HB3073

LRB104 11245 BDA 21327 b

104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3073

Introduced 2/6/2025, by Rep. Sonya M. Harper

SYNOPSIS AS INTRODUCED:

New Act

Creates the Predisaster Flood Resilience Grant Program Act. Provides for the creation and administration of a Predisaster Flood Resilience Grant Program for for the purpose of identifying flood vulnerabilities, identifying options to improve flood resiliency, and restoring hydrology in order to reduce flood risk and damages in flood-prone communities. Sets forth requirements for assessment grants and implementation grants. Provides for eligibility requirements and grant recipient requirements. Provides for powers and duties of the Department of Natural Resources. Requires the Department to adopt rules. Defines terms.

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A BILL FOR

AN ACT concerning safety.

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

Section 1. Short title. This Act may be cited as the Predisaster Flood Resilience Grant Program Act.

Section 5. Definitions. In this Act:

"Assessment grant" means an assessment grant awarded under Section 15 of this Act.

"Department" means the Department of Natural Resources.

"Implementation grant" means an implementation grant awarded under Section 20 of this Act.

"Local governmental unit" means a unit of local government as defined under Article VII of the Illinois Constitution or a school district.

"Program" means the Predisaster Flood Resilience Grant Program established under this Act.

Section 10. Creation and administration.

(a) The Department shall create and administer a Predisaster Flood Resilience Grant Program to provide grants to applicants for the purpose of identifying flood vulnerabilities, identifying options to improve flood resiliency, and restoring hydrology in order to reduce flood

risk and damages in flood-prone communities.

(b) The Program shall provide grants in accordance with an annual grant cycle established Department and the requirements of this Act.

(c) In each fiscal biennium, for every dollar the Department awards for assessment grants, it may award no more than 67% of a dollar for implementation grants.

Section 15. Assessment grants.

(a) Assessment grants awarded under this Section shall support applicants' generation and gathering of information on vulnerabilities and identification of flood resilience priorities on a watershed, catchment, or stream-reach scale through one or more of the following activities:

(1) conducting assessments aimed at understanding flood flows and erosion hazards and vulnerabilities and identifying opportunities to increase flood resilience, including opportunities to restore wetland, stream, and floodplain hydrology;

(2) developing culvert inventories using the Great Lakes Stream Crossing Inventory or other road-stream crossing inventory methods that consider structural risk factors, aquatic organism passage, and upstream hydrologic conditions and that are at least as effective as the Great Lakes Stream Crossing Inventory; and

(3) conducting hydrologic and hydraulic studies that

help develop hydrologic models.

(b) Data generated from activities under this Section may not be deemed proprietary and shall be provided to entities that develop local hazard mitigation plans.

(c) The Department may award an assessment grant of up to $300,000 for any combination of activities enumerated in this Section. An assessment grant awarded under this Section shall be for a maximum of 75% of the total anticipated project cost, and the assessment grant recipient shall secure the remaining funding. The remaining funding secured by the assessment grant recipient or local governmental unit may include the value of in-kind contributions, including goods and services and administrative costs.

(d) An assessment grant application shall include the following information:

(1) written documentation from the local governmental unit's main decision-authorizing body indicating that the body has authorized the local governmental unit's participation in the grant project;

(2) written documentation from the local governmental unit's body responsible for expending the local governmental unit's funds indicating the body of the local governmental unit's commitment or intention to expend funds or provide in-kind contributions for the grant project; and

(3) information detailing all sources of funding for

the project that will not be covered by the grant award under this Section.

Section 20. Implementation grants.

(a) Implementation grants awarded under this Section shall be used for implementation of hydrologic restoration projects that have been either identified or designed through an activity specified under Section 15, or through a comparable assessment process, as determined by the Department. Implementation grants awarded under this Section shall support regulatory coordination, engineering and design, construction, or post-construction monitoring of an applicant's hydrologic restoration project that reconnects streams and floodplains, reestablishes healthy channel form and condition, mitigates erosion hazards, removes or reduces wetland drainage, restores or improves natural flow and movement of water or sediment, or reestablishes vegetation to support site stability and help manage flow and infiltration.

(b) The maximum amount of an implementation grant award under this Section shall be $250,000. An implementation grant awarded under this Section shall be for a maximum of 75% of the total anticipated project cost, and the implementation grant recipient shall secure the remaining funding. The remaining funding secured by the assessment grant recipient or local governmental unit may include the value of in-kind contributions, including goods and services and administrative

costs.

(c) An implementation grant application shall include the following information:

(1) written documentation from the local governmental unit's main decision-authorizing body indicating that the body has authorized the local governmental unit's participation in the grant project;

(2) written documentation from the local governmental unit's body responsible for expending the local governmental unit's funds indicating the body of the local governmental unit's commitment or intention to expend funds or provide in-kind contributions for the grant project; and

(3) information detailing all sources of funding for the project that will not be covered by the grant award under this Section.

Section 25. Eligibility.

(a) The following persons are eligible to apply for a grant under this Act:

(1) One or more local governmental units.

(2) A nonprofit organization applying on behalf of one or more local governmental units.

(3) A private consulting organization applying on behalf of one or more local governmental units.

(b) The Department may consider an application for a grant

under this Act only if one of the following applies:

(1) The application includes in its project area an area that has been the site of a Presidentially declared disaster for flooding at any time in the 10 years preceding the applicable grant cycle.

(2) The application includes in its project area an area that has previously been the site of a Governor-issued state of emergency for flooding at any time in the 10 years preceding the applicable grant cycle.

(3) The application is for a local governmental unit that has a Department-approved hazard mitigation plan that identifies localized exposure to flood risk.

Section 30. Grant recipient requirements.

(a)(1) A grant recipient shall spend all of the grant money received from the Program under this Act on the project described in the grant application within 2 years of receiving the grant money.

(2) Notwithstanding anything in paragraph (1) to the contrary, the Department may extend the time by which a grant recipient shall spend all of the grant money received from the Program under this Act to match a timeline requirement of a federal grant.

(b) A grant recipient shall provide to the Department a report within 90 days of completion of the grant project, or 2 years after receiving the grant money, whichever occurs first.

The report shall summarize project goals, activities conducted with the grant, and data and other observations demonstrating progress-to-date toward project goals.

Section 35. Powers and duties; rulemaking.

(a) The Department shall develop methods for evaluating grant applications and shall consider all of the following in evaluating a grant application:

(1) The extent to which the project area has been subject to, or is upstream from areas that have been subject to, repetitive flooding and erosion damage.

(2) The extent to which the project demonstrates a cost-effective basis for the proposed actions.

(3) The extent to which the project has a clear plan for demonstrating measurable results.

(4) For assessment grant applications, the extent to which the project will generate data useful for updates to hazard mitigation plans, land and water resource management plans, or other local watershed plans or priorities.

(5) Other criteria that help prioritize projects with the most beneficial impacts, as developed by the Department.

(b) The Department shall establish by policy grant application requirements, including requirements relating to project narratives, scopes of work, budgeting information,

supporting documentation, and project timelines.

(c) The Department may consult with other State agencies on the administration of the Program or the review of grant applications.

(d) The Department shall make publicly available on the Department's website as much information regarding the Program as possible, at the Department's determination.

(e)(1) No later than July 1, 2026, and annually thereafter, the Department shall submit a report to the Governor and the General Assembly. The report shall describe Program activities and accomplishments of the preceding fiscal year, list the grant recipients and grants awarded, and make a recommendation on Program continuation and funding levels.

(2) Notwithstanding anything in paragraph (1) to the contrary, a report is not required in any fiscal year in which there are no moneys appropriated to the Department for the grant programs under this Act for the preceding fiscal year and all moneys that have been appropriated to the Department for the grant programs under this Act in any previous fiscal year have been expended and have previously been the subject of a report under this Section.

(f) The Department shall adopt rules implementing this Act.