

AN ACT concerning local government.

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

Section 5. The Illinois Municipal Code is amended by changing Section 11-119.1-3 as follows:

(65 ILCS 5/11-119.1-3) (from Ch. 24, par. 11-119.1-3)

Sec. 11-119.1-3. The following terms whenever used or referred to in this Division, shall have the following meanings unless the context requires otherwise:

(1) "Agency agreement" means the written agreement between 2 or more municipalities establishing a municipal power agency.

(2) "Bonds" means revenue bonds, notes and other evidences of obligations of a municipal power agency issued under the provisions of this Division.

(3) "Eligible utility" means a public agency or other entity of any type, including an electric cooperative as defined in Section 3.4 of the Electric Supplier Act, which (i) owns, operates or controls any plant or equipment for the generation, transmission or distribution of electric power and energy in connection with the furnishing thereof for sale or resale or (ii) is an independent system operator within the electrical power system, a regional

transmission organization within the electrical power system, or an entity that participates as a buyer or seller in an organized independent system operator market or regional transmission organization market.

(4) "Governing body" means, with respect to a municipality, the council, city council, board of trustees, or other corporate authority of the municipality which exercises the general governmental powers of such municipality.

(5) "Municipal power agency" means a body politic and corporate, municipal corporation and unit of local government of the State of Illinois organized in accordance with the provisions of this Division.

(6) "Municipality" means a city, village or incorporated town in the State of Illinois owning or operating an electric utility which furnishes retail electric service to the public.

(7) "Project" means any plant, works, system, facility, and real and personal property of any nature whatsoever, together with all parts thereof and appurtenances thereto, used or useful in the generation, production, distribution, transmission, purchase, sale, exchange or interchange of electrical energy and in the acquisition, extraction, conversion, transportation, storage or reprocessing of fuel of any kind for any such purposes, or any interest in, or right to the use,

services, output or capacity, of any such plant, works, system or facilities.

(8) "Public agency" means any municipality, political subdivision, municipal corporation, unit of local government, governmental unit, or public corporation operated by or pursuant to the laws of the State of Illinois, of another state or of the United States, and any state, the United States, and any commission, board, bureau or other body declared by the laws of any state or the United States to be a department, agency, or instrumentality thereof.

(Source: P.A. 83-997.)