



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1131

Introduced 1/12/2023, by Rep. Jay Hoffman

SYNOPSIS AS INTRODUCED:

70 ILCS 520/4	from Ch. 85, par. 6154
70 ILCS 520/5	from Ch. 85, par. 6155
70 ILCS 520/8	from Ch. 85, par. 6158

Amends the Southwestern Illinois Development Authority Act. Adds Monroe County to the territory of the Southwestern Illinois Development Authority. Makes conforming changes. Provides that the Chairman of the Authority shall be elected by the Board annually from the voting members (rather than elected from the members appointed by the county board chairmen). Provides that members of the Board may participate in Board meetings by teleconference or video conference. Allows the Authority to also enter into intergovernmental agreements with Bond, Clinton, and Monroe counties, in addition to other entities (currently, the only counties included are Madison and St. Clair counties). Effective July 1, 2023.

LRB103 05007 AWJ 50020 b

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 Southwestern Illinois Development Authority
5 Act is amended by changing Sections 4, 5, and 8 as follows:

6 (70 ILCS 520/4) (from Ch. 85, par. 6154)

7 Sec. 4. (a) There is hereby created a political
8 subdivision, body politic and municipal corporation named the
9 Southwestern Illinois Development Authority. The territorial
10 jurisdiction of the Authority is that geographic area within
11 the boundaries of Madison, St. Clair, Bond, ~~and~~ Clinton, and
12 Monroe counties in the State of Illinois and any navigable
13 waters and air space located therein.

14 (b) The governing and administrative powers of the
15 Authority shall be vested in a body consisting of 15 voting ~~14~~
16 members including, as ex officio members, the Director of
17 Commerce and Economic Opportunity, or his or her designee, and
18 the Secretary of Transportation, or his or her designee. The
19 other 13 voting ~~12~~ members of the Authority shall be
20 designated "public members", 6 of whom shall be appointed by
21 the Governor with the advice and consent of the Senate, 2 of
22 whom shall be appointed by the county board chairman of
23 Madison County, 2 of whom shall be appointed by the county

1 board chairman of St. Clair County, one of whom shall be
2 appointed by the county board chairman of Bond County, ~~and~~ one
3 of whom shall be appointed by the county board chairman of
4 Clinton County, and one of whom shall be appointed by the
5 county board chairman of Monroe County. All public members
6 shall reside within the territorial jurisdiction of this Act.
7 Eight voting members shall constitute a quorum. The public
8 members shall be persons of recognized ability and experience
9 in one or more of the following areas: economic development,
10 finance, banking, industrial development, small business
11 management, real estate development, community development,
12 venture finance, organized labor or civic, community or
13 neighborhood organization. The Chairman of the Authority shall
14 be elected by the Board annually from the voting members
15 ~~appointed by the county board chairmen.~~

16 (c) Except as otherwise provided in this subsection, the
17 ~~The~~ terms of all members of the Authority shall begin 30 days
18 after the effective date of this Act. Of the 8 public members
19 initially appointed pursuant to this Act, 3 shall serve until
20 the third Monday in January, 1988, 3 shall serve until the
21 third Monday in January, 1989, and 2 shall serve until the
22 third Monday in January, 1990. The public members initially
23 appointed under this amendatory Act of the 94th General
24 Assembly shall serve until the third Monday in January, 2008.
25 The member initially appointed pursuant to this amendatory Act
26 of the 103rd General Assembly by the county board chairman of

1 Monroe County shall serve until the third Monday in January
2 2026. All successors shall be appointed by the original
3 appointing authority and hold office for a term of 3 years
4 commencing the third Monday in January of the year in which
5 their term commences, except in case of an appointment to fill
6 a vacancy. Vacancies occurring among the public members shall
7 be filled for the remainder of the term. In case of vacancy in
8 a Governor-appointed membership when the Senate is not in
9 session, the Governor may make a temporary appointment until
10 the next meeting of the Senate when a person shall be nominated
11 to fill such office, and any person so nominated who is
12 confirmed by the Senate shall hold office during the remainder
13 of the term and until a successor shall be appointed and
14 qualified. Members of the Authority shall not be entitled to
15 compensation for their services as members but shall be
16 entitled to reimbursement for all necessary expenses incurred
17 in connection with the performance of their duties as members.
18 Members of the Board may participate in Board meetings by
19 teleconference or video conference, notwithstanding quorum
20 requirements under Section 2.01 and Section 7 of the Open
21 Meetings Act.

22 (d) The Governor may remove any public member of the
23 Authority in case of incompetency, neglect of duty, or
24 malfeasance in office.

25 (e) The Board shall appoint an Executive Director who
26 shall have a background in finance, including familiarity with

1 the legal and procedural requirements of issuing bonds, real
2 estate or economic development and administration. The
3 Executive Director shall hold office at the discretion of the
4 Board. The Executive Director shall be the chief
5 administrative and operational officer of the Authority, shall
6 direct and supervise its administrative affairs and general
7 management, shall perform such other duties as may be
8 prescribed from time to time by the members and shall receive
9 compensation fixed by the Authority. The Executive Director
10 shall attend all meetings of the Authority; however, no action
11 of the Authority shall be invalid on account of the absence of
12 the Executive Director from a meeting. The Authority may
13 engage the services of such other agents and employees,
14 including attorneys, appraisers, engineers, accountants,
15 credit analysts and other consultants, as it may deem
16 advisable and may prescribe their duties and fix their
17 compensation.

18 (f) The Board may, by majority vote, nominate up to 4
19 non-voting members for appointment by the Governor. Non-voting
20 members shall be persons of recognized ability and experience
21 in one or more of the following areas: economic development,
22 finance, banking, industrial development, small business
23 management, real estate development, community development,
24 venture finance, organized labor, or civic, community, or
25 neighborhood organization. Non-voting members shall serve at
26 the pleasure of the Board. All non-voting members may attend

1 meetings of the Board and shall be reimbursed as provided in
2 subsection (c).

3 (g) The Board shall create a task force to study and make
4 recommendations to the Board on the economic development of
5 the city of East St. Louis and on the economic development of
6 the riverfront within the territorial jurisdiction of this
7 Act. The members of the task force shall reside within the
8 territorial jurisdiction of this Act, shall serve at the
9 pleasure of the Board and shall be persons of recognized
10 ability and experience in one or more of the following areas:
11 economic development, finance, banking, industrial
12 development, small business management, real estate
13 development, community development, venture finance, organized
14 labor or civic, community or neighborhood organization. The
15 number of members constituting the task force shall be set by
16 the Board and may vary from time to time. The Board may set a
17 specific date by which the task force is to submit its final
18 report and recommendations to the Board.

19 (Source: P.A. 96-443, eff. 8-14-09.)

20 (70 ILCS 520/5) (from Ch. 85, par. 6155)

21 Sec. 5. All official acts of the Authority shall require
22 the approval of at least 8 voting members. It shall be the duty
23 of the Authority to promote development within the geographic
24 confines of Madison, Bond, Clinton, ~~and~~ St. Clair, and Monroe
25 counties. The Authority shall use the powers herein conferred

1 upon it to assist in the development, construction and
2 acquisition of industrial, commercial, housing or residential
3 projects within Madison, Bond, Clinton, ~~and~~ St. Clair, and
4 Monroe counties.

5 (Source: P.A. 94-1096, eff. 6-1-07.)

6 (70 ILCS 520/8) (from Ch. 85, par. 6158)

7 Sec. 8. (a) The Authority may, but need not, acquire title
8 to any project with respect to which it exercises its
9 authority.

10 (b) The Authority shall have power to acquire by purchase,
11 lease, gift or otherwise any property or rights therein from
12 any person or persons, the State of Illinois, any municipal
13 corporation, any local unit of government, the government of
14 the United States and any agency or instrumentality of the
15 United States, any body politic or any county useful for its
16 purposes, whether improved for the purposes of any prospective
17 project or unimproved. The Authority may also accept any
18 donation of funds for its purposes from any such source. The
19 Authority may acquire any real property, or rights therein,
20 upon condemnation. The acquisition by eminent domain of such
21 real property or any interest therein by the Authority shall
22 be in the manner provided by the Eminent Domain Act, including
23 Article 20 thereof (quick-take power).

24 The Authority shall not exercise any quick-take eminent
25 domain powers granted by State law within the corporate limits

1 of a municipality unless the governing authority of the
2 municipality authorizes the Authority to do so. The Authority
3 shall not exercise any quick-take eminent domain powers
4 granted by State law within the unincorporated areas of a
5 county unless the county board authorizes the Authority to do
6 so.

7 (c) The Authority shall have power to develop, construct
8 and improve, either under its own direction or through
9 collaboration with any approved applicant, or to acquire
10 through purchase or otherwise any project, using for such
11 purpose the proceeds derived from its sale of revenue bonds,
12 notes or other evidences of indebtedness or governmental loans
13 or grants and to hold title in the name of the Authority to
14 such projects.

15 (d) The Authority shall have the power to enter into
16 intergovernmental agreements with the State of Illinois, the
17 counties of Bond, Clinton, Madison, Monroe, and ~~or~~ St. Clair,
18 the Southwest Regional Port District, the Illinois Finance
19 Authority, the Illinois Housing Development Authority, the
20 Metropolitan Pier and Exposition Authority, the United States
21 government and any agency or instrumentality of the United
22 States, the city of East St. Louis, any unit of local
23 government located within the territory of the Authority or
24 any other unit of government to the extent allowed by Article
25 VII, Section 10 of the Illinois Constitution and the
26 Intergovernmental Cooperation Act.

1 (e) The Authority shall have the power to share employees
2 with other units of government, including agencies of the
3 United States, agencies of the State of Illinois and agencies
4 or personnel of any unit of local government.

5 (f) The Authority shall have the power to exercise powers
6 and issue bonds as if it were a municipality so authorized in
7 Divisions 12.1, 74, 74.1, 74.3 and 74.5 of Article 11 of the
8 Illinois Municipal Code.

9 (Source: P.A. 93-205, eff. 1-1-04; 94-1055, eff. 1-1-07.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.