



Sen. Christopher Belt

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10400HB4365sam001

LRB104 17396 RTM 35161 a

1 AMENDMENT TO HOUSE BILL 4365

2 AMENDMENT NO. _____. Amend House Bill 4365 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Natural Resources Act is
5 amended by changing Section 5-10 as follows:

6 (20 ILCS 801/5-10)

7 Sec. 5-10. Additional powers. With respect to the water
8 resources of the State, the Office of Water Resources shall
9 have the following powers:

10 (a) To study and investigate ways and means by which the
11 various water uses may be coordinated to the end that the water
12 resources of the State be put to their maximum beneficial use
13 and, in connection therewith, to request any department or
14 agency of the State to make surveys, studies, investigations,
15 prepare plans, reports and furnish such data and information
16 as may be necessary.

1 (b) To coordinate, determine and provide ways and means
2 for the equitable reconciliation and adjustment of the various
3 conflicting claims and rights to water by users or uses.

4 (c) To recommend legislation for the most feasible method
5 or methods of conserving water resources and putting them to
6 the maximum possible use, taking into account the problems of
7 navigation, flood control, river flow control and
8 stabilization, reclamation, drainage and recapture, and
9 further utilization of water after use for any purpose,
10 domestic and industrial use, irrigation of land, municipal
11 use, development of electric energy, public health,
12 recreational, fish and game life, and other beneficial use.

13 (d) To undertake regulatory flood hazard mapping within
14 this State.

15 (e) To inspect and prescribe standards of repair,
16 maintenance and improvement of the facilities and properties
17 of the Metro-East Flood Prevention District ~~Metro-East~~
18 ~~Sanitary District~~.

19 (Source: P.A. 89-445, eff. 2-7-96; 90-14, eff. 7-1-97.)

20 Section 10. The Flood Prevention District Act is amended
21 by changing Section 40 as follows:

22 (70 ILCS 750/40)

23 Sec. 40. Budget of the District. The District shall adopt
24 an annual budget by August 31 of each year for the fiscal year

1 beginning October 1. Such budget shall include expected
2 revenues by source and expenditures by project or by function
3 for the following year. The budget must be approved by the
4 county board of the county in which the district is situated
5 prior to any expenditure by the District for the fiscal year
6 beginning October 1. The county board must approve or
7 disapprove the budget of the District within 30 calendar days
8 after the budget is received by the county board. If the county
9 board does not act to approve or disapprove the budget within
10 30 calendar days of receipt, it shall stand as approved.

11 In addition, the District shall submit an annual report to
12 the county board by August 31 of each year detailing the
13 activities of the district. This report must also include any
14 information submitted to the flood prevention district ~~by a~~
15 ~~drainage, levee, or sanitary district~~ in accordance with
16 Section 4-45 of the Illinois Drainage Code or Section 2-2 of
17 the Metro-East Flood Prevention District Act ~~Metro-East~~
18 ~~Sanitary District Act~~.

19 (Source: P.A. 95-719, eff. 5-21-08; 95-723, eff. 6-23-08.)

20 Section 15. The Southwestern Illinois Metropolitan and
21 Regional Planning Act is amended by changing Section 5 as
22 follows:

23 (70 ILCS 1710/5) (from Ch. 85, par. 1155)

24 Sec. 5. The corporate authorities of the Southwestern

1 Illinois Metropolitan and Regional Planning Commission shall
2 consist of commissioners selected as follows:

3 Eight commissioners appointed by the Governor, at
4 least 4 of whom shall be elected officials of a unit of
5 government and at least 7 of whom shall be residents of the
6 Metropolitan and Regional Counties Area. No more than 4 of
7 the Governor's appointees shall be of the same political
8 party.

9 One member from among the Illinois Commissioners of
10 the Bi-State Development Agency, elected by said
11 commissioners of said Agency, provided that preference
12 shall be given in this appointment to the Chairman or Vice
13 Chairman of said Agency if either or both of those
14 officers is an Illinois resident.

15 The Chairman or presiding officer of each statutory
16 Port District existing or operating within the
17 Metropolitan and Regional Counties Area, or a member of
18 the governing board of each such Port District appointed
19 by the Chairman or presiding officer thereof to serve in
20 his stead.

21 The President of the Metro-East Flood Prevention
22 District ~~Metro-East Sanitary District~~ or a member of the
23 governing board of such District appointed by the
24 President thereto to serve in his stead.

25 Two members from each of the county boards of counties
26 within the Area of operation having a population of less

1 than 100,000, such members to be appointed by the chairman
2 or presiding officer of such counties and in such manner
3 that one of the 2 members so appointed is the chairman or
4 presiding officer of the relevant county board or an
5 elected member of such board appointed to serve in the
6 stead of such chairman or presiding officer.

7 Three members from each of the county boards of
8 counties within the Area of operation having a population
9 in excess of 100,000, such members to be appointed by the
10 chairman or presiding officer of such counties and in such
11 manner that one of the 3 members so appointed is the
12 chairman or presiding officer of the relevant county board
13 or an elected member of such board appointed to serve in
14 the stead of such chairman or presiding officer; provided,
15 further, that at least one member so appointed from each
16 county having a population in excess of 100,000 shall be a
17 resident in an area of such county outside any city,
18 village or incorporated town, and at least one member so
19 appointed from such counties shall be a resident of a
20 city, village or incorporated town of such county.

21 The Mayor or Village Board President from each city,
22 village or incorporated town in the Area of operation
23 having 4,500 or more inhabitants, or a member of the
24 Council or Village Board appointed by such Mayor or Board
25 President to serve in his stead.

26 One Mayor or Village Board President in each county

1 within the Area of operation from a city, village or
2 incorporated town having fewer than 4,500 inhabitants to
3 be selected by all Mayors or Village Board Presidents of
4 such cities, villages or incorporated towns in each such
5 county.

6 Two members from each township-organized county in the
7 Area of operation who shall be township supervisors
8 appointed by the Chairman of the relevant county board in
9 such a manner that one of the 2 shall represent a township
10 having fewer than 4,500 inhabitants and one of the 2 shall
11 represent a township having more than 4,500 inhabitants,
12 provided that in the event no township in any such county
13 has in excess of 4,500 inhabitants the supervisor of the
14 township in such county which has the largest number of
15 inhabitants shall be one of the 2 members so appointed by
16 that county.

17 Two members from each commission-organized county in
18 the Area of operation who shall be elected officials of
19 either the county board or of a unit of government in such
20 county and who shall be appointed by the Chairman of the
21 County Board of such county.

22 The President of the Southwestern Illinois Council of
23 Mayors or a Mayor of a community within the Area of
24 operation appointed by such President to serve in his
25 stead.

26 One member from among the Illinois members of the

1 East-West Gateway Coordinating Council, elected by said
2 members of said council, provided preference shall be
3 given in this appointment to the Chairman or Vice Chairman
4 of said Council if either or both of those officers is an
5 Illinois resident.

6 Each selecting authority shall give notice of his, or her,
7 or its selections to each other selecting authority, to the
8 Executive Director of the Commission, and to the Secretary of
9 State. Selections or appointments to be made for the first
10 time pursuant to this amendatory Act of 1975 shall be made no
11 later than October 1, 1975 and notice given thereon by that
12 date.

13 In addition to the commissioners provided for above, the
14 following shall also be commissioners selected or appointed
15 and notice thereon given as contemplated by the preceding
16 paragraph:

17 Two members from each county in the Area of operation
18 who shall be a chairman of a county planning commission, a
19 chairman of a municipal planning commission, or a county
20 engineer, such members to be appointed by the Chairman of
21 the County Board.

22 The regional superintendent of schools for each
23 educational service region located in whole or in part
24 within the Area of operation.

25 The President of Southern Illinois University at
26 Edwardsville or a person appointed by him to serve in his

1 stead.

2 The Director of Commerce and Economic Opportunity or a
3 person appointed by him to serve in his stead.

4 The district highway engineer for the Illinois
5 Department of Transportation.

6 The Chairman of the Southwestern Illinois Council on
7 Economic Development composed of the Counties of Madison,
8 St. Clair, Monroe, Randolph, Washington, Bond and Clinton.

9 One representative from each County within the Area of
10 operation who shall be other than an elected official and
11 who shall be appointed by the Chairman of each County
12 Board, provided that each representative so appointed
13 shall be from disadvantaged or minority groups within the
14 County's population.

15 Five Commissioners, appointed by the President of the
16 Commission, with the concurrence of the Executive
17 Committee, one to be selected from each of 5 civic,
18 fraternal, cultural or religious organizations which meet
19 all of the following criteria:

20 (1) has a written charter or constitution and
21 written bylaws;

22 (2) has filed or is eligible to file articles of
23 incorporation pursuant to the General Not for Profit
24 Corporation Act;

25 (3) has been in existence for at least 5 years; and

26 (4) is generally recognized as being substantially

1 representative of the minority population within the
2 Commission's area of operation.

3 The Commission shall develop a fair and reasonable
4 procedure for determining the organizations from which
5 appointments will be made.

6 Within 30 days after selection and before entering upon
7 the duties of his or her office, each commissioner shall take
8 and subscribe to the constitutional oath of office and file it
9 with the Secretary of State.

10 The Commission shall maintain a level of minority
11 membership equal to or greater than proportionate level of
12 minority population which exists within the area of the
13 Commission.

14 (Source: P.A. 94-793, eff. 5-19-06.)

15 Section 20. The Sanitary District Act of 1907 is amended
16 by changing Sections 29. 29.1, and 29.3 as follows:

17 (70 ILCS 2205/29) (from Ch. 42, par. 274.1)

18 Sec. 29. Any sanitary district organized and operated
19 under this Act and having an equalized assessed valuation for
20 tax purposes of \$100,000,000 or more may, by referendum as
21 provided in Sections 29.1 through 29.3, be dissolved and a new
22 district created in accordance with the Metro-East Flood
23 Prevention District Act ~~"Metro East Sanitary District Act of~~
24 ~~1974", enacted by the 78th General Assembly.~~

1 (Source: P.A. 78-1017.)

2 (70 ILCS 2205/29.1) (from Ch. 42, par. 274.2)

3 Sec. 29.1. When a petition, signed by at least 300
4 registered voters residing within such sanitary district is
5 filed with the State Board of Elections before the November
6 general election in an even-numbered year, and within the time
7 provided in the general election law, but other than a year in
8 which a regular election for trustees of the district is held,
9 requesting that the proposition that that sanitary district be
10 dissolved and be replaced by a ~~sanitary~~ district organized
11 under the Metro-East Flood Prevention District Act ~~Metro-East~~
12 ~~Sanitary District Act of 1974~~, the Board shall certify the
13 proposition to the proper election officials who shall submit
14 the proposition to the voters of the district at that general
15 election in accordance with the general election law. The
16 proposition shall be in substantially the following form:

17 Shall the.... Sanitary District be dissolved and be
18 replaced by a ~~sanitary~~ district organized under the Metro-East
19 Flood Prevention District Act ~~Metro-East Sanitary District Act~~
20 ~~of 1974~~?

21 (Source: P.A. 81-1489.)

22 (70 ILCS 2205/29.3) (from Ch. 42, par. 274.4)

23 Sec. 29.3. The State Board of Elections shall proclaim and
24 certify the results of the vote on the proposition. If a

1 majority of those electors properly marking ballots on the
2 proposition vote in favor thereof, the district organized
3 under this Act shall be dissolved, effective upon the
4 expiration of the terms of office of the incumbent trustees,
5 and a new district created as provided in Article I of the
6 Metro-East Flood Prevention District Act ~~Metro East Sanitary~~
7 ~~District Act of 1974~~.

8 (Source: P.A. 78-1017.)

9 Section 25. The North Shore Water Reclamation District Act
10 is amended by changing Section 19.1 as follows:

11 (70 ILCS 2305/19.1) (from Ch. 42, par. 295.1)

12 Sec. 19.1. Acquiring district or municipal treatment
13 works.

14 (a) After incorporation, any district organized under this
15 Act may, in accordance with this Act and an intergovernmental
16 agreement with the sanitary district being acquired or the
17 municipality from whom the treatment works and lines are to be
18 acquired, acquire the territory, treatment works, lines,
19 appurtenances, and other property of (i) any ~~sanitary~~ district
20 organized under this Act, the Sanitary District Act of 1907,
21 the Sanitary District Act of 1917, the Sanitary District Act
22 of 1936, or the Metro-East Flood Prevention District Act
23 ~~Metro East Sanitary District Act of 1974~~ or (ii) any
24 municipality whose treatment works were established under the

1 Illinois Municipal Code or the Municipal Wastewater Disposal
2 Zones Act, regardless of whether that district or municipality
3 is contiguous to the acquiring sanitary district. The distance
4 between the sanitary district being acquired or municipality
5 and the acquiring sanitary district, however, as measured
6 between the points on their corporate boundaries that are
7 nearest to each other, shall not exceed 20 miles. In the case
8 of a municipality, only that property used by the municipality
9 for transport, treatment, and discharge of wastewater and for
10 disposal of sewage sludge shall be transferred to the
11 acquiring sanitary district.

12 (b) The board of trustees of the sanitary district being
13 acquired, or the corporate authorities of a municipality whose
14 treatment works is being acquired, shall, jointly with the
15 board of trustees of the acquiring sanitary district, petition
16 the circuit court of the county containing all or the larger
17 portion of the sanitary district being acquired or the
18 municipality to permit the acquisition. The petition shall
19 show the following:

20 (1) The reason for the acquisition.

21 (2) That there are no debts of the sanitary district
22 being acquired or municipality outstanding, or that there
23 are sufficient funds on hand or available to satisfy those
24 debts.

25 (3) That no contract or federal or State permit or
26 grant will be impaired by the acquisition.

1 (4) That all assets and responsibilities of the
2 sanitary district being acquired or municipality, as they
3 relate to wastewater treatment, have been properly
4 assigned to the acquiring sanitary district.

5 (5) That the acquiring sanitary district will pay any
6 court costs incurred in connection with the petition.

7 (6) The boundaries of the acquired sanitary district
8 or municipality as of the date of the petition.

9 (c) Upon adequate notice, including appropriate notice to
10 the Illinois Environmental Protection Agency, the circuit
11 court shall hold a hearing to determine whether there is good
12 cause for the acquisition by the acquiring district and
13 whether the allegations of the petition are true. If the court
14 finds that there is good cause and that the allegations are
15 true, it shall order the acquisition to proceed. If the court
16 finds that there is not good cause for the acquisition or that
17 the allegations of the petition are not true, the court shall
18 dismiss the petition. In either event, the costs shall be
19 taxed against the acquiring sanitary district. The order shall
20 be final. Separate or joint appeals may be taken by any party
21 affected by the order as in other civil cases.

22 (d) If the court orders the acquisition contemplated in
23 the petition, there shall be no further appointments of
24 trustees if the acquired agency is a sanitary district. The
25 trustees of the acquired sanitary district acting at the time
26 of the order shall close up the business affairs of the

1 sanitary district and make the necessary conveyances of title
2 to the sanitary district property in accordance with the
3 intergovernmental agreement between the acquiring and acquired
4 sanitary districts. In the case of a municipality, the
5 governing body of the municipality shall make the necessary
6 conveyances of title to municipal property to the acquiring
7 sanitary district in accordance with the intergovernmental
8 agreement between the municipality and the acquiring sanitary
9 district. The acquiring sanitary district's ordinances shall
10 take effect in the acquired territory upon entry of the order.

11 (e) The acquisition of any sanitary district by another
12 sanitary district or the acquisition of a treatment works from
13 a municipality by another sanitary district shall not affect
14 the obligation of any bonds issued or contracts entered into
15 by the acquired sanitary district or the municipality, nor
16 invalidate the levy, extension, or collection of any taxes or
17 special assessments upon a property in the acquired sanitary
18 district, but all those bonds and contracts shall be
19 discharged. The general obligation indebtedness of the
20 acquired sanitary district shall be paid from the proceeds of
21 continuing taxes and special assessments as provided in this
22 Act.

23 All money remaining after the business affairs of the
24 acquired sanitary district or acquired treatment works of the
25 municipality have been closed up and all debts and obligations
26 of the entities paid shall be paid to the acquiring sanitary

1 district in accordance with the intergovernmental agreement
2 between the parties.

3 (f) The board of trustees of the acquiring sanitary
4 district required to provide sewer service under this Act may
5 levy and collect, for that purpose, a tax on the taxable
6 property within that district. The aggregate amount of the tax
7 shall be as provided in this Act.

8 (g) Any intergovernmental agreement entered into by the
9 parties under this Section shall provide for the imposition or
10 continuance of a user charge system in accordance with the
11 acquiring district's ordinance, the Illinois Environmental
12 Protection Act, and the federal Clean Water Act.

13 (h) All courts shall take judicial notice of the
14 acquisition of the sanitary district being acquired or
15 municipal treatment works by the acquiring sanitary district.

16 (Source: P.A. 87-1060.)

17 Section 30. The Sanitary District Act of 1917 is amended
18 by changing Sections 1 and 17.1 as follows:

19 (70 ILCS 2405/1) (from Ch. 42, par. 299)

20 Sec. 1. Whenever any area of contiguous territory shall
21 contain one or more incorporated cities, towns or villages or
22 parts of one or more incorporated cities, towns or villages,
23 and shall be so situated that the construction and maintenance
24 of a plant or plants for the purification and treatment of

1 sewage and the maintenance of one or more outlets for the
2 drainage thereof, after having been so treated and purified by
3 and through such plant or plants will conduce to the
4 preservation of the public health, comfort and convenience,
5 the same may be incorporated as a sanitary district under this
6 Act in the manner following:

7 Any 100 legal voters, resident within the limits of such
8 proposed sanitary district, may petition the Circuit Court in
9 the county in which the proposed district or the major portion
10 thereof is located, to cause the question to be submitted to
11 the legal voters of such proposed district whether such
12 proposed territory shall be organized as a sanitary district
13 under this Act, such petition shall be addressed to the
14 Circuit Court and shall contain a definite description of the
15 territory to be embraced in such district, and the name of such
16 proposed sanitary district: However, no territory shall be
17 included in any municipal corporation formed hereunder which
18 is not situated within the limits of a city, incorporated town
19 or village, or within 6 miles outside thereof, and no
20 territory shall be included within more than one sanitary
21 district organized under this Act or any other Act, except
22 that territory included within a ~~sanitary~~ district organized
23 under the Metro-East Flood Prevention District Act ~~Metro-East~~
24 ~~Sanitary District Act of 1974~~ may also be included within a
25 sanitary district organized under this Act. Upon filing of
26 such petition in the office of the circuit clerk in the county

1 in which such territory or the major portion thereof is
2 situated, it shall be the duty of the Circuit Court to name 3
3 judges of such Court who shall constitute a board of
4 commissioners which shall have power and authority to consider
5 the boundaries of any such proposed sanitary district, whether
6 the same shall be as described in such petition or otherwise,
7 and the decision of 2 of such commissioners shall be
8 conclusive and not subject to review in any manner, directly
9 or indirectly.

10 Notice shall be given by such court of the time and place
11 where such commissioners will meet, by a publication inserted
12 in one or more daily or weekly papers published in such
13 proposed district, at least 20 days prior to such meeting and
14 if no such newspaper is published in such proposed district,
15 then by posting at least 5 copies of such notice in such
16 proposed district at least 20 days before such hearing.

17 At such meeting all persons in such proposed district
18 shall have an opportunity to be heard touching the location
19 and boundary of such proposed district and to make suggestions
20 regarding the same, and such commissioners, after hearing
21 statements, evidence and suggestions, shall fix and determine
22 the limits and boundaries of such proposed district, and for
23 that purpose and to that extent may alter and amend such
24 petition. After such determination by the commissioners or a
25 majority of them, the same shall be incorporated in an order
26 which shall be entered of record in the Circuit Court. Upon the

1 entering of such order, the Circuit Court shall certify the
 2 question to the proper election officials who shall submit the
 3 question of organization and establishment of the proposed
 4 sanitary district as determined by the commissioners, at an
 5 election in accordance with the general election law.

6 Each legal voter resident within such proposed sanitary
 7 district shall have the right to cast a ballot at such
 8 election. The proposition shall be in substantially the
 9 following form:

10 -----

11 For Sanitary District

12 -----

13 Against Sanitary District

14 -----

15 The Circuit Court shall cause a statement of the result of
 16 such election to be entered of record in the Circuit Court. If
 17 a majority of the votes cast upon the question of
 18 incorporation of the proposed sanitary district shall be in
 19 favor of the proposed sanitary district, such proposed
 20 district shall thenceforth be deemed an organized sanitary
 21 district under this Act.

22 (Source: P.A. 83-1425.)

23 (70 ILCS 2405/17.1) (from Ch. 42, par. 316.1)

24 Sec. 17.1. Acquiring district or municipal treatment
 25 works.

1 (a) After incorporation, any district organized under this
2 Act may, in accordance with this Act and an intergovernmental
3 agreement with the sanitary district being acquired or the
4 municipality from whom the treatment works and lines are to be
5 acquired, acquire the territory, treatment works, lines,
6 appurtenances, and other property of (i) any ~~sanitary~~ district
7 organized under this Act, the Sanitary District Act of 1907,
8 the North Shore Water Reclamation District Act, the Sanitary
9 District Act of 1936, or the Metro-East Flood Prevention
10 District Act ~~Metro-East Sanitary District Act of 1974~~ or (ii)
11 any municipality whose treatment works were established under
12 the Illinois Municipal Code or the Municipal Wastewater
13 Disposal Zones Act, regardless of whether that district or
14 municipality is contiguous to the acquiring sanitary district.
15 The distance between the sanitary district being acquired or
16 municipality and the acquiring sanitary district, however, as
17 measured between the points on their corporate boundaries that
18 are nearest to each other, shall not exceed 20 miles. In the
19 case of a municipality, only that property used by the
20 municipality for transport, treatment, and discharge of
21 wastewater and for disposal of sewage sludge shall be
22 transferred to the acquiring sanitary district.

23 (b) The board of trustees of the sanitary district being
24 acquired, or the corporate authorities of a municipality whose
25 treatment works is being acquired, shall, jointly with the
26 board of trustees of the acquiring sanitary district, petition

1 the circuit court of the county containing all or the larger
2 portion of the sanitary district being acquired or the
3 municipality to permit the acquisition. The petition shall
4 show the following:

5 (1) The reason for the acquisition.

6 (2) That there are no debts of the sanitary district
7 being acquired or municipality outstanding, or that there
8 are sufficient funds on hand or available to satisfy those
9 debts.

10 (3) That no contract or federal or State permit or
11 grant will be impaired by the acquisition.

12 (4) That all assets and responsibilities of the
13 sanitary district being acquired or municipality, as they
14 relate to wastewater treatment, have been properly
15 assigned to the acquiring sanitary district.

16 (5) That the acquiring sanitary district will pay any
17 court costs incurred in connection with the petition.

18 (6) The boundaries of the acquired sanitary district
19 or municipality as of the date of the petition.

20 (c) Upon adequate notice, including appropriate notice to
21 the Illinois Environmental Protection Agency, the circuit
22 court shall hold a hearing to determine whether there is good
23 cause for the acquisition by the acquiring district and
24 whether the allegations of the petition are true. If the court
25 finds that there is good cause and that the allegations are
26 true, it shall order the acquisition to proceed. If the court

1 finds that there is not good cause for the acquisition or that
2 the allegations of the petition are not true, the court shall
3 dismiss the petition. In either event, the costs shall be
4 taxed against the acquiring sanitary district. The order shall
5 be final. Separate or joint appeals may be taken by any party
6 affected by the order as in other civil cases.

7 (d) If the court orders the acquisition contemplated in
8 the petition, there shall be no further appointments of
9 trustees if the acquired agency is a sanitary district. The
10 trustees of the acquired sanitary district acting at the time
11 of the order shall close up the business affairs of the
12 sanitary district and make the necessary conveyances of title
13 to the sanitary district property in accordance with the
14 intergovernmental agreement between the acquiring and acquired
15 sanitary districts. In the case of a municipality, the
16 governing body of the municipality shall make the necessary
17 conveyances of title to municipal property to the acquiring
18 sanitary district in accordance with the intergovernmental
19 agreement between the municipality and the acquiring sanitary
20 district. The acquiring sanitary district's ordinances take
21 effect in the acquired territory upon entry of the order.

22 (e) The acquisition of any sanitary district by another
23 sanitary district or the acquisition of a treatment works from
24 a municipality by another sanitary district shall not affect
25 the obligation of any bonds issued or contracts entered into
26 by the acquired sanitary district or the municipality, nor

1 invalidate the levy, extension, or collection of any taxes or
2 special assessments upon a property in the acquired sanitary
3 district, but all those bonds and contracts shall be
4 discharged. The general obligation indebtedness of the
5 acquired sanitary district shall be paid from the proceeds of
6 continuing taxes and special assessments as provided in this
7 Act.

8 All money remaining after the business affairs of the
9 acquired sanitary district or acquired treatment works of the
10 municipality have been closed up and all debts and obligations
11 of the entities paid shall be paid to the acquiring sanitary
12 district in accordance with the intergovernmental agreement
13 between the parties.

14 (f) The board of trustees of the acquiring sanitary
15 district required to provide sewer service under this Act may
16 levy and collect, for that purpose, a tax on the taxable
17 property within that district. The aggregate amount of the tax
18 shall be as provided in this Act.

19 (g) Any intergovernmental agreement entered into by the
20 parties under this Section shall provide for the imposition or
21 continuance of a user charge system in accordance with the
22 acquiring district's ordinance, the Illinois Environmental
23 Protection Act, and the federal Clean Water Act.

24 (h) All courts shall take judicial notice of the
25 acquisition of the sanitary district being acquired or
26 municipal treatment works by the acquiring sanitary district.

1 (Source: P.A. 99-669, eff. 7-29-16.)

2 Section 35. The Metro-East Sanitary District Act of 1974
3 is amended by changing the Act title and Sections 1-1, 3-1, and
4 5-1 as follows:

5 (70 ILCS 2905/Act title)

6 An Act concerning local government ~~authorizing the~~
7 ~~reorganization of certain sanitary districts.~~

8 (70 ILCS 2905/1-1) (from Ch. 42, par. 501-1)

9 Sec. 1-1. This Act shall be known and may be cited as the
10 Metro-East Flood Prevention District Act ~~"Metro-East Sanitary~~
11 ~~District Act of 1974"~~.

12 (Source: P.A. 78-1017.)

13 (70 ILCS 2905/3-1) (from Ch. 42, par. 503-1)

14 Sec. 3-1. The district shall be governed by a Board of
15 Commissioners, consisting of 5 commissioners. Two of the
16 commissioners shall be residents of that portion of the
17 district in the county having the greater equalized assessed
18 valuation within the district's boundaries ~~of the district,~~
19 and 2 shall be residents of that portion of the district within
20 ~~in~~ the other county. The appointment of commissioners from
21 each county shall be made by the chairman of the county board
22 of that county with the advice and consent of the county board,

1 except that in the case of a home rule county as defined by
2 Article VII, Section 6, of the Constitution of 1970 the
3 appointment shall be made by the chief executive officer of
4 the county with the advice and consent of the county board.
5 Beginning on the effective date of this amendatory Act of the
6 101st General Assembly, the mayor, or his or her designee, of
7 the largest municipality in the county having the greater
8 equalized assessed valuation within the district's boundaries
9 ~~of the district~~ shall be an ex officio commissioner with a
10 right to vote. If there is not a vacant commissioner position
11 from the county having the greater equalized assessed
12 valuation on the effective date of this amendatory Act of the
13 101st General Assembly, then the term of the last appointed
14 commissioner from that county is terminated on the effective
15 date of this amendatory Act of the 101st General Assembly.

16 The appointed commissioners from each county may not be
17 from the same political party.

18 The County Board Chairman of either county may remove any
19 of the appointed commissioners from his or her county with the
20 advice and consent of the county board.

21 In the first appointments to the Board of Commissioners,
22 the appointing authority appointing 3 directors shall
23 designate one appointee to serve for a term of one year, one
24 for a term of 3 years and one for a term of 5 years, and the
25 appointing authority appointing 2 directors shall designate
26 one to serve for a term of 2 years and one for a term of 4

1 years. Thereafter one commissioner shall be appointed by the
2 appropriate appointing authority each year for a term of 5
3 years to succeed the director whose term expires in that year.
4 Any vacancy on the Board of Commissioners shall be filled by
5 appointment by the appropriate appointing authority for the
6 remainder of the unexpired term.

7 For the purpose of determining the ex officio
8 commissioner, the county having the greater equalized assessed
9 valuation of the district shall be established on January 1 of
10 each year, and the ex officio commissioner shall serve until
11 January 1 of the following year.

12 (Source: P.A. 101-308, eff. 1-1-20.)

13 (70 ILCS 2905/5-1) (from Ch. 42, par. 505-1)

14 Sec. 5-1. Taxes; levy.

15 (a) The board may levy and collect taxes for corporate
16 purposes on taxable property within the corporate boundaries
17 of the district including property annexed pursuant to Section
18 2-11. Such taxes shall be levied by ordinance specifying the
19 purposes for which the same are required, and a certified copy
20 of such ordinance shall be filed with the county clerk of the
21 county in which the predecessor district was organized, on or
22 before the second Tuesday in August, as provided in Section
23 122 of the Revenue Act of 1939 (superseded by Section 14-10 of
24 the Property Tax Code). Any excess funds accumulated prior to
25 January 1, 2008 by the sanitary district that are collected by

1 levying taxes pursuant to 745 ILCS 10/9-107 may be expended by
2 the sanitary district to maintain, repair, improve, or
3 construct levees or any part of the levee system and to provide
4 capital moneys for levee or river-related scientific studies,
5 including the construction of facilities for such purposes.
6 For the purposes of this subsection (a), the excess funds
7 withdrawn from the Local Governmental and Governmental
8 Employees Tort Immunity Fund may not be more than 90% of the
9 balance of that fund on December 31, 2007. After the
10 assessment for the current year has been equalized by the
11 Department of Revenue, the board shall, as soon as may be,
12 ascertain and certify to such county clerk the total value of
13 all taxable property lying within the corporate limits of such
14 districts in each of the counties in which the district is
15 situated, as the same is assessed and equalized for tax
16 purposes for the current year. The county clerk shall
17 ascertain the rate per cent which, upon the total valuation of
18 all such property, ascertained as above stated, would produce
19 a net amount not less than the amount so directed to be levied;
20 and the clerk shall, without delay, certify under his
21 signature and seal of office to the county clerk of such other
22 county, in which a portion of the district is situated such
23 rate per cent; and it shall be the duty of each of the county
24 clerks to extend such tax in a separate column upon the books
25 of the collector or collectors of the county taxes for the
26 counties, against all property in their respective counties,

1 within the limits of the district. All taxes so levied and
2 certified shall be collected and enforced in the same manner,
3 and by the same officers as county taxes, and shall be paid
4 over by the officers collecting the same, to the treasurer of
5 the sanitary district, in the manner and at the time provided
6 by the Property Tax Code. The aggregate amount of taxes levied
7 for any one year, exclusive of the amount levied for the
8 payment of bonded indebtedness and interest thereon, shall not
9 exceed the rate of .20%, or the rate limitation of the
10 predecessor district in effect on July 1, 1967, or the rate
11 limitation set by subsection (b) whichever is greater, of
12 value, as equalized or assessed by the Department of Revenue.
13 The foregoing limitations upon tax rates may be increased or
14 decreased under the referendum provisions of the Property Tax
15 Code.

16 (b) The tax rate limit of the district may be changed to
17 .478% of the value of property as equalized or assessed by the
18 Department of Revenue for a period of 5 years and to .312% of
19 such value thereafter upon the approval of the electors of the
20 district of such a proposition submitted at any regular
21 election pursuant to a resolution of the board of
22 commissioners or submitted at an election for officers of the
23 counties of St. Clair and Madison in accordance with the
24 general election law upon a petition signed by not fewer than
25 10% of the legal voters in the district, which percentage
26 shall be determined on the basis of the number of votes cast at

1 the last general election preceding the filing of such
 2 petition specifying the tax rate to be submitted. Such
 3 petition shall be filed with the executive director of the
 4 district not more than 10 months nor less than 5 months prior
 5 to the election at which the question is to be submitted to the
 6 voters of the district, and its validity shall be determined
 7 as provided by the general election law. The executive
 8 director shall certify the question to the proper election
 9 officials, who shall submit the question to the voters.

10 Notice shall be given in the manner provided by the
 11 general election law.

12 Referenda initiated under this subsection shall be subject
 13 to the provisions and limitations of the general election law.

14 The question shall be in substantially the following form:

15 -----

16 Shall the maximum tax rate
 17 for the Metro-East Flood Prevention District ~~Metro-East~~
 18 ~~Sanitary~~
 19 ~~District~~ be established at YES
 20 .478% of the equalized assessed
 21 value for 5 years and then at .312% -----
 22 of the equalized assessed value
 23 thereafter, instead of .2168%, the NO
 24 maximum rate otherwise applicable
 25 to the next taxes to be extended?

26 -----

1 The ballot shall have printed thereon, but not as a part of
2 the proposition submitted, an estimate of the approximate
3 amount extendable under the proposed rate and of the
4 approximate amount extendable under the rate otherwise
5 applicable to the next taxes to be extended, such amounts
6 being computed upon the last known equalized assessed value;
7 provided, that any error, miscalculation or inaccuracy in
8 computing such amounts shall not invalidate or affect the
9 validity of any tax rate limit so adopted.

10 If a majority of all ballots cast on such proposition
11 shall be in favor of the proposition, the tax rate limit so
12 established shall become effective with the levy next
13 following the referendum; provided that nothing in this
14 subsection shall be construed as precluding the extension of
15 taxes at rates less than that authorized by such referendum.

16 Except as herein otherwise provided, the referenda
17 authorized by the terms of this subsection shall be conducted
18 in all respects in the manner provided by the general election
19 law.

20 (Source: P.A. 95-723, eff. 6-23-08; 96-1070, eff. 1-1-11.)

21 Section 40. The Public Utilities Act is amended by
22 changing Section 5-106 as follows:

23 (220 ILCS 5/5-106) (from Ch. 111 2/3, par. 5-106)

24 Sec. 5-106. Each public utility shall have an office in

1 one of the cities, villages or incorporated towns in this
2 State in which its property or some part thereof is located,
3 and shall keep in said office all such books, accounts,
4 papers, records and memoranda as shall be ordered by the
5 Commission to be kept within the State. The address of such
6 office shall be filed with the Commission. No books, accounts,
7 papers, records or memoranda ordered by the Commission to be
8 kept within the State shall be at any time removed from the
9 State, except upon such conditions as may be prescribed by the
10 Commission.

11 Each public utility shall be liable for, and upon proper
12 invoice from the Commission shall promptly reimburse the
13 Commission for, the reasonable costs and expenses associated
14 with the audit or inspection of any books, accounts, papers,
15 records and memoranda kept outside the State.

16 In the case of a public utility that provides drinking
17 water services, upon the request of a municipal wastewater
18 agency or unit of local government organized under the
19 Sanitary District Act of 1907, the North Shore Water
20 Reclamation District Act, the Sanitary District Act of 1917,
21 the Metropolitan Water Reclamation District Act, the Sanitary
22 District Act of 1936, the Metro-East Flood Prevention District
23 Act ~~Metro-East Sanitary District Act of 1974~~, or the Eastern
24 Will Sanitary District Act, such public utility shall provide
25 timely and accurate water usage data, in a format identifiable
26 to the requester, for purposes of calculating wastewater

1 billings. The public utility shall be entitled to collect its
2 reasonable costs incurred to provide such data.

3 (Source: P.A. 103-716, eff. 1-1-25.)

4 Section 45. The Eminent Domain Act is amended by changing
5 Section 15-5-15 as follows:

6 (735 ILCS 30/15-5-15)

7 (Text of Section before amendment by P.A. 104-457)

8 Sec. 15-5-15. Eminent domain powers in ILCS Chapters 70
9 through 75. The following provisions of law may include
10 express grants of the power to acquire property by
11 condemnation or eminent domain:

12 (70 ILCS 5/8.02 and 5/9); Airport Authorities Act; airport
13 authorities; for public airport facilities.

14 (70 ILCS 5/8.05 and 5/9); Airport Authorities Act; airport
15 authorities; for removal of airport hazards.

16 (70 ILCS 5/8.06 and 5/9); Airport Authorities Act; airport
17 authorities; for reduction of the height of objects or
18 structures.

19 (70 ILCS 10/4); Interstate Airport Authorities Act; interstate
20 airport authorities; for general purposes.

21 (70 ILCS 15/3); Kankakee River Valley Area Airport Authority
22 Act; Kankakee River Valley Area Airport Authority; for
23 acquisition of land for airports.

- 1 (70 ILCS 200/2-20); Civic Center Code; civic center
2 authorities; for grounds, centers, buildings, and parking.
- 3 (70 ILCS 200/5-35); Civic Center Code; Aledo Civic Center
4 Authority; for grounds, centers, buildings, and parking.
- 5 (70 ILCS 200/10-15); Civic Center Code; Aurora Metropolitan
6 Exposition, Auditorium and Office Building Authority; for
7 grounds, centers, buildings, and parking.
- 8 (70 ILCS 200/15-40); Civic Center Code; Benton Civic Center
9 Authority; for grounds, centers, buildings, and parking.
- 10 (70 ILCS 200/20-15); Civic Center Code; Bloomington Civic
11 Center Authority; for grounds, centers, buildings, and
12 parking.
- 13 (70 ILCS 200/35-35); Civic Center Code; Brownstown Park
14 District Civic Center Authority; for grounds, centers,
15 buildings, and parking.
- 16 (70 ILCS 200/40-35); Civic Center Code; Carbondale Civic
17 Center Authority; for grounds, centers, buildings, and
18 parking.
- 19 (70 ILCS 200/55-60); Civic Center Code; Chicago South Civic
20 Center Authority; for grounds, centers, buildings, and
21 parking.
- 22 (70 ILCS 200/60-30); Civic Center Code; Collinsville
23 Metropolitan Exposition, Auditorium and Office Building
24 Authority; for grounds, centers, buildings, and parking.
- 25 (70 ILCS 200/70-35); Civic Center Code; Crystal Lake Civic
26 Center Authority; for grounds, centers, buildings, and

1 parking.

2 (70 ILCS 200/75-20); Civic Center Code; Decatur Metropolitan
3 Exposition, Auditorium and Office Building Authority; for
4 grounds, centers, buildings, and parking.

5 (70 ILCS 200/80-15); Civic Center Code; DuPage County
6 Metropolitan Exposition, Auditorium and Office Building
7 Authority; for grounds, centers, buildings, and parking.

8 (70 ILCS 200/85-35); Civic Center Code; Elgin Metropolitan
9 Exposition, Auditorium and Office Building Authority; for
10 grounds, centers, buildings, and parking.

11 (70 ILCS 200/95-25); Civic Center Code; Herrin Metropolitan
12 Exposition, Auditorium and Office Building Authority; for
13 grounds, centers, buildings, and parking.

14 (70 ILCS 200/110-35); Civic Center Code; Illinois Valley Civic
15 Center Authority; for grounds, centers, buildings, and
16 parking.

17 (70 ILCS 200/115-35); Civic Center Code; Jasper County Civic
18 Center Authority; for grounds, centers, buildings, and
19 parking.

20 (70 ILCS 200/120-25); Civic Center Code; Jefferson County
21 Metropolitan Exposition, Auditorium and Office Building
22 Authority; for grounds, centers, buildings, and parking.

23 (70 ILCS 200/125-15); Civic Center Code; Jo Daviess County
24 Civic Center Authority; for grounds, centers, buildings,
25 and parking.

26 (70 ILCS 200/130-30); Civic Center Code; Katherine Dunham

1 Metropolitan Exposition, Auditorium and Office Building
2 Authority; for grounds, centers, buildings, and parking.
3 (70 ILCS 200/145-35); Civic Center Code; Marengo Civic Center
4 Authority; for grounds, centers, buildings, and parking.
5 (70 ILCS 200/150-35); Civic Center Code; Mason County Civic
6 Center Authority; for grounds, centers, buildings, and
7 parking.
8 (70 ILCS 200/155-15); Civic Center Code; Matteson Metropolitan
9 Civic Center Authority; for grounds, centers, buildings,
10 and parking.
11 (70 ILCS 200/160-35); Civic Center Code; Maywood Civic Center
12 Authority; for grounds, centers, buildings, and parking.
13 (70 ILCS 200/165-35); Civic Center Code; Melrose Park
14 Metropolitan Exposition Auditorium and Office Building
15 Authority; for grounds, centers, buildings, and parking.
16 (70 ILCS 200/170-20); Civic Center Code; certain Metropolitan
17 Exposition, Auditorium and Office Building Authorities;
18 for general purposes.
19 (70 ILCS 200/180-35); Civic Center Code; Normal Civic Center
20 Authority; for grounds, centers, buildings, and parking.
21 (70 ILCS 200/185-15); Civic Center Code; Oak Park Civic Center
22 Authority; for grounds, centers, buildings, and parking.
23 (70 ILCS 200/195-35); Civic Center Code; Ottawa Civic Center
24 Authority; for grounds, centers, buildings, and parking.
25 (70 ILCS 200/200-15); Civic Center Code; Pekin Civic Center
26 Authority; for grounds, centers, buildings, and parking.

1 (70 ILCS 200/205-15); Civic Center Code; Peoria Civic Center
2 Authority; for grounds, centers, buildings, and parking.

3 (70 ILCS 200/210-35); Civic Center Code; Pontiac Civic Center
4 Authority; for grounds, centers, buildings, and parking.

5 (70 ILCS 200/215-15); Civic Center Code; Illinois Quad City
6 Civic Center Authority; for grounds, centers, buildings,
7 and parking.

8 (70 ILCS 200/220-30); Civic Center Code; Quincy Metropolitan
9 Exposition, Auditorium and Office Building Authority; for
10 grounds, centers, buildings, and parking.

11 (70 ILCS 200/225-35); Civic Center Code; Randolph County Civic
12 Center Authority; for grounds, centers, buildings, and
13 parking.

14 (70 ILCS 200/230-35); Civic Center Code; River Forest
15 Metropolitan Exposition, Auditorium and Office Building
16 Authority; for grounds, centers, buildings, and parking.

17 (70 ILCS 200/235-40); Civic Center Code; Riverside Civic
18 Center Authority; for grounds, centers, buildings, and
19 parking.

20 (70 ILCS 200/245-35); Civic Center Code; Salem Civic Center
21 Authority; for grounds, centers, buildings, and parking.

22 (70 ILCS 200/255-20); Civic Center Code; Springfield
23 Metropolitan Exposition and Auditorium Authority; for
24 grounds, centers, and parking.

25 (70 ILCS 200/260-35); Civic Center Code; Sterling Metropolitan
26 Exposition, Auditorium and Office Building Authority; for

1 grounds, centers, buildings, and parking.

2 (70 ILCS 200/265-20); Civic Center Code; Vermilion County
3 Metropolitan Exposition, Auditorium and Office Building
4 Authority; for grounds, centers, buildings, and parking.

5 (70 ILCS 200/270-35); Civic Center Code; Waukegan Civic Center
6 Authority; for grounds, centers, buildings, and parking.

7 (70 ILCS 200/275-35); Civic Center Code; West Frankfort Civic
8 Center Authority; for grounds, centers, buildings, and
9 parking.

10 (70 ILCS 200/280-20); Civic Center Code; Will County
11 Metropolitan Exposition and Auditorium Authority; for
12 grounds, centers, and parking.

13 (70 ILCS 210/5); Metropolitan Pier and Exposition Authority
14 Act; Metropolitan Pier and Exposition Authority; for
15 general purposes, including quick-take power.

16 (70 ILCS 405/22.04); Soil and Water Conservation Districts
17 Act; soil and water conservation districts; for general
18 purposes.

19 (70 ILCS 410/10 and 410/12); Conservation District Act;
20 conservation districts; for open space, wildland, scenic
21 roadway, pathway, outdoor recreation, or other
22 conservation benefits.

23 (70 ILCS 503/25); Chanute-Rantoul National Aviation Center
24 Redevelopment Commission Act; Chanute-Rantoul National
25 Aviation Center Redevelopment Commission; for general
26 purposes.

1 (70 ILCS 507/15); Fort Sheridan Redevelopment Commission Act;
2 Fort Sheridan Redevelopment Commission; for general
3 purposes or to carry out comprehensive or redevelopment
4 plans.

5 (70 ILCS 520/8); Southwestern Illinois Development Authority
6 Act; Southwestern Illinois Development Authority; for
7 general purposes, including quick-take power.

8 (70 ILCS 605/4-17 and 605/5-7); Illinois Drainage Code;
9 drainage districts; for general purposes.

10 (70 ILCS 615/5 and 615/6); Chicago Drainage District Act;
11 corporate authorities; for construction and maintenance of
12 works.

13 (70 ILCS 705/10); Fire Protection District Act; fire
14 protection districts; for general purposes.

15 (70 ILCS 750/20); Flood Prevention District Act; flood
16 prevention districts; for general purposes.

17 (70 ILCS 805/6); Downstate Forest Preserve District Act;
18 certain forest preserve districts; for general purposes.

19 (70 ILCS 805/18.8); Downstate Forest Preserve District Act;
20 certain forest preserve districts; for recreational and
21 cultural facilities.

22 (70 ILCS 810/8); Cook County Forest Preserve District Act;
23 Forest Preserve District of Cook County; for general
24 purposes.

25 (70 ILCS 810/38); Cook County Forest Preserve District Act;
26 Forest Preserve District of Cook County; for recreational

1 facilities.

2 (70 ILCS 910/15 and 910/16); Hospital District Law; hospital
3 districts; for hospitals or hospital facilities.

4 (70 ILCS 915/3); Illinois Medical District Act; Illinois
5 Medical District Commission; for general purposes.

6 (70 ILCS 915/4.5); Illinois Medical District Act; Illinois
7 Medical District Commission; quick-take power for the
8 Illinois State Police Forensic Science Laboratory
9 (obsolete).

10 (70 ILCS 920/5); Tuberculosis Sanitarium District Act;
11 tuberculosis sanitarium districts; for tuberculosis
12 sanitariums.

13 (70 ILCS 925/20); Mid-Illinois Medical District Act;
14 Mid-Illinois Medical District; for general purposes.

15 (70 ILCS 930/20); Mid-America Medical District Act;
16 Mid-America Medical District Commission; for general
17 purposes.

18 (70 ILCS 935/20); Roseland Community Medical District Act;
19 medical district; for general purposes.

20 (70 ILCS 1005/7); Mosquito Abatement District Act; mosquito
21 abatement districts; for general purposes.

22 (70 ILCS 1105/8); Museum District Act; museum districts; for
23 general purposes.

24 (70 ILCS 1205/7-1); Park District Code; park districts; for
25 streets and other purposes.

26 (70 ILCS 1205/8-1); Park District Code; park districts; for

1 parks.

2 (70 ILCS 1205/9-2 and 1205/9-4); Park District Code; park
3 districts; for airports and landing fields.

4 (70 ILCS 1205/11-2 and 1205/11-3); Park District Code; park
5 districts; for State land abutting public water and
6 certain access rights.

7 (70 ILCS 1205/11.1-3); Park District Code; park districts; for
8 harbors.

9 (70 ILCS 1225/2); Park Commissioners Land Condemnation Act;
10 park districts; for street widening.

11 (70 ILCS 1230/1 and 1230/1-a); Park Commissioners Water
12 Control Act; park districts; for parks, boulevards,
13 driveways, parkways, viaducts, bridges, or tunnels.

14 (70 ILCS 1250/2); Park Commissioners Street Control (1889)
15 Act; park districts; for boulevards or driveways.

16 (70 ILCS 1290/1); Park District Aquarium and Museum Act;
17 municipalities or park districts; for aquariums or
18 museums.

19 (70 ILCS 1305/2); Park District Airport Zoning Act; park
20 districts; for restriction of the height of structures.

21 (70 ILCS 1310/5); Park District Elevated Highway Act; park
22 districts; for elevated highways.

23 (70 ILCS 1505/15); Chicago Park District Act; Chicago Park
24 District; for parks and other purposes.

25 (70 ILCS 1505/25.1); Chicago Park District Act; Chicago Park
26 District; for parking lots or garages.

1 (70 ILCS 1505/26.3); Chicago Park District Act; Chicago Park
2 District; for harbors.

3 (70 ILCS 1570/5); Lincoln Park Commissioners Land Condemnation
4 Act; Lincoln Park Commissioners; for land and interests in
5 land, including riparian rights.

6 (70 ILCS 1801/30); Alexander-Cairo Port District Act;
7 Alexander-Cairo Port District; for general purposes.

8 (70 ILCS 1805/8); Havana Regional Port District Act; Havana
9 Regional Port District; for general purposes.

10 (70 ILCS 1810/7); Illinois International Port District Act;
11 Illinois International Port District; for general
12 purposes.

13 (70 ILCS 1815/13); Illinois Valley Regional Port District Act;
14 Illinois Valley Regional Port District; for general
15 purposes.

16 (70 ILCS 1820/4); Jackson-Union Counties Regional Port
17 District Act; Jackson-Union Counties Regional Port
18 District; for removal of airport hazards or reduction of
19 the height of objects or structures.

20 (70 ILCS 1820/5); Jackson-Union Counties Regional Port
21 District Act; Jackson-Union Counties Regional Port
22 District; for general purposes.

23 (70 ILCS 1825/4.9); Joliet Regional Port District Act; Joliet
24 Regional Port District; for removal of airport hazards.

25 (70 ILCS 1825/4.10); Joliet Regional Port District Act; Joliet
26 Regional Port District; for reduction of the height of

1 objects or structures.

2 (70 ILCS 1825/4.18); Joliet Regional Port District Act; Joliet
3 Regional Port District; for removal of hazards from ports
4 and terminals.

5 (70 ILCS 1825/5); Joliet Regional Port District Act; Joliet
6 Regional Port District; for general purposes.

7 (70 ILCS 1830/7.1); Kaskaskia Regional Port District Act;
8 Kaskaskia Regional Port District; for removal of hazards
9 from ports and terminals.

10 (70 ILCS 1830/14); Kaskaskia Regional Port District Act;
11 Kaskaskia Regional Port District; for general purposes.

12 (70 ILCS 1831/30); Massac-Metropolis Port District Act;
13 Massac-Metropolis Port District; for general purposes.

14 (70 ILCS 1835/5.10); Mt. Carmel Regional Port District Act;
15 Mt. Carmel Regional Port District; for removal of airport
16 hazards.

17 (70 ILCS 1837/30); Ottawa Port District Act; Ottawa Port
18 District; for general purposes.

19 (70 ILCS 1842/30 and 1842/35); Rock Island Regional Port
20 District Act; Rock Island Regional Port District and
21 participating municipalities; for general Port District
22 purposes.

23 (70 ILCS 1845/4.9); Seneca Regional Port District Act; Seneca
24 Regional Port District; for removal of airport hazards.

25 (70 ILCS 1845/4.10); Seneca Regional Port District Act; Seneca
26 Regional Port District; for reduction of the height of

1 objects or structures.

2 (70 ILCS 1845/5); Seneca Regional Port District Act; Seneca
3 Regional Port District; for general purposes.

4 (70 ILCS 1850/4); Shawneetown Regional Port District Act;
5 Shawneetown Regional Port District; for removal of airport
6 hazards or reduction of the height of objects or
7 structures.

8 (70 ILCS 1850/5); Shawneetown Regional Port District Act;
9 Shawneetown Regional Port District; for general purposes.

10 (70 ILCS 1860/4); Tri-City Regional Port District Act;
11 Tri-City Regional Port District; for removal of airport
12 hazards.

13 (70 ILCS 1860/5); Tri-City Regional Port District Act;
14 Tri-City Regional Port District; for the development of
15 facilities.

16 (70 ILCS 1863/11); Upper Mississippi River International Port
17 District Act; Upper Mississippi River International Port
18 District; for general purposes.

19 (70 ILCS 1865/4.9); Waukegan Port District Act; Waukegan Port
20 District; for removal of airport hazards.

21 (70 ILCS 1865/4.10); Waukegan Port District Act; Waukegan Port
22 District; for restricting the height of objects or
23 structures.

24 (70 ILCS 1865/5); Waukegan Port District Act; Waukegan Port
25 District; for the development of facilities.

26 (70 ILCS 1905/16); Railroad Terminal Authority Act; Railroad

1 Terminal Authority (Chicago); for general purposes.
2 (70 ILCS 2105/9b); River Conservancy Districts Act; river
3 conservancy districts; for general purposes.
4 (70 ILCS 2105/10a); River Conservancy Districts Act; river
5 conservancy districts; for corporate purposes.
6 (70 ILCS 2205/15); Sanitary District Act of 1907; sanitary
7 districts; for corporate purposes.
8 (70 ILCS 2205/18); Sanitary District Act of 1907; sanitary
9 districts; for improvements and works.
10 (70 ILCS 2205/19); Sanitary District Act of 1907; sanitary
11 districts; for access to property.
12 (70 ILCS 2305/8); North Shore Water Reclamation District Act;
13 North Shore Water Reclamation District; for corporate
14 purposes.
15 (70 ILCS 2305/15); North Shore Water Reclamation District Act;
16 North Shore Water Reclamation District; for improvements.
17 (70 ILCS 2405/7.9); Sanitary District Act of 1917; Sanitary
18 District of Decatur; for carrying out agreements to sell,
19 convey, or disburse treated wastewater to a private
20 entity.
21 (70 ILCS 2405/8); Sanitary District Act of 1917; sanitary
22 districts; for corporate purposes.
23 (70 ILCS 2405/15); Sanitary District Act of 1917; sanitary
24 districts; for improvements.
25 (70 ILCS 2405/16.9 and 2405/16.10); Sanitary District Act of
26 1917; sanitary districts; for waterworks.

1 (70 ILCS 2405/17.2); Sanitary District Act of 1917; sanitary
2 districts; for public sewer and water utility treatment
3 works.

4 (70 ILCS 2405/18); Sanitary District Act of 1917; sanitary
5 districts; for dams or other structures to regulate water
6 flow.

7 (70 ILCS 2605/8); Metropolitan Water Reclamation District Act;
8 Metropolitan Water Reclamation District; for corporate
9 purposes.

10 (70 ILCS 2605/16); Metropolitan Water Reclamation District
11 Act; Metropolitan Water Reclamation District; quick-take
12 power for improvements.

13 (70 ILCS 2605/17); Metropolitan Water Reclamation District
14 Act; Metropolitan Water Reclamation District; for bridges.

15 (70 ILCS 2605/35); Metropolitan Water Reclamation District
16 Act; Metropolitan Water Reclamation District; for widening
17 and deepening a navigable stream.

18 (70 ILCS 2805/10); Sanitary District Act of 1936; sanitary
19 districts; for corporate purposes.

20 (70 ILCS 2805/24); Sanitary District Act of 1936; sanitary
21 districts; for improvements.

22 (70 ILCS 2805/26i and 2805/26j); Sanitary District Act of
23 1936; sanitary districts; for drainage systems.

24 (70 ILCS 2805/27); Sanitary District Act of 1936; sanitary
25 districts; for dams or other structures to regulate water
26 flow.

1 (70 ILCS 2805/32k); Sanitary District Act of 1936; sanitary
2 districts; for water supply.

3 (70 ILCS 2805/32l); Sanitary District Act of 1936; sanitary
4 districts; for waterworks.

5 (70 ILCS 2905/2-7); Metro-East Flood Prevention District Act
6 ~~Metro East Sanitary District Act of 1974~~; Metro-East Flood
7 Prevention District ~~Metro East Sanitary District~~; for
8 corporate purposes.

9 (70 ILCS 2905/2-8); Metro-East Flood Prevention District Act
10 ~~Metro East Sanitary District Act of 1974~~; Metro-East Flood
11 Prevention District ~~Metro East Sanitary District~~; for
12 access to property.

13 (70 ILCS 3010/10); Sanitary District Revenue Bond Act;
14 sanitary districts; for sewerage systems.

15 (70 ILCS 3205/12); Illinois Sports Facilities Authority Act;
16 Illinois Sports Facilities Authority; quick-take power for
17 its corporate purposes (obsolete).

18 (70 ILCS 3405/16); Surface Water Protection District Act;
19 surface water protection districts; for corporate
20 purposes.

21 (70 ILCS 3605/7); Metropolitan Transit Authority Act; Chicago
22 Transit Authority; for transportation systems.

23 (70 ILCS 3605/8); Metropolitan Transit Authority Act; Chicago
24 Transit Authority; for general purposes.

25 (70 ILCS 3605/10); Metropolitan Transit Authority Act; Chicago
26 Transit Authority; for general purposes, including

1 railroad property.
2 (70 ILCS 3610/3 and 3610/5); Local Mass Transit District Act;
3 local mass transit districts; for general purposes.
4 (70 ILCS 3615/2.13); Regional Transportation Authority Act;
5 Regional Transportation Authority; for general purposes.
6 (70 ILCS 3705/8 and 3705/12); Public Water District Act;
7 public water districts; for waterworks.
8 (70 ILCS 3705/23a); Public Water District Act; public water
9 districts; for sewerage properties.
10 (70 ILCS 3705/23e); Public Water District Act; public water
11 districts; for combined waterworks and sewerage systems.
12 (70 ILCS 3715/6); Water Authorities Act; water authorities;
13 for facilities to ensure adequate water supply.
14 (70 ILCS 3715/27); Water Authorities Act; water authorities;
15 for access to property.
16 (75 ILCS 5/4-7); Illinois Local Library Act; boards of library
17 trustees; for library buildings.
18 (75 ILCS 16/30-55.80); Public Library District Act of 1991;
19 public library districts; for general purposes.
20 (75 ILCS 65/1 and 65/3); Libraries in Parks Act; corporate
21 authorities of city or park district, or board of park
22 commissioners; for free public library buildings.
23 (Source: 104-435, eff. 11-21-25; 104-454, eff. 12-12-25;
24 revised 1-8-26.)

25 (Text of Section after amendment by P.A. 104-457)

1 Sec. 15-5-15. Eminent domain powers in ILCS Chapters 70
2 through 75. The following provisions of law may include
3 express grants of the power to acquire property by
4 condemnation or eminent domain:

5 (70 ILCS 5/8.02 and 5/9); Airport Authorities Act; airport
6 authorities; for public airport facilities.

7 (70 ILCS 5/8.05 and 5/9); Airport Authorities Act; airport
8 authorities; for removal of airport hazards.

9 (70 ILCS 5/8.06 and 5/9); Airport Authorities Act; airport
10 authorities; for reduction of the height of objects or
11 structures.

12 (70 ILCS 10/4); Interstate Airport Authorities Act; interstate
13 airport authorities; for general purposes.

14 (70 ILCS 15/3); Kankakee River Valley Area Airport Authority
15 Act; Kankakee River Valley Area Airport Authority; for
16 acquisition of land for airports.

17 (70 ILCS 200/2-20); Civic Center Code; civic center
18 authorities; for grounds, centers, buildings, and parking.

19 (70 ILCS 200/5-35); Civic Center Code; Aledo Civic Center
20 Authority; for grounds, centers, buildings, and parking.

21 (70 ILCS 200/10-15); Civic Center Code; Aurora Metropolitan
22 Exposition, Auditorium and Office Building Authority; for
23 grounds, centers, buildings, and parking.

24 (70 ILCS 200/15-40); Civic Center Code; Benton Civic Center
25 Authority; for grounds, centers, buildings, and parking.

1 (70 ILCS 200/20-15); Civic Center Code; Bloomington Civic
2 Center Authority; for grounds, centers, buildings, and
3 parking.

4 (70 ILCS 200/35-35); Civic Center Code; Brownstown Park
5 District Civic Center Authority; for grounds, centers,
6 buildings, and parking.

7 (70 ILCS 200/40-35); Civic Center Code; Carbondale Civic
8 Center Authority; for grounds, centers, buildings, and
9 parking.

10 (70 ILCS 200/55-60); Civic Center Code; Chicago South Civic
11 Center Authority; for grounds, centers, buildings, and
12 parking.

13 (70 ILCS 200/60-30); Civic Center Code; Collinsville
14 Metropolitan Exposition, Auditorium and Office Building
15 Authority; for grounds, centers, buildings, and parking.

16 (70 ILCS 200/70-35); Civic Center Code; Crystal Lake Civic
17 Center Authority; for grounds, centers, buildings, and
18 parking.

19 (70 ILCS 200/75-20); Civic Center Code; Decatur Metropolitan
20 Exposition, Auditorium and Office Building Authority; for
21 grounds, centers, buildings, and parking.

22 (70 ILCS 200/80-15); Civic Center Code; DuPage County
23 Metropolitan Exposition, Auditorium and Office Building
24 Authority; for grounds, centers, buildings, and parking.

25 (70 ILCS 200/85-35); Civic Center Code; Elgin Metropolitan
26 Exposition, Auditorium and Office Building Authority; for

1 grounds, centers, buildings, and parking.

2 (70 ILCS 200/95-25); Civic Center Code; Herrin Metropolitan
3 Exposition, Auditorium and Office Building Authority; for
4 grounds, centers, buildings, and parking.

5 (70 ILCS 200/110-35); Civic Center Code; Illinois Valley Civic
6 Center Authority; for grounds, centers, buildings, and
7 parking.

8 (70 ILCS 200/115-35); Civic Center Code; Jasper County Civic
9 Center Authority; for grounds, centers, buildings, and
10 parking.

11 (70 ILCS 200/120-25); Civic Center Code; Jefferson County
12 Metropolitan Exposition, Auditorium and Office Building
13 Authority; for grounds, centers, buildings, and parking.

14 (70 ILCS 200/125-15); Civic Center Code; Jo Daviess County
15 Civic Center Authority; for grounds, centers, buildings,
16 and parking.

17 (70 ILCS 200/130-30); Civic Center Code; Katherine Dunham
18 Metropolitan Exposition, Auditorium and Office Building
19 Authority; for grounds, centers, buildings, and parking.

20 (70 ILCS 200/145-35); Civic Center Code; Marengo Civic Center
21 Authority; for grounds, centers, buildings, and parking.

22 (70 ILCS 200/150-35); Civic Center Code; Mason County Civic
23 Center Authority; for grounds, centers, buildings, and
24 parking.

25 (70 ILCS 200/155-15); Civic Center Code; Matteson Metropolitan
26 Civic Center Authority; for grounds, centers, buildings,

1 and parking.

2 (70 ILCS 200/160-35); Civic Center Code; Maywood Civic Center
3 Authority; for grounds, centers, buildings, and parking.

4 (70 ILCS 200/165-35); Civic Center Code; Melrose Park
5 Metropolitan Exposition Auditorium and Office Building
6 Authority; for grounds, centers, buildings, and parking.

7 (70 ILCS 200/170-20); Civic Center Code; certain Metropolitan
8 Exposition, Auditorium and Office Building Authorities;
9 for general purposes.

10 (70 ILCS 200/180-35); Civic Center Code; Normal Civic Center
11 Authority; for grounds, centers, buildings, and parking.

12 (70 ILCS 200/185-15); Civic Center Code; Oak Park Civic Center
13 Authority; for grounds, centers, buildings, and parking.

14 (70 ILCS 200/195-35); Civic Center Code; Ottawa Civic Center
15 Authority; for grounds, centers, buildings, and parking.

16 (70 ILCS 200/200-15); Civic Center Code; Pekin Civic Center
17 Authority; for grounds, centers, buildings, and parking.

18 (70 ILCS 200/205-15); Civic Center Code; Peoria Civic Center
19 Authority; for grounds, centers, buildings, and parking.

20 (70 ILCS 200/210-35); Civic Center Code; Pontiac Civic Center
21 Authority; for grounds, centers, buildings, and parking.

22 (70 ILCS 200/215-15); Civic Center Code; Illinois Quad City
23 Civic Center Authority; for grounds, centers, buildings,
24 and parking.

25 (70 ILCS 200/220-30); Civic Center Code; Quincy Metropolitan
26 Exposition, Auditorium and Office Building Authority; for

1 grounds, centers, buildings, and parking.

2 (70 ILCS 200/225-35); Civic Center Code; Randolph County Civic
3 Center Authority; for grounds, centers, buildings, and
4 parking.

5 (70 ILCS 200/230-35); Civic Center Code; River Forest
6 Metropolitan Exposition, Auditorium and Office Building
7 Authority; for grounds, centers, buildings, and parking.

8 (70 ILCS 200/235-40); Civic Center Code; Riverside Civic
9 Center Authority; for grounds, centers, buildings, and
10 parking.

11 (70 ILCS 200/245-35); Civic Center Code; Salem Civic Center
12 Authority; for grounds, centers, buildings, and parking.

13 (70 ILCS 200/255-20); Civic Center Code; Springfield
14 Metropolitan Exposition and Auditorium Authority; for
15 grounds, centers, and parking.

16 (70 ILCS 200/260-35); Civic Center Code; Sterling Metropolitan
17 Exposition, Auditorium and Office Building Authority; for
18 grounds, centers, buildings, and parking.

19 (70 ILCS 200/265-20); Civic Center Code; Vermilion County
20 Metropolitan Exposition, Auditorium and Office Building
21 Authority; for grounds, centers, buildings, and parking.

22 (70 ILCS 200/270-35); Civic Center Code; Waukegan Civic Center
23 Authority; for grounds, centers, buildings, and parking.

24 (70 ILCS 200/275-35); Civic Center Code; West Frankfort Civic
25 Center Authority; for grounds, centers, buildings, and
26 parking.

1 (70 ILCS 200/280-20); Civic Center Code; Will County
2 Metropolitan Exposition and Auditorium Authority; for
3 grounds, centers, and parking.

4 (70 ILCS 210/5); Metropolitan Pier and Exposition Authority
5 Act; Metropolitan Pier and Exposition Authority; for
6 general purposes, including quick-take power.

7 (70 ILCS 405/22.04); Soil and Water Conservation Districts
8 Act; soil and water conservation districts; for general
9 purposes.

10 (70 ILCS 410/10 and 410/12); Conservation District Act;
11 conservation districts; for open space, wildland, scenic
12 roadway, pathway, outdoor recreation, or other
13 conservation benefits.

14 (70 ILCS 503/25); Chanhute-Rantoul National Aviation Center
15 Redevelopment Commission Act; Chanhute-Rantoul National
16 Aviation Center Redevelopment Commission; for general
17 purposes.

18 (70 ILCS 507/15); Fort Sheridan Redevelopment Commission Act;
19 Fort Sheridan Redevelopment Commission; for general
20 purposes or to carry out comprehensive or redevelopment
21 plans.

22 (70 ILCS 520/8); Southwestern Illinois Development Authority
23 Act; Southwestern Illinois Development Authority; for
24 general purposes, including quick-take power.

25 (70 ILCS 605/4-17 and 605/5-7); Illinois Drainage Code;
26 drainage districts; for general purposes.

1 (70 ILCS 615/5 and 615/6); Chicago Drainage District Act;
2 corporate authorities; for construction and maintenance of
3 works.

4 (70 ILCS 705/10); Fire Protection District Act; fire
5 protection districts; for general purposes.

6 (70 ILCS 750/20); Flood Prevention District Act; flood
7 prevention districts; for general purposes.

8 (70 ILCS 805/6); Downstate Forest Preserve District Act;
9 certain forest preserve districts; for general purposes.

10 (70 ILCS 805/18.8); Downstate Forest Preserve District Act;
11 certain forest preserve districts; for recreational and
12 cultural facilities.

13 (70 ILCS 810/8); Cook County Forest Preserve District Act;
14 Forest Preserve District of Cook County; for general
15 purposes.

16 (70 ILCS 810/38); Cook County Forest Preserve District Act;
17 Forest Preserve District of Cook County; for recreational
18 facilities.

19 (70 ILCS 910/15 and 910/16); Hospital District Law; hospital
20 districts; for hospitals or hospital facilities.

21 (70 ILCS 915/3); Illinois Medical District Act; Illinois
22 Medical District Commission; for general purposes.

23 (70 ILCS 915/4.5); Illinois Medical District Act; Illinois
24 Medical District Commission; quick-take power for the
25 Illinois State Police Forensic Science Laboratory
26 (obsolete).

1 (70 ILCS 920/5); Tuberculosis Sanitarium District Act;
2 tuberculosis sanitarium districts; for tuberculosis
3 sanitariums.

4 (70 ILCS 925/20); Mid-Illinois Medical District Act;
5 Mid-Illinois Medical District; for general purposes.

6 (70 ILCS 930/20); Mid-America Medical District Act;
7 Mid-America Medical District Commission; for general
8 purposes.

9 (70 ILCS 935/20); Roseland Community Medical District Act;
10 medical district; for general purposes.

11 (70 ILCS 1005/7); Mosquito Abatement District Act; mosquito
12 abatement districts; for general purposes.

13 (70 ILCS 1105/8); Museum District Act; museum districts; for
14 general purposes.

15 (70 ILCS 1205/7-1); Park District Code; park districts; for
16 streets and other purposes.

17 (70 ILCS 1205/8-1); Park District Code; park districts; for
18 parks.

19 (70 ILCS 1205/9-2 and 1205/9-4); Park District Code; park
20 districts; for airports and landing fields.

21 (70 ILCS 1205/11-2 and 1205/11-3); Park District Code; park
22 districts; for State land abutting public water and
23 certain access rights.

24 (70 ILCS 1205/11.1-3); Park District Code; park districts; for
25 harbors.

26 (70 ILCS 1225/2); Park Commissioners Land Condemnation Act;

1 park districts; for street widening.

2 (70 ILCS 1230/1 and 1230/1-a); Park Commissioners Water
3 Control Act; park districts; for parks, boulevards,
4 driveways, parkways, viaducts, bridges, or tunnels.

5 (70 ILCS 1250/2); Park Commissioners Street Control (1889)
6 Act; park districts; for boulevards or driveways.

7 (70 ILCS 1290/1); Park District Aquarium and Museum Act;
8 municipalities or park districts; for aquariums or
9 museums.

10 (70 ILCS 1305/2); Park District Airport Zoning Act; park
11 districts; for restriction of the height of structures.

12 (70 ILCS 1310/5); Park District Elevated Highway Act; park
13 districts; for elevated highways.

14 (70 ILCS 1505/15); Chicago Park District Act; Chicago Park
15 District; for parks and other purposes.

16 (70 ILCS 1505/25.1); Chicago Park District Act; Chicago Park
17 District; for parking lots or garages.

18 (70 ILCS 1505/26.3); Chicago Park District Act; Chicago Park
19 District; for harbors.

20 (70 ILCS 1570/5); Lincoln Park Commissioners Land Condemnation
21 Act; Lincoln Park Commissioners; for land and interests in
22 land, including riparian rights.

23 (70 ILCS 1801/30); Alexander-Cairo Port District Act;
24 Alexander-Cairo Port District; for general purposes.

25 (70 ILCS 1805/8); Havana Regional Port District Act; Havana
26 Regional Port District; for general purposes.

1 (70 ILCS 1810/7); Illinois International Port District Act;
2 Illinois International Port District; for general
3 purposes.

4 (70 ILCS 1815/13); Illinois Valley Regional Port District Act;
5 Illinois Valley Regional Port District; for general
6 purposes.

7 (70 ILCS 1820/4); Jackson-Union Counties Regional Port
8 District Act; Jackson-Union Counties Regional Port
9 District; for removal of airport hazards or reduction of
10 the height of objects or structures.

11 (70 ILCS 1820/5); Jackson-Union Counties Regional Port
12 District Act; Jackson-Union Counties Regional Port
13 District; for general purposes.

14 (70 ILCS 1825/4.9); Joliet Regional Port District Act; Joliet
15 Regional Port District; for removal of airport hazards.

16 (70 ILCS 1825/4.10); Joliet Regional Port District Act; Joliet
17 Regional Port District; for reduction of the height of
18 objects or structures.

19 (70 ILCS 1825/4.18); Joliet Regional Port District Act; Joliet
20 Regional Port District; for removal of hazards from ports
21 and terminals.

22 (70 ILCS 1825/5); Joliet Regional Port District Act; Joliet
23 Regional Port District; for general purposes.

24 (70 ILCS 1830/7.1); Kaskaskia Regional Port District Act;
25 Kaskaskia Regional Port District; for removal of hazards
26 from ports and terminals.

1 (70 ILCS 1830/14); Kaskaskia Regional Port District Act;
2 Kaskaskia Regional Port District; for general purposes.

3 (70 ILCS 1831/30); Massac-Metropolis Port District Act;
4 Massac-Metropolis Port District; for general purposes.

5 (70 ILCS 1835/5.10); Mt. Carmel Regional Port District Act;
6 Mt. Carmel Regional Port District; for removal of airport
7 hazards.

8 (70 ILCS 1837/30); Ottawa Port District Act; Ottawa Port
9 District; for general purposes.

10 (70 ILCS 1842/30 and 1842/35); Rock Island Regional Port
11 District Act; Rock Island Regional Port District and
12 participating municipalities; for general Port District
13 purposes.

14 (70 ILCS 1845/4.9); Seneca Regional Port District Act; Seneca
15 Regional Port District; for removal of airport hazards.

16 (70 ILCS 1845/4.10); Seneca Regional Port District Act; Seneca
17 Regional Port District; for reduction of the height of
18 objects or structures.

19 (70 ILCS 1845/5); Seneca Regional Port District Act; Seneca
20 Regional Port District; for general purposes.

21 (70 ILCS 1850/4); Shawneetown Regional Port District Act;
22 Shawneetown Regional Port District; for removal of airport
23 hazards or reduction of the height of objects or
24 structures.

25 (70 ILCS 1850/5); Shawneetown Regional Port District Act;
26 Shawneetown Regional Port District; for general purposes.

1 (70 ILCS 1860/4); Tri-City Regional Port District Act;
2 Tri-City Regional Port District; for removal of airport
3 hazards.

4 (70 ILCS 1860/5); Tri-City Regional Port District Act;
5 Tri-City Regional Port District; for the development of
6 facilities.

7 (70 ILCS 1863/11); Upper Mississippi River International Port
8 District Act; Upper Mississippi River International Port
9 District; for general purposes.

10 (70 ILCS 1865/4.9); Waukegan Port District Act; Waukegan Port
11 District; for removal of airport hazards.

12 (70 ILCS 1865/4.10); Waukegan Port District Act; Waukegan Port
13 District; for restricting the height of objects or
14 structures.

15 (70 ILCS 1865/5); Waukegan Port District Act; Waukegan Port
16 District; for the development of facilities.

17 (70 ILCS 1905/16); Railroad Terminal Authority Act; Railroad
18 Terminal Authority (Chicago); for general purposes.

19 (70 ILCS 2105/9b); River Conservancy Districts Act; river
20 conservancy districts; for general purposes.

21 (70 ILCS 2105/10a); River Conservancy Districts Act; river
22 conservancy districts; for corporate purposes.

23 (70 ILCS 2205/15); Sanitary District Act of 1907; sanitary
24 districts; for corporate purposes.

25 (70 ILCS 2205/18); Sanitary District Act of 1907; sanitary
26 districts; for improvements and works.

1 (70 ILCS 2205/19); Sanitary District Act of 1907; sanitary
2 districts; for access to property.

3 (70 ILCS 2305/8); North Shore Water Reclamation District Act;
4 North Shore Water Reclamation District; for corporate
5 purposes.

6 (70 ILCS 2305/15); North Shore Water Reclamation District Act;
7 North Shore Water Reclamation District; for improvements.

8 (70 ILCS 2405/7.9); Sanitary District Act of 1917; Sanitary
9 District of Decatur; for carrying out agreements to sell,
10 convey, or disburse treated wastewater to a private
11 entity.

12 (70 ILCS 2405/8); Sanitary District Act of 1917; sanitary
13 districts; for corporate purposes.

14 (70 ILCS 2405/15); Sanitary District Act of 1917; sanitary
15 districts; for improvements.

16 (70 ILCS 2405/16.9 and 2405/16.10); Sanitary District Act of
17 1917; sanitary districts; for waterworks.

18 (70 ILCS 2405/17.2); Sanitary District Act of 1917; sanitary
19 districts; for public sewer and water utility treatment
20 works.

21 (70 ILCS 2405/18); Sanitary District Act of 1917; sanitary
22 districts; for dams or other structures to regulate water
23 flow.

24 (70 ILCS 2605/8); Metropolitan Water Reclamation District Act;
25 Metropolitan Water Reclamation District; for corporate
26 purposes.

1 (70 ILCS 2605/16); Metropolitan Water Reclamation District
2 Act; Metropolitan Water Reclamation District; quick-take
3 power for improvements.

4 (70 ILCS 2605/17); Metropolitan Water Reclamation District
5 Act; Metropolitan Water Reclamation District; for bridges.

6 (70 ILCS 2605/35); Metropolitan Water Reclamation District
7 Act; Metropolitan Water Reclamation District; for widening
8 and deepening a navigable stream.

9 (70 ILCS 2805/10); Sanitary District Act of 1936; sanitary
10 districts; for corporate purposes.

11 (70 ILCS 2805/24); Sanitary District Act of 1936; sanitary
12 districts; for improvements.

13 (70 ILCS 2805/26i and 2805/26j); Sanitary District Act of
14 1936; sanitary districts; for drainage systems.

15 (70 ILCS 2805/27); Sanitary District Act of 1936; sanitary
16 districts; for dams or other structures to regulate water
17 flow.

18 (70 ILCS 2805/32k); Sanitary District Act of 1936; sanitary
19 districts; for water supply.

20 (70 ILCS 2805/32l); Sanitary District Act of 1936; sanitary
21 districts; for waterworks.

22 (70 ILCS 2905/2-7); Metro-East Flood Prevention District Act
23 ~~Metro-East Sanitary District Act of 1974~~; Metro-East Flood
24 Prevention District ~~Metro-East Sanitary District~~; for
25 corporate purposes.

26 (70 ILCS 2905/2-8); Metro-East Flood Prevention District Act

1 ~~Metro East Sanitary District Act of 1974~~; Metro-East Flood
2 Prevention District ~~Metro East Sanitary District~~; for
3 access to property.

4 (70 ILCS 3010/10); Sanitary District Revenue Bond Act;
5 sanitary districts; for sewerage systems.

6 (70 ILCS 3205/12); Illinois Sports Facilities Authority Act;
7 Illinois Sports Facilities Authority; quick-take power for
8 its corporate purposes (obsolete).

9 (70 ILCS 3405/16); Surface Water Protection District Act;
10 surface water protection districts; for corporate
11 purposes.

12 (70 ILCS 3605/7); Chicago Transit Authority Act; Chicago
13 Transit Authority; for transportation systems.

14 (70 ILCS 3605/8); Chicago Transit Authority Act; Chicago
15 Transit Authority; for general purposes.

16 (70 ILCS 3605/10); Chicago Transit Authority Act; Chicago
17 Transit Authority; for general purposes, including
18 railroad property.

19 (70 ILCS 3610/3 and 3610/5); Local Mass Transit District Act;
20 local mass transit districts; for general purposes.

21 (70 ILCS 3615/2.13); Northern Illinois Transit Authority Act;
22 Northern Illinois Transit Authority; for general purposes.

23 (70 ILCS 3705/8 and 3705/12); Public Water District Act;
24 public water districts; for waterworks.

25 (70 ILCS 3705/23a); Public Water District Act; public water
26 districts; for sewerage properties.

1 (70 ILCS 3705/23e); Public Water District Act; public water
2 districts; for combined waterworks and sewerage systems.

3 (70 ILCS 3715/6); Water Authorities Act; water authorities;
4 for facilities to ensure adequate water supply.

5 (70 ILCS 3715/27); Water Authorities Act; water authorities;
6 for access to property.

7 (75 ILCS 5/4-7); Illinois Local Library Act; boards of library
8 trustees; for library buildings.

9 (75 ILCS 16/30-55.80); Public Library District Act of 1991;
10 public library districts; for general purposes.

11 (75 ILCS 65/1 and 65/3); Libraries in Parks Act; corporate
12 authorities of city or park district, or board of park
13 commissioners; for free public library buildings.

14 (Source: 104-435, eff. 11-21-25; 104-454, eff. 12-12-25;
15 104-457, Article 5, Section 5-925, eff. 6-1-26; 104-457,
16 Article 10, Section 10-75, eff. 6-1-26; 104-457, Article 15,
17 Section 15-210, eff. 6-1-26; revised 1-8-26.)

18 Section 50. The Local Governmental and Governmental
19 Employees Tort Immunity Act is amended by changing Section
20 9-107 as follows:

21 (745 ILCS 10/9-107) (from Ch. 85, par. 9-107)

22 Sec. 9-107. Policy; tax levy.

23 (a) The General Assembly finds that the purpose of this
24 Section is to provide an extraordinary tax for funding

1 expenses relating to (i) tort liability, (ii) liability
2 relating to actions brought under the federal Comprehensive
3 Environmental Response, Compensation, and Liability Act of
4 1980 or the Environmental Protection Act, but only until
5 December 31, 2010, (iii) insurance, and (iv) risk management
6 programs. Thus, the tax has been excluded from various
7 limitations otherwise applicable to tax levies.
8 Notwithstanding the extraordinary nature of the tax authorized
9 by this Section, however, it has become apparent that some
10 units of local government are using the tax revenue to fund
11 expenses more properly paid from general operating funds.
12 These uses of the revenue are inconsistent with the limited
13 purpose of the tax authorization.

14 Therefore, the General Assembly declares, as a matter of
15 policy, that (i) the use of the tax revenue authorized by this
16 Section for purposes not expressly authorized under this Act
17 is improper and (ii) the provisions of this Section shall be
18 strictly construed consistent with this declaration and the
19 Act's express purposes.

20 (b) A local public entity may annually levy or have levied
21 on its behalf taxes upon all taxable property within its
22 territory at a rate that will produce a sum that will be
23 sufficient to: (i) pay the cost of insurance, individual or
24 joint self-insurance (including reserves thereon), including
25 all operating and administrative costs and expenses directly
26 associated therewith, claims services and risk management

1 directly attributable to loss prevention and loss reduction,
2 legal services directly attributable to the insurance,
3 self-insurance, or joint self-insurance program, and
4 educational, inspectional, and supervisory services directly
5 relating to loss prevention and loss reduction, participation
6 in a reciprocal insurer as provided in Sections 72, 76, and 81
7 of the Illinois Insurance Code, or participation in a
8 reciprocal insurer, all as provided in settlements or
9 judgments under Section 9-102, including all costs and
10 reserves directly attributable to being a member of an
11 insurance pool, under Section 9-103; (ii) pay the costs of and
12 principal and interest on bonds issued under Section 9-105;
13 (iii) pay judgments and settlements under Section 9-104 of
14 this Act; (iv) discharge obligations under Section 34-18.1 of
15 the School Code or make transfers under Section 17-2A of the
16 School Code; (v) pay judgments and settlements under the
17 federal Comprehensive Environmental Response, Compensation,
18 and Liability Act of 1980 and the Environmental Protection
19 Act, but only until December 31, 2010; (vi) pay the costs
20 authorized by the Metro-East Flood Prevention District Act
21 ~~Metro-East Sanitary District Act of 1974~~ as provided in
22 subsection (a) of Section 5-1 of that Act; and (vii) pay the
23 cost of risk management programs. Provided it complies with
24 any other applicable statutory requirements, the local public
25 entity may self-insure and establish reserves for expected
26 losses for any property damage or for any liability or loss for

1 which the local public entity is authorized to levy or have
2 levied on its behalf taxes for the purchase of insurance or the
3 payment of judgments or settlements under this Section. The
4 decision of the board to establish a reserve shall be based on
5 reasonable actuarial or insurance underwriting evidence and
6 subject to the limits and reporting provisions in Section
7 9-103.

8 If a school district was a member of a
9 joint-self-health-insurance cooperative that had more
10 liability in outstanding claims than revenue to pay those
11 claims, the school board of that district may by resolution
12 make a one-time transfer from any fund in which tort immunity
13 moneys are maintained to the fund or funds from which payments
14 to a joint-self-health-insurance cooperative can be or have
15 been made of an amount not to exceed the amount of the
16 liability claim that the school district owes to the
17 joint-self-health-insurance cooperative or that the school
18 district paid within the 2 years immediately preceding the
19 effective date of this amendatory Act of the 92nd General
20 Assembly.

21 Funds raised pursuant to this Section shall, unless
22 lawfully transferred as provided in Section 17-2A of the
23 School Code, only be used for the purposes specified in this
24 Act, including protection against and reduction of any
25 liability or loss described hereinabove and under Federal or
26 State common or statutory law, the Workers' Compensation Act,

1 the Workers' Occupational Diseases Act and the Unemployment
2 Insurance Act. Funds raised pursuant to this Section may be
3 invested in any manner in which other funds of local public
4 entities may be invested under Section 2 of the Public Funds
5 Investment Act. Interest on such funds shall be used only for
6 purposes for which the funds can be used or, if surplus, must
7 be used for abatement of property taxes levied by the local
8 taxing entity.

9 A local public entity may enter into intergovernmental
10 contracts with a term of not to exceed 12 years for the
11 provision of joint self-insurance which contracts may include
12 an obligation to pay a proportional share of a general
13 obligation or revenue bond or other debt instrument issued by
14 a local public entity which is a party to the
15 intergovernmental contract and is authorized by the terms of
16 the contract to issue the bond or other debt instrument. Funds
17 due under such contracts shall not be considered debt under
18 any constitutional or statutory limitation and the local
19 public entity may levy or have levied on its behalf taxes to
20 pay for its proportional share under the contract. Funds
21 raised pursuant to intergovernmental contracts for the
22 provision of joint self-insurance may only be used for the
23 payment of any cost, liability or loss against which a local
24 public entity may protect itself or self-insure pursuant to
25 Section 9-103 or for the payment of which such entity may levy
26 a tax pursuant to this Section, including tort judgments or

1 settlements, costs associated with the issuance, retirement or
2 refinancing of the bonds or other debt instruments, the
3 repayment of the principal or interest of the bonds or other
4 debt instruments, the costs of the administration of the joint
5 self-insurance fund, consultant, and risk care management
6 programs or the costs of insurance. Any surplus returned to
7 the local public entity under the terms of the
8 intergovernmental contract shall be used only for purposes set
9 forth in subsection (a) of Section 9-103 and Section 9-107 or
10 for abatement of property taxes levied by the local taxing
11 entity.

12 Any tax levied under this Section shall be levied and
13 collected in like manner with the general taxes of the entity
14 and shall be exclusive of and in addition to the amount of tax
15 that entity is now or may hereafter be authorized to levy for
16 general purposes under any statute which may limit the amount
17 of tax which that entity may levy for general purposes. The
18 county clerk of the county in which any part of the territory
19 of the local taxing entity is located, in reducing tax levies
20 under the provisions of any Act concerning the levy and
21 extension of taxes, shall not consider any tax provided for by
22 this Section as a part of the general tax levy for the purposes
23 of the entity nor include such tax within any limitation of the
24 percent of the assessed valuation upon which taxes are
25 required to be extended for such entity.

26 With respect to taxes levied under this Section, either

1 before, on, or after the effective date of this amendatory Act
2 of 1994:

3 (1) Those taxes are excepted from and shall not be
4 included within the rate limitation imposed by law on
5 taxes levied for general corporate purposes by the local
6 public entity authorized to levy a tax under this Section.

7 (2) Those taxes that a local public entity has levied
8 in reliance on this Section and that are excepted under
9 paragraph (1) from the rate limitation imposed by law on
10 taxes levied for general corporate purposes by the local
11 public entity are not invalid because of any provision of
12 the law authorizing the local public entity's tax levy for
13 general corporate purposes that may be construed or may
14 have been construed to restrict or limit those taxes
15 levied, and those taxes are hereby validated. This
16 validation of taxes levied applies to all cases pending on
17 or after the effective date of this amendatory Act of
18 1994.

19 (3) Paragraphs (1) and (2) do not apply to a hospital
20 organized under Article 170 or 175 of the Township Code,
21 under the Town Hospital Act, or under the Township
22 Non-Sectarian Hospital Act and do not give any authority
23 to levy taxes on behalf of such a hospital in excess of the
24 rate limitation imposed by law on taxes levied for general
25 corporate purposes. A hospital organized under Article 170
26 or 175 of the Township Code, under the Town Hospital Act,

1 or under the Township Non-Sectarian Hospital Act is not
2 prohibited from levying taxes in support of tort liability
3 bonds if the taxes do not cause the hospital's aggregate
4 tax rate from exceeding the rate limitation imposed by law
5 on taxes levied for general corporate purposes.

6 Revenues derived from such tax shall be paid to the
7 treasurer of the local taxing entity as collected and used for
8 the purposes of this Section and of Section 9-102, 9-103,
9 9-104 or 9-105, as the case may be. If payments on account of
10 such taxes are insufficient during any year to meet such
11 purposes, the entity may issue tax anticipation warrants
12 against the current tax levy in the manner provided by
13 statute.

14 (Source: P.A. 99-922, eff. 1-17-17.)

15 Section 95. No acceleration or delay. Where this Act makes
16 changes in a statute that is represented in this Act by text
17 that is not yet or no longer in effect (for example, a Section
18 represented by multiple versions), the use of that text does
19 not accelerate or delay the taking effect of (i) the changes
20 made by this Act or (ii) provisions derived from any other
21 Public Act."