

1 AN ACT concerning local government.

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

4 Section 5. The Conservation District Act is amended by
5 changing Section 6 as follows:

6 (70 ILCS 410/6) (from Ch. 96 1/2, par. 7106)

7 Sec. 6. Officers and employees. As soon as possible after
8 the initial election or the initial appointments, as the case
9 may be, the trustees shall organize by selecting from their
10 members a president, secretary, treasurer, and other officers
11 as are deemed necessary, who shall hold office for 2 years in
12 the case of an elected board, or the fiscal year in which
13 elected in the case of an appointed board, and until their
14 successors are selected and qualify. Three trustees shall
15 constitute a quorum of the board for the transaction of
16 business if the district has 5 trustees. If the district has 7
17 trustees, 4 trustees shall constitute a quorum of the board
18 for the transaction of business. The board shall hold regular
19 monthly meetings. Special meetings may be called by the
20 president and shall be called on the request of a majority of
21 members, as may be required.

22 The board shall provide for the proper and safe keeping of
23 its permanent records and for the recording of the corporate

1 action of the district. It shall keep a proper system of
2 accounts showing a true and accurate record of its receipts
3 and disbursements, and it shall cause an annual audit to be
4 made of its books, records, and accounts.

5 The records of the district shall be subject to public
6 inspection at all reasonable hours and under regulations as
7 the board may prescribe.

8 The district shall annually make a full and complete
9 report to the county board of each county within the district
10 and to the Department of Natural Resources of its transactions
11 and operations for the preceding year. The report shall
12 contain a full statement of its receipts, disbursements, and
13 the program of work for the period covered, and may include
14 recommendations as may be deemed advisable.

15 Executive or ministerial duties may be delegated to one or
16 more trustees or to an authorized officer, employee, agent,
17 attorney, or other representative of the district.

18 All officers and employees authorized to receive or retain
19 the custody of money or to sign vouchers, checks, warrants, or
20 evidences of indebtedness binding upon the district shall
21 furnish surety bond for the faithful performance of their
22 duties and the faithful accounting for all moneys that may
23 come into their hands in an amount to be fixed and in a form to
24 be approved by the board.

25 All contracts for supplies, material, or work involving an
26 expenditure in excess of \$60,000 for supplies or materials and

1 \$30,000 for work, or a lower amount for any contract for
2 supplies, material, or work if required by board policy, shall
3 be let to the lowest responsible bidder, after due
4 advertisement, excepting work requiring personal confidence or
5 necessary supplies under the control of monopolies, where
6 competitive bidding is impossible, or as otherwise provided in
7 the Forest Preserve District and Conservation District
8 Design-Build Authorization Act. All contracts for supplies,
9 material, or work shall be signed by the president of the board
10 and by any other officer as the board in its discretion may
11 designate.

12 (Source: P.A. 102-460, eff. 6-1-22.)

13 Section 10. The Downstate Forest Preserve District Act is
14 amended by changing Section 8 as follows:

15 (70 ILCS 805/8) (from Ch. 96 1/2, par. 6315)

16 Sec. 8. Powers and duties of corporate authority and
17 officers; contracts; salaries.

18 (a) The board shall be the corporate authority of such
19 forest preserve district and shall have power to pass and
20 enforce all necessary ordinances, rules and regulations for
21 the management of the property and conduct of the business of
22 such district. The president of such board shall have power to
23 appoint such employees as may be necessary. In counties with
24 population of less than 3,000,000, within 60 days after their

1 selection the commissioners appointed under the provisions of
2 Section 3a of this Act shall organize by selecting from their
3 members a president, vice president, secretary, treasurer and
4 such other officers as are deemed necessary who shall hold
5 office for the fiscal year in which elected and until their
6 successors are selected and qualify. In the one district in
7 existence on July 1, 1977, that is managed by an appointed
8 board of commissioners, the incumbent president and the other
9 officers appointed in the manner as originally prescribed in
10 this Act shall hold such offices until the completion of their
11 respective terms or in the case of the officers other than
12 president until their successors are appointed by said
13 president, but in all cases not to extend beyond January 1,
14 1980 and until their successors are selected and qualify.
15 Thereafter, the officers shall be selected in the manner as
16 prescribed in this Section except that their first term of
17 office shall not expire until June 30, 1981 and until their
18 successors are selected and qualify.

19 (a-5) An officer selected pursuant to subsection (a) may
20 be removed, with or without cause, upon a motion adopted by an
21 affirmative vote of four-fifths of the board of the forest
22 preserve district. Upon adoption of a motion to remove an
23 officer: (i) the office becomes vacant and the former
24 officer's compensation shall be prorated to the date the
25 motion was approved; (ii) if the officer removed is the
26 president then the vice president immediately assumes the

1 duties of the president without president compensation and, if
2 the officer removed is the vice president, treasurer, or
3 secretary, then the president shall select an interim
4 appointee who shall serve until the next regularly scheduled
5 forest preserve district board meeting; and (iii) a new
6 officer shall be selected at the next regularly scheduled
7 forest preserve district board meeting. An officer removed
8 under this Section maintains his or her status as a member of
9 the forest preserve district board.

10 (b) In any county, city, village, incorporated town or
11 sanitary district where the corporate authorities act as the
12 governing body of a forest preserve district, the person
13 exercising the powers of the president of the board shall have
14 power to appoint a secretary and an assistant secretary and
15 treasurer and an assistant treasurer and such other officers
16 and such employees as may be necessary. The assistant
17 secretary and assistant treasurer shall perform the duties of
18 the secretary and treasurer, respectively in case of death of
19 such officers or when such officers are unable to perform the
20 duties of their respective offices. All contracts for
21 supplies, material, or work involving an expenditure in excess
22 of \$60,000 for supplies or materials and \$30,000 for work, or a
23 lower amount for any contract for supplies, material, or work
24 if required by board policy, shall be let to the lowest
25 responsible bidder, after advertising at least once in one or
26 more newspapers of general circulation within the district,

1 excepting work requiring personal confidence or necessary
2 supplies under the control of monopolies, where competitive
3 bidding is impossible, or as otherwise provided in the Forest
4 Preserve District and Conservation District Design-Build
5 Authorization Act. Contracts for supplies, material, or work
6 involving an expenditure of \$60,000 for supplies or materials
7 and \$30,000 for work, or a lower amount for any contract for
8 supplies, material, or work if required by board policy, or
9 less may be let without advertising for bids, but whenever
10 practicable, at least 3 competitive bids shall be obtained
11 before letting such contract. All contracts for supplies,
12 material or work shall be signed by the president of the board
13 of commissioners or by any such other officer as the board in
14 its discretion may designate.

15 (c) The president of any board of commissioners appointed
16 under the provisions of Section 3a of this Act shall receive a
17 salary not to exceed the sum of \$2500 per annum and the salary
18 of other members of the board so appointed shall not exceed
19 \$1500 per annum. Salaries of the commissioners, officers and
20 employees shall be fixed by ordinance.

21 (d) Whenever a forest preserve district owns any personal
22 property that, in the opinion of three-fifths of the members
23 of the board of commissioners, is no longer necessary, useful
24 to, or for the best interests of the forest preserve district,
25 then three-fifths of the members of the board, at any regular
26 meeting or any special meeting called for that purpose by an

1 ordinance or resolution that includes a general description of
2 the personal property, may authorize the conveyance or sale of
3 that personal property in any manner that they may designate,
4 with or without advertising the sale.

5 (Source: P.A. 101-544, eff. 8-23-19; 102-460, eff. 6-1-22.)

6 Section 15. The Park District Code is amended by changing
7 Section 8-1 as follows:

8 (70 ILCS 1205/8-1) (from Ch. 105, par. 8-1)

9 Sec. 8-1. General corporate powers. Every park district
10 shall, from the time of its organization, be a body corporate
11 and politic by the name set forth in the petition for its
12 organization, the specific name set forth in this Code, or the
13 name it may adopt under Section 8-9 and shall have and exercise
14 the following powers:

15 (a) To adopt a corporate seal and alter the same at
16 pleasure; to sue and be sued; and to contract in
17 furtherance of any of its corporate purposes.

18 (b) (1) To acquire by gift, legacy, grant or purchase,
19 or by condemnation in the manner provided for the exercise
20 of the power of eminent domain under the Eminent Domain
21 Act, any and all real estate, or rights therein necessary
22 for building, laying out, extending, adorning and
23 maintaining any such parks, boulevards and driveways, or
24 for effecting any of the powers or purposes granted under

1 this Code as its board may deem proper, whether such lands
2 be located within or without such district; but no park
3 district, except as provided in paragraph (2) of this
4 subsection, shall have any power of condemnation in the
5 manner provided for the exercise of the power of eminent
6 domain under the Eminent Domain Act or otherwise as to any
7 real estate, lands, riparian rights or estate, or other
8 property situated outside of such district, but shall only
9 have power to acquire the same by gift, legacy, grant or
10 purchase, and such district shall have the same control of
11 and power over lands so acquired without the district as
12 over parks, boulevards and driveways within such district.

13 (2) In addition to the powers granted in paragraph (1)
14 of subsection (b), a park district located in more than
15 one county, the majority of its territory located in a
16 county over 450,000 in population and none of its
17 territory located in a county over 1,000,000 in
18 population, shall have condemnation power in the manner
19 provided for the exercise of the power of eminent domain
20 under the Eminent Domain Act or as otherwise granted by
21 law as to any and all real estate situated up to one mile
22 outside of such district which is not within the
23 boundaries of another park district.

24 (c) To acquire by gift, legacy or purchase any
25 personal property necessary for its corporate purposes
26 provided that all contracts for supplies, materials, or

1 work involving an expenditure in excess of \$60,000 for
2 supplies or materials and \$30,000 for work, or a lower
3 amount for any contract for supplies, material, or work if
4 required by board policy, shall be let to the lowest
5 responsible bidder after due advertisement. No district
6 shall be required to accept a bid that does not meet the
7 district's established specifications, terms of delivery,
8 quality, and serviceability requirements. Contracts which,
9 by their nature, are not adapted to award by competitive
10 bidding, such as contracts for the services of individuals
11 possessing a high degree of professional skill where the
12 ability or fitness of the individual plays an important
13 part, contracts for the printing of finance committee
14 reports and departmental reports, contracts for the
15 printing or engraving of bonds, tax warrants and other
16 evidences of indebtedness, contracts for utility services
17 such as water, light, heat, telephone or telegraph,
18 contracts for fuel (such as diesel, gasoline, oil,
19 aviation, or propane), lubricants, or other petroleum
20 products, contracts for the use, purchase, delivery,
21 movement, or installation of data processing equipment,
22 software, or services and telecommunications and
23 interconnect equipment, software, or services, contracts
24 for duplicating machines and supplies, contracts for goods
25 or services procured from another governmental agency,
26 purchases of equipment previously owned by some entity

1 other than the district itself, and contracts for the
2 purchase of magazines, books, periodicals, pamphlets and
3 reports are not subject to competitive bidding. Contracts
4 for emergency expenditures are also exempt from
5 competitive bidding when the emergency expenditure is
6 approved by 3/4 of the members of the board.

7 All competitive bids for contracts involving an
8 expenditure in excess of \$60,000 for supplies or materials
9 and \$30,000 for work, or a lower amount for any contract
10 for supplies, material, or work if required by board
11 policy, must be sealed by the bidder and must be opened by
12 a member or employee of the park board at a public bid
13 opening at which the contents of the bids must be
14 announced. Each bidder must receive at least 3 days notice
15 of the time and place of the bid opening.

16 For purposes of this subsection, "due advertisement"
17 includes, but is not limited to, at least one public
18 notice at least 10 days before the bid date in a newspaper
19 published in the district or, if no newspaper is published
20 in the district, in a newspaper of general circulation in
21 the area of the district.

22 (d) To pass all necessary ordinances, rules and
23 regulations for the proper management and conduct of the
24 business of the board and district and to establish by
25 ordinance all needful rules and regulations for the
26 government and protection of parks, boulevards and

1 driveways and other property under its jurisdiction, and
2 to effect the objects for which such districts are formed.

3 (e) To prescribe such fines and penalties for the
4 violation of ordinances as it shall deem proper not
5 exceeding \$1,000 for any one offense, which fines and
6 penalties may be recovered by an action in the name of such
7 district in the circuit court for the county in which such
8 violation occurred. The park district may also seek in the
9 action, in addition to or instead of fines and penalties,
10 an order that the offender be required to make restitution
11 for damage resulting from violations, and the court shall
12 grant such relief where appropriate. The procedure in such
13 actions shall be the same as that provided by law for like
14 actions for the violation of ordinances in cities
15 organized under the general laws of this State, and
16 offenders may be imprisoned for non-payment of fines and
17 costs in the same manner as in such cities. All fines when
18 collected shall be paid into the treasury of such
19 district.

20 (f) To manage and control all officers and property of
21 such districts and to provide for joint ownership with one
22 or more cities, villages or incorporated towns of real and
23 personal property used for park purposes by one or more
24 park districts. In case of joint ownership, the terms of
25 the agreement shall be fair, just and equitable to all
26 parties and shall be set forth in a written agreement

1 entered into by the corporate authorities of each
2 participating district, city, village or incorporated
3 town.

4 (g) To secure grants and loans, or either, from the
5 United States Government, or any agency or agencies
6 thereof, for financing the acquisition or purchase of any
7 and all real estate, or rights therein, or for effecting
8 any of the powers or purposes granted under this Code as
9 its Board may deem proper.

10 (h) To establish fees for the use of facilities and
11 recreational programs of the districts and to derive
12 revenue from non-resident fees from their operations. Fees
13 charged non-residents of such district need not be the
14 same as fees charged to residents of the district.
15 Charging fees or deriving revenue from the facilities and
16 recreational programs shall not affect the right to assert
17 or utilize any defense or immunity, common law or
18 statutory, available to the districts or their employees.

19 (i) To make contracts for a term exceeding one year,
20 but not to exceed 3 years, notwithstanding any provision
21 of this Code to the contrary, relating to: (1) the
22 employment of a park director, superintendent,
23 administrator, engineer, health officer, land planner,
24 finance director, attorney, police chief, or other officer
25 who requires technical training or knowledge; (2) the
26 employment of outside professional consultants such as

1 engineers, doctors, land planners, auditors, attorneys, or
2 other professional consultants who require technical
3 training or knowledge; (3) the provision of data
4 processing equipment and services; and (4) the purchase of
5 energy from a utility or an alternative retail electric
6 supplier. With respect to any contract made under this
7 subsection (i), the corporate authorities shall include in
8 the annual appropriation ordinance for each fiscal year an
9 appropriation of a sum of money sufficient to pay the
10 amount which, by the terms of the contract, is to become
11 due and payable during that fiscal year.

12 (j) To enter into licensing or management agreements
13 with not-for-profit corporations organized under the laws
14 of this State to operate park district facilities if the
15 corporation covenants to use the facilities to provide
16 public park or recreational programs for youth.

17 (Source: P.A. 101-304, eff. 8-9-19; 102-999, eff. 5-27-22.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.