fixture, product,
16 system, device, or interacting group of those items, for or
17 servicing any residential, commercial, or industrial building,
18 structure, or other facility that produces energy from
19 renewable energy resources as defined in Section 1-10 of the
20 Illinois Power Agency Act.

21 "Special Service Area" means a contiguous area within a
22 municipality or county in which, except as provided in this Act
23 concerning green special service areas, special governmental
24 services are provided in addition to those services provided
25 generally throughout the municipality or county, the cost of
26 the special services to be paid from revenues collected from

1 taxes levied or imposed upon property within that area.
2 Territory shall be considered contiguous for purposes of this
3 Article even though certain completely surrounded portions of
4 the territory are excluded from the special service area. A
5 county may create a special service area within a municipality
6 or municipalities when the municipality or municipalities
7 consent to the creation of the special service area. A
8 municipality may create a special service area within a
9 municipality and the unincorporated area of a county or within
10 another municipality when the county or other municipality
11 consents to the creation of the special service area.

12 "Special Services" means all forms of services pertaining
13 to the government and affairs of the municipality or county,
14 including, but not limited to, weather modification, energy
15 efficiency improvements, renewable energy improvements, water
16 use improvements, and improvements permissible under Article 9
17 of the Illinois Municipal Code, and contracts for the supply of
18 water as described in Section 11-124-1 of the Illinois
19 Municipal Code which may be entered into by the municipality or
20 by the county on behalf of a county service area.

21 "Water use improvement" means any fixture, product,
22 system, device, or interacting group of those items, for or
23 serving any residential, commercial, or industrial building,
24 structure, or other facility that has the effect of conserving
25 water resources through improved water management or
26 efficiency.

1 (Source: P.A. 86-1324; 88-445.)

2 (35 ILCS 200/27-97 new)

3 Sec. 27-97. Green special service areas.

4 (a) The corporate authorities of a municipality or county
5 may establish a green special service area, or multiple green
6 special service areas under a single ordinance, for the purpose
7 of arranging and financing energy efficiency improvements,
8 renewable energy improvements, or water use improvements. Each
9 green special service area shall include only property for
10 which each owner of record has executed a contract or agreement
11 consenting to the inclusion of the property within the green
12 special service area, and the contract may be executed
13 subsequent to the adoption of the ordinance of the corporate
14 authorities establishing the green special service area. The
15 inclusion, or, as applicable, deletion, of property within the
16 green special service area subsequent to the adoption of the
17 ordinance of the corporate authorities establishing the green
18 special service area may be made either (i) by the adoption of
19 a supplemental or amending ordinance of the corporate
20 authorities or (ii) pursuant to authority in the establishing
21 ordinance designating one or more county or municipal officers,
22 as applicable, to include, or, as applicable, delete, other
23 properties. Green special service areas are exempt from the
24 provisions of Sections 27-20, 27-25, 27-30, 27-35, 27-40,
25 27-55, 27-60, 27-65, and 27-70 of this Act. A municipality or

1 county may create a green special service area by an ordinance
2 establishing the green special service area. Each owner of
3 record of property within a green special service area may
4 arrange for the specific energy efficiency improvements,
5 renewable energy improvements, or water use improvements and
6 may obtain financing for those improvements through the process
7 set forth in the ordinance establishing the green special
8 service area. A green special service area may consist of a
9 single building, structure, facility, improvement, or lot or
10 parcel of land. The corporate authorities of a municipality or
11 county may establish multiple green special service areas
12 pursuant to a single ordinance or, within a single green
13 special service area, identify multiple buildings, structures,
14 facilities, improvements, or lots or parcels of land, whether
15 or not contiguous. Revenues from multiple green special service
16 areas or revenues from multiple buildings, structures,
17 facilities, improvements, or lots or parcels of land within a
18 single green special service area may be aggregated for a
19 pledge as security for bonds issued pursuant to Section 27-45
20 of this Act.

21 Municipalities and counties shall have the power to issue
22 bonds under Section 27-45 for the public purposes set forth in
23 this Section 27-97, provided that it is not necessary to
24 conduct a public hearing, as required in Section 27-45, in
25 connection with the issuance of those bonds.

26 (b) The corporate authorities of a county or municipality

1 that establishes a green special service area shall levy a tax
2 pursuant to Section 27-75 of this Act on all property in a
3 green special service area where each owner of record has
4 entered into a contract or agreement for improvements, provided
5 that it is not necessary to file a copy of the notice of public
6 hearing with the County Clerk as otherwise required by Section
7 27-45. The contract or agreement entered into with the owner of
8 the property shall be conclusive as to the due authorization
9 and establishment of the applicable green special service area
10 as it relates to that property and to the amount of special tax
11 to be levied and extended against the property for the
12 improvements. A contract or agreement may specify tax levies
13 pursuant to Section 27-75 of this Act related to the applicable
14 energy efficiency improvements, renewable energy improvements,
15 water use improvements, or a combination thereof, or as
16 applicable to the principal of and interest on bonds issued,
17 including as a part of a larger pooled or composite issue, for
18 financing those improvements. The specified tax levies in a
19 contract or agreement when recorded as provided in subsection
20 (c) of this Section and filed with the county clerk shall be
21 authority for each affected county to extend and collect the
22 levied taxes for the applicable municipality or county, or
23 both, with respect to each such contract or agreement.
24 Municipalities must have consent from the County Clerk before
25 creating a green special service area.

26 (c) The contract or agreement in subsection (b) of this

1 Section shall be in recordable form and shall be recorded in
2 the office of the recorder in the county where the property is
3 located.

4 (d) Any unit of local government with the authority to
5 provide special service area financing in connection with green
6 special service area projects, as provided in the Special
7 Service Area Tax Law, is authorized to do any of the following:
8 (i) issue special service area bonds, (ii) sell or assign those
9 bonds to the Authority, and (iii) assign or pledge those
10 special service area bonds, agreements relating to public and
11 private green special service area projects, or both to the
12 Illinois Finance Authority.

13 (e) This Section shall be liberally construed to effect the
14 legislative purpose of enabling taxpayers to make energy
15 efficiency improvements, renewable energy improvements, or
16 water use improvements to their properties.

17 Section 15. The Counties Code is amended by changing
18 Section 5-1005 as follows:

19 (55 ILCS 5/5-1005) (from Ch. 34, par. 5-1005)

20 Sec. 5-1005. Powers. Each county shall have power:

21 1. To purchase and hold the real and personal estate
22 necessary for the uses of the county, and to purchase and
23 hold, for the benefit of the county, real estate sold by
24 virtue of judicial proceedings in which the county is

1 plaintiff.

2 2. To sell and convey or lease any real or personal
3 estate owned by the county.

4 3. To make all contracts and do all other acts in
5 relation to the property and concerns of the county
6 necessary to the exercise of its corporate powers.

7 4. To take all necessary measures and institute
8 proceedings to enforce all laws for the prevention of
9 cruelty to animals.

10 5. To purchase and hold or lease real estate upon which
11 may be erected and maintained buildings to be utilized for
12 purposes of agricultural experiments and to purchase, hold
13 and use personal property for the care and maintenance of
14 such real estate in connection with such experimental
15 purposes.

16 6. To cause to be erected, or otherwise provided,
17 suitable buildings for, and maintain a county hospital and
18 necessary branch hospitals and/or a county sheltered care
19 home or county nursing home for the care of such sick,
20 chronically ill or infirm persons as may by law be proper
21 charges upon the county, or upon other governmental units,
22 and to provide for the management of the same. The county
23 board may establish rates to be paid by persons seeking
24 care and treatment in such hospital or home in accordance
25 with their financial ability to meet such charges, either
26 personally or through a hospital plan or hospital

1 insurance, and the rates to be paid by governmental units,
2 including the State, for the care of sick, chronically ill
3 or infirm persons admitted therein upon the request of such
4 governmental units. Any hospital maintained by a county
5 under this Section is authorized to provide any service and
6 enter into any contract or other arrangement not prohibited
7 for a hospital that is licensed under the Hospital
8 Licensing Act, incorporated under the General
9 Not-For-Profit Corporation Act, and exempt from taxation
10 under paragraph (3) of subsection (c) of Section 501 of the
11 Internal Revenue Code.

12 7. To contribute such sums of money toward erecting,
13 building, maintaining, and supporting any non-sectarian
14 public hospital located within its limits as the county
15 board of the county shall deem proper.

16 8. To purchase and hold real estate for the
17 preservation of forests, prairies and other natural areas
18 and to maintain and regulate the use thereof.

19 9. To purchase and hold real estate for the purpose of
20 preserving historical spots in the county, to restore,
21 maintain and regulate the use thereof and to donate any
22 historical spot to the State.

23 10. To appropriate funds from the county treasury to be
24 used in any manner to be determined by the board for the
25 suppression, eradication and control of tuberculosis among
26 domestic cattle in such county.

1 11. To take all necessary measures to prevent forest
2 fires and encourage the maintenance and planting of trees
3 and the preservation of forests.

4 12. To authorize the closing on Saturday mornings of
5 all offices of all county officers at the county seat of
6 each county, and to otherwise regulate and fix the days and
7 the hours of opening and closing of such offices, except
8 when the days and the hours of opening and closing of the
9 office of any county officer are otherwise fixed by law;
10 but the power herein conferred shall not apply to the
11 office of State's Attorney and the offices of judges and
12 clerks of courts and, in counties of 500,000 or more
13 population, the offices of county clerk.

14 13. To provide for the conservation, preservation and
15 propagation of insectivorous birds through the expenditure
16 of funds provided for such purpose.

17 14. To appropriate funds from the county treasury and
18 expend the same for care and treatment of tuberculosis
19 residents.

20 15. In counties having less than 1,000,000
21 inhabitants, to take all necessary or proper steps for the
22 extermination of mosquitoes, flies or other insects within
23 the county.

24 16. To install an adequate system of accounts and
25 financial records in the offices and divisions of the
26 county, suitable to the needs of the office and in

1 accordance with generally accepted principles of
2 accounting for governmental bodies, which system may
3 include such reports as the county board may determine.

4 17. To purchase and hold real estate for the
5 construction and maintenance of motor vehicle parking
6 facilities for persons using county buildings, but the
7 purchase and use of such real estate shall not be for
8 revenue producing purposes.

9 18. To acquire and hold title to real property located
10 within the county, or partly within and partly outside the
11 county by dedication, purchase, gift, legacy or lease, for
12 park and recreational purposes and to charge reasonable
13 fees for the use of or admission to any such park or
14 recreational area and to provide police protection for such
15 park or recreational area. Personnel employed to provide
16 such police protection shall be conservators of the peace
17 within such park or recreational area and shall have power
18 to make arrests on view of the offense or upon warrants for
19 violation of any of the ordinances governing such park or
20 recreational area or for any breach of the peace in the
21 same manner as the police in municipalities organized and
22 existing under the general laws of the State. All such real
23 property outside the county shall be contiguous to the
24 county and within the boundaries of the State of Illinois.

25 19. To appropriate funds from the county treasury to be
26 used to provide supportive social services designed to

1 prevent the unnecessary institutionalization of elderly
2 residents, or, for operation of, and equipment for, senior
3 citizen centers providing social services to elderly
4 residents.

5 20. To appropriate funds from the county treasury and
6 loan such funds to a county water commission created under
7 the "Water Commission Act", approved June 30, 1984, as now
8 or hereafter amended, in such amounts and upon such terms
9 as the county may determine or the county and the
10 commission may agree. The county shall not under any
11 circumstances be obligated to make such loans. The county
12 shall not be required to charge interest on any such loans.

13 21. To appropriate and expend funds from the county
14 treasury for economic development purposes, including the
15 making of grants to any other governmental entity or
16 commercial enterprise deemed necessary or desirable for
17 the promotion of economic development in the county.

18 22. To lease space on a telecommunications tower to a
19 public or private entity.

20 23. In counties having a population of 100,000 or less
21 and a public building commission organized by the county
22 seat of the county, to cause to be erected or otherwise
23 provided, and to maintain or cause to be maintained,
24 suitable facilities to house students pursuing a
25 post-secondary education at an academic institution
26 located within the county. The county may provide for the

1 management of the facilities.

2 24. To engage in and undertake activities related to
3 and in connection with governmental and private energy
4 efficiency improvements, renewable energy improvements,
5 and water use improvements as defined in the Special
6 Service Area Tax Law, including, but not limited to,
7 special service areas related to green special service area
8 financing for energy efficiency improvements, renewable
9 energy improvements, and water use improvements whether on
10 public or private property, under the Special Service Area
11 Tax Law. This item shall be liberally construed to effect
12 the legislative purpose of enabling taxpayers to make
13 energy efficiency improvements, renewable energy
14 improvements, and water use improvements to or serving the
15 designated properties.

16 All contracts for the purchase of coal under this Section
17 shall be subject to the provisions of "An Act concerning the
18 use of Illinois mined coal in certain plants and institutions",
19 filed July 13, 1937, as amended.

20 (Source: P.A. 95-197, eff. 8-16-07; 95-813, eff. 1-1-09;
21 96-622, eff. 8-24-09.)

22 Section 20. The Illinois Municipal Code is amended by
23 adding Division 15.4 to Article 11 as follows:

24 (65 ILCS 5/Art. 11 Div. 15.4 heading new)

1 DIVISION 15.4. GREEN SPECIAL SERVICE AREAS

2 (65 ILCS 5/11-15.4-1 new)

3 Sec. 11-15.4-1. Green special service areas. Each
4 municipality shall have the power and authority to engage in
5 and undertake activities related to and in connection with
6 governmental and private energy efficiency improvements,
7 renewable energy improvements, and water use improvements as
8 defined in the Special Service Area Tax Law, including, but not
9 limited to, special service area financing related to green
10 special service areas for energy efficiency improvements,
11 renewable energy improvements, and water use improvements
12 whether on public or private property, under the Special
13 Service Area Tax Law. This Section shall be liberally construed
14 to effect the legislative purpose of enabling taxpayers to make
15 energy efficiency improvements, renewable energy improvements,
16 or water use improvements to or serving the designated
17 properties.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 20 ILCS 3501/820-10

4 20 ILCS 3501/820-20

5 20 ILCS 3501/820-25

6 20 ILCS 3501/820-37 new

7 35 ILCS 200/27-5

8 35 ILCS 200/27-97 new

9 55 ILCS 5/5-1005 from Ch. 34, par. 5-1005

10 65 ILCS 5/Art. 11 Div.

11 15.4 heading new

12 65 ILCS 5/11-15.4-1 new