



Rep. Terra Costa Howard

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10400SB1343ham001

LRB104 06300 BDA 25530 a

1 AMENDMENT TO SENATE BILL 1343

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1343 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Central Management Services  
5 Law of the Civil Administrative Code of Illinois is amended by  
6 changing Section 405-315 as follows:

7 (20 ILCS 405/405-315) (was 20 ILCS 405/67.24)

8 Sec. 405-315. Management of State buildings and other real  
9 properties; security force; fees.

10 (a) To manage, operate, maintain, and preserve from waste  
11 the State buildings, facilities, structures, grounds, or other  
12 real properties, including, without limitation, the real  
13 properties ~~property~~ transferred to the Department under  
14 Section 405-415, including, without limitation, the State  
15 buildings listed below, and to grant easements and accept  
16 easements with respect to those properties, on such terms and

1 conditions that in the judgment of the Director are in the best  
2 interests of the State. The Department may rent portions of  
3 these and other State buildings when in the judgment of the  
4 Director those leases or subleases will be in the best  
5 interests of the State. The leases or subleases shall not  
6 exceed 5 years unless a greater term is specifically  
7 authorized.

8 a. Peoria Regional Office Building

9 5415 North University

10 Peoria, Illinois 61614

11 b. Springfield Regional Office Building

12 4500 South 6th Street

13 Springfield, Illinois 62703

14 c. Champaign Regional Office Building

15 2125 South 1st Street

16 Champaign, Illinois 61820

17 d. Illinois State Armory Building

18 124 East Adams

19 Springfield, Illinois 62706

20 e. Marion Regional Office Building

21 2209 West Main Street

22 Marion, Illinois 62959

23 f. Kenneth Hall Regional State Office

24 Building

25 #10 Collinsville Avenue

26 East St. Louis, Illinois 62201

1 g. Rockford Regional Office Building

2 4402 North Main Street

3 P.O. Box 915

4 Rockford, Illinois 61105

5 h. State of Illinois Building

6 160 North LaSalle

7 Chicago, Illinois 60601

8 i. Office and Laboratory Building

9 2121 West Taylor Street

10 Chicago, Illinois 60602

11 j. Central Computer Facility

12 201 West Adams

13 Springfield, Illinois 62706

14 k. Elgin Office Building

15 595 South State Street

16 Elgin, Illinois 60120

17 ~~l. (Blank). James R. Thompson Center~~

18 ~~Bounded by Lake, Clark, Randolph and~~

19 ~~LaSalle Streets~~

20 ~~Chicago, Illinois~~

21 m. The following buildings located within the Chicago

22 Medical Center District:

23 1. Lawndale Day Care Center

24 2929 West 19th Street

25 2. Edwards Center

26 2020 Roosevelt Road

1 3. Illinois Center for  
2 Rehabilitation and Education  
3 1950 West Roosevelt Road and 1151 South Wood Street

4 4. Department of Children and  
5 Family Services District Office  
6 1026 South Damen

7 5. The William Heally School  
8 1731 West Taylor

9 6. Administrative Office Building  
10 1100 South Paulina Street

11 7. Metro Children and Adolescents Center  
12 1601 West Taylor Street

13 n. E.J. "Zeke" Giorgi Center  
14 200 Wyman Street  
15 Rockford, Illinois

16 o. Suburban North Facility  
17 9511 Harrison  
18 Des Plaines, Illinois

19 p. The following buildings located within the Revenue  
20 Center in Springfield:

21 1. State Property Control Warehouse  
22 11th & Ash

23 2. Illinois State Museum Research & Collections  
24 Center

25 1011 East Ash Street

26 q. Effingham Regional Office Building

1           401 Industrial Drive  
2           Effingham, Illinois  
3       r. The Communications Center  
4           120 West Jefferson  
5           Springfield, Illinois  
6       s. Portions or all of the basement and  
7           ground floor of the  
8           State of Illinois Building  
9           160 North LaSalle  
10          Chicago, Illinois 60601

11       t. 115 South LaSalle Street, Chicago, Illinois  
12       may be leased or subleased to persons, firms, partnerships,  
13       associations, or individuals for terms not to exceed 15 years  
14       when in the judgment of the Director those leases or subleases  
15       will be in the best interests of the State.

16       ~~Portions or all of the commercial space, which includes~~  
17       ~~the sub-basement, storage mezzanine, concourse, and ground and~~  
18       ~~second floors of the~~

19       ~~James R. Thompson Center~~

20       ~~Bounded by Lake, Clark, Randolph and LaSalle Streets~~

21       ~~Chicago, Illinois~~

22       ~~may be leased or subleased to persons, firms, partnerships,~~  
23       ~~associations, or individuals for terms not to exceed 15 years~~  
24       ~~subject to renewals when in the judgment of the Director those~~  
25       ~~leases or subleases will be in the best interests of the State.~~

26       The Director is authorized to rent portions of the above

1 described facilities to persons, firms, partnerships,  
2 associations, or individuals for terms not to exceed 30 days  
3 when those leases or subleases will not interfere with State  
4 usage of the facility. This authority is meant to supplement  
5 and shall not in any way be interpreted to restrict the  
6 Director's ability to make portions of the State of Illinois  
7 Building ~~and the James R. Thompson Center~~ available for  
8 long-term commercial leases or subleases.

9 Notwithstanding the provisions above, the Department of  
10 Children and Family Services and the Department of Human  
11 Services (as successor to the Department of Rehabilitation  
12 Services and the Department of Mental Health and Developmental  
13 Disabilities) shall determine the allocation of space for  
14 direct recipient care in their respective facilities. The  
15 Department of Central Management Services shall consult with  
16 the affected agency in the allocation and lease of surplus  
17 space in these facilities. Potential lease arrangements shall  
18 not endanger the direct recipient care responsibilities in  
19 these facilities.

20 (b) To appoint, subject to the Personnel Code, persons to  
21 be members of a police and security force. Members of the  
22 security force shall be peace officers when performing duties  
23 pursuant to this Section and as such shall have all of the  
24 powers possessed by policemen in cities and sheriffs,  
25 including the power to make arrests on view or issue citations  
26 for violations of State statutes or city or county ordinances,

1 except that in counties of more than 1,000,000 population, any  
2 powers created by this subsection shall be exercised only (i)  
3 when necessary to protect the property, personnel, or  
4 interests of the Department or any State agency for whom the  
5 Department manages, operates, or maintains property or (ii)  
6 when specifically requested by appropriate State or local law  
7 enforcement officials, and except that within counties of  
8 1,000,000 or less population, these powers shall be exercised  
9 only when necessary to protect the property, personnel, or  
10 interests of the State of Illinois and only while on property  
11 managed, operated, or maintained by the Department.

12 Nothing in this subsection shall be construed so as to  
13 make it conflict with any provisions of, or rules promulgated  
14 under, the Personnel Code.

15 (c) To charge reasonable fees for the lease, rental, use,  
16 or occupancy of State facilities managed, operated, or  
17 maintained by the Department. All moneys collected under this  
18 Section shall be deposited in a revolving fund in the State  
19 treasury known as the Facilities Management Revolving Fund.

20 (d) (Blank). ~~Provisions of this Section relating to the~~  
21 ~~James R. Thompson Center are subject to the provisions of~~  
22 ~~Section 7.4 of the State Property Control Act.~~

23 (Source: P.A. 93-19, eff. 6-20-03; 93-839, eff. 7-30-04;  
24 94-91, eff. 7-1-05.)

25 Section 10. The State Property Control Act is amended by

1 changing Section 7.1 as follows:

2 (30 ILCS 605/7.1) (from Ch. 127, par. 133b10.1)

3 Sec. 7.1. (a) Except as otherwise provided by law, all  
4 surplus real property held by the State of Illinois shall be  
5 disposed of by the administrator as provided in this Section.

6 "Surplus real property," as used in this Section, means any  
7 real property to which the State holds fee simple title or  
8 lesser interest, and is vacant and determined by the head of  
9 the owning agency to no longer be required for the State  
10 agency's needs and responsibilities and has no foreseeable use  
11 by the owning agency. Title to the surplus real property may  
12 remain with the owning agency throughout the disposition  
13 process if approved by the Administrator; however, the  
14 Administrator and the Department of Central Management  
15 Services shall have sole responsibility and authority for  
16 disposing of the property as set out in this Section.

17 (b) All responsible officers shall submit an Annual Real  
18 Property Utilization Report to the Administrator, or annual  
19 update of such report, on forms required by the Administrator,  
20 by August ~~July~~ 31 of each year. The Administrator may require  
21 such documentation as he deems reasonably necessary in  
22 connection with this Report, and shall require that such  
23 Report include the following information:

24 (1) A legal description of all real property owned by  
25 the State under the control of the responsible officer.



1           (2) A description of the use of the real property  
2 listed under (1).

3           (3) A list of any improvements made to such real  
4 property during the previous year.

5           (4) The dates on which the State first acquired its  
6 interest in such real property, and the purchase price and  
7 source of the funds used to acquire the property.

8           (5) Plans for the future use of currently unused real  
9 property.

10          (6) A declaration of any surplus real property. On or  
11 before October 31 of each year the Administrator shall  
12 furnish copies of each responsible officer's report along  
13 with a list of surplus property indexed by legislative  
14 district to the General Assembly.

15          This report shall be filed with the Speaker, the Minority  
16 Leader and the Clerk of the House of Representatives and the  
17 President, the Minority Leader and the Secretary of the Senate  
18 and shall be duplicated and made available to the members of  
19 the General Assembly for evaluation by such members for  
20 possible liquidation of unused public property at public sale.

21          (c) Following receipt of the Annual Real Property  
22 Utilization Report required under paragraph (b), the  
23 Administrator shall notify all State agencies by October 31 of  
24 all declared surplus real property.

25          (d) Any surplus real property shall be disposed of by the  
26 Administrator. No appraisal is required if during his initial

1 survey of surplus real property the Administrator determines  
2 such property has a fair market value of less than \$5,000. If  
3 the value of such property is determined by the Administrator  
4 in his initial survey to be \$5,000 or more, then the  
5 Administrator shall obtain 2 appraisals of such real property,  
6 which shall include known liabilities, including, but not  
7 limited to, environmental costs. The average of these 2  
8 appraisals shall represent the fair market value of the  
9 surplus real property.

10 No surplus real property may be conveyed by the  
11 Administrator for less than the fair market value, unless the  
12 Administrator makes a written determination that it is in the  
13 best interests of the State to establish a different value.  
14 That written determination shall be published in the Illinois  
15 Procurement Bulletin. Such written determination, along with  
16 an affidavit setting forth the conditions and circumstances  
17 that make the use of a different value in the best interests of  
18 the State, shall also be filed with the Executive Ethics  
19 Commission. The Executive Ethics Commission shall have 30 days  
20 to review the written determination. The Executive Ethics  
21 Commission may order an additional 30 days to review the  
22 written determination. The Administrator shall provide the  
23 Executive Ethics Commission with any information requested by  
24 the Executive Ethics Commission related to the Administrator's  
25 determination of the value of the surplus real property. If  
26 the Executive Ethics Commission objects in writing to the

1 value determined by the Administrator, then the Administrator  
2 shall not convey the surplus real property for less than  
3 either the fair market value as determined by the average of  
4 appraisals or an amount agreed upon by the Executive Ethics  
5 Commission and the Administrator. Circumstances in which it is  
6 in the best interests of the State to establish a different  
7 value may include, but are not limited to, the following: (i)  
8 an auction did not yield any bids at the established fair  
9 market value; (ii) a unit of local government is interested in  
10 acquiring the surplus real property; or (iii) the costs to the  
11 State of maintaining such surplus real property are  
12 sufficiently high that it would be reasonable to a prudent  
13 person to sell such surplus real property for less than the  
14 fair market value established by the average of the  
15 appraisals. In no event shall the Administrator sell surplus  
16 real property for less than 75% of fair market value and before  
17 such property has been offered to an interested unit of local  
18 government or made available at public auction.

19 Prior to offering the surplus real property for sale to  
20 the public the Administrator shall give notice in writing of  
21 the existence of the surplus real property to each State  
22 agency and to the governing bodies of the county and of all  
23 cities, villages and incorporated towns in the county in which  
24 such real property is located. Any such State agency or  
25 governing body may notify the Administrator of its interest in  
26 acquiring the surplus real property within a notice period set

1 by the Administrator of at least 30 days. If any State agency  
2 notifies the Administrator of its interest in acquiring the  
3 surplus property, the Administrator may deny any such requests  
4 by such agency if the Administrator determines that it is more  
5 advantageous to the State to dispose of the surplus real  
6 property to a governing body or the public. If a governing body  
7 notifies the Administrator of its interest in acquiring the  
8 property, then the Administrator shall wait a minimum of 30  
9 additional days during which the Administrator may engage in  
10 negotiations with such governing body for the sale of the  
11 surplus real property. After the notice period set by the  
12 Administrator of at least 30 days has passed, the  
13 Administrator may sell the surplus real property by public  
14 auction, which may include an electronic auction or the use of  
15 sealed bids, following notice of such sale by publication on 3  
16 separate days not less than 15 nor more than 30 days prior to  
17 the sale in the State newspaper and in a newspaper having  
18 general circulation in the county in which the surplus real  
19 property is located. The Administrator shall post "For Sale"  
20 signs of a conspicuous nature on such surplus real property  
21 offered for sale to the public. If no acceptable offers for the  
22 surplus real property are received, the Administrator may have  
23 new appraisals of such property made. The Administrator shall  
24 have all power necessary to convey surplus real property under  
25 this Section. All moneys received for the sale of surplus real  
26 property shall be deposited in the General Revenue Fund,

1 except that:

2 (1) Where moneys expended for the acquisition of such  
3 real property were from a special fund which is still a  
4 special fund in the State treasury, this special fund  
5 shall be reimbursed in the amount of the original  
6 expenditure and any amount in excess thereof shall be  
7 deposited in the General Revenue Fund.

8 (2) Whenever a State mental health facility operated  
9 by the Department of Human Services is closed and the real  
10 estate on which the facility is located is sold by the  
11 State, the net proceeds of the sale of the real estate  
12 shall be deposited into the Community Mental Health  
13 Medicaid Trust Fund.

14 (3) Whenever a State developmental disabilities  
15 facility operated by the Department of Human Services is  
16 closed and the real estate on which the facility is  
17 located is sold by the State, the net proceeds of the sale  
18 of the real estate shall be deposited into the Community  
19 Developmental Disability Services Medicaid Trust Fund.

20 The Administrator shall have authority to order such  
21 surveys, abstracts of title, or commitments for title  
22 insurance as may, in his reasonable discretion, be deemed  
23 necessary to demonstrate to prospective purchasers or bidders  
24 good and marketable title in any property offered for sale  
25 pursuant to this Section. Unless otherwise specifically  
26 authorized by the General Assembly, all conveyances of

1 property made by the Administrator shall be by quit claim  
2 deed.

3 (e) The Administrator shall submit an annual report on or  
4 before February 1 to the Governor and the General Assembly  
5 containing a detailed statement of surplus real property  
6 either transferred or conveyed under this Section.

7 (Source: P.A. 102-280, eff. 8-6-21.)".