

# SB3300



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB3300

Introduced 2/11/2020, by Sen. Steve McClure

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.930 new  
30 ILCS 605/7.9 new

Amends the State Property Control Act. Requires the Director of Central Management Services, as administrator, to assess surplus real property held by the State and determine whether such property is unsellable in its current assessed condition. Provides assessment factors. Requires the administrator to prepare a report based upon the assessment that includes all surplus real properties that he or she assessed as unsellable. Provides further contents of the report. Requires the administrator to submit the report to the Governor and the General Assembly beginning on or before February 1, 2022, and for every even-numbered year thereafter. Provides that the administrator is authorized, subject to General Assembly approval, to pursue the recommended course of action for each property specified in the report. Allows the administrator to use funds held in the Sustainable Ownership and Surplus Property Environmental Clean-up Fund for specified purposes. Creates the Sustainable Ownership and Surplus Property Environmental Clean-up Fund as a special fund in the State treasury. Specifies the use of the Fund. Provides for the adoption of rules. Amends the State Finance Act to provide for the Sustainable Ownership and Surplus Property Environmental Clean-up Fund.

LRB101 20247 RJF 70247 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The State Finance Act is amended by adding  
5 Section 5.930 as follows:

6 (30 ILCS 105/5.930 new)

7 Sec. 5.930. The Sustainable Ownership and Surplus Property  
8 Environmental Clean-up Fund.

9 Section 10. The State Property Control Act is amended by  
10 adding Section 7.9 as follows:

11 (30 ILCS 605/7.9 new)

12 Sec. 7.9. Long-vacant surplus real property.

13 (a) The administrator shall assess surplus real property,  
14 as defined under Section 7.1, and determine whether such  
15 property is unsellable in its current assessed condition. The  
16 administrator shall consider the following factors in making  
17 his or her assessment under this Section:

18 (1) the length of time the property has been designated  
19 as surplus real property, with properties held as such for  
20 more than 5 years being considered unsellable for purposes  
21 of this Section, absent extenuating circumstances;

1           (2) the annual State maintenance and security costs in  
2           relation to the property's estimated fair market value; and

3           (3) any excessive liabilities or other prominent  
4           concerns.

5           (b) The administrator shall prepare a report based upon the  
6           assessment that includes all surplus real properties that he or  
7           she assessed as unsellable. The report shall further include:

8                   (1) the number of years each property has been vacant;

9                   (2) the assessed fair market value of each property, as  
10           determined by an appraisal;

11                   (3) the annual maintenance costs the State incurs for  
12           each property;

13                   (4) the estimated demolition and remediation costs of  
14           each property;

15                   (5) a statement describing any attempts made by the  
16           administrator to sell each property, including the issues  
17           faced in attempting to sell each property; and

18                   (6) a recommendation of the type of action the State  
19           should take to address the issues on each property,  
20           including an estimated cost of such work and a timeline to  
21           complete such work.

22           (c) Beginning on or before February 1, 2022, and for every  
23           even-numbered year thereafter, the administrator shall submit  
24           the report prepared under this Section to the Governor and the  
25           General Assembly. Subject to approval by the General Assembly,  
26           the administrator is authorized to pursue the recommended

1 course of action for each property specified in the report. The  
2 administrator may use, subject to appropriation, funds held in  
3 the Sustainable Ownership and Surplus Property Environmental  
4 Clean-up Fund for demolition and environmental remediation  
5 costs at the proposed surplus properties, and any other action  
6 related to the disposal of properties specified in the report.

7 (d) The Sustainable Ownership and Surplus Property  
8 Environmental Clean-up Fund is created as a special fund in the  
9 State treasury. Subject to appropriation, moneys in the Fund  
10 shall be used by the administrator for demolishing structures,  
11 conducting environmental remediation work, and other related  
12 actions at surplus real properties as authorized under this  
13 Section.

14 Notwithstanding any other provision of law to the contrary,  
15 the Sustainable Ownership and Surplus Property Environmental  
16 Clean-up Fund is not subject to sweeps, administrative charges  
17 or chargebacks, or any other fiscal or budgetary maneuver that  
18 would in any way transfer any funds from the Sustainable  
19 Ownership and Surplus Property Environmental Clean-up Fund  
20 into any other fund of the State.

21 For the purposes of this subsection (d), "structures" means  
22 any building, improvement, pipe system, or other engineered  
23 system or edifice built or constructed on the surplus real  
24 property.

25 (e) The administrator may adopt rules necessary to  
26 implement and perform the requirements of this Section.