

# HB3872



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

**HB3872**

Introduced 2/22/2021, by Rep. Terra Costa Howard

#### SYNOPSIS AS INTRODUCED:

70 ILCS 805/8

from Ch. 96 1/2, par. 6315

Amends the Downstate Forest Preserve District Act. Provides that a contract may be entered into by the corporate authorities acting as the governing body of a forest preserve district, without advertising for bids, if authorized by a vote of two-thirds of all the aldermen, trustees, or commissioners then holding office.

LRB102 17072 AWJ 22501 b

A BILL FOR

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 Downstate Forest Preserve District Act is  
5 amended by changing Section 8 as follows:

6 (70 ILCS 805/8) (from Ch. 96 1/2, par. 6315)

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

9 (a) The board shall be the corporate authority of such  
10 forest preserve district and shall have power to pass and  
11 enforce all necessary ordinances, rules and regulations for  
12 the management of the property and conduct of the business of  
13 such district. The president of such board shall have power to  
14 appoint such employees as may be necessary. In counties with  
15 population of less than 3,000,000, within 60 days after their  
16 selection the commissioners appointed under the provisions of  
17 Section 3a of this Act shall organize by selecting from their  
18 members a president, vice president, secretary, treasurer and  
19 such other officers as are deemed necessary who shall hold  
20 office for the fiscal year in which elected and until their  
21 successors are selected and qualify. In the one district in  
22 existence on July 1, 1977, that is managed by an appointed  
23 board of commissioners, the incumbent president and the other

1 officers appointed in the manner as originally prescribed in  
2 this Act shall hold such offices until the completion of their  
3 respective terms or in the case of the officers other than  
4 president until their successors are appointed by said  
5 president, but in all cases not to extend beyond January 1,  
6 1980 and until their successors are selected and qualify.  
7 Thereafter, the officers shall be selected in the manner as  
8 prescribed in this Section except that their first term of  
9 office shall not expire until June 30, 1981 and until their  
10 successors are selected and qualify.

11 (a-5) An officer selected pursuant to subsection (a) may  
12 be removed, with or without cause, upon a motion adopted by an  
13 affirmative vote of four-fifths of the board of the forest  
14 preserve district. Upon adoption of a motion to remove an  
15 officer: (i) the office becomes vacant and the former  
16 officer's compensation shall be prorated to the date the  
17 motion was approved; (ii) if the officer removed is the  
18 president then the vice president immediately assumes the  
19 duties of the president without president compensation and, if  
20 the officer removed is the vice president, treasurer, or  
21 secretary, then the president shall select an interim  
22 appointee who shall serve until the next regularly scheduled  
23 forest preserve district board meeting; and (iii) a new  
24 officer shall be selected at the next regularly scheduled  
25 forest preserve district board meeting. An officer removed  
26 under this Section maintains his or her status as a member of

1 the forest preserve district board.

2 (b) In any county, city, village, incorporated town or  
3 sanitary district where the corporate authorities act as the  
4 governing body of a forest preserve district, the person  
5 exercising the powers of the president of the board shall have  
6 power to appoint a secretary and an assistant secretary and  
7 treasurer and an assistant treasurer and such other officers  
8 and such employees as may be necessary. The assistant  
9 secretary and assistant treasurer shall perform the duties of  
10 the secretary and treasurer, respectively in case of death of  
11 such officers or when such officers are unable to perform the  
12 duties of their respective offices. All contracts for  
13 supplies, material or work involving an expenditure in excess  
14 of \$25,000, or a lower amount if required by board policy,  
15 shall be let to the lowest responsible bidder, after  
16 advertising at least once in one or more newspapers of general  
17 circulation within the district, excepting: (1) work requiring  
18 personal confidence or necessary supplies under the control of  
19 monopolies, where competitive bidding is impossible; or (2) a  
20 contract that has been entered into by the corporate  
21 authorities acting as the governing body of the forest  
22 preserve district, without advertising for bids, if authorized  
23 by a vote of two-thirds of all the aldermen, trustees, or  
24 commissioners then holding office. Contracts for supplies,  
25 material or work involving an expenditure of \$25,000, or a  
26 lower amount if required by board policy, or less may be let

1 without advertising for bids, but whenever practicable, at  
2 least 3 competitive bids shall be obtained before letting such  
3 contract. All contracts for supplies, material or work shall  
4 be signed by the president of the board of commissioners or by  
5 any such other officer as the board in its discretion may  
6 designate.

7 (c) The president of any board of commissioners appointed  
8 under the provisions of Section 3a of this Act shall receive a  
9 salary not to exceed the sum of \$2500 per annum and the salary  
10 of other members of the board so appointed shall not exceed  
11 \$1500 per annum. Salaries of the commissioners, officers and  
12 employees shall be fixed by ordinance.

13 (d) Whenever a forest preserve district owns any personal  
14 property that, in the opinion of three-fifths of the members  
15 of the board of commissioners, is no longer necessary, useful  
16 to, or for the best interests of the forest preserve district,  
17 then three-fifths of the members of the board, at any regular  
18 meeting or any special meeting called for that purpose by an  
19 ordinance or resolution that includes a general description of  
20 the personal property, may authorize the conveyance or sale of  
21 that personal property in any manner that they may designate,  
22 with or without advertising the sale.

23 (Source: P.A. 101-544, eff. 8-23-19.)