



Sen. David Koehler

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10300HB1131sam002

LRB103 05007 AWJ 61556 a

1 AMENDMENT TO HOUSE BILL 1131

2 AMENDMENT NO. _____. Amend House Bill 1131, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Governmental Ethics Act is
6 amended by changing Section 4A-101 as follows:

7 (5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

8 Sec. 4A-101. Persons required to file with the Secretary
9 of State. The following persons shall file verified written
10 statements of economic interests with the Secretary of State,
11 as provided in this Article:

12 (a) Members of the General Assembly and candidates for
13 nomination or election to the General Assembly.

14 (b) Persons holding an elected office in the Executive
15 Branch of this State, and candidates for nomination or
16 election to these offices.

1 (c) Members of a Commission or Board created by the
2 Illinois Constitution, and candidates for nomination or
3 election to such Commission or Board.

4 (d) Persons whose appointment to office is subject to
5 confirmation by the Senate and persons appointed by the
6 Governor to any other position on a board or commission
7 described in subsection (a) of Section 15 of the
8 Gubernatorial Boards and Commissions Act.

9 (e) Holders of, and candidates for nomination or
10 election to, the office of judge or associate judge of the
11 Circuit Court and the office of judge of the Appellate or
12 Supreme Court.

13 (f) Persons who are employed by any branch, agency,
14 authority or board of the government of this State,
15 including but not limited to, the Illinois State Toll
16 Highway Authority, the Illinois Housing Development
17 Authority, the Illinois Community College Board, and
18 institutions under the jurisdiction of the Board of
19 Trustees of the University of Illinois, Board of Trustees
20 of Southern Illinois University, Board of Trustees of
21 Chicago State University, Board of Trustees of Eastern
22 Illinois University, Board of Trustees of Governors State
23 University, Board of Trustees of Illinois State
24 University, Board of Trustees of Northeastern Illinois
25 University, Board of Trustees of Northern Illinois
26 University, Board of Trustees of Western Illinois

1 University, or Board of Trustees of the Illinois
2 Mathematics and Science Academy, and are compensated for
3 services as employees and not as independent contractors
4 and who:

5 (1) are, or function as, the head of a department,
6 commission, board, division, bureau, authority or
7 other administrative unit within the government of
8 this State, or who exercise similar authority within
9 the government of this State;

10 (2) have direct supervisory authority over, or
11 direct responsibility for the formulation,
12 negotiation, issuance or execution of contracts
13 entered into by the State in the amount of \$5,000 or
14 more;

15 (3) have authority for the issuance or
16 promulgation of rules and regulations within areas
17 under the authority of the State;

18 (4) have authority for the approval of
19 professional licenses;

20 (5) have responsibility with respect to the
21 financial inspection of regulated nongovernmental
22 entities;

23 (6) adjudicate, arbitrate, or decide any judicial
24 or administrative proceeding, or review the
25 adjudication, arbitration or decision of any judicial
26 or administrative proceeding within the authority of

1 the State;

2 (7) have supervisory responsibility for 20 or more
3 employees of the State;

4 (8) negotiate, assign, authorize, or grant naming
5 rights or sponsorship rights regarding any property or
6 asset of the State, whether real, personal, tangible,
7 or intangible; or

8 (9) have responsibility with respect to the
9 procurement of goods or services.

10 (f-5) Members of the board of commissioners of any
11 flood prevention district created under the Flood
12 Prevention District Act or the Beardstown Regional Flood
13 Prevention District Act.

14 (g) (Blank).

15 (h) (Blank).

16 (i) (Blank).

17 (j) Persons on the Board of Trustees of the Illinois
18 Mathematics and Science Academy.

19 (k) (Blank).

20 (l) Special government agents. A "special government
21 agent" is a person who is directed, retained, designated,
22 appointed, or employed, with or without compensation, by
23 or on behalf of a statewide executive branch
24 constitutional officer to make an ex parte communication
25 under Section 5-50 of the State Officials and Employees
26 Ethics Act or Section 5-165 of the Illinois Administrative

1 Procedure Act.

2 (m) (Blank).

3 (n) Members of the board of any retirement system or
4 investment board established under the Illinois Pension
5 Code, if not required to file under any other provision of
6 this Section.

7 (o) (Blank).

8 (p) Members of the investment advisory panel created
9 under Section 20 of the Illinois Prepaid Tuition Act.

10 (q) Persons serving as Executive Director or otherwise
11 involved with directing the affairs of a Regional
12 Development Authority. As used in this subsection,
13 "Regional Development Authority" has the meaning given to
14 that term in Section 1-5 of the State Officials and
15 Employees Ethics Act.

16 This Section shall not be construed to prevent any unit of
17 local government from enacting financial disclosure
18 requirements that mandate more information than required by
19 this Act.

20 (Source: P.A. 101-81, eff. 7-12-19; 101-221, eff. 8-9-19.)

21 Section 10. The State Officials and Employees Ethics Act
22 is amended by changing Sections 1-5, 20-5, 20-10, 20-23,
23 20-90, 20-95, 75-5, and 75-10 and changing the heading of
24 Article 75 as follows:

1 (5 ILCS 430/1-5)

2 Sec. 1-5. Definitions. As used in this Act:

3 "Appointee" means a person appointed to a position in or
4 with a State agency, regardless of whether the position is
5 compensated.

6 "Board members of Regional Development Authorities" means
7 any person appointed to serve on the governing board of a
8 Regional Development Authority.

9 "Board members of Regional Transit Boards" means any
10 person appointed to serve on the governing board of a Regional
11 Transit Board.

12 "Campaign for elective office" means any activity in
13 furtherance of an effort to influence the selection,
14 nomination, election, or appointment of any individual to any
15 federal, State, or local public office or office in a
16 political organization, or the selection, nomination, or
17 election of Presidential or Vice-Presidential electors, but
18 does not include activities (i) relating to the support or
19 opposition of any executive, legislative, or administrative
20 action (as those terms are defined in Section 2 of the Lobbyist
21 Registration Act), (ii) relating to collective bargaining, or
22 (iii) that are otherwise in furtherance of the person's
23 official State duties.

24 "Candidate" means a person who has filed nominating papers
25 or petitions for nomination or election to an elected State
26 office, or who has been appointed to fill a vacancy in

1 nomination, and who remains eligible for placement on the
2 ballot at either a general primary election or general
3 election.

4 "Collective bargaining" has the same meaning as that term
5 is defined in Section 3 of the Illinois Public Labor Relations
6 Act.

7 "Commission" means an ethics commission created by this
8 Act.

9 "Compensated time" means any time worked by or credited to
10 a State employee that counts toward any minimum work time
11 requirement imposed as a condition of employment with a State
12 agency, but does not include any designated State holidays or
13 any period when the employee is on a leave of absence.

14 "Compensatory time off" means authorized time off earned
15 by or awarded to a State employee to compensate in whole or in
16 part for time worked in excess of the minimum work time
17 required of that employee as a condition of employment with a
18 State agency.

19 "Contribution" has the same meaning as that term is
20 defined in Section 9-1.4 of the Election Code.

21 "Employee" means (i) any person employed full-time,
22 part-time, or pursuant to a contract and whose employment
23 duties are subject to the direction and control of an employer
24 with regard to the material details of how the work is to be
25 performed or (ii) any appointed or elected commissioner,
26 trustee, director, or board member of a board of a State

1 agency, including any retirement system or investment board
2 subject to the Illinois Pension Code or (iii) any other
3 appointee.

4 "Employment benefits" include but are not limited to the
5 following: modified compensation or benefit terms; compensated
6 time off; or change of title, job duties, or location of office
7 or employment. An employment benefit may also include
8 favorable treatment in determining whether to bring any
9 disciplinary or similar action or favorable treatment during
10 the course of any disciplinary or similar action or other
11 performance review.

12 "Executive branch constitutional officer" means the
13 Governor, Lieutenant Governor, Attorney General, Secretary of
14 State, Comptroller, and Treasurer.

15 "Gift" means any gratuity, discount, entertainment,
16 hospitality, loan, forbearance, or other tangible or
17 intangible item having monetary value including, but not
18 limited to, cash, food and drink, and honoraria for speaking
19 engagements related to or attributable to government
20 employment or the official position of an employee, member, or
21 officer. The value of a gift may be further defined by rules
22 adopted by the appropriate ethics commission or by the Auditor
23 General for the Auditor General and for employees of the
24 office of the Auditor General.

25 "Governmental entity" means a unit of local government
26 (including a community college district) or a school district

1 but not a State agency, ~~or~~ a Regional Transit Board, or a
2 Regional Development Authority.

3 "Leave of absence" means any period during which a State
4 employee does not receive (i) compensation for State
5 employment, (ii) service credit towards State pension
6 benefits, and (iii) health insurance benefits paid for by the
7 State.

8 "Legislative branch constitutional officer" means a member
9 of the General Assembly and the Auditor General.

10 "Legislative leader" means the President and Minority
11 Leader of the Senate and the Speaker and Minority Leader of the
12 House of Representatives.

13 "Member" means a member of the General Assembly.

14 "Officer" means an executive branch constitutional officer
15 or a legislative branch constitutional officer.

16 "Political" means any activity in support of or in
17 connection with any campaign for elective office or any
18 political organization, but does not include activities (i)
19 relating to the support or opposition of any executive,
20 legislative, or administrative action (as those terms are
21 defined in Section 2 of the Lobbyist Registration Act), (ii)
22 relating to collective bargaining, or (iii) that are otherwise
23 in furtherance of the person's official State duties or
24 governmental and public service functions.

25 "Political organization" means a party, committee,
26 association, fund, or other organization (whether or not

1 incorporated) that is required to file a statement of
2 organization with the State Board of Elections or a county
3 clerk under Section 9-3 of the Election Code, but only with
4 regard to those activities that require filing with the State
5 Board of Elections or a county clerk.

6 "Prohibited political activity" means:

7 (1) Preparing for, organizing, or participating in any
8 political meeting, political rally, political
9 demonstration, or other political event.

10 (2) Soliciting contributions, including but not
11 limited to the purchase of, selling, distributing, or
12 receiving payment for tickets for any political
13 fundraiser, political meeting, or other political event.

14 (3) Soliciting, planning the solicitation of, or
15 preparing any document or report regarding any thing of
16 value intended as a campaign contribution.

17 (4) Planning, conducting, or participating in a public
18 opinion poll in connection with a campaign for elective
19 office or on behalf of a political organization for
20 political purposes or for or against any referendum
21 question.

22 (5) Surveying or gathering information from potential
23 or actual voters in an election to determine probable vote
24 outcome in connection with a campaign for elective office
25 or on behalf of a political organization for political
26 purposes or for or against any referendum question.

1 (6) Assisting at the polls on election day on behalf
2 of any political organization or candidate for elective
3 office or for or against any referendum question.

4 (7) Soliciting votes on behalf of a candidate for
5 elective office or a political organization or for or
6 against any referendum question or helping in an effort to
7 get voters to the polls.

8 (8) Initiating for circulation, preparing,
9 circulating, reviewing, or filing any petition on behalf
10 of a candidate for elective office or for or against any
11 referendum question.

12 (9) Making contributions on behalf of any candidate
13 for elective office in that capacity or in connection with
14 a campaign for elective office.

15 (10) Preparing or reviewing responses to candidate
16 questionnaires in connection with a campaign for elective
17 office or on behalf of a political organization for
18 political purposes.

19 (11) Distributing, preparing for distribution, or
20 mailing campaign literature, campaign signs, or other
21 campaign material on behalf of any candidate for elective
22 office or for or against any referendum question.

23 (12) Campaigning for any elective office or for or
24 against any referendum question.

25 (13) Managing or working on a campaign for elective
26 office or for or against any referendum question.

1 (14) Serving as a delegate, alternate, or proxy to a
2 political party convention.

3 (15) Participating in any recount or challenge to the
4 outcome of any election, except to the extent that under
5 subsection (d) of Section 6 of Article IV of the Illinois
6 Constitution each house of the General Assembly shall
7 judge the elections, returns, and qualifications of its
8 members.

9 "Prohibited source" means any person or entity who:

10 (1) is seeking official action (i) by the member or
11 officer or (ii) in the case of an employee, by the employee
12 or by the member, officer, State agency, or other employee
13 directing the employee;

14 (2) does business or seeks to do business (i) with the
15 member or officer or (ii) in the case of an employee, with
16 the employee or with the member, officer, State agency, or
17 other employee directing the employee;

18 (3) conducts activities regulated (i) by the member or
19 officer or (ii) in the case of an employee, by the employee
20 or by the member, officer, State agency, or other employee
21 directing the employee;

22 (4) has interests that may be substantially affected
23 by the performance or non-performance of the official
24 duties of the member, officer, or employee;

25 (5) is registered or required to be registered with
26 the Secretary of State under the Lobbyist Registration

1 Act, except that an entity not otherwise a prohibited
2 source does not become a prohibited source merely because
3 a registered lobbyist is one of its members or serves on
4 its board of directors; or

5 (6) is an agent of, a spouse of, or an immediate family
6 member who is living with a "prohibited source".

7 "Regional Development Authority" means the following
8 regional development authorities:

9 (1) the Central Illinois Economic Development
10 Authority created by the Central Illinois Economic
11 Development Authority Act;

12 (2) the Eastern Illinois Economic Development
13 Authority created by the Eastern Illinois Economic
14 Development Authority Act;

15 (3) the Joliet Arsenal Development Authority created
16 by the Joliet Arsenal Development Authority Act;

17 (4) the Quad Cities Regional Economic Development
18 Authority created by Quad Cities Regional Economic
19 Development Authority Act, approved September 22, 1987;

20 (5) the Riverdale Development Authority created by the
21 Riverdale Development Authority Act;

22 (6) the Southeastern Illinois Economic Development
23 Authority created by the Southeastern Illinois Economic
24 Development Authority Act;

25 (7) the Southern Illinois Economic Development
26 Authority created by the Southern Illinois Economic

1 Development Authority Act;

2 (8) the Southwestern Illinois Development Authority
3 created by the Southwestern Illinois Development Authority
4 Act;

5 (9) the Tri-County River Valley Development Authority
6 created by the Tri-County River Valley Development
7 Authority Law;

8 (10) the Upper Illinois River Valley Development
9 Authority created by the Upper Illinois River Valley
10 Development Authority Act;

11 (11) the Illinois Urban Development Authority created
12 by the Illinois Urban Development Authority Act;

13 (12) the Western Illinois Economic Development
14 Authority created by the Western Illinois Economic
15 Development Authority Act; and

16 (13) the Will-Kankakee Regional Development Authority
17 created by the Will-Kankakee Regional Development
18 Authority Law.

19 "Regional Transit Boards" means (i) the Regional
20 Transportation Authority created by the Regional
21 Transportation Authority Act, (ii) the Suburban Bus Division
22 created by the Regional Transportation Authority Act, (iii)
23 the Commuter Rail Division created by the Regional
24 Transportation Authority Act, and (iv) the Chicago Transit
25 Authority created by the Metropolitan Transit Authority Act.

26 "State agency" includes all officers, boards, commissions

1 and agencies created by the Constitution, whether in the
2 executive or legislative branch; all officers, departments,
3 boards, commissions, agencies, institutions, authorities,
4 public institutions of higher learning as defined in Section 2
5 of the Higher Education Cooperation Act (except community
6 colleges), and bodies politic and corporate of the State; and
7 administrative units or corporate outgrowths of the State
8 government which are created by or pursuant to statute, other
9 than units of local government (including community college
10 districts) and their officers, school districts, and boards of
11 election commissioners; and all administrative units and
12 corporate outgrowths of the above and as may be created by
13 executive order of the Governor. "State agency" includes the
14 General Assembly, the Senate, the House of Representatives,
15 the President and Minority Leader of the Senate, the Speaker
16 and Minority Leader of the House of Representatives, the
17 Senate Operations Commission, and the legislative support
18 services agencies. "State agency" includes the Office of the
19 Auditor General. "State agency" does not include the judicial
20 branch.

21 "State employee" means any employee of a State agency.

22 "Ultimate jurisdictional authority" means the following:

23 (1) For members, legislative partisan staff, and
24 legislative secretaries, the appropriate legislative
25 leader: President of the Senate, Minority Leader of the
26 Senate, Speaker of the House of Representatives, or

1 Minority Leader of the House of Representatives.

2 (2) For State employees who are professional staff or
3 employees of the Senate and not covered under item (1),
4 the Senate Operations Commission.

5 (3) For State employees who are professional staff or
6 employees of the House of Representatives and not covered
7 under item (1), the Speaker of the House of
8 Representatives.

9 (4) For State employees who are employees of the
10 legislative support services agencies, the Joint Committee
11 on Legislative Support Services.

12 (5) For State employees of the Auditor General, the
13 Auditor General.

14 (6) For State employees of public institutions of
15 higher learning as defined in Section 2 of the Higher
16 Education Cooperation Act (except community colleges), the
17 board of trustees of the appropriate public institution of
18 higher learning.

19 (7) For State employees of an executive branch
20 constitutional officer other than those described in
21 paragraph (6), the appropriate executive branch
22 constitutional officer.

23 (8) For State employees not under the jurisdiction of
24 paragraph (1), (2), (3), (4), (5), (6), or (7), the
25 Governor.

26 (9) For employees of Regional Transit Boards, the

1 appropriate Regional Transit Board.

2 (10) For board members of Regional Transit Boards, the
3 Governor.

4 (11) For employees of Regional Development
5 Authorities, the appropriate Regional Development
6 Authority.

7 (12) For board members of Regional Development
8 Authorities, the Governor.

9 (Source: P.A. 96-6, eff. 4-3-09; 96-555, eff. 8-18-09;
10 96-1528, eff. 7-1-11; 96-1533, eff. 3-4-11; 97-813, eff.
11 7-13-12.)

12 (5 ILCS 430/20-5)

13 Sec. 20-5. Executive Ethics Commission.

14 (a) The Executive Ethics Commission is created.

15 (b) The Executive Ethics Commission shall consist of 9
16 commissioners. The Governor shall appoint 5 commissioners, and
17 the Attorney General, Secretary of State, Comptroller, and
18 Treasurer shall each appoint one commissioner. Appointments
19 shall be made by and with the advice and consent of the Senate
20 by three-fifths of the elected members concurring by record
21 vote. Any nomination not acted upon by the Senate within 60
22 session days of the receipt thereof shall be deemed to have
23 received the advice and consent of the Senate. If, during a
24 recess of the Senate, there is a vacancy in an office of
25 commissioner, the appointing authority shall make a temporary

1 appointment until the next meeting of the Senate when the
2 appointing authority shall make a nomination to fill that
3 office. No person rejected for an office of commissioner
4 shall, except by the Senate's request, be nominated again for
5 that office at the same session of the Senate or be appointed
6 to that office during a recess of that Senate. No more than 5
7 commissioners may be of the same political party.

8 The terms of the initial commissioners shall commence upon
9 qualification. Four initial appointees of the Governor, as
10 designated by the Governor, shall serve terms running through
11 June 30, 2007. One initial appointee of the Governor, as
12 designated by the Governor, and the initial appointees of the
13 Attorney General, Secretary of State, Comptroller, and
14 Treasurer shall serve terms running through June 30, 2008. The
15 initial appointments shall be made within 60 days after the
16 effective date of this Act.

17 After the initial terms, commissioners shall serve for
18 4-year terms commencing on July 1 of the year of appointment
19 and running through June 30 of the fourth following year.
20 Commissioners may be reappointed to one or more subsequent
21 terms.

22 Vacancies occurring other than at the end of a term shall
23 be filled by the appointing authority only for the balance of
24 the term of the commissioner whose office is vacant.

25 Terms shall run regardless of whether the position is
26 filled.

1 (c) The appointing authorities shall appoint commissioners
2 who have experience holding governmental office or employment
3 and shall appoint commissioners from the general public. A
4 person is not eligible to serve as a commissioner if that
5 person (i) has been convicted of a felony or a crime of
6 dishonesty or moral turpitude, (ii) is, or was within the
7 preceding 12 months, engaged in activities that require
8 registration under the Lobbyist Registration Act, (iii) is
9 related to the appointing authority, or (iv) is a State
10 officer or employee.

11 (d) The Executive Ethics Commission shall have
12 jurisdiction over all officers and employees of State agencies
13 other than the General Assembly, the Senate, the House of
14 Representatives, the President and Minority Leader of the
15 Senate, the Speaker and Minority Leader of the House of
16 Representatives, the Senate Operations Commission, the
17 legislative support services agencies, and the Office of the
18 Auditor General. The Executive Ethics Commission shall have
19 jurisdiction over all board members and employees of Regional
20 Transit Boards and all Authority leaders, board members, and
21 employees of Regional Development Authorities. The
22 jurisdiction of the Commission is limited to matters arising
23 under this Act, except as provided in subsection (d-5). As
24 used in this subsection, "Authority leader" has the meaning
25 given to that term in the various Acts and Laws creating the
26 Regional Development Authorities.

1 A member or legislative branch State employee serving on
2 an executive branch board or commission remains subject to the
3 jurisdiction of the Legislative Ethics Commission and is not
4 subject to the jurisdiction of the Executive Ethics
5 Commission.

6 (d-5) The Executive Ethics Commission shall have
7 jurisdiction over all chief procurement officers and
8 procurement compliance monitors and their respective staffs.
9 The Executive Ethics Commission shall have jurisdiction over
10 any matters arising under the Illinois Procurement Code if the
11 Commission is given explicit authority in that Code.

12 (d-6) (1) The Executive Ethics Commission shall have
13 jurisdiction over the Illinois Power Agency and its staff. The
14 Director of the Agency shall be appointed by a majority of the
15 commissioners of the Executive Ethics Commission, subject to
16 Senate confirmation, for a term of 2 years. The Director is
17 removable for cause by a majority of the Commission upon a
18 finding of neglect, malfeasance, absence, or incompetence.

19 (2) In case of a vacancy in the office of Director of the
20 Illinois Power Agency during a recess of the Senate, the
21 Executive Ethics Commission may make a temporary appointment
22 until the next meeting of the Senate, at which time the
23 Executive Ethics Commission shall nominate some person to fill
24 the office, and any person so nominated who is confirmed by the
25 Senate shall hold office during the remainder of the term and
26 until his or her successor is appointed and qualified. Nothing

1 in this subsection shall prohibit the Executive Ethics
2 Commission from removing a temporary appointee or from
3 appointing a temporary appointee as the Director of the
4 Illinois Power Agency.

5 (3) Prior to June 1, 2012, the Executive Ethics Commission
6 may, until the Director of the Illinois Power Agency is
7 appointed and qualified or a temporary appointment is made
8 pursuant to paragraph (2) of this subsection, designate some
9 person as an acting Director to execute the powers and
10 discharge the duties vested by law in that Director. An acting
11 Director shall serve no later than 60 calendar days, or upon
12 the making of an appointment pursuant to paragraph (1) or (2)
13 of this subsection, whichever is earlier. Nothing in this
14 subsection shall prohibit the Executive Ethics Commission from
15 removing an acting Director or from appointing an acting
16 Director as the Director of the Illinois Power Agency.

17 (4) No person rejected by the Senate for the office of
18 Director of the Illinois Power Agency shall, except at the
19 Senate's request, be nominated again for that office at the
20 same session or be appointed to that office during a recess of
21 that Senate.

22 (d-7) The Executive Ethics Commission shall have
23 jurisdiction over complainants and respondents in violation of
24 subsection (d) of Section 20-90.

25 (e) The Executive Ethics Commission must meet, either in
26 person or by other technological means, at least monthly and

1 as often as necessary. At the first meeting of the Executive
2 Ethics Commission, the commissioners shall choose from their
3 number a chairperson and other officers that they deem
4 appropriate. The terms of officers shall be for 2 years
5 commencing July 1 and running through June 30 of the second
6 following year. Meetings shall be held at the call of the
7 chairperson or any 3 commissioners. Official action by the
8 Commission shall require the affirmative vote of 5
9 commissioners, and a quorum shall consist of 5 commissioners.
10 Commissioners shall receive compensation in an amount equal to
11 the compensation of members of the State Board of Elections
12 and may be reimbursed for their reasonable expenses actually
13 incurred in the performance of their duties.

14 (f) No commissioner or employee of the Executive Ethics
15 Commission may during his or her term of appointment or
16 employment:

17 (1) become a candidate for any elective office;

18 (2) hold any other elected or appointed public office
19 except for appointments on governmental advisory boards or
20 study commissions or as otherwise expressly authorized by
21 law;

22 (3) be actively involved in the affairs of any
23 political party or political organization; or

24 (4) advocate for the appointment of another person to
25 an appointed or elected office or position or actively
26 participate in any campaign for any elective office.

1 (g) An appointing authority may remove a commissioner only
2 for cause.

3 (h) The Executive Ethics Commission shall appoint an
4 Executive Director. The compensation of the Executive Director
5 shall be as determined by the Commission. The Executive
6 Director of the Executive Ethics Commission may employ and
7 determine the compensation of staff, as appropriations permit.

8 (i) The Executive Ethics Commission shall appoint, by a
9 majority of the members appointed to the Commission, chief
10 procurement officers and may appoint procurement compliance
11 monitors in accordance with the provisions of the Illinois
12 Procurement Code. The compensation of a chief procurement
13 officer and procurement compliance monitor shall be determined
14 by the Commission.

15 (Source: P.A. 100-43, eff. 8-9-17; 101-221, eff. 8-9-19;
16 101-617, eff. 12-20-19.)

17 (5 ILCS 430/20-10)

18 Sec. 20-10. Offices of Executive Inspectors General.

19 (a) Five independent Offices of the Executive Inspector
20 General are created, one each for the Governor, the Attorney
21 General, the Secretary of State, the Comptroller, and the
22 Treasurer. Each Office shall be under the direction and
23 supervision of an Executive Inspector General and shall be a
24 fully independent office with separate appropriations.

25 (b) The Governor, Attorney General, Secretary of State,

1 Comptroller, and Treasurer shall each appoint an Executive
2 Inspector General, without regard to political affiliation and
3 solely on the basis of integrity and demonstrated ability.
4 Appointments shall be made by and with the advice and consent
5 of the Senate by three-fifths of the elected members
6 concurring by record vote. Any nomination not acted upon by
7 the Senate within 60 session days of the receipt thereof shall
8 be deemed to have received the advice and consent of the
9 Senate. If, during a recess of the Senate, there is a vacancy
10 in an office of Executive Inspector General, the appointing
11 authority shall make a temporary appointment until the next
12 meeting of the Senate when the appointing authority shall make
13 a nomination to fill that office. No person rejected for an
14 office of Executive Inspector General shall, except by the
15 Senate's request, be nominated again for that office at the
16 same session of the Senate or be appointed to that office
17 during a recess of that Senate.

18 Nothing in this Article precludes the appointment by the
19 Governor, Attorney General, Secretary of State, Comptroller,
20 or Treasurer of any other inspector general required or
21 permitted by law. The Governor, Attorney General, Secretary of
22 State, Comptroller, and Treasurer each may appoint an existing
23 inspector general as the Executive Inspector General required
24 by this Article, provided that such an inspector general is
25 not prohibited by law, rule, jurisdiction, qualification, or
26 interest from serving as the Executive Inspector General

1 required by this Article. An appointing authority may not
2 appoint a relative as an Executive Inspector General.

3 Each Executive Inspector General shall have the following
4 qualifications:

5 (1) has not been convicted of any felony under the
6 laws of this State, another State, or the United States;

7 (2) has earned a baccalaureate degree from an
8 institution of higher education; and

9 (3) has 5 or more years of cumulative service (A) with
10 a federal, State, or local law enforcement agency, at
11 least 2 years of which have been in a progressive
12 investigatory capacity; (B) as a federal, State, or local
13 prosecutor; (C) as a senior manager or executive of a
14 federal, State, or local agency; (D) as a member, an
15 officer, or a State or federal judge; or (E) representing
16 any combination of items (A) through (D).

17 The term of each initial Executive Inspector General shall
18 commence upon qualification and shall run through June 30,
19 2008. The initial appointments shall be made within 60 days
20 after the effective date of this Act.

21 After the initial term, each Executive Inspector General
22 shall serve for 5-year terms commencing on July 1 of the year
23 of appointment and running through June 30 of the fifth
24 following year. An Executive Inspector General may be
25 reappointed to one or more subsequent terms.

26 A vacancy occurring other than at the end of a term shall

1 be filled by the appointing authority only for the balance of
2 the term of the Executive Inspector General whose office is
3 vacant.

4 Terms shall run regardless of whether the position is
5 filled.

6 (c) The Executive Inspector General appointed by the
7 Attorney General shall have jurisdiction over the Attorney
8 General and all officers and employees of, and vendors and
9 others doing business with, State agencies within the
10 jurisdiction of the Attorney General. The Executive Inspector
11 General appointed by the Secretary of State shall have
12 jurisdiction over the Secretary of State and all officers and
13 employees of, and vendors and others doing business with,
14 State agencies within the jurisdiction of the Secretary of
15 State. The Executive Inspector General appointed by the
16 Comptroller shall have jurisdiction over the Comptroller and
17 all officers and employees of, and vendors and others doing
18 business with, State agencies within the jurisdiction of the
19 Comptroller. The Executive Inspector General appointed by the
20 Treasurer shall have jurisdiction over the Treasurer and all
21 officers and employees of, and vendors and others doing
22 business with, State agencies within the jurisdiction of the
23 Treasurer. The Executive Inspector General appointed by the
24 Governor shall have jurisdiction over (i) the Governor, (ii)
25 the Lieutenant Governor, (iii) all officers and employees of,
26 and vendors and others doing business with, executive branch

1 State agencies under the jurisdiction of the Executive Ethics
2 Commission and not within the jurisdiction of the Attorney
3 General, the Secretary of State, the Comptroller, or the
4 Treasurer, ~~and~~ (iv) all board members and employees of the
5 Regional Transit Boards and all vendors and others doing
6 business with the Regional Transit Boards, and (v) all board
7 members and employees of the Regional Development Authorities
8 and all vendors and others doing business with the Regional
9 Development Authorities.

10 The jurisdiction of each Executive Inspector General is to
11 investigate allegations of fraud, waste, abuse, mismanagement,
12 misconduct, nonfeasance, misfeasance, malfeasance, or
13 violations of this Act or violations of other related laws and
14 rules.

15 Each Executive Inspector General shall have jurisdiction
16 over complainants in violation of subsection (e) of Section
17 20-63 for disclosing a summary report prepared by the
18 respective Executive Inspector General.

19 (d) The compensation for each Executive Inspector General
20 shall be determined by the Executive Ethics Commission and
21 shall be provided from appropriations made to the Comptroller
22 for this purpose. For terms of office beginning on or after
23 July 1, 2023, each Executive Inspector General shall receive,
24 on July 1 of each year, beginning on July 1, 2024, an increase
25 in salary based on a cost of living adjustment as authorized by
26 Senate Joint Resolution 192 of the 86th General Assembly.

1 Subject to Section 20-45 of this Act, each Executive Inspector
2 General has full authority to organize his or her Office of the
3 Executive Inspector General, including the employment and
4 determination of the compensation of staff, such as deputies,
5 assistants, and other employees, as appropriations permit. A
6 separate appropriation shall be made for each Office of
7 Executive Inspector General.

8 (e) No Executive Inspector General or employee of the
9 Office of the Executive Inspector General may, during his or
10 her term of appointment or employment:

11 (1) become a candidate for any elective office;

12 (2) hold any other elected or appointed public office
13 except for appointments on governmental advisory boards or
14 study commissions or as otherwise expressly authorized by
15 law;

16 (3) be actively involved in the affairs of any
17 political party or political organization; or

18 (4) advocate for the appointment of another person to
19 an appointed or elected office or position or actively
20 participate in any campaign for any elective office.

21 In this subsection an appointed public office means a
22 position authorized by law that is filled by an appointing
23 authority as provided by law and does not include employment
24 by hiring in the ordinary course of business.

25 (e-1) No Executive Inspector General or employee of the
26 Office of the Executive Inspector General may, for one year

1 after the termination of his or her appointment or employment:

2 (1) become a candidate for any elective office;

3 (2) hold any elected public office; or

4 (3) hold any appointed State, county, or local
5 judicial office.

6 (e-2) The requirements of item (3) of subsection (e-1) may
7 be waived by the Executive Ethics Commission.

8 (f) An Executive Inspector General may be removed only for
9 cause and may be removed only by the appointing constitutional
10 officer. At the time of the removal, the appointing
11 constitutional officer must report to the Executive Ethics
12 Commission the justification for the removal.

13 (Source: P.A. 101-221, eff. 8-9-19; 102-558, eff. 8-20-21;
14 102-1115, eff. 1-9-23.)

15 (5 ILCS 430/20-23)

16 Sec. 20-23. Ethics Officers. Each officer and the head of
17 each State agency under the jurisdiction of the Executive
18 Ethics Commission shall designate an Ethics Officer for the
19 office or State agency. The board of each Regional Transit
20 Board shall designate an Ethics Officer for the Regional
21 Transit Board, and the board of each Regional Development
22 Authority shall designate an Ethics Officer for the Regional
23 Development Authority. Ethics Officers shall:

24 (1) act as liaisons between the State agency, ~~or~~
25 Regional Transit Board, or Regional Development Authority

1 and the appropriate Executive Inspector General and
2 between the State agency, ~~or~~ Regional Transit Board, or
3 Regional Development Authority and the Executive Ethics
4 Commission;

5 (2) review statements of economic interest and
6 disclosure forms of officers, senior employees, and
7 contract monitors before they are filed with the Secretary
8 of State; and

9 (3) provide guidance to officers and employees in the
10 interpretation and implementation of this Act, which the
11 officer or employee may in good faith rely upon. Such
12 guidance shall be based, wherever possible, upon legal
13 precedent in court decisions, opinions of the Attorney
14 General, and the findings and opinions of the Executive
15 Ethics Commission.

16 (Source: P.A. 96-1528, eff. 7-1-11.)

17 (5 ILCS 430/20-90)

18 Sec. 20-90. Confidentiality.

19 (a) The identity of any individual providing information
20 or reporting any possible or alleged misconduct to an
21 Executive Inspector General or the Executive Ethics Commission
22 shall be kept confidential and may not be disclosed without
23 the consent of that individual, unless the individual consents
24 to disclosure of his or her name or disclosure of the
25 individual's identity is otherwise required by law. The

1 confidentiality granted by this subsection does not preclude
2 the disclosure of the identity of a person in any capacity
3 other than as the source of an allegation.

4 (b) Subject to the provisions of Section 20-52,
5 commissioners, employees, and agents of the Executive Ethics
6 Commission, the Executive Inspectors General, and employees
7 and agents of each Office of an Executive Inspector General,
8 the Attorney General, and the employees and agents of the
9 office of the Attorney General shall keep confidential and
10 shall not disclose information exempted from disclosure under
11 the Freedom of Information Act or by this Act, provided the
12 identity of any individual providing information or reporting
13 any possible or alleged misconduct to the Executive Inspector
14 General for the Governor may be disclosed to an Inspector
15 General appointed or employed by a Regional Transit Board or a
16 Regional Development Authority in accordance with Section
17 75-10.

18 (c) In his or her discretion, an Executive Inspector
19 General may notify complainants and subjects of an
20 investigation with an update on the status of the respective
21 investigation, including when the investigation is opened and
22 closed.

23 (d) A complainant, as defined in subsection (a) of Section
24 20-63, or a respondent who receives a copy of any summary
25 report, in whole or in part, shall keep the report
26 confidential and shall not disclose the report, or any portion

1 thereof, prior to the publication of the summary report by the
2 Executive Ethics Commission pursuant to this Act. A
3 complainant or respondent who violates this subsection (d)
4 shall be in violation of this Act and subject to an
5 administrative fine by the Executive Ethics Commission of up
6 to \$5,000.

7 (Source: P.A. 100-588, eff. 6-8-18; 101-617, eff. 12-20-19.)

8 (5 ILCS 430/20-95)

9 Sec. 20-95. Exemptions.

10 (a) Documents generated by an ethics officer under this
11 Act, except Section 5-50, are exempt from the provisions of
12 the Freedom of Information Act.

13 (b) Any allegations and related documents submitted to an
14 Executive Inspector General and any pleadings and related
15 documents brought before the Executive Ethics Commission are
16 exempt from the provisions of the Freedom of Information Act
17 so long as the Executive Ethics Commission does not make a
18 finding of a violation of this Act. If the Executive Ethics
19 Commission finds that a violation has occurred, the entire
20 record of proceedings before the Commission, the decision and
21 recommendation, and the response from the agency head or
22 ultimate jurisdictional authority to the Executive Ethics
23 Commission are not exempt from the provisions of the Freedom
24 of Information Act but information contained therein that is
25 otherwise exempt from the Freedom of Information Act must be

1 redacted before disclosure as provided in the Freedom of
2 Information Act. A summary report released by the Executive
3 Ethics Commission under Section 20-52 is a public record, but
4 information redacted by the Executive Ethics Commission shall
5 not be part of the public record.

6 (c) Meetings of the Commission are exempt from the
7 provisions of the Open Meetings Act.

8 (d) Unless otherwise provided in this Act, all
9 investigatory files and reports of the Office of an Executive
10 Inspector General, other than monthly reports required under
11 Section 20-85, are confidential and privileged, are exempt
12 from disclosure under the Freedom of Information Act, and
13 shall not be divulged to any person or agency, except as
14 necessary (i) to a law enforcement authority, (ii) to the
15 ultimate jurisdictional authority, (iii) to the Executive
16 Ethics Commission, (iv) to another Inspector General appointed
17 pursuant to this Act, or (v) to an Inspector General appointed
18 or employed by a Regional Transit Board or a Regional
19 Development Authority in accordance with Section 75-10.

20 (Source: P.A. 102-664, eff. 1-1-22.)

21 (5 ILCS 430/Art. 75 heading)

22 ARTICLE 75. REGIONAL TRANSIT BOARDS

23 AND REGIONAL DEVELOPMENT AUTHORITIES

24 (Source: P.A. 96-1528, eff. 7-1-11.)

1 (5 ILCS 430/75-5)

2 Sec. 75-5. Application of the State Officials and
3 Employees Ethics Act to the Regional Transit Boards and
4 Regional Development Authorities.

5 (a) ~~The Beginning July 1, 2011, the~~ provisions of Articles
6 1, 5, 10, 20, and 50 of this Act, as well as this Article,
7 ~~shall~~ apply to ~~the~~ Regional Transit Boards and Regional
8 Development Authorities. As used in Articles 1, 5, 10, 20, 50,
9 and 75, (i) "appointee" and "officer" include a person
10 appointed to serve on the board of a Regional Transit Board or
11 a board of a Regional Development Authority, and (ii)
12 "employee" and "State employee" include a full-time,
13 part-time, or contractual employee of a Regional Transit Board
14 or a Regional Development Authority.

15 (b) The Executive Ethics Commission shall have
16 jurisdiction over all board members and employees of the
17 Regional Transit Boards and Regional Development Authorities.
18 The Executive Inspector General appointed by the Governor
19 shall have jurisdiction over all board members, employees,
20 vendors, and others doing business with the Regional Transit
21 Boards and Regional Development Authorities to investigate
22 allegations of fraud, waste, abuse, mismanagement, misconduct,
23 nonfeasance, misfeasance, malfeasance, or violations of this
24 Act.

25 (Source: P.A. 96-1528, eff. 7-1-11.)

1 (5 ILCS 430/75-10)

2 Sec. 75-10. Coordination between Executive Inspector
3 General and Inspectors General appointed by Regional Transit
4 Boards and Regional Development Authorities.

5 (a) Nothing in this ~~amendatory Act of the 96th General~~
6 ~~Assembly~~ precludes a Regional Transit Board or a Regional
7 Development Authority from appointing or employing an
8 Inspector General to serve under its ~~the~~ jurisdiction ~~of a~~
9 ~~Regional Transit Board~~ to receive complaints and conduct
10 investigations in accordance with an ordinance or resolution
11 adopted by that respective Board or Authority, provided he or
12 she is approved by the Executive Ethics Commission. Each ~~A~~
13 Regional Transit Board and Regional Development Authority
14 shall notify the Executive Ethics Commission within 10 days
15 after employing or appointing a person to serve as Inspector
16 General, and the Executive Ethics Commission shall approve or
17 reject the appointment or employment of the Inspector General.
18 Any notification not acted upon by the Executive Ethics
19 Commission within 60 days after its receipt shall be deemed to
20 have received the approval of the Executive Ethics Commission.
21 Within 30 days after the effective date of this amendatory Act
22 of the 96th General Assembly, a Regional Transit Board shall
23 notify the Executive Ethics Commission of any person serving
24 on the effective date of this amendatory Act as an Inspector
25 General for the Regional Transit Board, and the Executive
26 Ethics Commission shall approve or reject the appointment or

1 employment within 30 days after receipt of the notification,
2 provided that any notification not acted upon by the Executive
3 Ethics Commission within 30 days shall be deemed to have
4 received approval. Within 30 days after the effective date of
5 this amendatory Act of the 103rd General Assembly, a Regional
6 Development Authority shall notify the Executive Ethics
7 Commission of any person serving on the effective date of this
8 amendatory Act of the 103rd General Assembly as an Inspector
9 General for the Regional Development Authority, and the
10 Executive Ethics Commission shall approve or reject the
11 appointment or employment within 30 days after receipt of the
12 notification, provided that any notification not acted upon by
13 the Executive Ethics Commission within 30 days shall be deemed
14 to have received approval. No person rejected by the Executive
15 Ethics Commission shall serve as an Inspector General for a
16 Regional Transit Board or a Regional Development Authority for
17 a term of 5 years after being rejected by the Commission. For
18 purposes of this subsection (a), any person appointed or
19 employed by a Transit Board or Regional Development Authority
20 to receive complaints and investigate allegations of fraud,
21 waste, abuse, mismanagement, misconduct, nonfeasance,
22 misfeasance, malfeasance, or violations of this Act shall be
23 considered an Inspector General and shall be subject to
24 approval of the Executive Ethics Commission.

25 (b) The Executive Inspector General appointed by the
26 Governor shall have exclusive jurisdiction to investigate

1 complaints or allegations of violations of this Act and, in
2 his or her discretion, may investigate other complaints or
3 allegations. Complaints or allegations of a violation of this
4 Act received by an Inspector General appointed or employed by
5 a Regional Transit Board or a Regional Development Authority
6 shall be immediately referred to the Executive Inspector
7 General. The Executive Inspector General shall have authority
8 to assume responsibility and investigate any complaint or
9 allegation received by an Inspector General appointed or
10 employed by a Regional Transit Board or a Regional Development
11 Authority. In the event the Executive Inspector General
12 provides written notification of intent to assume
13 investigatory responsibility for a complaint, allegation, or
14 ongoing investigation, the Inspector General appointed or
15 employed by a Regional Transit Board or a Regional Development
16 Authority shall cease review of the complaint, allegation, or
17 ongoing investigation and provide all information to the
18 Executive Inspector General. The Executive Inspector General
19 may delegate responsibility for an investigation to the
20 Inspector General appointed or employed by a Regional Transit
21 Board or a Regional Development Authority. In the event the
22 Executive Inspector General provides an Inspector General
23 appointed or employed by a Regional Transit Board or a
24 Regional Development Authority with written notification of
25 intent to delegate investigatory responsibility for a
26 complaint, allegation, or ongoing investigation, the Executive

1 Inspector General shall provide all information to the
2 Inspector General appointed or employed by a Regional Transit
3 Board or a Regional Development Authority.

4 (c) An Inspector General appointed or employed by a
5 Regional Transit Board or a Regional Development Authority
6 shall provide a monthly activity report to the Executive
7 Inspector General indicating:

8 (1) the total number of complaints or allegations
9 received since the date of the last report and a
10 description of each complaint;

11 (2) the number of investigations pending as of the
12 reporting date and the status of each investigation;

13 (3) the number of investigations concluded since the
14 date of the last report and the result of each
15 investigation; and

16 (4) the status of any investigation delegated by the
17 Executive Inspector General.

18 An Inspector General appointed or employed by a Regional
19 Transit Board or a Regional Development Authority and the
20 Executive Inspector General shall cooperate and share
21 resources or information as necessary to implement the
22 provisions of this Article.

23 (d) Reports filed under this Section are exempt from the
24 Freedom of Information Act and shall be deemed confidential.
25 Investigatory files and reports prepared by the Office of the
26 Executive Inspector General and the Office of an Inspector

1 General appointed or employed by a Regional Transit Board or a
2 Regional Development Authority may be disclosed between the
3 Offices as necessary to implement the provisions of this
4 Article.

5 (Source: P.A. 96-1528, eff. 7-1-11.)

6 Section 15. The Central Illinois Economic Development
7 Authority Act is amended by changing Sections 10, 15, and 70
8 and by adding Sections 21 and 22 as follows:

9 (70 ILCS 504/10)

10 Sec. 10. Definitions. In this Act:

11 "Authority" means the Central Illinois Economic
12 Development Authority.

13 "Authority leader" means the Executive Director, Assistant
14 Executive Director, or any other person serving in a
15 management, administrative, or leadership role at the
16 Authority.

17 "Governmental agency" means any federal, State, or local
18 governmental body and any agency or instrumentality thereof,
19 corporate or otherwise.

20 "Person" means any natural person, firm, partnership,
21 corporation, both domestic and foreign, company, association
22 or joint stock association and includes any trustee, receiver,
23 assignee or personal representative thereof.

24 "Restricted person" means a person who has a familial or

1 business relationship with an Authority leader.

2 "Revenue bond" means any bond issued by the Authority, the
3 principal and interest of which is payable solely from
4 revenues or income derived from any project or activity of the
5 Authority.

6 "Board" means the Board of Directors of the Central
7 Illinois Economic Development Authority.

8 "Governor" means the Governor of the State of Illinois.

9 "City" means any city, village, incorporated town, or
10 township within the geographical territory of the Authority.

11 "Industrial project" means the following:

12 (1) a capital project, including one or more buildings
13 and other structures, improvements, machinery and
14 equipment whether or not on the same site or sites now
15 existing or hereafter acquired, suitable for use by any
16 manufacturing, industrial, research, transportation or
17 commercial enterprise including but not limited to use as
18 a factory, mill, processing plant, assembly plant,
19 packaging plant, fabricating plant, ethanol plant, office
20 building, industrial distribution center, warehouse,
21 repair, overhaul or service facility, freight terminal,
22 research facility, test facility, railroad facility, port
23 facility, solid waste and wastewater treatment and
24 disposal sites and other pollution control facilities,
25 resource or waste reduction, recovery, treatment and
26 disposal facilities, and including also the sites thereof

1 and other rights in land therefore whether improved or
2 unimproved, site preparation and landscaping and all
3 appurtenances and facilities incidental thereto such as
4 utilities, access roads, railroad sidings, truck docking
5 and similar facilities, parking facilities, dockage,
6 wharfage, railroad roadbed, track, trestle, depot,
7 terminal, switching and signaling equipment or related
8 equipment and other improvements necessary or convenient
9 thereto; or

10 (2) any land, buildings, machinery or equipment
11 comprising an addition to or renovation, rehabilitation or
12 improvement of any existing capital project.

13 "Housing project" or "residential project" includes a
14 specific work or improvement undertaken to provide dwelling
15 accommodations, including the acquisition, construction or
16 rehabilitation of lands, buildings and community facilities
17 and in connection therewith to provide nonhousing facilities
18 which are an integral part of a planned large-scale project or
19 new community.

20 "Commercial project" means any project, including, but not
21 limited to, one or more buildings and other structures,
22 improvements, machinery, and equipment, whether or not on the
23 same site or sites now existing or hereafter acquired,
24 suitable for use by any retail or wholesale concern,
25 distributorship, or agency.

26 "Project" means an industrial, housing, residential,

1 commercial, or service project, or any combination thereof,
2 provided that all uses fall within one of the categories
3 described above. Any project automatically includes all site
4 improvements and new construction involving sidewalks, sewers,
5 solid waste and wastewater treatment and disposal sites and
6 other pollution control facilities, resource or waste
7 reduction, recovery, treatment and disposal facilities, parks,
8 open spaces, wildlife sanctuaries, streets, highways, and
9 runways.

10 "Lease agreement" means an agreement in which a project
11 acquired by the Authority by purchase, gift, or lease is
12 leased to any person or corporation that will use, or cause the
13 project to be used, as a project, upon terms providing for
14 lease rental payments at least sufficient to pay, when due,
15 all principal of and interest and premium, if any, on any
16 bonds, notes, or other evidences of indebtedness of the
17 Authority, issued with respect to the project, providing for
18 the maintenance, insurance, and operation of the project on
19 terms satisfactory to the Authority and providing for
20 disposition of the project upon termination of the lease term,
21 including purchase options or abandonment of the premises,
22 with other terms as may be deemed desirable by the Authority.

23 "Loan agreement" means any agreement in which the
24 Authority agrees to loan the proceeds of its bonds, notes, or
25 other evidences of indebtedness, issued with respect to a
26 project, to any person or corporation which will use or cause

1 the project to be used as a project, upon terms providing for
2 loan repayment installments at least sufficient to pay, when
3 due, all principal of and interest and premium, if any, on any
4 bonds, notes, or other evidences of indebtedness of the
5 Authority issued with respect to the project, providing for
6 maintenance, insurance, and operation of the project on terms
7 satisfactory to the Authority and providing for other terms
8 deemed advisable by the Authority.

9 "Financial aid" means the expenditure of Authority funds
10 or funds provided by the Authority for the development,
11 construction, acquisition or improvement of a project, through
12 the issuance of revenue bonds, notes, or other evidences of
13 indebtedness.

14 "Costs incurred in connection with the development,
15 construction, acquisition or improvement of a project" means
16 the following:

17 (1) the cost of purchase and construction of all lands
18 and improvements in connection therewith and equipment and
19 other property, rights, easements, and franchises acquired
20 which are deemed necessary for the construction;

21 (2) financing charges;

22 (3) interest costs with respect to bonds, notes, and
23 other evidences of indebtedness of the Authority prior to
24 and during construction and for a period of 6 months
25 thereafter;

26 (4) engineering and legal expenses; and

1 (5) the costs of plans, specifications, surveys, and
2 estimates of costs and other expenses necessary or
3 incident to determining the feasibility or practicability
4 of any project, together with such other expenses as may
5 be necessary or incident to the financing, insuring,
6 acquisition, and construction of a specific project and
7 the placing of the same in operation.

8 (Source: P.A. 98-750, eff. 1-1-15.)

9 (70 ILCS 504/15)

10 Sec. 15. Creation.

11 (a) There is created a political subdivision, body
12 politic, and municipal corporation named the Central Illinois
13 Economic Development Authority. The territorial jurisdiction
14 of the Authority is that geographic area within the boundaries
15 of the following counties: Macon, Sangamon, Menard, Logan,
16 Christian, DeWitt, Macoupin, Montgomery, Calhoun, Greene, and
17 Jersey and any navigable waters and air space located therein.

18 (b) The governing and administrative powers of the
19 Authority shall be vested in a body consisting of 15 members as
20 follows:

21 (1) Ex officio members. The Director of Commerce and
22 Economic Opportunity, or a designee of that Department,
23 shall serve as an ex officio member.

24 (2) Public members. Three members shall be appointed
25 by the Governor with the advice and consent of the Senate.

1 The county board chairperson of the following counties
2 shall each appoint one member: Macon, Sangamon, Menard,
3 Logan, Christian, DeWitt, Macoupin, Montgomery, Calhoun,
4 Greene, and Jersey. All public members shall reside within
5 the territorial jurisdiction of the Authority. The public
6 members shall be persons of recognized ability and
7 experience in one or more of the following areas: economic
8 development, finance, banking, industrial development,
9 state or local government, commercial agriculture, small
10 business management, real estate development, community
11 development, venture finance, organized labor, or civic or
12 community organization.

13 (c) 8 members shall constitute a quorum, and the Board may
14 not meet or take any action without a quorum present.

15 (d) The chairperson of the Authority shall be elected
16 annually by the Board and must be a public member that resides
17 within the territorial jurisdiction of the Authority.

18 (e) The terms of all initial members of the Authority
19 shall begin 30 days after the effective date of this Act. Of
20 the 3 original public members appointed by the Governor, 1
21 shall serve until the third Monday in January, 2007; 1 shall
22 serve until the third Monday in January, 2008; 1 shall serve
23 until the third Monday in January, 2009. The initial terms of
24 the original public members appointed by the county board
25 chairpersons shall be determined by lot, according to the
26 following schedule: (i) 3 shall serve until the third Monday

1 in January, 2007, (ii) 3 shall serve until the third Monday in
2 January, 2008, (iii) 3 shall serve until the third Monday in
3 January, 2009, and (iv) 2 shall serve until the third Monday in
4 January, 2010. All successors to these original public members
5 shall be appointed by the original appointing authority and
6 all appointments made by the Governor shall be made with the
7 advice and consent of the Senate, pursuant to subsection (b),
8 and shall hold office for a term of 6 years commencing the
9 third Monday in January of the year in which their term
10 commences, except in the case of an appointment to fill a
11 vacancy. Vacancies occurring among the public members shall be
12 filled for the remainder of the term. In case of vacancy in a
13 Governor-appointed membership when the Senate is not in
14 session, the Governor may make a temporary appointment until
15 the next meeting of the Senate when a person shall be nominated
16 to fill the office and, upon confirmation by the Senate, he or
17 she shall hold office during the remainder of the term and
18 until a successor is appointed and qualified. Members of the
19 Authority are not entitled to compensation for their services
20 as members but are entitled to reimbursement for all necessary
21 expenses incurred in connection with the performance of their
22 duties as members.

23 (f) The Governor may remove any public member of the
24 Authority appointed by the Governor or a predecessor Governor
25 in case of incompetence, neglect of duty, or malfeasance in
26 office. The chairperson of a county board may remove any

1 public member appointed by that chairperson or a predecessor
2 county board chairperson in case of incompetence, neglect of
3 duty, or malfeasance in office.

4 (g) The Board shall appoint an Executive Director who
5 shall have a background in finance, including familiarity with
6 the legal and procedural requirements of issuing bonds, real
7 estate, or economic development and administration. The
8 Executive Director shall hold office at the discretion of the
9 Board. The Executive Director shall be the chief
10 administrative and operational officer of the Authority, shall
11 direct and supervise its administrative affairs and general
12 management, perform such other duties as may be prescribed
13 from time to time by the members, and receive compensation
14 fixed by the Authority. The Department of Commerce and
15 Economic Opportunity shall pay the compensation of the
16 Executive Director from appropriations received for that
17 purpose. The Executive Director shall attend all meetings of
18 the Authority. However, no action of the Authority shall be
19 invalid on account of the absence of the Executive Director
20 from a meeting. The Authority may engage the services of the
21 Illinois Finance Authority, attorneys, appraisers, engineers,
22 accountants, credit analysts, and other consultants if the
23 Central Illinois Economic Development Authority deems it
24 advisable.

25 (Source: P.A. 94-995, eff. 7-3-06.)

1 (70 ILCS 504/21 new)

2 Sec. 21. Requests for assistance; disclosure of economic
3 interests.

4 (a) The Authority may not hear a request for assistance
5 from a restricted person. This prohibition extends to business
6 relationships between a person who is an Authority leader
7 within one year prior to the request for assistance and to any
8 entity in which a restricted person holds or, within the past 2
9 years, held an ownership interest of 10% or more.

10 (b) An Authority leader shall disclose and recuse himself
11 or herself from matters relating to requests for assistance
12 from an entity that is relocating full-time employees from
13 another Authority's counties if (i) both Authorities contract
14 with or employ the same Authority leader or (ii) there is or,
15 within the past 2 years of the request, there was a business
16 relationship between the Authority leaders at the 2
17 Authorities.

18 (c) The Board of the Authority shall vote to renew the
19 appointment of the Executive Director and other Authority
20 leaders on an annual basis. All contracts shall be approved on
21 an annual basis and use a public process to solicit
22 applications. This requirement does not apply to full-time
23 employees of the Authority unless otherwise required by
24 applicable State law or local ordinance.

25 (g) Each Authority leader shall submit a statement of
26 economic interest in accordance with Article 4A of the

1 Illinois Governmental Ethics Act. Additionally, each Authority
2 leader shall disclose to the Board outside sources of income
3 and any business relationships in economic development
4 consulting or lobbying. Reporting shall include the source of
5 income, services provided, and timeline of when services were
6 provided. If the source of income is a firm or organization
7 with multiple clients, the report shall list all of the
8 entities for which the individual provided services.

9 (70 ILCS 504/22 new)

10 Sec. 22. Open meetings; record disclosure.

11 (a) The Authority is subject to the Open Meetings Act and
12 the Freedom of Information Act. Documents subject to the
13 Freedom of Information Act include, but are not limited to,
14 expenses, payroll, origination bonuses, and other financial
15 details of the Authority.

16 (b) A contract or agreement entered into by the Authority
17 must be posted on the Authority's website. The Authority shall
18 provide a detailed report of the Authority's financial
19 information on the Authority's website, including, but not
20 limited to, a statement of profits and losses, balance sheet,
21 and income statement of the Authority.

22 (70 ILCS 504/70)

23 Sec. 70. Reports; commitment notice. The Authority shall
24 annually submit a report of its finances to the Auditor

1 General. The Authority shall annually submit a report of its
2 activities to the Governor and to the General Assembly.

3 The Authority shall provide notice to the General
4 Assembly, the Department of Commerce and Economic Opportunity,
5 and the Governor once the Authority enters into a commitment
6 to support the financing of a project. The notice to the
7 General Assembly shall be filed with the Clerk of the House of
8 Representatives and the Secretary of the Senate, in electronic
9 form only, in the manner that the Clerk and the Secretary shall
10 direct.

11 (Source: P.A. 94-995, eff. 7-3-06.)

12 Section 20. The Eastern Illinois Economic Development
13 Authority Act is amended by changing Sections 10, 15, and 70
14 and by adding Sections 21 and 22 as follows:

15 (70 ILCS 506/10)

16 Sec. 10. Definitions. In this Act:

17 "Authority" means the Eastern Illinois Economic
18 Development Authority.

19 "Authority leader" means the Executive Director, Assistant
20 Executive Director, or any other person serving in a
21 management, administrative, or leadership role at the
22 Authority.

23 "Governmental agency" means any federal, State, or local
24 governmental body and any agency or instrumentality thereof,

1 corporate or otherwise.

2 "Person" means any natural person, firm, partnership,
3 corporation, both domestic and foreign, company, association
4 or joint stock association and includes any trustee, receiver,
5 assignee or personal representative thereof.

6 "Restricted person" means a person who has a familial or
7 business relationship with an Authority leader.

8 "Revenue bond" means any bond issued by the Authority, the
9 principal and interest of which is payable solely from
10 revenues or income derived from any project or activity of the
11 Authority.

12 "Board" means the Board of Directors of the Eastern
13 Illinois Economic Development Authority.

14 "Governor" means the Governor of the State of Illinois.

15 "City" means any city, village, incorporated town, or
16 township within the geographical territory of the Authority.

17 "Industrial project" means the following:

18 (1) a capital project, including one or more buildings
19 and other structures, improvements, machinery and
20 equipment whether or not on the same site or sites now
21 existing or hereafter acquired, suitable for use by any
22 manufacturing, industrial, research, transportation or
23 commercial enterprise including but not limited to use as
24 a factory, mill, processing plant, assembly plant,
25 packaging plant, fabricating plant, ethanol plant, office
26 building, industrial distribution center, warehouse,

1 repair, overhaul or service facility, freight terminal,
2 research facility, test facility, railroad facility, port
3 facility, solid waste and wastewater treatment and
4 disposal sites and other pollution control facilities,
5 resource or waste reduction, recovery, treatment and
6 disposal facilities, and including also the sites thereof
7 and other rights in land therefore whether improved or
8 unimproved, site preparation and landscaping and all
9 appurtenances and facilities incidental thereto such as
10 utilities, access roads, railroad sidings, truck docking
11 and similar facilities, parking facilities, dockage,
12 wharfage, railroad roadbed, track, trestle, depot,
13 terminal, switching and signaling equipment or related
14 equipment and other improvements necessary or convenient
15 thereto; or

16 (2) any land, buildings, machinery or equipment
17 comprising an addition to or renovation, rehabilitation or
18 improvement of any existing capital project.

19 "Housing project" or "residential project" includes a
20 specific work or improvement undertaken to provide dwelling
21 accommodations, including the acquisition, construction, or
22 rehabilitation of lands, buildings, and community facilities,
23 and to provide non-housing facilities which are an integral
24 part of a planned large-scale project or new community.

25 "Commercial project" means any project, including, but not
26 limited to, one or more buildings and other structures,

1 improvements, machinery, and equipment, whether or not on the
2 same site or sites now existing or hereafter acquired,
3 suitable for use by any retail or wholesale concern,
4 distributorship, or agency.

5 "Project" means an industrial, housing, residential,
6 commercial, or service project, or any combination thereof,
7 provided that all uses fall within one of the categories
8 described above. Any project automatically includes all site
9 improvements and new construction involving sidewalks, sewers,
10 solid waste and wastewater treatment and disposal sites and
11 other pollution control facilities, resource or waste
12 reduction, recovery, treatment and disposal facilities, parks,
13 open spaces, wildlife sanctuaries, streets, highways, and
14 runways.

15 "Lease agreement" means an agreement in which a project
16 acquired by the Authority by purchase, gift, or lease is
17 leased to any person or corporation that will use, or cause the
18 project to be used, as a project, upon terms providing for
19 lease rental payments at least sufficient to pay, when due,
20 all principal of and interest and premium, if any, on any
21 bonds, notes, or other evidences of indebtedness of the
22 Authority, issued with respect to the project, providing for
23 the maintenance, insurance, and operation of the project on
24 terms satisfactory to the Authority and providing for
25 disposition of the project upon termination of the lease term,
26 including purchase options or abandonment of the premises,

1 with other terms as may be deemed desirable by the Authority.

2 "Loan agreement" means any agreement in which the
3 Authority agrees to loan the proceeds of its bonds, notes, or
4 other evidences of indebtedness, issued with respect to a
5 project, to any person or corporation which will use or cause
6 the project to be used as a project, upon terms providing for
7 loan repayment installments at least sufficient to pay, when
8 due, all principal of and interest and premium, if any, on any
9 bonds, notes, or other evidences of indebtedness of the
10 Authority issued with respect to the project, providing for
11 maintenance, insurance, and operation of the project on terms
12 satisfactory to the Authority and providing for other terms
13 deemed advisable by the Authority.

14 "Financial aid" means the expenditure of Authority funds
15 or funds provided by the Authority for the development,
16 construction, acquisition or improvement of a project, through
17 the issuance of revenue bonds, notes, or other evidences of
18 indebtedness.

19 "Costs incurred in connection with the development,
20 construction, acquisition or improvement of a project" means
21 the following:

22 (1) the cost of purchase and construction of all lands
23 and improvements in connection therewith and equipment and
24 other property, rights, easements, and franchises acquired
25 which are deemed necessary for the construction;

26 (2) financing charges;

1 (3) interest costs with respect to bonds, notes, and
2 other evidences of indebtedness of the Authority prior to
3 and during construction and for a period of 6 months
4 thereafter;

5 (4) engineering and legal expenses; and

6 (5) the costs of plans, specifications, surveys, and
7 estimates of costs and other expenses necessary or
8 incident to determining the feasibility or practicability
9 of any project, together with such other expenses as may
10 be necessary or incident to the financing, insuring,
11 acquisition, and construction of a specific project and
12 the placing of the same in operation.

13 (Source: P.A. 98-750, eff. 1-1-15.)

14 (70 ILCS 506/15)

15 Sec. 15. Creation.

16 (a) There is created a political subdivision, body
17 politic, and municipal corporation named the Eastern Illinois
18 Economic Development Authority. The territorial jurisdiction
19 of the Authority is that geographic area within the boundaries
20 of the following counties: Ford, Iroquois, Piatt, Champaign,
21 Vermilion, Douglas, Moultrie, Shelby, Coles, and Edgar and any
22 navigable waters and air space located therein.

23 (b) The governing and administrative powers of the
24 Authority shall be vested in a body consisting of 14 members as
25 follows:

1 (1) Ex officio members. The Director of Commerce and
2 Economic Opportunity, or a designee of that Department,
3 shall serve as an ex officio member.

4 (2) Public members. Three members shall be appointed
5 by the Governor with the advice and consent of the Senate.
6 The county board chairperson of the following counties
7 shall each appoint one member: Ford, Iroquois, Piatt,
8 Champaign, Vermilion, Douglas, Moultrie, Shelby, Coles,
9 and Edgar. All public members shall reside within the
10 territorial jurisdiction of the Authority. The public
11 members shall be persons of recognized ability and
12 experience in one or more of the following areas: economic
13 development, finance, banking, industrial development,
14 state or local government, commercial agriculture, small
15 business management, real estate development, community
16 development, venture finance, organized labor, or civic or
17 community organization.

18 (c) A majority of the members appointed under item (2) of
19 subsection (b) of this Section shall constitute a quorum, and
20 the Board may not meet or take any action without a quorum
21 present.

22 (d) The chairperson of the Authority shall be elected
23 annually by the Board and must be a public member that resides
24 within the territorial jurisdiction of the Authority.

25 (e) The terms of all initial members of the Authority
26 shall begin 30 days after the effective date of this Act. Of

1 the 3 original public members appointed by the Governor, 1
2 shall serve until the third Monday in January, 2006; 1 shall
3 serve until the third Monday in January, 2007; 1 shall serve
4 until the third Monday in January, 2008. The initial terms of
5 the original public members appointed by the county board
6 chairpersons shall be determined by lot, according to the
7 following schedule: (i) 2 shall serve until the third Monday
8 in January, 2006, (ii) 2 shall serve until the third Monday in
9 January, 2007, (iii) 2 shall serve until the third Monday in
10 January, 2008, (iv) 2 shall serve until the third Monday in
11 January, 2009, and (v) 2 shall serve until the third Monday in
12 January, 2010. All successors to these original public members
13 shall be appointed by the original appointing authority and
14 all appointments made by the Governor shall be made with the
15 advice and consent of the Senate, pursuant to subsection (b),
16 and shall hold office for a term of 6 years commencing the
17 third Monday in January of the year in which their term
18 commences, except in the case of an appointment to fill a
19 vacancy. Vacancies occurring among the public members shall be
20 filled for the remainder of the term. In case of vacancy in a
21 Governor-appointed membership when the Senate is not in
22 session, the Governor may make a temporary appointment until
23 the next meeting of the Senate when a person shall be nominated
24 to fill the office and, upon confirmation by the Senate, he or
25 she shall hold office during the remainder of the term and
26 until a successor is appointed and qualified. Members of the

1 Authority are not entitled to compensation for their services
2 as members but are entitled to reimbursement for all necessary
3 expenses incurred in connection with the performance of their
4 duties as members.

5 (f) The Governor or a county board chairperson, as the
6 case may be, may remove any public member of the Authority in
7 case of incompetence, neglect of duty, or malfeasance in
8 office. The chairperson of a county board may remove any
9 public member appointed by that chairperson in the case of
10 incompetence, neglect of duty, or malfeasance in office.

11 (g) The Board shall appoint an Executive Director who
12 shall have a background in finance, including familiarity with
13 the legal and procedural requirements of issuing bonds, real
14 estate, or economic development and administration. The
15 Executive Director shall hold office at the discretion of the
16 Board. The Executive Director shall be the chief
17 administrative and operational officer of the Authority, shall
18 direct and supervise its administrative affairs and general
19 management, perform such other duties as may be prescribed
20 from time to time by the members, and receive compensation
21 fixed by the Authority. The Department of Commerce and
22 Economic Opportunity shall pay the compensation of the
23 Executive Director from appropriations received for that
24 purpose. The Executive Director shall attend all meetings of
25 the Authority. However, no action of the Authority shall be
26 invalid on account of the absence of the Executive Director

1 from a meeting. The Authority may engage the services of the
2 Illinois Finance Authority, attorneys, appraisers, engineers,
3 accountants, credit analysts, and other consultants if the
4 Eastern Illinois Economic Development Authority deems it
5 advisable.

6 (Source: P.A. 94-203, eff. 7-13-05; 95-854, eff. 8-18-08.)

7 (70 ILCS 506/21 new)

8 Sec. 21. Requests for assistance; disclosure of economic
9 interests.

10 (a) The Authority may not hear a request for assistance
11 from a restricted person. This prohibition extends to business
12 relationships between a person who is an Authority leader
13 within one year prior to the request for assistance and to any
14 entity in which a restricted person holds or, within the past 2
15 years, held an ownership interest of 10% or more.

16 (b) An Authority leader shall disclose and recuse himself
17 or herself from matters relating to requests for assistance
18 from an entity that is relocating full-time employees from
19 another Authority's counties if (i) both Authorities contract
20 with or employ the same Authority leader or (ii) there is or,
21 within the past 2 years of the request, there was a business
22 relationship between the Authority leaders at the 2
23 Authorities.

24 (c) The Board of the Authority shall vote to renew the
25 appointment of the Executive Director and other Authority

1 leaders on an annual basis. All contracts shall be approved on
2 an annual basis and use a public process to solicit
3 applications. This requirement does not apply to full-time
4 employees of the Authority unless otherwise required by
5 applicable State law or local ordinance.

6 (d) Each Authority leader shall submit a statement of
7 economic interest in accordance with Article 4A of the
8 Illinois Governmental Ethics Act. Additionally, each Authority
9 leader shall disclose to the Board outside sources of income
10 and any business relationships in economic development
11 consulting or lobbying. Reporting shall include the source of
12 income, services provided, and timeline of when services were
13 provided. If the source of income is a firm or organization
14 with multiple clients, the report shall list all of the
15 entities for which the individual provided services.

16 (70 ILCS 506/22 new)

17 Sec. 22. Open meetings; record disclosure.

18 (a) The Authority is subject to the Open Meetings Act and
19 the Freedom of Information Act. Documents subject to the
20 Freedom of Information Act include, but are not limited to,
21 expenses, payroll, origination bonuses, and other financial
22 details of the Authority.

23 (b) A contract or agreement entered into by the Authority
24 must be posted on the Authority's website. The Authority shall
25 provide a detailed report of the Authority's financial

1 information on the Authority's website, including, but not
2 limited to, a statement of profits and losses, balance sheet,
3 and income statement of the Authority.

4 (70 ILCS 506/70)

5 Sec. 70. Reports; commitment notice. The Authority shall
6 annually submit a report of its finances to the Auditor
7 General. The Authority shall annually submit a report of its
8 activities to the Governor and to the General Assembly.

9 The Authority shall provide notice to the General
10 Assembly, the Department of Commerce and Economic Opportunity,
11 and the Governor once the Authority enters into a commitment
12 to support the financing of a project. The notice to the
13 General Assembly shall be filed with the Clerk of the House of
14 Representatives and the Secretary of the Senate, in electronic
15 form only, in the manner that the Clerk and the Secretary shall
16 direct.

17 (Source: P.A. 94-203, eff. 7-13-05.)

18 Section 25. The Joliet Arsenal Development Authority Act
19 is amended by changing Section 50 and by adding Sections
20 10.75, 10.80, 20, 21, and 22 as follows:

21 (70 ILCS 508/10.75 new)

22 Sec. 10.75. Authority leader. "Authority leader" means the
23 Executive Director, Assistant Executive Director, or any other

1 person serving in a management, administrative, or leadership
2 role at the Authority.

3 (70 ILCS 508/10.80 new)

4 Sec. 10.80. Restricted person. "Restricted person" means a
5 person who has a familial or business relationship with an
6 Authority leader.

7 (70 ILCS 508/20)

8 Sec. 20. Actions of the Authority. All official acts of
9 the Authority shall require the affirmative vote of at least 6
10 members of the Board at a meeting of the Board at which the
11 members casting those affirmative votes are present. It is the
12 duty of the Authority to promote development within its
13 territorial jurisdiction. The Authority shall use the powers
14 conferred on it by this Act to assist in the development,
15 construction, and acquisition of industrial or commercial
16 projects within its territorial jurisdiction.

17 6 members shall constitute a quorum, and the Board may not
18 meet or take any action without a quorum present.

19 (Source: P.A. 89-333, eff. 8-17-95.)

20 (70 ILCS 508/21 new)

21 Sec. 21. Requests for assistance; disclosure of economic
22 interests.

23 (a) The Authority may not hear a request for assistance

1 from a restricted person. This prohibition extends to business
2 relationships between a person who is an Authority leader
3 within one year prior to the request for assistance and to any
4 entity in which a restricted person holds or, within the past 2
5 years, held an ownership interest of 10% or more.

6 (b) An Authority leader shall disclose and recuse himself
7 or herself from matters relating to requests for assistance
8 from an entity that is relocating full-time employees from
9 another Authority's counties if (i) both Authorities contract
10 with or employ the same Authority leader or (ii) there is or,
11 within the past 2 years of the request, there was a business
12 relationship between the Authority leaders at the 2
13 Authorities.

14 (c) The Board of the Authority shall vote to renew the
15 appointment of the Executive Director and other Authority
16 leaders on an annual basis. All contracts shall be approved on
17 an annual basis and use a public process to solicit
18 applications. This requirement does not apply to full-time
19 employees of the Authority unless otherwise required by
20 applicable State law or local ordinance.

21 (d) Each Authority leader shall submit a statement of
22 economic interest in accordance with Article 4A of the
23 Illinois Governmental Ethics Act. Additionally, each Authority
24 leader shall disclose to the Board outside sources of income
25 and any business relationships in economic development
26 consulting or lobbying. Reporting shall include the source of

1 income, services provided, and timeline of when services were
2 provided. If the source of income is a firm or organization
3 with multiple clients, the report shall list all of the
4 entities for which the individual provided services.

5 (70 ILCS 508/22 new)

6 Sec. 22. Open meetings; record disclosure.

7 (a) The Authority is subject to the Open Meetings Act and
8 the Freedom of Information Act. Documents subject to the
9 Freedom of Information Act include, but are not limited to,
10 expenses, payroll, origination bonuses, and other financial
11 details of the Authority.

12 (b) A contract or agreement entered into by the Authority
13 must be posted on the Authority's website. The Authority shall
14 provide a detailed report of the Authority's financial
15 information on the Authority's website, including, but not
16 limited to, a statement of profits and losses, balance sheet,
17 and income statement of the Authority.

18 (70 ILCS 508/50)

19 Sec. 50. Reports; commitment notice. The Authority shall
20 annually submit a report of its finances to the Auditor
21 General. The Authority shall annually submit a report of its
22 activities to the Governor and General Assembly.

23 The Authority shall provide notice to the General
24 Assembly, the Department of Commerce and Economic Opportunity,

1 and the Governor once the Authority enters into a commitment
2 to support the financing of a project. The notice to the
3 General Assembly shall be filed with the Clerk of the House of
4 Representatives and the Secretary of the Senate, in electronic
5 form only, in the manner that the Clerk and the Secretary shall
6 direct.

7 (Source: P.A. 89-333, eff. 8-17-95.)

8 Section 30. The Quad Cities Regional Economic Development
9 Authority Act, approved September 22, 1987 is amended by
10 changing Sections 3, 4, 5, 6, and 14 as follows:

11 (70 ILCS 510/3) (from Ch. 85, par. 6203)

12 Sec. 3. The following terms, whenever used or referred to
13 in this Act, shall have the following meanings, except in such
14 instances where the context may clearly indicate otherwise:

15 (a) "Authority" means the Quad Cities Regional Economic
16 Development Authority created by this Act.

17 (a-5) "Authority leader" means the Executive Director,
18 Assistant Executive Director, or any other person serving in a
19 management, administrative, or leadership role at the
20 Authority.

21 (b) "Governmental agency" means any federal, State or
22 local governmental body, and any agency or instrumentality
23 thereof, corporate or otherwise.

24 (c) "Person" means any natural person, firm, partnership,

1 corporation, both domestic and foreign, company, association
2 or joint stock association and includes any trustee, receiver,
3 assignee or personal representative thereof.

4 (c-5) "Restricted person" means a person who has a
5 familial or business relationship with an Authority leader.

6 (d) "Revenue bond" means any bond issued by the Authority
7 the principal and interest of which is payable solely from
8 revenues or income derived from any project or activity of the
9 Authority.

10 (e) "Board" means the Quad Cities Regional Economic
11 Development Authority Board of Directors.

12 (f) "Governor" means the Governor of the State of
13 Illinois.

14 (g) "City" means any city, village, incorporated town or
15 township within the geographical territory of the Authority.

16 (h) "Industrial project" means (1) a capital project,
17 including one or more buildings and other structures,
18 improvements, machinery and equipment whether or not on the
19 same site or sites now existing or hereafter acquired,
20 suitable for use by any manufacturing, industrial, research,
21 transportation or commercial enterprise including but not
22 limited to use as a factory, mill, processing plant, assembly
23 plant, packaging plant, fabricating plant, office building,
24 industrial distribution center, warehouse, repair, overhaul or
25 service facility, freight terminal, research facility, test
26 facility, railroad facility, solid waste and wastewater

1 treatment and disposal sites and other pollution control
2 facilities, resource or waste reduction, recovery, treatment
3 and disposal facilities, and including also the sites thereof
4 and other rights in land therefor whether improved or
5 unimproved, site preparation and landscaping and all
6 appurtenances and facilities incidental thereto such as
7 utilities, access roads, railroad sidings, truck docking and
8 similar facilities, parking facilities, dockage, wharfage,
9 railroad roadbed, track, trestle, depot, terminal, switching
10 and signaling equipment or related equipment and other
11 improvements necessary or convenient thereto; or (2) any land,
12 buildings, machinery or equipment comprising an addition to or
13 renovation, rehabilitation or improvement of any existing
14 capital project.

15 (i) "Housing project" or "residential project" includes a
16 specific work or improvement undertaken to provide dwelling
17 accommodations, including the acquisition, construction or
18 rehabilitation of lands, buildings and community facilities
19 and in connection therewith to provide nonhousing facilities
20 which are an integral part of a planned large-scale project or
21 new community.

22 (j) "Commercial project" means any project, including but
23 not limited to one or more buildings and other structures,
24 improvements, machinery and equipment whether or not on the
25 same site or sites now existing or hereafter acquired,
26 suitable for use by any retail or wholesale concern,

1 distributorship or agency, any cultural facilities of a
2 for-profit or not-for-profit type including but not limited to
3 educational, theatrical, recreational and entertainment,
4 sports facilities, racetracks, stadiums, convention centers,
5 exhibition halls, arenas, opera houses and theaters,
6 waterfront improvements, swimming pools, boat storage,
7 moorage, docking facilities, restaurants, velodromes,
8 coliseums, sports training facilities, parking facilities,
9 terminals, hotels and motels, gymnasiums, medical facilities
10 and port facilities.

11 (k) "Project" means an industrial, housing, residential,
12 commercial or service project or any combination thereof
13 provided that all uses shall fall within one of the categories
14 described above. Any project, of any nature whatsoever, shall
15 automatically include all site improvements and new
16 construction involving sidewalks, sewers, solid waste and
17 wastewater treatment and disposal sites and other pollution
18 control facilities, resource or waste reduction, recovery,
19 treatment and disposal facilities, parks, open spaces,
20 wildlife sanctuaries, streets, highways and runways.

21 (l) "Lease agreement" shall mean an agreement whereby a
22 project acquired by the Authority by purchase, gift or lease
23 is leased to any person or corporation which will use or cause
24 the project to be used as a project as heretofore defined upon
25 terms providing for lease rental payments at least sufficient
26 to pay when due all principal of and interest and premium, if

1 any, on any bonds, notes or other evidences of indebtedness of
2 the Authority issued with respect to such project, providing
3 for the maintenance, insurance and operation of the project on
4 terms satisfactory to the Authority and providing for
5 disposition of the project upon termination of the lease term,
6 including purchase options or abandonment of the premises,
7 with such other terms as may be deemed desirable by the
8 Authority.

9 (m) "Loan agreement" means any agreement pursuant to which
10 the Authority agrees to loan the proceeds of its bonds, notes
11 or other evidences of indebtedness issued with respect to a
12 project to any person or corporation which will use or cause
13 the project to be used as a project as heretofore defined upon
14 terms providing for loan repayment installments at least
15 sufficient to pay when due all principal of and interest and
16 premium, if any, on any bonds, notes or other evidences of
17 indebtedness of the Authority issued with respect to the
18 project, providing for maintenance, insurance and operation of
19 the project on terms satisfactory to the Authority and
20 providing for other matters as may be deemed advisable by the
21 Authority.

22 (n) "Financial aid" means the expenditure of Authority
23 funds or funds provided by the Authority through the issuance
24 of its revenue bonds, notes or other evidences of indebtedness
25 for the development, construction, acquisition or improvement
26 of a project.

1 (o) "Costs incurred in connection with the development,
2 construction, acquisition or improvement of a project" means
3 the following: the cost of purchase and construction of all
4 lands and improvements in connection therewith and equipment
5 and other property, rights, easements and franchises acquired
6 which are deemed necessary for such construction; financing
7 charges; interest costs with respect to bonds, notes and other
8 evidences of indebtedness of the Authority prior to and during
9 construction and for a period of 6 months thereafter;
10 engineering and legal expenses; the costs of plans,
11 specifications, surveys and estimates of costs and other
12 expenses necessary or incident to determining the feasibility
13 or practicability of any project, together with such other
14 expenses as may be necessary or incident to the financing,
15 insuring, acquisition and construction of a specific project
16 and the placing of the same in operation.

17 (p) "Terminal" means a public place, station or depot for
18 receiving and delivering passengers, baggage, mail, freight or
19 express matter and any combination thereof in connection with
20 the transportation of persons and property on water or land or
21 in the air.

22 (q) "Terminal facilities" means all land, buildings,
23 structures, improvements, equipment and appliances useful in
24 the operation of public warehouse, storage and transportation
25 facilities and industrial, manufacturing or commercial
26 activities for the accommodation of or in connection with

1 commerce by water or land or in the air or useful as an aid, or
2 constituting an advantage or convenience to, the safe landing,
3 taking off and navigation of aircraft or the safe and
4 efficient operation or maintenance of a public airport.

5 (r) "Port facilities" means all public structures, except
6 terminal facilities as defined herein, that are in, over,
7 under or adjacent to navigable waters and are necessary for or
8 incident to the furtherance of water commerce and includes the
9 widening and deepening of slips, harbors and navigable waters.

10 (s) "Airport" means any locality, either land or water,
11 which is used or designed for the landing and taking off of
12 aircraft or for the location of runways, landing fields,
13 aerodromes, hangars, buildings, structures, airport roadways
14 and other facilities.

15 (Source: P.A. 85-713.)

16 (70 ILCS 510/4) (from Ch. 85, par. 6204)

17 Sec. 4. (a) There is hereby created a political
18 subdivision, body politic and municipal corporation named the
19 Quad Cities Regional Economic Development Authority. The
20 territorial jurisdiction of the Authority is that geographic
21 area within the boundaries of Jo Daviess, Carroll, Whiteside,
22 Stephenson, Lee, Rock Island, Henry, Knox, ~~and~~ Mercer,
23 Winnebago, and Boone counties in the State of Illinois and any
24 navigable waters and air space located therein.

25 (b) The governing and administrative powers of the

1 Authority shall be vested in a body consisting of 18 ~~16~~ members
2 including, as an ex officio member, the Director of Commerce
3 and Economic Opportunity, or his or her designee. The other
4 members of the Authority shall be designated "public members",
5 6 of whom shall be appointed by the Governor with the advice
6 and consent of the Senate. Of the 6 members appointed by the
7 Governor, one shall be from a city within the Authority's
8 territory with a population of 25,000 or more and the
9 remainder shall be appointed at large. Of the 6 members
10 appointed by the Governor, 2 members shall have business or
11 finance experience. One member shall be appointed by each of
12 the county board chairmen of Rock Island, Henry, Knox, ~~and~~
13 Mercer, Winnebago, and Boone Counties with the advice and
14 consent of the respective county board. Within 60 days after
15 the effective date of this amendatory Act of the 97th General
16 Assembly, one additional public member shall be appointed by
17 each of the county board chairpersons of Jo Daviess, Carroll,
18 Whiteside, Stephenson, and Lee counties with the advice and
19 consent of the respective county board. Of the public members
20 added by this amendatory Act of the 97th General Assembly, one
21 shall serve for a one-year term, 2 shall serve for 2-year
22 terms, and 2 shall serve for 3-year terms, to be determined by
23 lot. Their successors shall serve for 3-year terms. Within 60
24 days after the effective date of this amendatory Act of the
25 103rd General Assembly, one additional public member shall be
26 appointed by each of the county board chairperson of Winnebago

1 and Boone counties with the advice and consent of the
2 respective county board. Of the public members added by this
3 amendatory Act of the 103rd General Assembly, one shall serve
4 for a 2-year term and one shall serve for a 3-year term, to be
5 determined by lot. Their successors shall serve for 3-year
6 terms. All public members shall reside within the territorial
7 jurisdiction of this Act. Ten ~~Nine~~ members shall constitute a
8 quorum, and the Board may not meet or take any action without a
9 quorum present. The public members shall be persons of
10 recognized ability and experience in one or more of the
11 following areas: economic development, finance, banking,
12 industrial development, small business management, real estate
13 development, community development, venture finance, organized
14 labor or civic, community or neighborhood organization. The
15 Chairman of the Authority shall be a public member elected by
16 the affirmative vote of not fewer than 10 ~~6~~ members of the
17 Authority, ~~except that any chairperson elected on or after the~~
18 ~~effective date of this amendatory Act of the 97th General~~
19 ~~Assembly shall be elected by the affirmative vote of not fewer~~
20 ~~than 9 members.~~ The term of the Chairman shall be one year.

21 (c) The terms of the initial members of the Authority
22 shall begin 30 days after the effective date of this Act,
23 except (i) the terms of those members added by this amendatory
24 Act of 1989 shall begin 30 days after the effective date of
25 this amendatory Act of 1989 and (ii) the terms of those members
26 added by this amendatory Act of the 92nd General Assembly

1 shall begin 30 days after the effective date of this
2 amendatory Act of the 92nd General Assembly. Of the 10 public
3 members appointed pursuant to this Act, 2 (one of whom shall be
4 appointed by the Governor) shall serve until the third Monday
5 in January, 1989, 2 (one of whom shall be appointed by the
6 Governor) shall serve until the third Monday in January, 1990,
7 2 (one of whom shall be appointed by the Governor) shall serve
8 until the third Monday in January, 1991, 2 (both of whom shall
9 be appointed by the Governor) shall serve until the third
10 Monday in January, 1992, and 2 (one of whom shall be appointed
11 by the Governor and one of whom shall be appointed by the
12 county board chairman of Knox County) shall serve until the
13 third Monday in January, 2004. The initial terms of the
14 members appointed by the county board chairmen (other than the
15 county board chairman of Knox County) shall be determined by
16 lot. All successors shall be appointed by the original
17 appointing authority and hold office for a term of 3 years
18 commencing the third Monday in January of the year in which
19 their term commences, except in case of an appointment to fill
20 a vacancy. Vacancies occurring among the public members shall
21 be filled for the remainder of the term. In case of vacancy in
22 a Governor-appointed membership when the Senate is not in
23 session, the Governor may make a temporary appointment until
24 the next meeting of the Senate when a person shall be nominated
25 to fill such office, and any person so nominated who is
26 confirmed by the Senate shall hold office during the remainder

1 of the term and until a successor shall be appointed and
2 qualified. Members of the Authority shall not be entitled to
3 compensation for their services as members but shall be
4 entitled to reimbursement for all necessary expenses incurred
5 in connection with the performance of their duties as members.

6 (d) The Governor may remove any public member of the
7 Authority appointed by the Governor in case of incompetency,
8 neglect of duty, or malfeasance in office. The Chairman of a
9 county board may remove any public member of the Authority
10 appointed by such Chairman in the case of incompetency,
11 neglect of duty, or malfeasance in office.

12 (e) The Board shall appoint an Executive Director who
13 shall have a background in finance, including familiarity with
14 the legal and procedural requirements of issuing bonds, real
15 estate or economic development and administration. The
16 Executive Director shall hold office at the discretion of the
17 Board. The Executive Director shall be the chief
18 administrative and operational officer of the Authority, shall
19 direct and supervise its administrative affairs and general
20 management, shall perform such other duties as may be
21 prescribed from time to time by the members and shall receive
22 compensation fixed by the Authority. The Authority may engage
23 the services of such other agents and employees, including
24 attorneys, appraisers, engineers, accountants, credit analysts
25 and other consultants, as it may deem advisable and may
26 prescribe their duties and fix their compensation.

1 (f) The Board shall create a task force to study and make
2 recommendations to the Board on the economic development of
3 the territory within the jurisdiction of this Act. The number
4 of members constituting the task force shall be set by the
5 Board and may vary from time to time. The Board may set a
6 specific date by which the task force is to submit its final
7 report and recommendations to the Board.

8 (Source: P.A. 97-278, eff. 8-8-11; 98-463, eff. 8-16-13.)

9 (70 ILCS 510/5) (from Ch. 85, par. 6205)

10 Sec. 5. Conflicts of interest; requests for assistance;
11 disclosure of economic interests. ~~Interest. Members or~~
12 ~~employees of authority — conflicting relations or interests —~~
13 ~~effects.~~

14 (a) No member of the Authority or officer, agent or
15 employee thereof other than the representatives of a
16 professional sports team shall, in his or her own name or in
17 the name of a nominee, be an officer, director or hold an
18 ownership interest of more than 7-1/2% in any person,
19 association, trust, corporation, partnership or other entity
20 which is, in its own name or in the name of a nominee, a party
21 to a contract or agreement upon which the member or officer,
22 agent or employee may be called upon to act or vote.

23 (b) With respect to any direct or any indirect interest,
24 other than an interest prohibited in subsection (a), in a
25 contract or agreement upon which the member or officer, agent

1 or employee may be called upon to act or vote, a member of the
2 Authority or officer, agent or employee thereof shall disclose
3 the same to the secretary of the Authority prior to the taking
4 of final action by the Authority concerning such contract or
5 agreement and shall so disclose the nature and extent of such
6 interest and his or her acquisition thereof, which disclosures
7 shall be publicly acknowledged by the Authority and entered
8 upon the minutes of the Authority. If a member of the Authority
9 or officer, agent or employee thereof holds such an interest
10 then he or she shall refrain from any further official
11 involvement in regard to such contract or agreement, from
12 voting on any matter pertaining to such contract or agreement,
13 and from communicating with other members of the Authority or
14 its officers, agents and employees concerning said contract or
15 agreement. Notwithstanding any other provision of law, any
16 contract or agreement entered into in conformity with this
17 subsection (b) shall not be void or invalid by reason of the
18 interest described in this subsection, nor shall any person so
19 disclosing the interest and refraining from further official
20 involvement as provided in this subsection be guilty of an
21 offense, be removed from office or be subject to any other
22 penalty on account of such interest.

23 (c) Any contract or agreement made in violation of
24 subsection (a) or (b) of this Section shall be null and void
25 and give rise to no action against the Authority. No real
26 estate to which a member or employee of the Authority holds

1 legal title or in which such person has any beneficial
2 interest, including any interest in a land trust, shall be
3 purchased by the Authority or by a nonprofit corporation or
4 limited-profit entity for a development to be financed under
5 this Act. All members and employees of the Authority shall
6 file annually with the Authority a record of all real estate in
7 this State of which such person holds legal title or in which
8 such person has any beneficial interest, including any
9 interest in a land trust. In the event it is later disclosed
10 that the Authority has purchased real estate in which a member
11 or employee had an interest, such purchase shall be voidable
12 by the Authority and the member or employee involved shall be
13 disqualified from membership in or employment by the
14 Authority.

15 (d) The Authority may not hear a request for assistance
16 from a restricted person. This prohibition extends to business
17 relationships between a person who is an Authority leader
18 within one year prior to the request for assistance and to any
19 entity in which a restricted person holds or, within the past 2
20 years, held an ownership interest of 10% or more.

21 (e) An Authority leader shall disclose and recuse himself
22 or herself from matters relating to requests for assistance
23 from an entity that is relocating full-time employees from
24 another Authority's counties if (i) both Authorities contract
25 with or employ the same Authority leader or (ii) there is or,
26 within the past 2 years of the request, there was a business

1 relationship between the Authority leaders at the 2
2 Authorities.

3 (f) The Board of the Authority shall vote to renew the
4 appointment of the Executive Director and other Authority
5 leaders on an annual basis. All contracts shall be approved on
6 an annual basis and use a public process to solicit
7 applications. This requirement does not apply to full-time
8 employees of the Authority unless otherwise required by
9 applicable State law or local ordinance.

10 (g) Each Authority leader shall submit a statement of
11 economic interest in accordance with Article 4A of the
12 Illinois Governmental Ethics Act. Additionally, each Authority
13 leader shall disclose to the Board outside sources of income
14 and any business relationships in economic development
15 consulting or lobbying. Reporting shall include the source of
16 income, services provided, and timeline of when services were
17 provided. If the source of income is a firm or organization
18 with multiple clients, the report shall list all of the
19 entities for which the individual provided services.

20 (Source: P.A. 85-713.)

21 (70 ILCS 510/6) (from Ch. 85, par. 6206)

22 Sec. 6. Records, ~~and~~ reports, and notices of the
23 Authority. The secretary shall keep a record of the
24 proceedings of the Authority. The treasurer of the Authority
25 shall be custodian of all Authority funds, and shall be bonded

1 in such amount as the other members of the Authority may
2 designate. The accounts and bonds of the Authority shall be
3 set up and maintained in a manner approved by the Auditor
4 General, and the Authority shall file with the Auditor General
5 a certified annual report within 120 days after the close of
6 its fiscal year. The Authority shall also file with the
7 Governor, the Secretary of the Senate, the Clerk of the House
8 of Representatives, and the Commission on Government
9 Forecasting and Accountability, by March 1 of each year, a
10 written report covering its activities and any activities of
11 any instrumentality corporation established pursuant to this
12 Act for the previous fiscal year. In its report to be filed by
13 March 1, 1988, the Authority shall present an economic
14 development strategy for the Quad Cities region for the year
15 beginning July 1, 1988 and for the 4 years next ensuing. In
16 each annual report thereafter, the Authority shall make
17 modifications in such economic development strategy for the 4
18 years beginning on the next ensuing July 1, to reflect changes
19 in economic conditions or other factors, including the
20 policies of the Authority and the State of Illinois. It also
21 shall present an economic development strategy for the fifth
22 year beginning after the next ensuing July 1. The strategy
23 shall recommend specific legislative and administrative action
24 by the State, the Authority, units of local government or
25 other governmental agencies. Such recommendations may include,
26 but are not limited to, new programs, modifications to

1 existing programs, credit enhancements for bonds issued by the
2 Authority, and amendments to this Act. When filed, such report
3 shall be a public record and open for inspection at the offices
4 of the Authority during normal business hours.

5 The Authority is subject to the Open Meetings Act and the
6 Freedom of Information Act. Documents subject to the Freedom
7 of Information Act include, but are not limited to, expenses,
8 payroll, origination bonuses, and other financial details of
9 the Authority.

10 A contract or agreement entered into by the Authority must
11 be posted on the Authority's website. The Authority shall
12 provide a detailed report of the Authority's financial
13 information on the Authority's website, including, but not
14 limited to, a statement of profits and losses, balance sheet,
15 and income statement of the Authority.

16 The Authority shall provide notice to the General
17 Assembly, the Department of Commerce and Economic Opportunity,
18 and the Governor once the Authority enters into a commitment
19 to support the financing of a project. The notice to the
20 General Assembly shall be filed with the Clerk of the House of
21 Representatives and the Secretary of the Senate, in electronic
22 form only, in the manner that the Clerk and the Secretary shall
23 direct.

24 (Source: P.A. 100-1148, eff. 12-10-18.)

1 Sec. 14. Additional powers and duties.

2 (a) The Authority may, but need not, acquire title to any
3 project with respect to which it exercises its authority.

4 (b) The Authority shall have the power to enter into
5 intergovernmental agreements with the State of Illinois, the
6 counties of Jo Daviess, Carroll, Whiteside, Stephenson, Lee,
7 Knox, Winnebago, Boone, Rock Island, Henry, or Mercer, the
8 State of Iowa or any authority established by the State of
9 Iowa, the Illinois Finance Authority, the Illinois Housing
10 Development Authority, the United States government and any
11 agency or instrumentality of the United States, any unit of
12 local government located within the territory of the Authority
13 or any other unit of government to the extent allowed by
14 Article VII, Section 10 of the Illinois Constitution and the
15 Intergovernmental Cooperation Act.

16 (c) The Authority shall have the power to share employees
17 with other units of government, including agencies of the
18 United States, agencies of the State of Illinois and agencies
19 or personnel of any unit of local government.

20 (d) The Authority shall have the power to exercise powers
21 and issue bonds as if it were a municipality so authorized in
22 Divisions 12.1, 74, 74.1, 74.3 and 74.5 of Article 11 of the
23 Illinois Municipal Code.

24 (Source: P.A. 93-205, eff. 1-1-04.)"; and

25 Section 35. The Riverdale Development Authority Act is

1 amended by changing Sections 10, 15, and 45 and by adding
2 Sections 21 and 22 as follows:

3 (70 ILCS 516/10)

4 Sec. 10. Definitions. In this Act words and phrases have
5 the meanings set forth in this Section.

6 "Authority" means the Riverdale Development Authority
7 created by this Act.

8 "Authority leader" means the Executive Director,
9 Assistant Executive Director, or any other person serving
10 in a management, administrative, or leadership role at the
11 Authority.

12 "Board" means the Board of Directors of the Authority.

13 "Costs incurred in connection with the development,
14 construction, acquisition, or improvement of a project"
15 means: the cost of purchase and construction of all lands
16 and related improvements, together with the equipment and
17 other property, rights, easements, and franchises acquired
18 that are deemed necessary for the construction; the costs
19 of environmental suits, studies and analyses and
20 subsequent clean-up activities necessary to qualify the
21 area as needing no further remediation; financing charges;
22 interest costs with respect to revenue bonds, notes, and
23 other evidences of indebtedness of the Authority prior to
24 and during construction and for a period of 36 months
25 thereafter; engineering and legal expenses; the costs of

1 plans, specifications, surveys, and estimates of costs and
2 other expenses necessary or incident to determining the
3 feasibility or practicability of any project, together
4 with such other expenses as may be necessary or incident
5 to the financing, insuring, acquisition, and construction
6 of a specific project and the placing of the project in
7 operation.

8 "Financial aid" means the expenditure of Authority
9 funds or funds provided by the Authority through the
10 issuance of its revenue bonds, notes, or other evidences
11 of indebtedness for the development, construction,
12 acquisition, or improvement of a project.

13 "Governmental agency" means any federal, State, county
14 or local governmental body, and any agency or
15 instrumentality thereof, corporate or otherwise.

16 "Lease agreement" means an agreement under which a
17 project acquired by the Authority by purchase, gift, or
18 lease is leased to any person or governmental agency that
19 will use or cause the project to be used as a project upon
20 terms providing for lease rental payments at least
21 sufficient to pay when due the lessee's pro rata share of
22 all principal and interest and premium, if any, on any
23 revenue bonds, notes, or other evidences of indebtedness
24 of the Authority issued with respect to the project,
25 providing for the maintenance, insurance, and operation of
26 the project on terms satisfactory to the Authority, and

1 providing for disposition of the project upon termination
2 of the lease term, including purchase options or
3 abandonment of the premises, with such other terms as may
4 be deemed desirable by the Authority.

5 "Loan agreement" means any agreement by which the
6 Authority agrees to loan the proceeds of its revenue
7 bonds, notes, or other evidences of indebtedness issued
8 with respect to a project to any person or governmental
9 agency that will use or cause the project to be used as a
10 project upon terms providing for loan repayment
11 installments at least sufficient to pay when due the
12 borrower's pro rata share of all principal of and interest
13 and premium, if any, on any revenue bonds, notes, or other
14 evidences of indebtedness of the Authority issued with
15 respect to the project, providing for maintenance,
16 insurance, and operation of the project on terms
17 satisfactory to the Authority, and providing for other
18 matters as may be deemed advisable by the Authority.

19 "Person" includes without limitation an individual,
20 corporation, partnership, unincorporated association, and
21 any other legal entity, including a trustee, receiver,
22 assignee, or personal representative of the entity.

23 "Project" means an industrial, commercial,
24 freight-oriented or residential project or any combination
25 thereof provided that all uses shall fall within one of
26 those categories, including but not limited to one or more

1 buildings and other structures, improvements, machinery
2 and equipment whether or not on the same site or any land,
3 buildings, machinery, or equipment comprising an addition
4 to or renovation, rehabilitation, or improvement of any
5 existing capital project. Any project shall automatically
6 include all site improvements and new construction
7 involving sidewalks, sewers, landscaping and all
8 appurtenances and facilities incidental thereto such as
9 utilities, access roads, railroad sidings, truck docking,
10 and similar facilities, parking facilities, railroad
11 roadbed, track, trestle, depot, terminal, intermodal
12 facilities, switching and signaling equipment, or related
13 equipment and other improvements necessary or convenient
14 thereto, solid waste and wastewater treatment and disposal
15 sites and other pollution control facilities, resource or
16 waste reduction, recovery, treatment, and disposal
17 facilities, open spaces, streets, highways, and runways.

18 "Restricted person" means a person who has a familial
19 or business relationship with an Authority leader.

20 "Revenue bond" or "bond" means any bond issued by the
21 Authority under the supervision of the Illinois Finance
22 Authority, the principal and interest of which are payable
23 solely from revenues or income derived from any project or
24 activity of the Authority.

25 "Terminal" means a public place, station, or depot for
26 receiving and delivering passengers, baggage, mail,

1 freight, or express matter and any combination thereof in
2 connection with the transportation of persons and property
3 on land.

4 "Terminal facilities" means all land, buildings,
5 structures, improvements, equipment, and appliances useful
6 in the operation of public warehouse, storage, and
7 transportation facilities and industrial, manufacturing,
8 or commercial activities for the accommodation of or in
9 connection with commerce by land.

10 (Source: P.A. 94-1093, eff. 1-26-07.)

11 (70 ILCS 516/15)

12 Sec. 15. Creation of Authority; Board members; officers.

13 (a) The Riverdale Development Authority is created as a
14 political subdivision, body politic, and municipal
15 corporation.

16 (b) The jurisdiction of the Authority shall extend over
17 the approximately 1,200 acres (1.87 sq. miles), more or less,
18 of largely industrial, commercial and residential property
19 located between and adjacent to the CSX's Barr Yard and IHB's
20 Blue Island Yard, exclusive of those yards and other rail
21 lines and utility property, but including: the property
22 generally bounded by I-57 on the west; east along Jackson
23 Street and Indian Boundary Line to Halsted Avenue; south on
24 Halsted to Forestview Avenue continuing east to the Norfolk
25 Southern Railway; north along the Norfolk Southern Railway to

1 the Little Calumet River, east along the River to the
2 northeastern tip of the peninsula crossing the River at the
3 height of 130th Street to the Canadian National-Illinois
4 Central Railroad property line continuing south along the rail
5 line and crossing the River again; east along the River to
6 Indiana Avenue; south to 136th Street; west on 136th Street to
7 the Norfolk Southern Railway then northwest to the northern
8 boundary of Mohawk Park at the height of Blue Island-Riverdale
9 Road and thence west on Blue Island-Riverdale Road to the
10 eastern edge of the Commonwealth Edison easement at the height
11 of Stewart Avenue and then south on Stewart Avenue to 142nd
12 Street; west on 142nd Street continuing along the southern
13 boundary of the IHB Blue Island Yard following this boundary
14 line west to I-57.

15 (c) The governing and administrative powers of the
16 Authority shall be vested in its Board of Directors consisting
17 of 5 members, 3 of whom shall be appointed by the Mayor of
18 Riverdale and 2 of whom shall be appointed by the Governor. All
19 persons appointed as members of the Board shall have
20 recognized ability and experience in one or more of the
21 following areas: economic development, finance, banking,
22 industrial development, business management, real estate,
23 community development, organized labor, or civic, community,
24 or neighborhood organization.

25 (d) The terms of the 5 initial appointees to the Authority
26 shall commence 30 days after the effective date of this Act. Of

1 the 5 appointees initially appointed (i) one of Riverdale's
2 appointees and one of the Governor's appointees shall be
3 appointed to serve terms expiring on the third Monday in
4 January, 2009; (ii) one of Riverdale's appointees shall be
5 appointed to serve a term expiring on the third Monday in
6 January, 2010; and (iii) one of Riverdale's appointees and 1
7 of the Governor's appointees shall be appointed to serve terms
8 expiring on the third Monday in January, 2011. All successors
9 shall be appointed by the original appointing authority and
10 hold office for a term of 4 years commencing the third Monday
11 in January of the year in which their term commences, except in
12 case of an appointment to fill a vacancy. Vacancies shall be
13 filled for the remainder of the term. Each member appointed to
14 the Board shall serve until his or her successor is appointed
15 and qualified.

16 (e) The Chairperson of the Board shall be elected by the
17 Board annually from among its members.

18 (f) The appointing authority may remove any member of the
19 Board in case of incompetency, neglect of duty, or malfeasance
20 in office.

21 (g) Members of the Board shall serve without compensation
22 for their services as members but may be reimbursed for all
23 necessary expenses incurred in connection with the performance
24 of their duties as members.

25 (h) The Board may appoint an Executive Director who shall
26 have a background in administration, planning, real estate,

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

16 (i) The Board shall meet on the call of its Chairperson or
17 upon written notice of 3 members of the Board. 3 members shall
18 constitute a quorum, and the Board may not meet or take any
19 action without a quorum present.

20 (j) All official acts of the Authority shall require the
21 affirmative vote of at least 3 of the members of the Board
22 present and voting at a meeting of the Board.

23 (Source: P.A. 94-1093, eff. 1-26-07.)

24 (70 ILCS 516/21 new)

25 Sec. 21. Requests for assistance; disclosure of economic

1 interests.

2 (a) The Authority may not hear a request for assistance
3 from a restricted person. This prohibition extends to business
4 relationships between a person who is an Authority leader
5 within one year prior to the request for assistance and to any
6 entity in which a restricted person holds or, within the past 2
7 years, held an ownership interest of 10% or more.

8 (b) An Authority leader shall disclose and recuse himself
9 or herself from matters relating to requests for assistance
10 from an entity that is relocating full-time employees from
11 another Authority's counties if (i) both Authorities contract
12 with or employ the same Authority leader or (ii) there is or,
13 within the past 2 years of the request, there was a business
14 relationship between the Authority leaders at the 2
15 Authorities.

16 (c) The Board of the Authority shall vote to renew the
17 appointment of the Executive Director and other Authority
18 leaders on an annual basis. All contracts shall be approved on
19 an annual basis and use a public process to solicit
20 applications. This requirement does not apply to full-time
21 employees of the Authority unless otherwise required by
22 applicable State law or local ordinance.

23 (d) Each Authority leader shall submit a statement of
24 economic interest in accordance with Article 4A of the
25 Illinois Governmental Ethics Act. Additionally, each Authority
26 leader shall disclose to the Board outside sources of income

1 and any business relationships in economic development
2 consulting or lobbying. Reporting shall include the source of
3 income, services provided, and timeline of when services were
4 provided. If the source of income is a firm or organization
5 with multiple clients, the report shall list all of the
6 entities for which the individual provided services.

7 (70 ILCS 516/22 new)

8 Sec. 22. Open meetings; record disclosure.

9 (a) The Authority is subject to the Open Meetings Act and
10 the Freedom of Information Act. Documents subject to the
11 Freedom of Information Act include, but are not limited to,
12 expenses, payroll, origination bonuses, and other financial
13 details of the Authority.

14 (b) A contract or agreement entered into by the Authority
15 must be posted on the Authority's website. The Authority shall
16 provide a detailed report of the Authority's financial
17 information on the Authority's website, including, but not
18 limited to, a statement of profits and losses, balance sheet,
19 and income statement of the Authority.

20 (70 ILCS 516/45)

21 Sec. 45. Reports; commitment notice. The Authority shall,
22 annually, submit a report of its finances to the Auditor
23 General. The Authority shall, annually, submit a report of its
24 activities to the Governor and to the General Assembly.

1 The Authority shall provide notice to the General
2 Assembly, the Department of Commerce and Economic Opportunity,
3 and the Governor once the Authority enters into a commitment
4 to support the financing of a project. The notice to the
5 General Assembly shall be filed with the Clerk of the House of
6 Representatives and the Secretary of the Senate, in electronic
7 form only, in the manner that the Clerk and the Secretary shall
8 direct.

9 (Source: P.A. 94-1093, eff. 1-26-07.)

10 Section 40. The Southeastern Illinois Economic Development
11 Authority Act is amended by changing Sections 15, 20, and 70
12 and by adding Sections 26 and 27 as follows:

13 (70 ILCS 518/15)

14 Sec. 15. Definitions. In this Act:

15 "Authority" means the Southeastern Illinois Economic
16 Development Authority.

17 "Authority leader" means the Executive Director, Assistant
18 Executive Director, or any other person serving in a
19 management, administrative, or leadership role at the
20 Authority.

21 "Governmental agency" means any federal, State, or local
22 governmental body and any agency or instrumentality thereof,
23 corporate or otherwise.

24 "Person" means any natural person, firm, partnership,

1 corporation, both domestic and foreign, company, association
2 or joint stock association and includes any trustee, receiver,
3 assignee or personal representative thereof.

4 "Restricted person" means a person who has a familial or
5 business relationship with an Authority leader.

6 "Revenue bond" means any bond issued by the Authority, the
7 principal and interest of which is payable solely from
8 revenues or income derived from any project or activity of the
9 Authority.

10 "Board" means the Board of Directors of the Southeastern
11 Illinois Economic Development Authority.

12 "Governor" means the Governor of the State of Illinois.

13 "City" means any city, village, incorporated town, or
14 township within the geographical territory of the Authority.

15 "Industrial project" means the following:

16 (1) a capital project, including one or more buildings
17 and other structures, improvements, machinery and
18 equipment whether or not on the same site or sites now
19 existing or hereafter acquired, suitable for use by any
20 manufacturing, industrial, research, transportation or
21 commercial enterprise including but not limited to use as
22 a factory, mill, processing plant, assembly plant,
23 packaging plant, fabricating plant, ethanol plant, office
24 building, industrial distribution center, warehouse,
25 repair, overhaul or service facility, freight terminal,
26 research facility, test facility, power generation

1 facility, mining operation, railroad facility, solid waste
2 and wastewater treatment and disposal sites and other
3 pollution control facilities, resource or waste reduction,
4 recovery, treatment and disposal facilities,
5 tourism-related facilities, including hotels, theaters,
6 water parks, and amusement parks, and including also the
7 sites thereof and other rights in land therefore whether
8 improved or unimproved, site preparation and landscaping
9 and all appurtenances and facilities incidental thereto
10 such as utilities, access roads, railroad sidings, truck
11 docking and similar facilities, parking facilities,
12 dockage, wharfage, railroad roadbed, track, trestle,
13 depot, terminal, switching and signaling equipment or
14 related equipment and other improvements necessary or
15 convenient thereto; or

16 (2) any land, buildings, machinery or equipment
17 comprising an addition to or renovation, rehabilitation or
18 improvement of any existing capital project.

19 "Housing project" or "residential project" includes a
20 specific work or improvement undertaken to provide dwelling
21 accommodations, including the acquisition, construction or
22 rehabilitation of lands, buildings and community facilities
23 and in connection therewith to provide nonhousing facilities
24 which are an integral part of a planned large-scale project or
25 new community.

26 "Commercial project" means any project, including, but not

1 limited to, one or more buildings and other structures,
2 improvements, machinery, and equipment, whether or not on the
3 same site or sites now existing or hereafter acquired,
4 suitable for use by any retail or wholesale concern,
5 distributorship, or agency, or health facility or retirement
6 facility.

7 "Project" means an industrial, housing, residential,
8 commercial, or service project, or any combination thereof,
9 provided that all uses fall within one of the categories
10 described above. Any project automatically includes all site
11 improvements and new construction involving sidewalks, sewers,
12 solid waste and wastewater treatment and disposal sites and
13 other pollution control facilities, resource or waste
14 reduction, recovery, treatment and disposal facilities, parks,
15 open spaces, wildlife sanctuaries, streets, highways, and
16 runways.

17 "Lease agreement" means an agreement in which a project
18 acquired by the Authority by purchase, gift, or lease is
19 leased to any person or corporation that will use, or cause the
20 project to be used, as a project, upon terms providing for
21 lease rental payments at least sufficient to pay, when due,
22 all principal of and interest and premium, if any, on any
23 bonds, notes, or other evidences of indebtedness of the
24 Authority, issued with respect to the project, providing for
25 the maintenance, insurance, and operation of the project on
26 terms satisfactory to the Authority and providing for

1 disposition of the project upon termination of the lease term,
2 including purchase options or abandonment of the premises,
3 with other terms as may be deemed desirable by the Authority.

4 "Loan agreement" means any agreement in which the
5 Authority agrees to loan the proceeds of its bonds, notes, or
6 other evidences of indebtedness, issued with respect to a
7 project, to any person or corporation which will use or cause
8 the project to be used as a project, upon terms providing for
9 loan repayment installments at least sufficient to pay, when
10 due, all principal of and interest and premium, if any, on any
11 bonds, notes, or other evidences of indebtedness of the
12 Authority issued with respect to the project, providing for
13 maintenance, insurance, and operation of the project on terms
14 satisfactory to the Authority and providing for other terms
15 deemed advisable by the Authority.

16 "Financial aid" means the expenditure of Authority funds
17 or funds provided by the Authority for the development,
18 construction, acquisition or improvement of a project, through
19 the issuance of revenue bonds, notes, or other evidences of
20 indebtedness.

21 "Costs incurred in connection with the development,
22 construction, acquisition or improvement of a project" means
23 the following:

- 24 (1) the cost of purchase and construction of all lands
25 and improvements in connection therewith and equipment and
26 other property, rights, easements, and franchises acquired

1 which are deemed necessary for the construction;

2 (2) financing charges;

3 (3) interest costs with respect to bonds, notes, and
4 other evidences of indebtedness of the Authority prior to
5 and during construction and for a period of 6 months
6 thereafter;

7 (4) engineering and legal expenses; and

8 (5) the costs of plans, specifications, surveys, and
9 estimates of costs and other expenses necessary or
10 incident to determining the feasibility or practicability
11 of any project, together with such other expenses as may
12 be necessary or incident to the financing, insuring,
13 acquisition, and construction of a specific project and
14 the placing of the same in operation.

15 (Source: P.A. 98-750, eff. 1-1-15.)

16 (70 ILCS 518/20)

17 Sec. 20. Creation.

18 (a) There is created a political subdivision, body
19 politic, and municipal corporation named the Southeastern
20 Illinois Economic Development Authority. The territorial
21 jurisdiction of the Authority is that geographic area within
22 the boundaries of the following counties: Fayette, Cumberland,
23 Clark, Effingham, Jasper, Crawford, Marion, Clay, Richland,
24 Lawrence, Jefferson, Wayne, Edwards, Wabash, Hamilton, and
25 White; Irvington Township in Washington County; and any

1 navigable waters and air space located therein.

2 (b) The governing and administrative powers of the
3 Authority shall be vested in a body consisting of 27 members as
4 follows:

5 (1) Public members. Nine members shall be appointed by
6 the Governor with the advice and consent of the Senate.
7 The county board chairmen of the following counties shall
8 each appoint one member: Clark, Clay, Crawford,
9 Cumberland, Edwards, Effingham, Fayette, Hamilton, Jasper,
10 Jefferson, Lawrence, Marion, Richland, Wabash, Washington,
11 Wayne, and White.

12 (2) One member shall be appointed by the Director of
13 Commerce and Economic Opportunity.

14 All public members shall reside within the territorial
15 jurisdiction of the Authority. The public members shall be
16 persons of recognized ability and experience in one or more of
17 the following areas: economic development, finance, banking,
18 industrial development, state or local government, commercial
19 agriculture, small business management, real estate
20 development, community development, venture finance, organized
21 labor, or civic or community organization.

22 (c) Fourteen members shall constitute a quorum, and the
23 Board may not meet or take any action without a quorum present.

24 (d) The chairman of the Authority shall be elected
25 annually by the Board.

26 (e) The terms of the initial members of the Authority

1 shall begin 30 days after the effective date of this Act. Of
2 the 10 original members appointed by the Governor and the
3 Director of Commerce and Economic Opportunity pursuant to
4 subsection (b), one shall serve until the third Monday in
5 January, 2005; one shall serve until the third Monday in
6 January, 2006; 2 shall serve until the third Monday in
7 January, 2007; 2 shall serve until the third Monday in
8 January, 2008; 2 shall serve until the third Monday in
9 January, 2009; and 2 shall serve until the third Monday in
10 January, 2010. The terms of the initial public members of the
11 Authority appointed by the county board chairmen shall begin
12 30 days after the effective date of this amendatory Act of the
13 97th General Assembly. The terms of the initial public members
14 appointed by the county board chairmen shall be determined by
15 lot, according to the following schedule: (i) 4 shall serve
16 until the third Monday in January, 2013, (ii) 4 shall serve
17 until the third Monday in January, 2014, (iii) 3 shall serve
18 until the third Monday in January, 2015, (iv) 3 shall serve
19 until the third Monday in January, 2016, and (v) 3 shall serve
20 until the third Monday in January, 2017. All successors to
21 these initial members shall be appointed by the original
22 appointing authority pursuant to subsection (b), and shall
23 hold office for a term of 3 years commencing the third Monday
24 in January of the year in which their term commences, except in
25 the case of an appointment to fill a vacancy. Vacancies
26 occurring among the members shall be filled for the remainder

1 of the term. In case of a vacancy in a Governor-appointed
2 membership when the Senate is not in session, the Governor may
3 make a temporary appointment until the next meeting of the
4 Senate when a person shall be nominated to fill the office and,
5 upon confirmation by the Senate, he or she shall hold office
6 during the remainder of the term and until a successor is
7 appointed and qualified. Members of the Authority are not
8 entitled to compensation for their services as members but are
9 entitled to reimbursement for all necessary expenses incurred
10 in connection with the performance of their duties as members.
11 Members of the Board may participate in Board meetings by
12 teleconference or video conference.

13 (f) The Governor may remove any public member of the
14 Authority appointed by the Governor, and the Director of
15 Commerce and Economic Opportunity may remove any member
16 appointed by the Director, in case of incompetence, neglect of
17 duty, or malfeasance in office. The chairman of a county
18 board, with the approval of a majority vote of the county
19 board, may remove any public member appointed by that chairman
20 in the case of incompetence, neglect of duty, or malfeasance
21 in office.

22 (g) The Board shall appoint an Executive Director who
23 shall have a background in finance, including familiarity with
24 the legal and procedural requirements of issuing bonds, real
25 estate, or economic development and administration. The
26 Executive Director shall hold office at the discretion of the

1 Board. The Executive Director shall be the chief
2 administrative and operational officer of the Authority, shall
3 direct and supervise its administrative affairs and general
4 management, perform such other duties as may be prescribed
5 from time to time by the members, and receive compensation
6 fixed by the Authority. The Executive Director shall attend
7 all meetings of the Authority. However, no action of the
8 Authority shall be invalid on account of the absence of the
9 Executive Director from a meeting. The Authority may engage
10 the services of the Illinois Finance Authority, attorneys,
11 appraisers, engineers, accountants, credit analysts, and other
12 consultants, if the Southeastern Illinois Economic Development
13 Authority deems it advisable.

14 (Source: P.A. 97-717, eff. 6-29-12.)

15 (70 ILCS 518/26 new)

16 Sec. 26. Requests for assistance; disclosure of economic
17 interests.

18 (a) The Authority may not hear a request for assistance
19 from a restricted person. This prohibition extends to business
20 relationships between a person who is an Authority leader
21 within one year prior to the request for assistance and to any
22 entity in which a restricted person holds or, within the past 2
23 years, held an ownership interest of 10% or more.

24 (b) An Authority leader shall disclose and recuse himself
25 or herself from matters relating to requests for assistance

1 from an entity that is relocating full-time employees from
2 another Authority's counties if (i) both Authorities contract
3 with or employ the same Authority leader or (ii) there is or,
4 within the past 2 years of the request, there was a business
5 relationship between the Authority leaders at the 2
6 Authorities.

7 (c) The Board of the Authority shall vote to renew the
8 appointment of the Executive Director and other Authority
9 leaders on an annual basis. All contracts shall be approved on
10 an annual basis and use a public process to solicit
11 applications. This requirement does not apply to full-time
12 employees of the Authority unless otherwise required by
13 applicable State law or local ordinance.

14 (d) Each Authority leader shall submit a statement of
15 economic interest in accordance with Article 4A of the
16 Illinois Governmental Ethics Act. Additionally, each Authority
17 leader shall disclose to the Board outside sources of income
18 and any business relationships in economic development
19 consulting or lobbying. Reporting shall include the source of
20 income, services provided, and timeline of when services were
21 provided. If the source of income is a firm or organization
22 with multiple clients, the report shall list all of the
23 entities for which the individual provided services.

24 (70 ILCS 518/27 new)

25 Sec. 27. Open meetings; record disclosure.

1 (a) The Authority is subject to the Open Meetings Act and
2 the Freedom of Information Act. Documents subject to the
3 Freedom of Information Act include, but are not limited to,
4 expenses, payroll, origination bonuses, and other financial
5 details of the Authority.

6 (b) A contract or agreement entered into by the Authority
7 must be posted on the Authority's website. The Authority shall
8 provide a detailed report of the Authority's financial
9 information on the Authority's website, including, but not
10 limited to, a statement of profits and losses, balance sheet,
11 and income statement of the Authority.

12 (70 ILCS 518/70)

13 Sec. 70. Reports; commitment notice ~~and audit.~~

14 (a) The Authority shall annually submit a report of its
15 finances to the Auditor General. The Authority shall annually
16 submit a report of its activities to the Governor and to the
17 General Assembly.

18 (b) (Blank).

19 (c) The Authority shall provide notice to the General
20 Assembly, the Department of Commerce and Economic Opportunity,
21 and the Governor once the Authority enters into a commitment
22 to support the financing of a project. The notice to the
23 General Assembly shall be filed with the Clerk of the House of
24 Representatives and the Secretary of the Senate, in electronic
25 form only, in the manner that the Clerk and the Secretary shall

1 direct.

2 (Source: P.A. 98-750, eff. 1-1-15.)

3 Section 45. The Southern Illinois Economic Development
4 Authority Act is amended by changing Sections 5-15, 5-20, and
5 5-75 and by adding Sections 5-26 and 5-27 as follows:

6 (70 ILCS 519/5-15)

7 Sec. 5-15. Definitions. In this Act:

8 "Authority" means the Southern Illinois Economic
9 Development Authority.

10 "Authority leader" means the Executive Director, Assistant
11 Executive Director, or any other person serving in a
12 management, administrative, or leadership role at the
13 Authority.

14 "Governmental agency" means any federal, State, or local
15 governmental body and any agency or instrumentality thereof,
16 corporate or otherwise.

17 "Person" means any natural person, firm, partnership,
18 corporation, both domestic and foreign, company, association
19 or joint stock association and includes any trustee, receiver,
20 assignee or personal representative thereof.

21 "Restricted person" means a person who has a familial or
22 business relationship with an Authority leader.

23 "Revenue bond" means any bond issued by the Authority, the
24 principal and interest of which is payable solely from

1 revenues or income derived from any project or activity of the
2 Authority.

3 "Board" means the Board of Directors of the Southern
4 Illinois Economic Development Authority.

5 "Governor" means the Governor of the State of Illinois.

6 "City" means any city, village, incorporated town, or
7 township within the geographical territory of the Authority.

8 "Industrial project" means the following:

9 (1) a capital project, including one or more buildings
10 and other structures, improvements, machinery and
11 equipment whether or not on the same site or sites now
12 existing or hereafter acquired, suitable for use by any
13 manufacturing, industrial, research, transportation or
14 commercial enterprise including but not limited to use as
15 a factory, mill, processing plant, assembly plant,
16 packaging plant, fabricating plant, ethanol plant, office
17 building, industrial distribution center, warehouse,
18 repair, overhaul or service facility, freight terminal,
19 research facility, test facility, railroad facility, port
20 facility, solid waste and wastewater treatment and
21 disposal sites and other pollution control facilities,
22 resource or waste reduction, recovery, treatment and
23 disposal facilities, and including also the sites thereof
24 and other rights in land therefore whether improved or
25 unimproved, site preparation and landscaping and all
26 appurtenances and facilities incidental thereto such as

1 utilities, access roads, railroad sidings, truck docking
2 and similar facilities, parking facilities, dockage,
3 wharfage, railroad roadbed, track, trestle, depot,
4 terminal, switching and signaling equipment or related
5 equipment and other improvements necessary or convenient
6 thereto; or

7 (2) any land, buildings, machinery or equipment
8 comprising an addition to or renovation, rehabilitation or
9 improvement of any existing capital project.

10 "Housing project" or "residential project" includes a
11 specific work or improvement undertaken to provide dwelling
12 accommodations, including the acquisition, construction or
13 rehabilitation of lands, buildings and community facilities
14 and in connection therewith to provide nonhousing facilities
15 which are an integral part of a planned large-scale project or
16 new community.

17 "Commercial project" means any project, including, but not
18 limited to, one or more buildings and other structures,
19 improvements, machinery, and equipment, whether or not on the
20 same site or sites now existing or hereafter acquired,
21 suitable for use by any retail or wholesale concern,
22 distributorship, or agency.

23 "Project" means an industrial, housing, residential,
24 commercial, or service project, or any combination thereof,
25 provided that all uses fall within one of the categories
26 described above. Any project automatically includes all site

1 improvements and new construction involving sidewalks, sewers,
2 solid waste and wastewater treatment and disposal sites and
3 other pollution control facilities, resource or waste
4 reduction, recovery, treatment and disposal facilities, parks,
5 open spaces, wildlife sanctuaries, streets, highways, and
6 runways.

7 "Lease agreement" means an agreement in which a project
8 acquired by the Authority by purchase, gift, or lease is
9 leased to any person or corporation that will use, or cause the
10 project to be used, as a project, upon terms providing for
11 lease rental payments at least sufficient to pay, when due,
12 all principal of and interest and premium, if any, on any
13 bonds, notes, or other evidences of indebtedness of the
14 Authority, issued with respect to the project, providing for
15 the maintenance, insurance, and operation of the project on
16 terms satisfactory to the Authority and providing for
17 disposition of the project upon termination of the lease term,
18 including purchase options or abandonment of the premises,
19 with other terms as may be deemed desirable by the Authority.

20 "Loan agreement" means any agreement in which the
21 Authority agrees to loan the proceeds of its bonds, notes, or
22 other evidences of indebtedness, issued with respect to a
23 project, to any person or corporation which will use or cause
24 the project to be used as a project, upon terms providing for
25 loan repayment installments at least sufficient to pay, when
26 due, all principal of and interest and premium, if any, on any

1 bonds, notes, or other evidences of indebtedness of the
2 Authority issued with respect to the project, providing for
3 maintenance, insurance, and operation of the project on terms
4 satisfactory to the Authority and providing for other terms
5 deemed advisable by the Authority.

6 "Financial aid" means the expenditure of Authority funds
7 or funds provided by the Authority for the development,
8 construction, acquisition or improvement of a project, through
9 the issuance of revenue bonds, notes, or other evidences of
10 indebtedness.

11 "Costs incurred in connection with the development,
12 construction, acquisition or improvement of a project" means
13 the following:

14 (1) the cost of purchase and construction of all lands
15 and improvements in connection therewith and equipment and
16 other property, rights, easements, and franchises acquired
17 which are deemed necessary for the construction;

18 (2) financing charges;

19 (3) interest costs with respect to bonds, notes, and
20 other evidences of indebtedness of the Authority prior to
21 and during construction and for a period of 6 months
22 thereafter;

23 (4) engineering and legal expenses; and

24 (5) the costs of plans, specifications, surveys, and
25 estimates of costs and other expenses necessary or
26 incident to determining the feasibility or practicability

1 of any project, together with such other expenses as may
2 be necessary or incident to the financing, insuring,
3 acquisition, and construction of a specific project and
4 the placing of the same in operation.

5 (Source: P.A. 98-750, eff. 1-1-15.)

6 (70 ILCS 519/5-20)

7 Sec. 5-20. Creation.

8 (a) There is created a political subdivision, body
9 politic, and municipal corporation named the Southern Illinois
10 Economic Development Authority. The territorial jurisdiction
11 of the Authority is that geographic area within the boundaries
12 of the following counties: Franklin, Perry, Randolph, Jackson,
13 Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin,
14 Alexander, Pulaski, and Massac and any navigable waters and
15 air space located therein.

16 (b) The governing and administrative powers of the
17 Authority shall be vested in a body consisting of 21 members as
18 follows:

19 (1) Ex officio member. The Director of Commerce and
20 Economic Opportunity, or a designee of that Department,
21 shall serve as an ex officio member.

22 (2) Public members. Six members shall be appointed by
23 the Governor with the advice and consent of the Senate.
24 The county board chairmen of the following counties shall
25 each appoint one member: Franklin, Perry, Randolph,

1 Jackson, Williamson, Saline, Gallatin, Union, Johnson,
2 Pope, Hardin, Alexander, Pulaski, and Massac. All public
3 members shall reside within the territorial jurisdiction
4 of the Authority. The public members shall be persons of
5 recognized ability and experience in one or more of the
6 following areas: economic development, finance, banking,
7 industrial development, state or local government,
8 commercial agriculture, small business management, real
9 estate development, community development, venture
10 finance, organized labor, or civic or community
11 organization.

12 (c) 11 members shall constitute a quorum, and the Board
13 may not meet or take any action without a quorum present.

14 (d) The chairman of the Authority shall be elected
15 annually by the Board and must be a public member that resides
16 within the territorial jurisdiction of the Authority.

17 (e) The terms of all initial members of the Authority
18 shall begin 30 days after the effective date of this Act. Of
19 the 6 original public members appointed by the Governor, 2
20 shall serve until the third Monday in January, 2007; 1 shall
21 serve until the third Monday in January, 2008; 1 shall serve
22 until the third Monday in January, 2009; 1 shall serve until
23 the third Monday in January, 2010; and 1 shall serve until the
24 third Monday in January, 2011. The initial terms of the
25 original public members appointed by the county board chairmen
26 shall be determined by lot, according to the following

1 schedule: (i) 3 shall serve until the third Monday in January,
2 2007, (ii) 3 shall serve until the third Monday in January,
3 2008, (iii) 3 shall serve until the third Monday in January,
4 2009, (iv) 3 shall serve until the third Monday in January,
5 2010, and (v) 2 shall serve until the third Monday in January,
6 2011. All successors to these original public members shall be
7 appointed by the original appointing authority and all
8 appointments made by the Governor shall be made with the
9 advice and consent of the Senate, pursuant to subsection (b),
10 and shall hold office for a term of 6 years commencing the
11 third Monday in January of the year in which their term
12 commences, except in the case of an appointment to fill a
13 vacancy. Vacancies occurring among the public members shall be
14 filled for the remainder of the term. In case of vacancy in a
15 Governor-appointed membership when the Senate is not in
16 session, the Governor may make a temporary appointment until
17 the next meeting of the Senate when a person shall be nominated
18 to fill the office and, upon confirmation by the Senate, he or
19 she shall hold office during the remainder of the term and
20 until a successor is appointed and qualified. Members of the
21 Authority are not entitled to compensation for their services
22 as members but are entitled to reimbursement for all necessary
23 expenses incurred in connection with the performance of their
24 duties as members.

25 (f) The Governor may remove any public member of the
26 Authority in case of incompetence, neglect of duty, or

1 malfeasance in office. The chairman of a county board may
2 remove any public member appointed by that chairman in the
3 case of incompetence, neglect of duty, or malfeasance in
4 office.

5 (g) The Board shall appoint an Executive Director who
6 shall have a background in finance, including familiarity with
7 the legal and procedural requirements of issuing bonds, real
8 estate, or economic development and administration. The
9 Executive Director shall hold office at the discretion of the
10 Board. The Executive Director shall be the chief
11 administrative and operational officer of the Authority, shall
12 direct and supervise its administrative affairs and general
13 management, perform such other duties as may be prescribed
14 from time to time by the members, and receive compensation
15 fixed by the Authority. The Department of Commerce and
16 Community Affairs shall pay the compensation of the Executive
17 Director from appropriations received for that purpose. The
18 Executive Director shall attend all meetings of the Authority.
19 However, no action of the Authority shall be invalid on
20 account of the absence of the Executive Director from a
21 meeting. The Authority may engage the services of the Illinois
22 Finance Authority, attorneys, appraisers, engineers,
23 accountants, credit analysts, and other consultants if the
24 Southern Illinois Economic Development Authority deems it
25 advisable.

26 (Source: P.A. 94-1021, eff. 7-12-06.)

1 (70 ILCS 519/5-26 new)

2 Sec. 5-26. Requests for assistance; disclosure of economic
3 interests.

4 (a) The Authority may not hear a request for assistance
5 from a restricted person. This prohibition extends to business
6 relationships between a person who is an Authority leader
7 within one year prior to the request for assistance and to any
8 entity in which a restricted person holds or, within the past 2
9 years, held an ownership interest of 10% or more.

10 (b) An Authority leader shall disclose and recuse himself
11 or herself from matters relating to requests for assistance
12 from an entity that is relocating full-time employees from
13 another Authority's counties if (i) both Authorities contract
14 with or employ the same Authority leader or (ii) there is or,
15 within the past 2 years of the request, there was a business
16 relationship between the Authority leaders at the 2
17 Authorities.

18 (c) The Board of the Authority shall vote to renew the
19 appointment of the Executive Director and other Authority
20 leaders on an annual basis. All contracts shall be approved on
21 an annual basis and use a public process to solicit
22 applications. This requirement does not apply to full-time
23 employees of the Authority unless otherwise required by
24 applicable State law or local ordinance.

25 (d) Each Authority leader shall submit a statement of

1 economic interest in accordance with Article 4A of the
2 Illinois Governmental Ethics Act. Additionally, each Authority
3 leader shall disclose to the Board outside sources of income
4 and any business relationships in economic development
5 consulting or lobbying. Reporting shall include the source of
6 income, services provided, and timeline of when services were
7 provided. If the source of income is a firm or organization
8 with multiple clients, the report shall list all of the
9 entities for which the individual provided services.

10 (70 ILCS 519/5-27 new)

11 Sec. 5-27. Open meetings; record disclosure.

12 (a) The Authority is subject to the Open Meetings Act and
13 the Freedom of Information Act. Documents subject to the
14 Freedom of Information Act include, but are not limited to,
15 expenses, payroll, origination bonuses, and other financial
16 details of the Authority.

17 (b) A contract or agreement entered into by the Authority
18 must be posted on the Authority's website. The Authority shall
19 provide a detailed report of the Authority's financial
20 information on the Authority's website, including, but not
21 limited to, a statement of profits and losses, balance sheet,
22 and income statement of the Authority.

23 (70 ILCS 519/5-75)

24 Sec. 5-75. Reports; commitment notice. The Authority shall

1 annually submit a report of its finances to the Auditor
2 General. The Authority shall annually submit a report of its
3 activities to the Governor and to the General Assembly.

4 The Authority shall provide notice to the General
5 Assembly, the Department of Commerce and Economic Opportunity,
6 and the Governor once the Authority enters into a commitment
7 to support the financing of a project. The notice to the
8 General Assembly shall be filed with the Clerk of the House of
9 Representatives and the Secretary of the Senate, in electronic
10 form only, in the manner that the Clerk and the Secretary shall
11 direct.

12 (Source: P.A. 94-1021, eff. 7-12-06.)

13 Section 50. The Southwestern Illinois Development
14 Authority Act is amended by changing Sections 3, 4, 5, 8, and
15 11.1 and by adding Sections 5.1 and 6.1 as follows:

16 (70 ILCS 520/3) (from Ch. 85, par. 6153)

17 Sec. 3. The following terms, whenever used or referred to
18 in this Act, shall have the following meanings, except in such
19 instances where the context may clearly indicate otherwise:

20 (a) "Authority" means the Southwestern Illinois
21 Development Authority created by this Act.

22 (a-5) "Authority leader" means the Executive Director,
23 Assistant Executive Director, or any other person serving in a
24 management, administrative, or leadership role at the

1 Authority.

2 (b) "Governmental agency" means any federal, State or
3 local governmental body, and any agency or instrumentality
4 thereof, corporate or otherwise.

5 (c) "Person" means any natural person, firm, partnership,
6 corporation, both domestic and foreign, company, association
7 or joint stock association and includes any trustee, receiver,
8 assignee or personal representative thereof.

9 (c-5) "Restricted person" means a person who has a
10 familial or business relationship with an Authority leader.

11 (d) "Revenue bond" means any bond issued by the Authority
12 the principal and interest of which is payable solely from
13 revenues or income derived from any project or activity of the
14 Authority.

15 (e) "Board" means the Southwestern Illinois Development
16 Authority Board of Directors.

17 (f) "Governor" means the Governor of the State of
18 Illinois.

19 (g) "City" means any city, village, incorporated town or
20 township within the geographical territory of the Authority.

21 (h) "Industrial project" means (1) a capital project,
22 including one or more buildings and other structures,
23 improvements, machinery and equipment whether or not on the
24 same site or sites now existing or hereafter acquired,
25 suitable for use by any manufacturing, industrial, research,
26 transportation or commercial enterprise including but not

1 limited to use as a factory, mill, processing plant, assembly
2 plant, packaging plant, fabricating plant, office building,
3 industrial distribution center, warehouse, repair, overhaul or
4 service facility, freight terminal, research facility, test
5 facility, railroad facility, solid waste and wastewater
6 treatment and disposal sites and other pollution control
7 facilities, resource or waste reduction, recovery, treatment
8 and disposal facilities, and including also the sites thereof
9 and other rights in land therefor whether improved or
10 unimproved, site preparation and landscaping and all
11 appurtenances and facilities incidental thereto such as
12 utilities, access roads, railroad sidings, truck docking and
13 similar facilities, parking facilities, dockage, wharfage,
14 railroad roadbed, track, trestle, depot, terminal, switching
15 and signaling equipment or related equipment and other
16 improvements necessary or convenient thereto; or (2) any land,
17 buildings, machinery or equipment comprising an addition to or
18 renovation, rehabilitation or improvement of any existing
19 capital project.

20 (i) "Housing project" or "residential project" includes a
21 specific work or improvement undertaken to provide dwelling
22 accommodations, including the acquisition, construction or
23 rehabilitation of lands, buildings and community facilities
24 and in connection therewith to provide nonhousing facilities
25 which are an integral part of a planned large-scale project or
26 new community.

1 (j) "Commercial project" means any project, including but
2 not limited to one or more buildings and other structures,
3 improvements, machinery and equipment whether or not on the
4 same site or sites now existing or hereafter acquired,
5 suitable for use by any retail or wholesale concern,
6 distributorship or agency, any cultural facilities of a
7 for-profit or not-for-profit type including but not limited to
8 educational, theatrical, recreational and entertainment,
9 sports facilities, racetracks, stadiums, convention centers,
10 exhibition halls, arenas, opera houses and theaters,
11 waterfront improvements, swimming pools, boat storage,
12 moorage, docking facilities, restaurants, velodromes,
13 coliseums, sports training facilities, parking facilities,
14 terminals, hotels and motels, gymnasiums, medical facilities
15 and port facilities.

16 (k) "Unit of local government" means a unit of local
17 government, as defined in Section 1 of Article VII of the
18 Illinois Constitution, and any local public entity as that
19 term is defined in the Local Governmental and Governmental
20 Employees Tort Immunity Act and such unit of local government
21 or local public entity is located within the geographical
22 territory of the Authority or, for the purposes of the Flood
23 Prevention District Act, is located within Monroe County,
24 Illinois.

25 (l) "Local government project" means a project or other
26 undertaking that is authorized or required by law to be

1 acquired, constructed, reconstructed, equipped, improved,
2 rehabilitated, replaced, maintained, or otherwise undertaken
3 in any manner by a unit of local government.

4 (m) "Local government security" means a bond, note, or
5 other evidence of indebtedness that a unit of local government
6 is legally authorized to issue for the purpose of financing a
7 public purpose project or to issue for any other lawful public
8 purpose under any provision of the Illinois Constitution or
9 laws of this State, whether the obligation is payable from
10 taxes or revenues, rates, charges, assessments,
11 appropriations, grants, or any other lawful source or
12 combination thereof, and specifically includes, without
13 limitation, obligations under any lease or lease purchase
14 agreement lawfully entered into by the unit of local
15 government for the acquisition or use of facilities or
16 equipment.

17 (n) "Project" means an industrial, housing, residential,
18 commercial, local government, or service project or any
19 combination thereof provided that all uses shall fall within
20 one of the categories described above. Any project, of any
21 nature whatsoever, shall automatically include all site
22 improvements and new construction involving sidewalks, sewers,
23 solid waste and wastewater treatment and disposal sites and
24 other pollution control facilities, resource or waste
25 reduction, recovery, treatment and disposal facilities, parks,
26 open spaces, wildlife sanctuaries, streets, highways and

1 runways.

2 (o) "Lease agreement" shall mean an agreement whereby a
3 project acquired by the Authority by purchase, gift or lease
4 is leased to any person or corporation which will use or cause
5 the project to be used as a project as heretofore defined upon
6 terms providing for lease rental payments at least sufficient
7 to pay when due all principal of and interest and premium, if
8 any, on any bonds, notes or other evidences of indebtedness of
9 the Authority issued with respect to such project, providing
10 for the maintenance, insurance and operation of the project on
11 terms satisfactory to the Authority and providing for
12 disposition of the project upon termination of the lease term,
13 including purchase options or abandonment of the premises,
14 with such other terms as may be deemed desirable by the
15 Authority.

16 (p) "Loan agreement" means any agreement pursuant to which
17 the Authority agrees to loan the proceeds of its bonds, notes
18 or other evidences of indebtedness issued with respect to a
19 project to any person or corporation which will use or cause
20 the project to be used as a project as heretofore defined upon
21 terms providing for loan repayment installments at least
22 sufficient to pay when due all principal of and interest and
23 premium, if any, on any bonds, notes or other evidences of
24 indebtedness of the Authority issued with respect to the
25 project, providing for maintenance, insurance and operation of
26 the project on terms satisfactory to the Authority and

1 providing for other matters as may be deemed advisable by the
2 Authority.

3 (q) "Financial aid" means the expenditure of Authority
4 funds or funds provided by the Authority through the issuance
5 of its revenue bonds, notes or other evidences of indebtedness
6 for the development, construction, acquisition or improvement
7 of a project.

8 (r) "Costs incurred in connection with the development,
9 construction, acquisition or improvement of a project" means
10 the following: the cost of purchase and construction of all
11 lands and improvements in connection therewith and equipment
12 and other property, rights, easements and franchises acquired
13 which are deemed necessary for such construction; financing
14 charges; interest costs with respect to bonds, notes and other
15 evidences of indebtedness of the Authority prior to and during
16 construction and for a period of 6 months thereafter;
17 engineering and legal expenses; the costs of plans,
18 specifications, surveys and estimates of costs and other
19 expenses necessary or incident to determining the feasibility
20 or practicability of any project, together with such other
21 expenses as may be necessary or incident to the financing,
22 insuring, acquisition and construction of a specific project
23 and the placing of the same in operation.

24 (s) "Terminal" means a public place, station or depot for
25 receiving and delivering passengers, baggage, mail, freight or
26 express matter and any combination thereof in connection with

1 the transportation of persons and property on water or land or
2 in the air.

3 (t) "Terminal facilities" means all land, buildings,
4 structures, improvements, equipment and appliances useful in
5 the operation of public warehouse, storage and transportation
6 facilities and industrial, manufacturing or commercial
7 activities for the accommodation of or in connection with
8 commerce by water or land or in the air or useful as an aid, or
9 constituting an advantage or convenience to, the safe landing,
10 taking off and navigation of aircraft or the safe and
11 efficient operation or maintenance of a public airport.

12 (u) "Port facilities" means all public structures, except
13 terminal facilities as defined herein, that are in, over,
14 under or adjacent to navigable waters and are necessary for or
15 incident to the furtherance of water commerce and includes the
16 widening and deepening of slips, harbors and navigable waters.

17 (v) "Airport" means any locality, either land or water,
18 which is used or designed for the landing and taking off of
19 aircraft or for the location of runways, landing fields,
20 aerodromes, hangars, buildings, structures, airport roadways
21 and other facilities.

22 (Source: P.A. 95-723, eff. 6-23-08.)

23 (70 ILCS 520/4) (from Ch. 85, par. 6154)

24 Sec. 4. (a) There is hereby created a political
25 subdivision, body politic and municipal corporation named the

1 Southwestern Illinois Development Authority. The territorial
2 jurisdiction of the Authority is that geographic area within
3 the boundaries of Madison, St. Clair, Bond, ~~and~~ Clinton, and
4 Monroe counties in the State of Illinois and any navigable
5 waters and air space located therein.

6 (b) The governing and administrative powers of the
7 Authority shall be vested in a body consisting of 15 voting ~~14~~
8 members including, as ex officio members, the Director of
9 Commerce and Economic Opportunity, or his or her designee, and
10 the Secretary of Transportation, or his or her designee. The
11 other 13 voting ~~12~~ members of the Authority shall be
12 designated "public members", 6 of whom shall be appointed by
13 the Governor with the advice and consent of the Senate, 2 of
14 whom shall be appointed by the county board chairman of
15 Madison County, 2 of whom shall be appointed by the county
16 board chairman of St. Clair County, one of whom shall be
17 appointed by the county board chairman of Bond County, ~~and~~ one
18 of whom shall be appointed by the county board chairman of
19 Clinton County, and one of whom shall be appointed by the
20 county board chairman of Monroe County. All public members
21 shall reside within the territorial jurisdiction of this Act.
22 Eight voting members shall constitute a quorum, and the Board
23 may not meet or take any action without a quorum present. The
24 public members shall be persons of recognized ability and
25 experience in one or more of the following areas: economic
26 development, finance, banking, industrial development, small

1 business management, real estate development, community
2 development, venture finance, organized labor or civic,
3 community or neighborhood organization. The Chairman of the
4 Authority shall be elected by the Board annually from the
5 voting members ~~appointed by the county board chairmen.~~

6 (c) Except as otherwise provided in this subsection, the
7 ~~The~~ terms of all members of the Authority shall begin 30 days
8 after the effective date of this Act. Of the 8 public members
9 initially appointed pursuant to this Act, 3 shall serve until
10 the third Monday in January, 1988, 3 shall serve until the
11 third Monday in January, 1989, and 2 shall serve until the
12 third Monday in January, 1990. The public members initially
13 appointed under this amendatory Act of the 94th General
14 Assembly shall serve until the third Monday in January, 2008.
15 The member initially appointed pursuant to this amendatory Act
16 of the 103rd General Assembly by the county board chairman of
17 Monroe County shall serve until the third Monday in January
18 2026. All successors shall be appointed by the original
19 appointing authority and hold office for a term of 3 years
20 commencing the third Monday in January of the year in which
21 their term commences, except in case of an appointment to fill
22 a vacancy. Vacancies occurring among the public members shall
23 be filled for the remainder of the term. In case of vacancy in
24 a Governor-appointed membership when the Senate is not in
25 session, the Governor may make a temporary appointment until
26 the next meeting of the Senate when a person shall be nominated

1 to fill such office, and any person so nominated who is
2 confirmed by the Senate shall hold office during the remainder
3 of the term and until a successor shall be appointed and
4 qualified. Members of the Authority shall not be entitled to
5 compensation for their services as members but shall be
6 entitled to reimbursement for all necessary expenses incurred
7 in connection with the performance of their duties as members.

8 (d) The Governor may remove any public member of the
9 Authority in case of incompetency, neglect of duty, or
10 malfeasance in office.

11 (e) The Board shall appoint an Executive Director who
12 shall have a background in finance, including familiarity with
13 the legal and procedural requirements of issuing bonds, real
14 estate or economic development and administration. The
15 Executive Director shall hold office at the discretion of the
16 Board. The Executive Director shall be the chief
17 administrative and operational officer of the Authority, shall
18 direct and supervise its administrative affairs and general
19 management, shall perform such other duties as may be
20 prescribed from time to time by the members and shall receive
21 compensation fixed by the Authority. The Executive Director
22 shall attend all meetings of the Authority; however, no action
23 of the Authority shall be invalid on account of the absence of
24 the Executive Director from a meeting. The Authority may
25 engage the services of such other agents and employees,
26 including attorneys, appraisers, engineers, accountants,

1 credit analysts and other consultants, as it may deem
2 advisable and may prescribe their duties and fix their
3 compensation.

4 (f) The Board may, by majority vote, nominate up to 4
5 non-voting members for appointment by the Governor. Non-voting
6 members shall be persons of recognized ability and experience
7 in one or more of the following areas: economic development,
8 finance, banking, industrial development, small business
9 management, real estate development, community development,
10 venture finance, organized labor, or civic, community, or
11 neighborhood organization. Non-voting members shall serve at
12 the pleasure of the Board. All non-voting members may attend
13 meetings of the Board and shall be reimbursed as provided in
14 subsection (c).

15 (g) The Board shall create a task force to study and make
16 recommendations to the Board on the economic development of
17 the city of East St. Louis and on the economic development of
18 the riverfront within the territorial jurisdiction of this
19 Act. The members of the task force shall reside within the
20 territorial jurisdiction of this Act, shall serve at the
21 pleasure of the Board and shall be persons of recognized
22 ability and experience in one or more of the following areas:
23 economic development, finance, banking, industrial
24 development, small business management, real estate
25 development, community development, venture finance, organized
26 labor or civic, community or neighborhood organization. The

1 number of members constituting the task force shall be set by
2 the Board and may vary from time to time. The Board may set a
3 specific date by which the task force is to submit its final
4 report and recommendations to the Board.

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

6 (70 ILCS 520/5) (from Ch. 85, par. 6155)

7 Sec. 5. All official acts of the Authority shall require
8 the approval of at least 8 voting members. It shall be the duty
9 of the Authority to promote development within the geographic
10 confines of Madison, Bond, Clinton, ~~and~~ St. Clair, and Monroe
11 counties. The Authority shall use the powers herein conferred
12 upon it to assist in the development, construction and
13 acquisition of industrial, commercial, housing or residential
14 projects within Madison, Bond, Clinton, ~~and~~ St. Clair, and
15 Monroe counties.

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

17 (70 ILCS 520/5.1 new)

18 Sec. 5.1. Open meetings; record disclosure.

19 (a) The Authority is subject to the Open Meetings Act and
20 the Freedom of Information Act. Documents subject to the
21 Freedom of Information Act include, but are not limited to,
22 expenses, payroll, origination bonuses, and other financial
23 details of the Authority.

24 (b) A contract or agreement entered into by the Authority

1 must be posted on the Authority's website. The Authority shall
2 provide a detailed report of the Authority's financial
3 information on the Authority's website, including, but not
4 limited to, a statement of profits and losses, balance sheet,
5 and income statement of the Authority.

6 (70 ILCS 520/6.1 new)

7 Sec. 6.1. Commitment notice. The Authority shall provide
8 notice to the General Assembly, the Department of Commerce and
9 Economic Opportunity, and the Governor once the Authority
10 enters into a commitment to support the financing of a
11 project. The notice to the General Assembly shall be filed
12 with the Clerk of the House of Representatives and the
13 Secretary of the Senate, in electronic form only, in the
14 manner that the Clerk and the Secretary shall direct.

15 (70 ILCS 520/8) (from Ch. 85, par. 6158)

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

19 (b) The Authority shall have power to acquire by purchase,
20 lease, gift or otherwise any property or rights therein from
21 any person or persons, the State of Illinois, any municipal
22 corporation, any local unit of government, the government of
23 the United States and any agency or instrumentality of the
24 United States, any body politic or any county useful for its

1 purposes, whether improved for the purposes of any prospective
2 project or unimproved. The Authority may also accept any
3 donation of funds for its purposes from any such source. The
4 Authority may acquire any real property, or rights therein,
5 upon condemnation. The acquisition by eminent domain of such
6 real property or any interest therein by the Authority shall
7 be in the manner provided by the Eminent Domain Act, including
8 Article 20 thereof (quick-take power).

9 The Authority shall not exercise any quick-take eminent
10 domain powers granted by State law within the corporate limits
11 of a municipality unless the governing authority of the
12 municipality authorizes the Authority to do so. The Authority
13 shall not exercise any quick-take eminent domain powers
14 granted by State law within the unincorporated areas of a
15 county unless the county board authorizes the Authority to do
16 so.

17 (c) The Authority shall have power to develop, construct
18 and improve, either under its own direction or through
19 collaboration with any approved applicant, or to acquire
20 through purchase or otherwise any project, using for such
21 purpose the proceeds derived from its sale of revenue bonds,
22 notes or other evidences of indebtedness or governmental loans
23 or grants and to hold title in the name of the Authority to
24 such projects.

25 (d) The Authority shall have the power to enter into
26 intergovernmental agreements with the State of Illinois, the

1 counties of Bond, Clinton, Madison, Monroe, and ~~St.~~ St. Clair,
2 the Southwest Regional Port District, the Illinois Finance
3 Authority, the Illinois Housing Development Authority, the
4 Metropolitan Pier and Exposition Authority, the United States
5 government and any agency or instrumentality of the United
6 States, the city of East St. Louis, any unit of local
7 government located within the territory of the Authority or
8 any other unit of government to the extent allowed by Article
9 VII, Section 10 of the Illinois Constitution and the
10 Intergovernmental Cooperation Act.

11 (e) The Authority shall have the power to share employees
12 with other units of government, including agencies of the
13 United States, agencies of the State of Illinois and agencies
14 or personnel of any unit of local government.

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

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

20 (70 ILCS 520/11.1) (from Ch. 85, par. 6161.1)

21 Sec. 11.1. (a) No member of the Authority or officer,
22 agent, or employee of the Authority shall, in his or her own
23 name or in the name of a nominee, be an officer or director of
24 or hold an ownership of more than 7.5% in any person,
25 association, trust, corporation, partnership, or other entity

1 that is, in its own name or in the name of a nominee, a party
2 to a contract or agreement upon which the member, officer,
3 agent, or employee may be called upon to act or vote.

4 (b) With respect to any direct or any indirect interest,
5 other than an interest prohibited in subsection (a), in a
6 contract or agreement upon which the member, officer, agent,
7 or employee may be called upon to act or vote, the member,
8 officer, agent, or employee shall disclose that interest to
9 the secretary of the Authority before the taking of final
10 action by the Authority concerning that contract or agreement
11 and shall also disclose the nature and extent of that interest
12 and his or her acquisition of that interest, which disclosures
13 shall be publicly acknowledged by the Authority and entered
14 upon the minutes of the Authority. If a member of the Authority
15 or an officer, agent, or employee of the Authority holds such
16 an interest, then he or she shall refrain from any further
17 official involvement in regard to the contract or agreement,
18 from voting on any matter pertaining to the contract or
19 agreement, and from communicating with other members of the
20 Authority or its officers, agents, and employees concerning
21 the contract or agreement. Notwithstanding any other provision
22 of law, any contract or agreement entered into in conformity
23 with this subsection (b) shall not be void or invalid by reason
24 of an interest described in this subsection, nor shall any
25 person so disclosing the interest and refraining from further
26 official involvement as provided in this subsection be guilty

1 of an offense, be removed from office, or be subject to any
2 other penalty on account of that interest.

3 (c) Any contract or agreement made in violation of
4 subsection (a) or (b) is void and gives rise to no action
5 against the Authority.

6 (d) The Authority may not hear a request for assistance
7 from a restricted person. This prohibition extends to business
8 relationships between a person who is an Authority leader
9 within one year prior to the request for assistance and to any
10 entity in which a restricted person holds or, within the past 2
11 years, held an ownership interest of 10% or more.

12 (e) An Authority leader shall disclose and recuse himself
13 or herself from matters relating to requests for assistance
14 from an entity that is relocating full-time employees from
15 another Authority's counties if (i) both Authorities contract
16 with or employ the same Authority leader or (ii) there is or,
17 within the past 2 years of the request, there was a business
18 relationship between the Authority leaders at the 2
19 Authorities.

20 (f) The Board of the Authority shall vote to renew the
21 appointment of the Executive Director and other Authority
22 leaders on an annual basis. All contracts shall be approved on
23 an annual basis and use a public process to solicit
24 applications. This requirement does not apply to full-time
25 employees of the Authority unless otherwise required by
26 applicable State law or local ordinance.

1 (g) Each Authority leader shall submit a statement of
2 economic interest in accordance with Article 4A of the
3 Illinois Governmental Ethics Act. Additionally, each Authority
4 leader shall disclose to the Board outside sources of income
5 and any business relationships in economic development
6 consulting or lobbying. Reporting shall include the source of
7 income, services provided, and timeline of when services were
8 provided. If the source of income is a firm or organization
9 with multiple clients, the report shall list all of the
10 entities for which the individual provided services.

11 (Source: P.A. 86-1455.)

12 Section 55. The Tri-County River Valley Development
13 Authority Law is amended by changing Sections 2003, 2004,
14 2008, and 2013 and by adding Sections 2005.1 and 2005.2 as
15 follows:

16 (70 ILCS 525/2003) (from Ch. 85, par. 7503)

17 Sec. 2003. Definitions. The following terms, whenever used
18 or referred to in this Article, shall have the following
19 meanings, except in such instances where the context may
20 clearly indicate otherwise:

21 (a) "Authority" means the Tri-County River Valley
22 Development Authority created by this Article.

23 (a-5) "Authority leader" means the Executive Director,
24 Assistant Executive Director, or any other person serving in a

1 management, administrative, or leadership role at the
2 Authority.

3 (b) "Governmental agency" means any federal, State or
4 local governmental body, and any agency or instrumentality
5 thereof, corporate or otherwise.

6 (c) "Person" means any natural person, firm, partnership,
7 corporation, both domestic and foreign, company, association
8 or joint stock association and includes any trustee, receiver,
9 assignee or personal representative thereof.

10 (c-5) "Restricted person" means a person who has a
11 familial or business relationship with an Authority leader.

12 (d) "Revenue bond" means any bond issued by the Authority
13 the principal and interest of which is payable solely from
14 revenues or income derived from any project or activity of the
15 Authority.

16 (e) "Board" means the Tri-County River Valley Development
17 Authority Board of Directors.

18 (f) "Governor" means the Governor of the State of
19 Illinois.

20 (g) "City" means any city, village, incorporated town or
21 township within the geographical territory of the Authority.

22 (h) "Industrial project" means (1) a capital project,
23 including one or more buildings and other structures,
24 improvements, machinery and equipment whether or not on the
25 same site or sites now existing or hereafter acquired,
26 suitable for use by any manufacturing, industrial, research,

1 transportation or commercial enterprise including but not
2 limited to use as a factory, mill, processing plant, assembly
3 plant, packaging plant, fabricating plant, office building,
4 industrial distribution center, warehouse, repair, overhaul or
5 service facility, freight terminal, research facility, test
6 facility, railroad facility, solid waste and wastewater
7 treatment and disposal sites and other pollution control
8 facilities, resource or waste reduction, recovery, treatment
9 and disposal facilities, and including also the sites thereof
10 and other rights in land therefor whether improved or
11 unimproved, site preparation and landscaping and all
12 appurtenances and facilities incidental thereto such as
13 utilities, access roads, railroad sidings, truck docking and
14 similar facilities, parking facilities, dockage, wharfage,
15 railroad roadbed, track, trestle, depot, terminal, switching
16 and signaling equipment or related equipment and other
17 improvements necessary or convenient thereto; or (2) any land,
18 buildings, machinery or equipment comprising an addition to or
19 renovation, rehabilitation or improvement of any existing
20 capital project.

21 (i) "Housing project" or "residential project" includes a
22 specific work or improvement undertaken to provide dwelling
23 accommodations, including the acquisition, construction or
24 rehabilitation of lands, buildings and community facilities
25 and in connection therewith to provide nonhousing facilities
26 which are an integral part of a planned large-scale project or

1 new community.

2 (j) "Commercial project" means any project, including but
3 not limited to one or more buildings and other structures,
4 improvements, machinery and equipment whether or not on the
5 same site or sites now existing or hereafter acquired,
6 suitable for use by any retail or wholesale concern,
7 distributorship or agency, any cultural facilities of a
8 for-profit or not-for-profit type including but not limited to
9 educational, theatrical, recreational and entertainment,
10 sports facilities, racetracks, stadiums, convention centers,
11 exhibition halls, arenas, opera houses and theaters,
12 waterfront improvements, swimming pools, boat storage,
13 moorage, docking facilities, restaurants, velodromes,
14 coliseums, sports training facilities, parking facilities,
15 terminals, hotels and motels, gymnasiums, medical facilities
16 and port facilities.

17 (k) "Project" means an industrial, housing, residential,
18 commercial or service project or any combination thereof
19 provided that all uses shall fall within one of the categories
20 described above. Any project, of any nature whatsoever, shall
21 automatically include all site improvements and new
22 construction involving sidewalks, sewers, solid waste and
23 wastewater treatment and disposal sites and other pollution
24 control facilities, resource or waste reduction, recovery,
25 treatment and disposal facilities, parks, open spaces,
26 wildlife sanctuaries, streets, highways and runways.

1 (1) "Lease agreement" shall mean an agreement whereby a
2 project acquired by the Authority by purchase, gift or lease
3 is leased to any person or corporation which will use or cause
4 the project to be used as a project as heretofore defined upon
5 terms providing for lease rental payments at least sufficient
6 to pay when due all principal of and interest and premium, if
7 any, on any bonds, notes or other evidences of indebtedness of
8 the Authority issued with respect to such project, providing
9 for the maintenance, insurance and operation of the project on
10 terms satisfactory to the Authority and providing for
11 disposition of the project upon termination of the lease term,
12 including purchase options or abandonment of the premises,
13 with such other terms as may be deemed desirable by the
14 Authority.

15 (m) "Loan agreement" means any agreement pursuant to which
16 the Authority agrees to loan the proceeds of its bonds, notes
17 or other evidences of indebtedness issued with respect to a
18 project to any person or corporation which will use or cause
19 the project to be used as a project as heretofore defined upon
20 terms providing for loan repayment installments at least
21 sufficient to pay when due all principal of and interest and
22 premium, if any, on any bonds, notes or other evidences of
23 indebtedness of the Authority issued with respect to the
24 project, providing for maintenance, insurance and operation of
25 the project on terms satisfactory to the Authority and
26 providing for other matters as may be deemed advisable by the

1 Authority.

2 (n) "Financial aid" means the expenditure of Authority
3 funds or funds provided by the Authority through the issuance
4 of its revenue bonds, notes or other evidences of indebtedness
5 for the development, construction, acquisition or improvement
6 of a project.

7 (o) "Costs incurred in connection with the development,
8 construction, acquisition or improvement of a project" means
9 the following: the cost of purchase and construction of all
10 lands and improvements in connection therewith and equipment
11 and other property, rights, easements and franchises acquired
12 which are deemed necessary for such construction; financing
13 charges; interest costs with respect to bonds, notes and other
14 evidences of indebtedness of the Authority prior to and during
15 construction and for a period of 6 months thereafter;
16 engineering and legal expenses; the costs of plans,
17 specifications, surveys and estimates of costs and other
18 expenses necessary or incident to determining the feasibility
19 or practicability of any project, together with such other
20 expenses as may be necessary or incident to the financing,
21 insuring, acquisition and construction of a specific project
22 and the placing of the same in operation.

23 (p) "Terminal" means a public place, station or depot for
24 receiving and delivering passengers, baggage, mail, freight or
25 express matter and any combination thereof in connection with
26 the transportation of persons and property on water or land or

1 in the air.

2 (q) "Terminal facilities" means all land, buildings,
3 structures, improvements, equipment and appliances useful in
4 the operation of public warehouse, storage and transportation
5 facilities and industrial, manufacturing or commercial
6 activities for the accommodation of or in connection with
7 commerce by water or land or in the air or useful as an aid, or
8 constituting an advantage or convenience to, the safe landing,
9 taking off and navigation of aircraft or the safe and
10 efficient operation or maintenance of a public airport.

11 (r) "Port facilities" means all public structures, except
12 terminal facilities as defined herein, that are in, over,
13 under or adjacent to navigable waters and are necessary for or
14 incident to the furtherance of water commerce and includes the
15 widening and deepening of slips, harbors and navigable waters.

16 (s) "Airport" means any locality, either land or water,
17 which is used or designed for the landing and taking off of
18 aircraft or for the location of runways, landing fields,
19 aerodromes, hangars, buildings, structures, airport roadways
20 and other facilities.

21 (Source: P.A. 86-1489.)

22 (70 ILCS 525/2004) (from Ch. 85, par. 7504)

23 Sec. 2004. Establishment.

24 (a) There is hereby created a political subdivision, body
25 politic and municipal corporation named the Tri-County River

1 Valley Development Authority. The territorial jurisdiction of
2 the Authority is that geographic area within the boundaries of
3 McLean, Peoria, Tazewell, and Woodford counties in the State
4 of Illinois and any navigable waters and air space located
5 therein.

6 (b) The governing and administrative powers of the
7 Authority shall be vested in a body consisting of 13 ~~11~~ members
8 including, as ex officio members, the Director of Commerce and
9 Economic Opportunity, or his or her designee, and the Director
10 of Natural Resources, or that Director's designee. The other
11 11 ~~9~~ members of the Authority shall be designated "public
12 members", 3 of whom shall be appointed by the Governor, 3 of
13 whom shall be appointed one each by the county board chairmen
14 of Peoria, Tazewell and Woodford counties and 5 ~~3~~ of whom shall
15 be appointed one each by the city councils of Bloomington,
16 East Peoria, Normal, Pekin, and Peoria. All public members
17 shall reside within the territorial jurisdiction of this Act.
18 Seven ~~Six~~ members shall constitute a quorum, and the Board may
19 not meet or take any action without a quorum present. The
20 public members shall be persons of recognized ability and
21 experience in one or more of the following areas: economic
22 development, finance, banking, industrial development, small
23 business management, real estate development, community
24 development, venture finance, organized labor or civic,
25 community or neighborhood organization. The Chairman of the
26 Authority shall be elected by the Board annually from the 8 ~~6~~

1 members appointed by the county board chairmen and city
2 councils.

3 (c) The terms of all members of the Authority shall begin
4 30 days after the effective date of this Article. Of the 9
5 public members appointed pursuant to this Act, 3 shall serve
6 until the third Monday in January 1992, 3 shall serve until the
7 third Monday in January 1993, and 3 shall serve until the third
8 Monday in January 1994. All successors shall be appointed by
9 the original appointing authority and hold office for a term
10 of 3 years commencing the third Monday in January of the year
11 in which their term commences, except in case of an
12 appointment to fill a vacancy. The initial member appointed by
13 the city council of Bloomington shall serve until the third
14 Monday in January 2025. The initial member appointed by the
15 city council of Normal shall serve until the third Monday in
16 January 2026. Vacancies occurring among the public members
17 shall be filled for the remainder of the term. In case of
18 vacancy in a Governor-appointed membership when the Senate is
19 not in session, the Governor may make a temporary appointment
20 until the next meeting of the Senate when a person shall be
21 nominated to fill such office, and any person so nominated who
22 is confirmed by the Senate shall hold office during the
23 remainder of the term and until a successor shall be appointed
24 and qualified. Members of the Authority shall not be entitled
25 to compensation for their services as members but may be
26 reimbursed for all necessary expenses incurred in connection

1 with the performance of their duties as members.

2 (d) The Governor may remove any public member of the
3 Authority in case of incompetency, neglect of duty, or
4 malfeasance in office.

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

24 (f) The Board may, by majority vote, nominate up to 4
25 non-voting members for appointment by the Governor. Non-voting
26 members shall be persons of recognized ability and experience

1 in one or more of the following areas: economic development,
2 finance, banking, industrial development, small business
3 management, real estate development, community development,
4 venture finance, organized labor or civic, community or
5 neighborhood organization. Non-voting members shall serve at
6 the pleasure of the Board. All non-voting members may attend
7 meetings of the Board and may be reimbursed as provided in
8 subsection (c).

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

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

1 Sec. 2005.1. Requests for assistance; disclosure of
2 economic interests.

3 (a) The Authority may not hear a request for assistance
4 from a restricted person. This prohibition extends to business
5 relationships between a person who is an Authority leader
6 within one year prior to the request for assistance and to any
7 entity in which a restricted person holds or, within the past 2
8 years, held an ownership interest of 10% or more.

9 (b) An Authority leader shall disclose and recuse himself
10 or herself from matters relating to requests for assistance
11 from an entity that is relocating full-time employees from
12 another Authority's counties if (i) both Authorities contract
13 with or employ the same Authority leader or (ii) there is or,
14 within the past 2 years of the request, there was a business
15 relationship between the Authority leaders at the 2
16 Authorities.

17 (c) The Board of the Authority shall vote to renew the
18 appointment of the Executive Director and other Authority
19 leaders on an annual basis. All contracts shall be approved on
20 an annual basis and use a public process to solicit
21 applications. This requirement does not apply to full-time
22 employees of the Authority unless otherwise required by
23 applicable State law or local ordinance.

24 (d) Each Authority leader shall submit a statement of
25 economic interest in accordance with Article 4A of the
26 Illinois Governmental Ethics Act. Additionally, each Authority

1 leader shall disclose to the Board outside sources of income
2 and any business relationships in economic development
3 consulting or lobbying. Reporting shall include the source of
4 income, services provided, and timeline of when services were
5 provided. If the source of income is a firm or organization
6 with multiple clients, the report shall list all of the
7 entities for which the individual provided services.

8 (70 ILCS 525/2005.2 new)

9 Sec. 2005.2. Open meetings; record disclosure.

10 (a) The Authority is subject to the Open Meetings Act and
11 the Freedom of Information Act. Documents subject to the
12 Freedom of Information Act include, but are not limited to,
13 expenses, payroll, origination bonuses, and other financial
14 details of the Authority.

15 (b) A contract or agreement entered into by the Authority
16 must be posted on the Authority's website. The Authority shall
17 provide a detailed report of the Authority's financial
18 information on the Authority's website, including, but not
19 limited to, a statement of profits and losses, balance sheet,
20 and income statement of the Authority.

21 (70 ILCS 525/2008) (from Ch. 85, par. 7508)

22 Sec. 2008. Acquisition.

23 (a) The Authority may, but need not, acquire title to any
24 project with respect to which it exercises its authority.

1 (b) The Authority shall have power to acquire by purchase,
2 lease, gift or otherwise any property or rights therein from
3 any person or persons, the State of Illinois, any municipal
4 corporation, any local unit of government, the government of
5 the United States and any agency or instrumentality of the
6 United States, any body politic or any county useful for its
7 purposes, whether improved for the purposes of any prospective
8 project or unimproved. The Authority may also accept any
9 donation of funds for its purposes from any such source.

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

18 (d) The Authority shall have the power to enter into
19 intergovernmental agreements with the State of Illinois, the
20 counties of McLean, Peoria, Tazewell, or Woodford, the
21 Illinois Finance Authority, the Illinois Housing Development
22 Authority, the Metropolitan Pier and Exposition Authority, the
23 United States government and any agency or instrumentality of
24 the United States, any unit of local government located within
25 the territory of the Authority or any other unit of government
26 to the extent allowed by Article VII, Section 10 of the

1 Illinois Constitution and the Intergovernmental Cooperation
2 Act.

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

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

11 (Source: P.A. 93-205, eff. 1-1-04.)

12 (70 ILCS 525/2013) (from Ch. 85, par. 7513)

13 Sec. 2013. Reports; commitment notice. The Authority shall
14 annually submit a report of its finances to the Auditor
15 General. The Authority shall annually submit a report of its
16 activities to the Governor and General Assembly.

17 The Authority shall provide notice to the General
18 Assembly, the Department of Commerce and Economic Opportunity,
19 and the Governor once the Authority enters into a commitment
20 to support the financing of a project. The notice to the
21 General Assembly shall be filed with the Clerk of the House of
22 Representatives and the Secretary of the Senate, in electronic
23 form only, in the manner that the Clerk and the Secretary shall
24 direct.

25 (Source: P.A. 86-1489.)

1 Section 60. The Upper Illinois River Valley Development
2 Authority Act is amended by changing Sections 3, 4, and 14 and
3 by adding Sections 5.1 and 5.2 as follows:

4 (70 ILCS 530/3) (from Ch. 85, par. 7153)

5 Sec. 3. Definitions. The following terms, whenever used or
6 referred to in this Act, shall have the following meanings,
7 except in such instances where the context may clearly
8 indicate otherwise:

9 (a) "Authority" means the Upper Illinois River Valley
10 Development Authority created by this Act.

11 (a-5) "Authority leader" means the Executive Director,
12 Assistant Executive Director, or any other person serving in a
13 management, administrative, or leadership role at the
14 Authority.

15 (b) "Governmental agency" means any federal, State or
16 local governmental body, and any agency or instrumentality
17 thereof, corporate or otherwise.

18 (c) "Person" means any natural person, firm, partnership,
19 corporation, both domestic and foreign, company, association
20 or joint stock association and includes any trustee, receiver,
21 assignee or personal representative thereof.

22 (c-5) "Restricted person" means a person who has a
23 familial or business relationship with an Authority leader.

24 (d) "Revenue bond" means any bond issued by the Authority

1 the principal and interest of which is payable solely from
2 revenues or income derived from any project or activity of the
3 Authority.

4 (e) "Board" means the Upper Illinois River Valley
5 Development Authority Board of Directors.

6 (f) "Governor" means the Governor of the State of
7 Illinois.

8 (g) "City" means any city, village, incorporated town or
9 township within the geographical territory of the Authority.

10 (h) "Industrial project" means (1) a capital project,
11 including one or more buildings and other structures,
12 improvements, machinery and equipment whether or not on the
13 same site or sites now existing or hereafter acquired,
14 suitable for use by any manufacturing, industrial, research,
15 transportation or commercial enterprise including but not
16 limited to use as a factory, mill, processing plant, assembly
17 plant, packaging plant, fabricating plant, office building,
18 industrial distribution center, warehouse, repair, overhaul or
19 service facility, freight terminal, research facility, test
20 facility, railroad facility, solid waste and wastewater
21 treatment and disposal sites and other pollution control
22 facilities, resource or waste reduction, recovery, treatment
23 and disposal facilities, and including also the sites thereof
24 and other rights in land therefor whether improved or
25 unimproved, site preparation and landscaping and all
26 appurtenances and facilities incidental thereto such as

1 utilities, access roads, railroad sidings, truck docking and
2 similar facilities, parking facilities, dockage, wharfage,
3 railroad roadbed, track, trestle, depot, terminal, switching
4 and signaling equipment or related equipment and other
5 improvements necessary or convenient thereto; or (2) any land,
6 buildings, machinery or equipment comprising an addition to or
7 renovation, rehabilitation or improvement of any existing
8 capital project.

9 (i) "Housing project" or "residential project" includes a
10 specific work or improvement undertaken to provide dwelling
11 accommodations, including the acquisition, construction or
12 rehabilitation of lands, buildings and community facilities
13 and in connection therewith to provide nonhousing facilities
14 which are an integral part of a planned large-scale project or
15 new community.

16 (j) "Commercial project" means any project, including but
17 not limited to one or more buildings and other structures,
18 improvements, machinery and equipment whether or not on the
19 same site or sites now existing or hereafter acquired,
20 suitable for use by any retail or wholesale concern,
21 distributorship or agency, any cultural facilities of a
22 for-profit or not-for-profit type including but not limited to
23 educational, theatrical, recreational and entertainment,
24 sports facilities, racetracks, stadiums, convention centers,
25 exhibition halls, arenas, opera houses and theaters,
26 waterfront improvements, swimming pools, boat storage,

1 moorage, docking facilities, restaurants, velodromes,
2 coliseums, sports training facilities, parking facilities,
3 terminals, hotels and motels, gymnasiums, medical facilities
4 and port facilities.

5 (k) "Project" means an industrial, housing, residential,
6 commercial or service project or any combination thereof
7 provided that all uses shall fall within one of the categories
8 described above. Any project, of any nature whatsoever, shall
9 automatically include all site improvements and new
10 construction involving sidewalks, sewers, solid waste and
11 wastewater treatment and disposal sites and other pollution
12 control facilities, resource or waste reduction, recovery,
13 treatment and disposal facilities, parks, open spaces,
14 wildlife sanctuaries, streets, highways and runways.

15 (l) "Lease agreement" shall mean an agreement whereby a
16 project acquired by the Authority by purchase, gift or lease
17 is leased to any person or corporation which will use or cause
18 the project to be used as a project as heretofore defined upon
19 terms providing for lease rental payments at least sufficient
20 to pay when due all principal of and interest and premium, if
21 any, on any bonds, notes or other evidences of indebtedness of
22 the Authority issued with respect to such project, providing
23 for the maintenance, insurance and operation of the project on
24 terms satisfactory to the Authority and providing for
25 disposition of the project upon termination of the lease term,
26 including purchase options or abandonment of the premises,

1 with such other terms as may be deemed desirable by the
2 Authority.

3 (m) "Loan agreement" means any agreement pursuant to which
4 the Authority agrees to loan the proceeds of its bonds, notes
5 or other evidences of indebtedness issued with respect to a
6 project to any person or corporation which will use or cause
7 the project to be used as a project as heretofore defined upon
8 terms providing for loan repayment installments at least
9 sufficient to pay when due all principal of and interest and
10 premium, if any, on any bonds, notes or other evidences of
11 indebtedness of the Authority issued with respect to the
12 project, providing for maintenance, insurance and operation of
13 the project on terms satisfactory to the Authority and
14 providing for other matters as may be deemed advisable by the
15 Authority.

16 (n) "Financial aid" means the expenditure of Authority
17 funds or funds provided by the Authority through the issuance
18 of its revenue bonds, notes or other evidences of indebtedness
19 for the development, construction, acquisition or improvement
20 of a project.

21 (o) "Costs incurred in connection with the development,
22 construction, acquisition or improvement of a project" means
23 the following: the cost of purchase and construction of all
24 lands and improvements in connection therewith and equipment
25 and other property, rights, easements and franchises acquired
26 which are deemed necessary for such construction; financing

1 charges; interest costs with respect to bonds, notes and other
2 evidences of indebtedness of the Authority prior to and during
3 construction and for a period of 6 months thereafter;
4 engineering and legal expenses; the costs of plans,
5 specifications, surveys and estimates of costs and other
6 expenses necessary or incident to determining the feasibility
7 or practicability of any project, together with such other
8 expenses as may be necessary or incident to the financing,
9 insuring, acquisition and construction of a specific project
10 and the placing of the same in operation.

11 (p) "Terminal" means a public place, station or depot for
12 receiving and delivering passengers, baggage, mail, freight or
13 express matter and any combination thereof in connection with
14 the transportation of persons and property on water or land or
15 in the air.

16 (q) "Terminal facilities" means all land, buildings,
17 structures, improvements, equipment and appliances useful in
18 the operation of public warehouse, storage and transportation
19 facilities and industrial, manufacturing or commercial
20 activities for the accommodation of or in connection with
21 commerce by water or land or in the air or useful as an aid, or
22 constituting an advantage or convenience to, the safe landing,
23 taking off and navigation of aircraft or the safe and
24 efficient operation or maintenance of a public airport.

25 (r) "Port facilities" means all public structures, except
26 terminal facilities as defined herein, that are in, over,

1 under or adjacent to navigable waters and are necessary for or
2 incident to the furtherance of water commerce and includes the
3 widening and deepening of slips, harbors and navigable waters.

4 (s) "Airport" means any locality, either land or water,
5 which is used or designed for the landing and taking off of
6 aircraft or for the location of runways, landing fields,
7 aerodromes, hangars, buildings, structures, airport roadways
8 and other facilities.

9 (Source: P.A. 86-1024.)

10 (70 ILCS 530/4) (from Ch. 85, par. 7154)

11 Sec. 4. Establishment.

12 (a) There is hereby created a political subdivision, body
13 politic and municipal corporation named the Upper Illinois
14 River Valley Development Authority. The territorial
15 jurisdiction of the Authority is that geographic area within
16 the boundaries of Grundy, LaSalle, Bureau, Putnam, Kendall,
17 Kane, Lake, McHenry, and Marshall counties in the State of
18 Illinois and any navigable waters and air space located
19 therein.

20 (b) The governing and administrative powers of the
21 Authority shall be vested in a body consisting of 21 members
22 including, as ex officio members, the Director of Commerce and
23 Economic Opportunity, or his or her designee, and the Director
24 of the Department of Central Management Services, or his or
25 her designee. The other 19 members of the Authority shall be

1 designated "public members", 10 of whom shall be appointed by
2 the Governor with the advice and consent of the Senate and 9 of
3 whom shall be appointed one each by the county board chairmen
4 of Grundy, LaSalle, Bureau, Putnam, Kendall, Kane, Lake,
5 McHenry, and Marshall counties. All public members shall
6 reside within the territorial jurisdiction of this Act. Eleven
7 members shall constitute a quorum, and the Board may not meet
8 or take any action without a quorum present. The public
9 members shall be persons of recognized ability and experience
10 in one or more of the following areas: economic development,
11 finance, banking, industrial development, small business
12 management, real estate development, community development,
13 venture finance, organized labor or civic, community or
14 neighborhood organization. The Chairman of the Authority shall
15 be elected by the Board annually from the 9 members appointed
16 by the county board chairmen.

17 (c) The terms of all initial members of the Authority
18 shall begin 30 days after the effective date of this Act. Of
19 the 14 public members appointed pursuant to this Act, 4
20 appointed by the Governor shall serve until the third Monday
21 in January, 1992, 4 appointed by the Governor shall serve
22 until the third Monday in January, 1993, one appointed by the
23 Governor shall serve until the third Monday in January, 1994,
24 one appointed by the Governor shall serve until the third
25 Monday in January 1999, the member appointed by the county
26 board chairman of LaSalle County shall serve until the third

1 Monday in January, 1992, the members appointed by the county
2 board chairmen of Grundy County, Bureau County, Putnam County,
3 and Marshall County shall serve until the third Monday in
4 January, 1994, and the member appointed by the county board
5 chairman of Kendall County shall serve until the third Monday
6 in January, 1999. The initial members appointed by the
7 chairmen of the county boards of Kane and McHenry counties
8 shall serve until the third Monday in January, 2003. The
9 initial members appointed by the chairman of the county board
10 of Lake County shall serve until the third Monday in January,
11 2018. All successors shall be appointed by the original
12 appointing authority and hold office for a term of 3 years
13 commencing the third Monday in January of the year in which
14 their term commences, except in case of an appointment to fill
15 a vacancy. Vacancies occurring among the public members shall
16 be filled for the remainder of the term. In case of vacancy in
17 a Governor-appointed membership when the Senate is not in
18 session, the Governor may make a temporary appointment until
19 the next meeting of the Senate when a person shall be nominated
20 to fill such office, and any person so nominated who is
21 confirmed by the Senate shall hold office during the remainder
22 of the term and until a successor shall be appointed and
23 qualified. Members of the Authority shall not be entitled to
24 compensation for their services as members but shall be
25 entitled to reimbursement for all necessary expenses incurred
26 in connection with the performance of their duties as members.

1 (d) The Governor may remove any public member of the
2 Authority in case of incompetency, neglect of duty, or
3 malfeasance in office.

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

23 (f) The Board may, by majority vote, nominate up to 4
24 non-voting members for appointment by the Governor. Non-voting
25 members shall be persons of recognized ability and experience
26 in one or more of the following areas: economic development,

1 finance, banking, industrial development, small business
2 management, real estate development, community development,
3 venture finance, organized labor or civic, community or
4 neighborhood organization. Non-voting members shall serve at
5 the pleasure of the Board. All non-voting members may attend
6 meetings of the Board and shall be reimbursed as provided in
7 subsection (c).

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

23 (Source: P.A. 99-499, eff. 1-29-16.)

24 (70 ILCS 530/5.1 new)

25 Sec. 5.1. Requests for assistance; disclosure of economic

1 interests.

2 (a) The Authority may not hear a request for assistance
3 from a restricted person. This prohibition extends to business
4 relationships between a person who is an Authority leader
5 within one year prior to the request for assistance and to any
6 entity in which a restricted person holds or, within the past 2
7 years, held an ownership interest of 10% or more.

8 (b) An Authority leader shall disclose and recuse himself
9 or herself from matters relating to requests for assistance
10 from an entity that is relocating full-time employees from
11 another Authority's counties if (i) both Authorities contract
12 with or employ the same Authority leader or (ii) there is or,
13 within the past 2 years of the request, there was a business
14 relationship between the Authority leaders at the 2
15 Authorities.

16 (c) The Board of the Authority shall vote to renew the
17 appointment of the Executive Director and other Authority
18 leaders on an annual basis. All contracts shall be approved on
19 an annual basis and use a public process to solicit
20 applications. This requirement does not apply to full-time
21 employees of the Authority unless otherwise required by
22 applicable State law or local ordinance.

23 (d) Each Authority leader shall submit a statement of
24 economic interest in accordance with Article 4A of the
25 Illinois Governmental Ethics Act. Additionally, each Authority
26 leader shall disclose to the Board outside sources of income

1 and any business relationships in economic development
2 consulting or lobbying. Reporting shall include the source of
3 income, services provided, and timeline of when services were
4 provided. If the source of income is a firm or organization
5 with multiple clients, the report shall list all of the
6 entities for which the individual provided services.

7 (70 ILCS 530/5.2 new)

8 Sec. 5.2. Open meetings; record disclosure.

9 (a) The Authority is subject to the Open Meetings Act and
10 the Freedom of Information Act. Documents subject to the
11 Freedom of Information Act include, but are not limited to,
12 expenses, payroll, origination bonuses, and other financial
13 details of the Authority.

14 (b) A contract or agreement entered into by the Authority
15 must be posted on the Authority's website. The Authority shall
16 provide a detailed report of the Authority's financial
17 information on the Authority's website, including, but not
18 limited to, a statement of profits and losses, balance sheet,
19 and income statement of the Authority.

20 (70 ILCS 530/14) (from Ch. 85, par. 7164)

21 Sec. 14. Reports; commitment notice. The Authority shall
22 annually submit a report of its finances to the Auditor
23 General. The Authority shall annually submit a report of its
24 activities to the Governor and General Assembly.

1 The Authority shall provide notice to the General
2 Assembly, the Department of Commerce and Economic Opportunity,
3 and the Governor once the Authority enters into a commitment
4 to support the financing of a project. The notice to the
5 General Assembly shall be filed with the Clerk of the House of
6 Representatives and the Secretary of the Senate, in electronic
7 form only, in the manner that the Clerk and the Secretary shall
8 direct.

9 (Source: P.A. 86-1024.)

10 Section 65. The Illinois Urban Development Authority Act
11 is amended by changing Sections 3, 4, 5, and 6 as follows:

12 (70 ILCS 531/3)

13 Sec. 3. Definitions. The following terms, whenever used or
14 referred to in this Act, shall have the following meanings,
15 except in such instances where the context may clearly
16 indicate otherwise:

17 "Authority" means the Illinois Urban Development Authority
18 created by this Act.

19 "Authority leader" means the Executive Director, Assistant
20 Executive Director, or any other person serving in a
21 management, administrative, or leadership role at the
22 Authority.

23 "Board" means the Illinois Urban Development Authority
24 Board of Directors.

1 "Bonds" shall include bonds, notes, or other evidence of
2 indebtedness.

3 "Commercial project" means any project, including but not
4 limited to one or more buildings and other structures,
5 improvements, machinery, and equipment whether or not on the
6 same site or sites now existing or hereafter acquired,
7 suitable for use by any retail or wholesale concern,
8 distributorship, or agency, any cultural facilities of a
9 for-profit or not-for-profit type including but not limited to
10 educational, theatrical, recreational and entertainment,
11 sports facilities, racetracks, stadiums, convention centers,
12 exhibition halls, arenas, opera houses and theaters,
13 waterfront improvements, swimming pools, boat storage,
14 moorage, docking facilities, restaurants, coliseums, sports
15 training facilities, parking facilities, terminals, hotels and
16 motels, gymnasiums, medical facilities, and port facilities.

17 "Costs incurred in connection with the development,
18 construction, acquisition, or improvement of a project" means
19 the cost of purchase and construction of all lands and
20 improvements in connection with a project and equipment and
21 other property, rights, easements, and franchises acquired
22 that are deemed necessary for such construction; financing
23 charges; interest costs with respect to bonds, notes, and
24 other evidences of indebtedness of the Authority prior to and
25 during construction and for a period of 6 months thereafter;
26 engineering and legal expenses; the costs of plans,

1 specifications, surveys, and estimates of costs and other
2 expenses necessary or incident to determining the feasibility
3 or practicability of any project, together with such other
4 expenses as may be necessary or incident to the financing,
5 insuring, acquisition, and construction of a specific project
6 and the placing of the same in operation.

7 "Develop" or "development" means to do one or more of the
8 following: plan, design, develop, lease, acquire, install,
9 construct, reconstruct, rehabilitate, extend, or expand.

10 "Financial aid" means the expenditure of Authority funds
11 or funds provided by the Authority through the issuance of its
12 revenue bonds, notes, or other evidences of indebtedness for
13 the development, construction, acquisition, or improvement of
14 a project.

15 "Governmental agency" means any federal, State or local
16 governmental body, and any agency or instrumentality thereof,
17 corporate or otherwise.

18 "Governor" means the Governor of the State of Illinois.

19 "Housing project" or "residential project" includes a
20 specific work or improvement undertaken to provide dwelling
21 accommodations, including the acquisition, construction,
22 leasing, or rehabilitation of lands, buildings, and community
23 facilities and in connection therewith to provide nonhousing
24 facilities which are an integral part of a planned large-scale
25 project or new community.

26 "Industrial project" means (1) a capital project,

1 including one or more buildings and other structures,
2 improvements, machinery, and equipment whether or not on the
3 same site or sites now existing or hereafter acquired,
4 suitable for use by any manufacturing, industrial, research,
5 transportation, or commercial enterprise including but not
6 limited to use as a factory, mill, processing plant, assembly
7 plant, packaging plant, fabricating plant, office building,
8 industrial distribution center, warehouse, repair, overhaul or
9 service facility, freight terminal, research facility, test
10 facility, railroad facility, solid waste and wastewater
11 treatment and disposal sites and other pollution control
12 facilities, resource or waste reduction, recovery, treatment
13 and disposal facilities, and including also the sites thereof
14 and other rights in land therefor whether improved or
15 unimproved, site preparation and landscaping and all
16 appurtenances and facilities incidental thereto such as
17 utilities, access roads, railroad sidings, truck docking and
18 similar facilities, parking facilities, dockage, wharfage,
19 railroad roadbed, track, trestle, depot, terminal, switching,
20 and signaling equipment or related equipment and other
21 improvements necessary or convenient thereto; or (2) any land,
22 buildings, machinery or equipment comprising an addition to or
23 renovation, rehabilitation or improvement of any existing
24 capital project.

25 "Lease agreement" means an agreement whereby a project
26 acquired by the Authority by purchase, gift, or lease is

1 leased to any person or corporation that will use or cause the
2 project to be used as a project as defined in this Act upon
3 terms providing for lease rental payments at least sufficient
4 to pay when due all principal of and interest and premium, if
5 any, on any bonds, notes or other evidences of indebtedness of
6 the Authority issued with respect to such project, providing
7 for the maintenance, insurance, and operation of the project
8 on terms satisfactory to the Authority, and providing for
9 disposition of the project upon termination of the lease term,
10 including purchase options or abandonment of the premises,
11 with such other terms as may be deemed desirable by the
12 Authority. The Authority may, directly or indirectly, lease or
13 otherwise transfer property the Authority owns to another and
14 such leased property shall remain tax exempt.

15 "Loan agreement" means any agreement pursuant to which the
16 Authority agrees to loan the proceeds of its bonds, notes, or
17 other evidences of indebtedness issued with respect to a
18 project to any person or corporation that will use or cause the
19 project to be used as a project as defined in this Act upon
20 terms providing for loan repayment installments at least
21 sufficient to pay when due all principal and interest and
22 premium, if any, on any bonds, notes, or other evidences of
23 indebtedness of the Authority issued with respect to the
24 project, providing for maintenance, insurance, and operation
25 of the project on terms satisfactory to the Authority and
26 providing for other matters as may be deemed advisable by the

1 Authority.

2 "Maintain" or "maintenance" includes ordinary maintenance,
3 repair, rehabilitation, capital maintenance, maintenance
4 replacement, and any other categories of maintenance that may
5 be designated by the local, regional, or State transportation
6 agency.

7 "Municipal poverty rate" is the percentage of total
8 population of the municipality having income levels below the
9 poverty level as determined by the Authority based upon the
10 most recent data released by the United States Census Bureau
11 before the beginning of such calendar year.

12 "Occupational license" means a license issued by the
13 Illinois Gaming Board to a person or entity to perform an
14 occupation which the Illinois Gaming Board has identified as
15 requiring a license to engage in riverboat, dockside, or
16 land-based gambling in Illinois.

17 "Operate" or "operation" means to do one or more of the
18 following: maintain, improve, equip, modify, or otherwise
19 operate.

20 "Person" means any natural person, firm, partnership,
21 corporation, both domestic and foreign, company, association,
22 or joint stock association and includes any trustee, receiver,
23 assignee, or personal representative thereof.

24 "Project" means an industrial, housing, residential,
25 commercial, transportation, or service project, or any
26 combination thereof, provided that all uses shall fall within

1 one of those categories. Any project, of any nature
2 whatsoever, shall automatically include all site improvements
3 and new construction involving sidewalks, sewers, solid waste
4 and wastewater treatment and disposal sites and other
5 pollution control facilities, resource or waste reduction,
6 recovery, treatment and disposal facilities, parks, open
7 spaces, wildlife sanctuaries, streets, highways, and runways.

8 "Restricted person" means a person who has a familial or
9 business relationship with an Authority leader.

10 "Revenue bond" means any bond issued by the Authority
11 under the supervision of the Illinois Finance Authority, the
12 principal and interest of which are payable solely from
13 revenues or income derived from any project or activity of the
14 Authority.

15 "Transportation facility" means any new or existing road,
16 highway, toll highway, bridge, tunnel, intermodal facility,
17 intercity or high-speed passenger rail, or other
18 transportation facility or infrastructure, excluding airports.
19 The term "transportation facility" may refer to one or more
20 transportation facilities that are proposed to be developed or
21 operated as part of a single transportation project.

22 "Transportation project" means one or more transportation
23 improvement projects including, but not limited to, new or
24 existing roads or highways, new or expanded intermodal
25 projects, and new or expanded transit projects,
26 transit-oriented development, intercity rail, and passenger

1 rail. "Transportation project" does not include airport
2 projects.

3 (Source: P.A. 98-384, eff. 8-16-13.)

4 (70 ILCS 531/4)

5 Sec. 4. Illinois Urban Development Authority. There is
6 hereby created a political subdivision, body politic and
7 corporate by the name of Illinois Urban Development Authority.
8 The exercise by the Authority of the powers conferred by law
9 shall be an essential public function. The governing powers of
10 the Authority shall be vested in a body consisting of 11
11 members appointed as follows: one member appointed by the
12 Mayor of the City of Chicago that has expertise, skill, and
13 experience in economic development; one member appointed by
14 the President of the Cook County Board that has expertise,
15 skill, and experience in economic development; 4 members
16 appointed by the Governor who are residents of a municipality,
17 other than a municipality with a population greater than
18 1,000,000, whose municipal poverty rate is greater than 3% in
19 excess of the statewide average; 2 members appointed by the
20 Governor that have an expertise, skill, and experience in
21 labor relations; and 3 members appointed by the Governor that
22 have an expertise, skill, and experience operating a business
23 that is certified by the State of Illinois as a Disadvantaged
24 Business Enterprise, Minority Business Enterprise, or Women
25 Business Enterprise.

1 Six members shall constitute a quorum. However, when a
2 quorum of members of the Authority is physically present at
3 the meeting site, other Authority members may participate in
4 and act at any meeting through the use of a conference
5 telephone or other communications equipment by means of which
6 all persons participating in the meeting can hear each other.
7 Participation in such meeting shall constitute attendance and
8 presence in person at the meeting of the person or persons so
9 participating. The Chairman of the Authority shall be elected
10 by the Authority. All board members shall be persons of
11 recognized ability and experience in one or more of the
12 following areas: economic development, finance, banking,
13 industrial development, small business management, real estate
14 development, community development, venture finance,
15 construction, and labor relations. The Board may not meet or
16 take any action unless the quorum of 6 members are physically
17 present, are present by phone, or are otherwise present as
18 required by this paragraph.

19 The terms of all members of the Authority shall begin 30
20 days after the effective date of this Act. Of the 11 members
21 first appointed pursuant to this Act, 4 shall serve until the
22 third Monday in January 2011, 4 shall serve until the third
23 Monday in January 2012, and 3 shall serve until the third
24 Monday in January 2013. All board members shall hold office
25 for a term of 4 years commencing the third Monday in January of
26 the year in which their term commences, except in case of an

1 appointment to fill a vacancy. In case of vacancy in the office
2 when the Senate is not in session, the Governor may make a
3 temporary appointment until the next meeting of the Senate
4 when he shall nominate such person to fill such office, and any
5 person so nominated who is confirmed by the Senate, shall hold
6 his office during the remainder of the term and until his
7 successor shall be appointed and qualified. If the Senate is
8 not in session, the Governor may make temporary appointments
9 in the case of vacancies.

10 Members of the Authority shall not be entitled to
11 compensation for their services as members but shall be
12 entitled to reimbursement for all necessary expenses incurred
13 in connection with the performance of their duties as members.
14 The Governor may remove any member of the Authority in case of
15 incompetency, neglect of duty, or malfeasance in office, after
16 service on the member of a copy of the written charges against
17 the member and an opportunity to be publicly heard in person or
18 by counsel in the his or her defense upon not less than 10
19 days' notice.

20 The members of the Authority shall appoint an Executive
21 Director, who must be a person knowledgeable in the areas of
22 financial markets and instruments and the financing of
23 business enterprises, to hold office at the pleasure of the
24 members. The Executive Director shall be the chief
25 administrative and operational officer of the Authority and
26 shall direct and supervise its administrative affairs and

1 general management and perform such other duties as may be
2 prescribed from time to time by the members and shall receive
3 compensation fixed by the Authority. The Executive Director or
4 any committee of the members may carry out any
5 responsibilities of the members as the members by resolution
6 may delegate. The Executive Director shall attend all meetings
7 of the Authority; however, no action of the Authority shall be
8 invalid on account of the absence of the Executive Director
9 from a meeting. The Authority may engage the services of such
10 other agents and employees, including attorneys, appraisers,
11 engineers, accountants, credit analysts, and other
12 consultants, as it may deem advisable and may prescribe their
13 duties and fix their compensation.

14 The Authority shall determine the municipal poverty rate
15 and the statewide average municipal poverty rate annually by
16 using the most recent data released by the United States
17 Census Bureau before the beginning of each calendar year. The
18 Authority shall have the sole and exclusive authority to
19 determine the municipal poverty rate and the statewide average
20 municipal poverty rate and to determine whether a
21 municipality's poverty rate is greater than 3% in excess of
22 the statewide average so long as the determination is based on
23 the most recent data released by the United States Census
24 Bureau.

25 (Source: P.A. 96-234, eff. 1-1-10.)

1 (70 ILCS 531/5)

2 Sec. 5. Conflicts of interest; requests for assistance;
3 disclosure of economic interests.

4 (a) No member of the Authority or officer, agent, or
5 employee thereof shall, in the member's own name or in the name
6 of a nominee, be an officer, director, or hold an ownership
7 interest in any person, association, trust, corporation,
8 partnership, or other entity which is, in its own name or in
9 the name of a nominee, a party to a contract or agreement upon
10 which the member or officer, agent or employee may be called
11 upon to act or vote.

12 (b) With respect to any direct or any indirect interest,
13 other than an interest prohibited in subsection (a), in a
14 contract or agreement upon which the member or officer, agent
15 or employee may be called upon to act or vote, a member of the
16 Authority or officer, agent, or employee thereof must disclose
17 the interest to the secretary of the Authority prior to the
18 taking of final action by the Authority concerning the
19 contract or agreement and shall disclose the nature and extent
20 of the interest and his or her acquisition thereof, which
21 shall be publicly acknowledged by the Authority and entered
22 upon the minutes of the Authority. If a member of the Authority
23 or officer, agent, or employee thereof holds such an interest
24 then the member shall refrain from any further official
25 involvement in regard to the contract or agreement, from
26 voting on any matter pertaining to the contract or agreement,

1 and from communicating with other members of the Authority or
2 its officers, agents, and employees concerning the contract or
3 agreement. Notwithstanding any other provision of law, any
4 contract or agreement entered into in conformity with this
5 subsection shall not be void or invalid by reason of the
6 interest described in this subsection, nor shall any person
7 disclosing an interest and refraining from further official
8 involvement as provided in this subsection be guilty of an
9 offense, be removed from office, or be subject to any other
10 penalty on account of the interest.

11 (c) Any contract or agreement made in violation of
12 subsections (a) or (b) shall be null and void, whether or not
13 the contract performance has been authorized, and shall give
14 rise to no action against the Authority. No real estate to
15 which a member or employee of the Authority holds legal title
16 or in which a member or employee of the Authority has any
17 beneficial interest, including any interest in a land trust,
18 shall be purchased by the Authority or by a nonprofit
19 corporation or limited-profit entity for a development to be
20 financed under this Act.

21 All members and employees of the Authority shall file
22 annually with the Authority a record of all real estate in this
23 State to which the member or employee holds legal title or in
24 which the member or employee has any beneficial interest,
25 including any interest in a land trust. In the event it is
26 later disclosed that the Authority has purchased real estate

1 in which a member or employee had an interest, that purchase
2 shall be voidable by the Authority and the member or employee
3 involved shall be disqualified from membership in or
4 employment by the Authority.

5 (d) The Authority may not hear a request for assistance
6 from a restricted person. This prohibition extends to business
7 relationships between a person who is an Authority leader
8 within one year prior to the request for assistance and to any
9 entity in which a restricted person holds or, within the past 2
10 years, held an ownership interest of 10% or more.

11 (e) An Authority leader shall disclose and recuse himself
12 or herself from matters relating to requests for assistance
13 from an entity that is relocating full-time employees from
14 another Authority's counties if (i) both Authorities contract
15 with or employ the same Authority leader or (ii) there is or,
16 within the past 2 years of the request, there was a business
17 relationship between the Authority leaders at the 2
18 Authorities.

19 (f) The Board of the Authority shall vote to renew the
20 appointment of the Executive Director and other Authority
21 leaders on an annual basis. All contracts shall be approved on
22 an annual basis and use a public process to solicit
23 applications. This requirement does not apply to full-time
24 employees of the Authority unless otherwise required by
25 applicable State law or local ordinance.

26 (g) Each Authority leader shall submit a statement of

1 economic interest in accordance with Article 4A of the
2 Illinois Governmental Ethics Act. Additionally, each Authority
3 leader shall disclose to the Board outside sources of income
4 and any business relationships in economic development
5 consulting or lobbying. Reporting shall include the source of
6 income, services provided, and timeline of when services were
7 provided. If the source of income is a firm or organization
8 with multiple clients, the report shall list all of the
9 entities for which the individual provided services.

10 (Source: P.A. 96-234, eff. 1-1-10.)

11 (70 ILCS 531/6)

12 Sec. 6. Records, ~~and~~ reports, and notices of the
13 Authority. The secretary shall keep a record of the
14 proceedings of the Authority. The treasurer of the Authority
15 shall be custodian of all Authority funds, and shall be bonded
16 in such amount as the other members of the Authority may
17 designate. The accounts and bonds of the Authority shall be
18 set up and maintained in a manner approved by the Auditor
19 General, and the Authority shall file with the Auditor General
20 a certified annual report within 120 days after the close of
21 its fiscal year. The Authority shall also file with the
22 Governor, the Secretary of the Senate, the Clerk of the House
23 of Representatives, and the Commission on Government
24 Forecasting and Accountability, by March 1 of each year, a
25 written report covering its activities and any activities of

1 any instrumentality corporation established under this Act for
2 the previous fiscal year. In its report to be filed by March 1,
3 2010, the Authority shall present an economic development
4 strategy for all municipalities with a municipal poverty rate
5 greater than 3% in excess of the statewide average, the
6 Authority shall make modifications in the economic development
7 strategy for the 4 years beginning on the next ensuing July 1,
8 to reflect changes in economic conditions or other factors,
9 including the policies of the Authority and the State of
10 Illinois. It shall also present an economic development
11 strategy for the fifth year beginning after the next ensuing
12 July 1. The strategy shall recommend specific legislative and
13 administrative action by the State, the Authority, units of
14 local government, or other governmental agencies. These
15 recommendations may include, but are not limited to, new
16 programs, modifications to existing programs, credit
17 enhancements for bonds issued by the Authority, and amendments
18 to this Act. When filed, the report shall be a public record
19 and open for inspection at the offices of the Authority during
20 normal business hours.

21 The Authority is subject to the Open Meetings Act and the
22 Freedom of Information Act. Documents subject to the Freedom
23 of Information Act include, but are not limited to, expenses,
24 payroll, origination bonuses, and other financial details of
25 the Authority.

26 A contract or agreement entered into by the Authority must

1 be posted on the Authority's website. The Authority shall
2 provide a detailed report of the Authority's financial
3 information on the Authority's website, including, but not
4 limited to, a statement of profits and losses, balance sheet,
5 and income statement of the Authority.

6 The Authority shall provide notice to the General
7 Assembly, the Department of Commerce and Economic Opportunity,
8 and the Governor once the Authority enters into a commitment
9 to support the financing of a project. The notice to the
10 General Assembly shall be filed with the Clerk of the House of
11 Representatives and the Secretary of the Senate, in electronic
12 form only, in the manner that the Clerk and the Secretary shall
13 direct.

14 (Source: P.A. 100-1148, eff. 12-10-18.)

15 Section 70. The Western Illinois Economic Development
16 Authority Act is amended by changing Sections 15, 20, and 75
17 and by adding Sections 26 and 27 as follows:

18 (70 ILCS 532/15)

19 Sec. 15. Definitions. In this Act:

20 "Authority" means the Western Illinois Economic
21 Development Authority.

22 "Authority leader" means the Executive Director, Assistant
23 Executive Director, or any other person serving in a
24 management, administrative, or leadership role at the

1 Authority.

2 "Governmental agency" means any federal, State, or local
3 governmental body and any agency or instrumentality thereof,
4 corporate or otherwise.

5 "Person" means any natural person, firm, partnership,
6 corporation, both domestic and foreign, company, association
7 or joint stock association and includes any trustee, receiver,
8 assignee or personal representative thereof.

9 "Restricted person" means a person who has a familial or
10 business relationship with an Authority leader.

11 "Revenue bond" means any bond issued by the Authority, the
12 principal and interest of which is payable solely from
13 revenues or income derived from any project or activity of the
14 Authority.

15 "Board" means the Board of Directors of the Western
16 Illinois Economic Development Authority.

17 "Governor" means the Governor of the State of Illinois.

18 "City" means any city, village, incorporated town, or
19 township within the geographical territory of the Authority.

20 "Industrial project" means the following:

21 (1) a capital project, including one or more buildings
22 and other structures, improvements, machinery and
23 equipment whether or not on the same site or sites now
24 existing or hereafter acquired, suitable for use by any
25 manufacturing, industrial, research, transportation or
26 commercial enterprise including but not limited to use as

1 a factory, mill, processing plant, assembly plant,
2 packaging plant, fabricating plant, ethanol plant, office
3 building, industrial distribution center, warehouse,
4 repair, overhaul or service facility, freight terminal,
5 research facility, test facility, railroad facility, port
6 facility, solid waste and wastewater treatment and
7 disposal sites and other pollution control facilities,
8 resource or waste reduction, recovery, treatment and
9 disposal facilities, and including also the sites thereof
10 and other rights in land therefore whether improved or
11 unimproved, site preparation and landscaping and all
12 appurtenances and facilities incidental thereto such as
13 utilities, access roads, railroad sidings, truck docking
14 and similar facilities, parking facilities, dockage,
15 wharfage, railroad roadbed, track, trestle, depot,
16 terminal, switching and signaling equipment or related
17 equipment and other improvements necessary or convenient
18 thereto; or

19 (2) any land, buildings, machinery or equipment
20 comprising an addition to or renovation, rehabilitation or
21 improvement of any existing capital project.

22 "Housing project" or "residential project" includes a
23 specific work or improvement undertaken to provide dwelling
24 accommodations, including the acquisition, construction or
25 rehabilitation of lands, buildings and community facilities
26 and in connection therewith to provide nonhousing facilities

1 which are an integral part of a planned large-scale project or
2 new community.

3 "Commercial project" means any project, including, but not
4 limited to, one or more buildings and other structures,
5 improvements, machinery, and equipment, whether or not on the
6 same site or sites now existing or hereafter acquired,
7 suitable for use by any retail or wholesale concern,
8 distributorship, or agency.

9 "Project" means an industrial, housing, residential,
10 commercial, or service project, or any combination thereof,
11 provided that all uses fall within one of the categories
12 described above. Any project automatically includes all site
13 improvements and new construction involving sidewalks, sewers,
14 solid waste and wastewater treatment and disposal sites and
15 other pollution control facilities, resource or waste
16 reduction, recovery, treatment and disposal facilities, parks,
17 open spaces, wildlife sanctuaries, streets, highways, and
18 runways.

19 "Lease agreement" means an agreement in which a project
20 acquired by the Authority by purchase, gift, or lease is
21 leased to any person or corporation that will use, or cause the
22 project to be used, as a project, upon terms providing for
23 lease rental payments at least sufficient to pay, when due,
24 all principal of and interest and premium, if any, on any
25 bonds, notes, or other evidences of indebtedness of the
26 Authority, issued with respect to the project, providing for

1 the maintenance, insurance, and operation of the project on
2 terms satisfactory to the Authority and providing for
3 disposition of the project upon termination of the lease term,
4 including purchase options or abandonment of the premises,
5 with other terms as may be deemed desirable by the Authority.

6 "Loan agreement" means any agreement in which the
7 Authority agrees to loan the proceeds of its bonds, notes, or
8 other evidences of indebtedness, issued with respect to a
9 project, to any person or corporation which will use or cause
10 the project to be used as a project, upon terms providing for
11 loan repayment installments at least sufficient to pay, when
12 due, all principal of and interest and premium, if any, on any
13 bonds, notes, or other evidences of indebtedness of the
14 Authority issued with respect to the project, providing for
15 maintenance, insurance, and operation of the project on terms
16 satisfactory to the Authority and providing for other terms
17 deemed advisable by the Authority.

18 "Financial aid" means the expenditure of Authority funds
19 or funds provided by the Authority for the development,
20 construction, acquisition or improvement of a project, through
21 the issuance of revenue bonds, notes, or other evidences of
22 indebtedness.

23 "Costs incurred in connection with the development,
24 construction, acquisition or improvement of a project" means
25 the following:

- 26 (1) the cost of purchase and construction of all lands

1 and improvements in connection therewith and equipment and
2 other property, rights, easements, and franchises acquired
3 which are deemed necessary for the construction;

4 (2) financing charges;

5 (3) interest costs with respect to bonds, notes, and
6 other evidences of indebtedness of the Authority prior to
7 and during construction and for a period of 6 months
8 thereafter;

9 (4) engineering and legal expenses; and

10 (5) the costs of plans, specifications, surveys, and
11 estimates of costs and other expenses necessary or
12 incident to determining the feasibility or practicability
13 of any project, together with such other expenses as may
14 be necessary or incident to the financing, insuring,
15 acquisition, and construction of a specific project and
16 the placing of the same in operation.

17 (Source: P.A. 98-750, eff. 1-1-15.)

18 (70 ILCS 532/20)

19 Sec. 20. Creation.

20 (a) There is created a political subdivision, body
21 politic, and municipal corporation named the Western Illinois
22 Economic Development Authority. The territorial jurisdiction
23 of the Authority is that geographic area within the boundaries
24 of the following counties: Warren, Henderson, Hancock,
25 McDonough, Fulton, Mason, Cass, Schuyler, Brown, Adams, Scott,

1 Morgan, and Pike and any navigable waters and air space
2 located therein.

3 (b) The governing and administrative powers of the
4 Authority shall be vested in a body consisting of 21 members as
5 follows:

6 (1) Ex officio members. The Director of Commerce and
7 Economic Opportunity, or a designee of that Department,
8 and the Director of Central Management Services, or a
9 designee of that Department, shall serve as ex officio
10 members.

11 (2) Public members. Six members shall be appointed by
12 the Governor with the advice and consent of the Senate.
13 The county board chairmen of the following counties shall
14 each appoint one member: Warren, Henderson, Hancock,
15 McDonough, Fulton, Mason, Cass, Schuyler, Brown, Adams,
16 Scott, Morgan, and Pike. All public members shall reside
17 within the territorial jurisdiction of the Authority. The
18 public members shall be persons of recognized ability and
19 experience in one or more of the following areas: economic
20 development, finance, banking, industrial development,
21 state or local government, commercial agriculture, small
22 business management, real estate development, community
23 development, venture finance, organized labor, or civic or
24 community organization.

25 (c) 11 members shall constitute a quorum, and the Board
26 may not meet or take any action without a quorum present.

1 (d) The chairman of the Authority shall be elected
2 annually by the Board and must be a public member that resides
3 within the territorial jurisdiction of the Authority.

4 (e) The terms of all initial members of the Authority
5 shall begin 30 days after the effective date of this Act. Of
6 the 6 original public members appointed by the Governor, 2
7 shall serve until the third Monday in January, 2005; 1 shall
8 serve until the third Monday in January, 2006; 1 shall serve
9 until the third Monday in January, 2007; 1 shall serve until
10 the third Monday in January, 2008; and 1 shall serve until the
11 third Monday in January, 2009. The initial terms of the
12 original public members appointed by the county board chairmen
13 shall be determined by lot, according to the following
14 schedule: (i) 3 shall serve until the third Monday in January,
15 2005, (ii) 3 shall serve until the third Monday in January,
16 2006, (iii) 3 shall serve until the third Monday in January,
17 2007, (iv) 2 shall serve until the third Monday in January,
18 2008, and (v) 2 shall serve until the third Monday in January,
19 2009. All successors to these original public members shall be
20 appointed by the original appointing authority and all
21 appointments made by the Governor shall be made with the
22 advice and consent of the Senate, pursuant to subsection (b),
23 and shall hold office for a term of 6 years commencing the
24 third Monday in January of the year in which their term
25 commences, except in the case of an appointment to fill a
26 vacancy. Vacancies occurring among the public members shall be

1 filled for the remainder of the term. In case of vacancy in a
2 Governor-appointed membership when the Senate is not in
3 session, the Governor may make a temporary appointment until
4 the next meeting of the Senate when a person shall be nominated
5 to fill the office and, upon confirmation by the Senate, he or
6 she shall hold office during the remainder of the term and
7 until a successor is appointed and qualified. Members of the
8 Authority are not entitled to compensation for their services
9 as members but are entitled to reimbursement for all necessary
10 expenses incurred in connection with the performance of their
11 duties as members.

12 (f) The Governor may remove any public member of the
13 Authority in case of incompetence, neglect of duty, or
14 malfeasance in office. The chairman of a county board may
15 remove any public member appointed by that chairman in the
16 case of incompetence, neglect of duty, or malfeasance in
17 office.

18 (g) The Board shall appoint an Executive Director who
19 shall have a background in finance, including familiarity with
20 the legal and procedural requirements of issuing bonds, real
21 estate, or economic development and administration. The
22 Executive Director shall hold office at the discretion of the
23 Board. The Executive Director shall be the chief
24 administrative and operational officer of the Authority, shall
25 direct and supervise its administrative affairs and general
26 management, perform such other duties as may be prescribed

1 from time to time by the members, and receive compensation
2 fixed by the Authority. The Department of Commerce and
3 Community Affairs shall pay the compensation of the Executive
4 Director from appropriations received for that purpose. The
5 Executive Director shall attend all meetings of the Authority.
6 However, no action of the Authority shall be invalid on
7 account of the absence of the Executive Director from a
8 meeting. The Authority may engage the services of the Illinois
9 Finance Authority, attorneys, appraisers, engineers,
10 accountants, credit analysts, and other consultants if the
11 Western Illinois Economic Development Authority deems it
12 advisable.

13 (Source: P.A. 93-874, eff. 8-6-04.)

14 (70 ILCS 532/26 new)

15 Sec. 26. Requests for assistance; disclosure of economic
16 interests.

17 (a) The Authority may not hear a request for assistance
18 from a restricted person. This prohibition extends to business
19 relationships between a person who is an Authority leader
20 within one year prior to the request for assistance and to any
21 entity in which a restricted person holds or, within the past 2
22 years, held an ownership interest of 10% or more.

23 (b) An Authority leader shall disclose and recuse himself
24 or herself from matters relating to requests for assistance
25 from an entity that is relocating full-time employees from

1 another Authority's counties if (i) both Authorities contract
2 with or employ the same Authority leader or (ii) there is or,
3 within the past 2 years of the request, there was a business
4 relationship between the Authority leaders at the 2
5 Authorities.

6 (c) The Board of the Authority shall vote to renew the
7 appointment of the Executive Director and other Authority
8 leaders on an annual basis. All contracts shall be approved on
9 an annual basis and use a public process to solicit
10 applications. This requirement does not apply to full-time
11 employees of the Authority unless otherwise required by
12 applicable State law or local ordinance.

13 (d) Each Authority leader shall submit a statement of
14 economic interest in accordance with Article 4A of the
15 Illinois Governmental Ethics Act. Additionally, each Authority
16 leader shall disclose to the Board outside sources of income
17 and any business relationships in economic development
18 consulting or lobbying. Reporting shall include the source of
19 income, services provided, and timeline of when services were
20 provided. If the source of income is a firm or organization
21 with multiple clients, the report shall list all of the
22 entities for which the individual provided services.

23 (70 ILCS 532/27 new)

24 Sec. 27. Open meetings; record disclosure.

25 (a) The Authority is subject to the Open Meetings Act and

1 the Freedom of Information Act. Documents subject to the
2 Freedom of Information Act include, but are not limited to,
3 expenses, payroll, origination bonuses, and other financial
4 details of the Authority.

5 (b) A contract or agreement entered into by the Authority
6 must be posted on the Authority's website. The Authority shall
7 provide a detailed report of the Authority's financial
8 information on the Authority's website, including, but not
9 limited to, a statement of profits and losses, balance sheet,
10 and income statement of the Authority.

11 (70 ILCS 532/75)

12 Sec. 75. Reports; commitment notice. The Authority shall
13 annually submit a report of its finances to the Auditor
14 General. The Authority shall annually submit a report of its
15 activities to the Governor and to the General Assembly.

16 The Authority shall provide notice to the General
17 Assembly, the Department of Commerce and Economic Opportunity,
18 and the Governor once the Authority enters into a commitment
19 to support the financing of a project. The notice to the
20 General Assembly shall be filed with the Clerk of the House of
21 Representatives and the Secretary of the Senate, in electronic
22 form only, in the manner that the Clerk and the Secretary shall
23 direct.

24 (Source: P.A. 93-874, eff. 8-6-04.)

1 Section 75. The Will-Kankakee Regional Development
2 Authority Law is amended by changing Sections 3, 4, and 13 and
3 by adding Sections 5.1 and 5.2 as follows:

4 (70 ILCS 535/3) (from Ch. 85, par. 7453)

5 Sec. 3. Definitions. The following terms, whenever used or
6 referred to in this Act, shall have the following meanings,
7 except in such instances where the context may clearly
8 indicate otherwise:

9 (a) "Authority" means the Will-Kankakee Regional
10 Development Authority created by this Act.

11 (a-5) "Authority leader" means the Executive Director,
12 Assistant Executive Director, or any other person serving in a
13 management, administrative, or leadership role at the
14 Authority.

15 (b) "Governmental agency" means any federal, State or
16 local governmental body, and any agency or instrumentality
17 thereof, corporate or otherwise.

18 (c) "Person" means any natural person, firm, partnership,
19 corporation, both domestic and foreign, company, association
20 or joint stock association and includes any trustee, receiver,
21 assignee or personal representative thereof.

22 (c-5) "Restricted person" means a person who has a
23 familial or business relationship with an Authority leader.

24 (d) "Revenue bond" means any bond issued by the Authority
25 the principal and interest of which is payable solely from

1 revenues or income derived from any project or activity of the
2 Authority.

3 (e) "Board" means the Will-Kankakee Regional Development
4 Authority Board of Directors.

5 (f) "Governor" means the Governor of the State of
6 Illinois.

7 (g) "City" means any city, village, incorporated town or
8 township within the geographical territory of the Authority.

9 (h) "Industrial project" means (1) a capital project,
10 including one or more buildings and other structures,
11 improvements, machinery and equipment whether or not on the
12 same site or sites now existing or hereafter acquired,
13 suitable for use by any manufacturing, industrial, research,
14 transportation or commercial enterprise including but not
15 limited to use as a factory, mill, processing plant, assembly
16 plant, packaging plant, fabricating plant, office building,
17 industrial distribution center, warehouse, repair, overhaul or
18 service facility, freight terminal, research facility, test
19 facility, railroad facility, solid waste and wastewater
20 treatment and disposal sites and other pollution control
21 facilities, resource or waste reduction, recovery, treatment
22 and disposal facilities, and including also the sites thereof
23 and other rights in land therefor whether improved or
24 unimproved, site preparation and landscaping and all
25 appurtenances and facilities incidental thereto such as
26 utilities, access roads, railroad sidings, truck docking and

1 similar facilities, parking facilities, dockage, wharfage,
2 railroad roadbed, track, trestle, depot, terminal, switching
3 and signaling equipment or related equipment and other
4 improvements necessary or convenient thereto; or (2) any land,
5 buildings, machinery or equipment comprising an addition to or
6 renovation, rehabilitation or improvement of any existing
7 capital project.

8 (h-5) "Housing project" or "residential project" includes
9 a specific work or improvement undertaken to provide dwelling
10 accommodations, including the acquisition, construction or
11 rehabilitation of lands, buildings and community facilities
12 and in connection therewith to provide nonhousing facilities
13 which are an integral part of a planned large-scale project or
14 new community.

15 (i) "Commercial project" means any project, including but
16 not limited to one or more buildings and other structures,
17 improvements, machinery and equipment whether or not on the
18 same site or sites now existing or hereafter acquired,
19 suitable for use by any retail or wholesale concern,
20 distributorship or agency, any cultural facilities of a
21 for-profit or not-for-profit type including but not limited to
22 educational, theatrical, recreational and entertainment,
23 sports facilities, racetracks, stadiums, convention centers,
24 exhibition halls, arenas, opera houses and theaters,
25 waterfront improvements, swimming pools, boat storage,
26 moorage, docking facilities, restaurants, velodromes,

1 coliseums, sports training facilities, parking facilities,
2 terminals, hotels and motels, gymnasiums, medical facilities
3 and port facilities.

4 (j) "Project" means an industrial, commercial or service
5 project or any combination thereof provided that all uses
6 shall fall within one of the categories described above. Any
7 project, of any nature whatsoever, shall automatically include
8 all site improvements and new construction involving
9 sidewalks, sewers, solid waste and wastewater treatment and
10 disposal sites and other pollution control facilities,
11 resource or waste reduction, recovery, treatment and disposal
12 facilities, parks, open spaces, wildlife sanctuaries, streets,
13 highways and runways.

14 (k) "Lease agreement" shall mean an agreement whereby a
15 project acquired by the Authority by purchase, gift or lease
16 is leased to any person or corporation which will use or cause
17 the project to be used as a project as heretofore defined upon
18 terms providing for lease rental payments at least sufficient
19 to pay when due all principal of and interest and premium, if
20 any, on any bonds, notes or other evidences of indebtedness of
21 the Authority issued with respect to such project, providing
22 for the maintenance, insurance and operation of the project on
23 terms satisfactory to the Authority and providing for
24 disposition of the project upon termination of the lease term,
25 including purchase options or abandonment of the premises,
26 with such other terms as may be deemed desirable by the

1 Authority.

2 (l) "Loan agreement" means any agreement pursuant to which
3 the Authority agrees to loan the proceeds of its bonds, notes
4 or other evidences of indebtedness issued with respect to a
5 project to any person or corporation which will use or cause
6 the project to be used as a project as heretofore defined upon
7 terms providing for loan repayment installments at least
8 sufficient to pay when due all principal of and interest and
9 premium, if any, on any bonds, notes or other evidences of
10 indebtedness of the Authority issued with respect to the
11 project, providing for maintenance, insurance and operation of
12 the project on terms satisfactory to the Authority and
13 providing for other matters as may be deemed advisable by the
14 Authority.

15 (m) "Financial aid" means the expenditure of Authority
16 funds or funds provided by the Authority through the issuance
17 of its revenue bonds, notes or other evidences of indebtedness
18 for the development, construction, acquisition or improvement
19 of a project.

20 (n) "Costs incurred in connection with the development,
21 construction, acquisition or improvement of a project" means
22 the following: the cost of purchase and construction of all
23 lands and improvements in connection therewith and equipment
24 and other property, rights, easements and franchises acquired
25 which are deemed necessary for such construction; financing
26 charges; interest costs with respect to bonds, notes and other

1 evidences of indebtedness of the Authority prior to and during
2 construction and for a period of 6 months thereafter;
3 engineering and legal expenses; the costs of plans,
4 specifications, surveys and estimates of costs and other
5 expenses necessary or incident to determining the feasibility
6 or practicability of any project, together with such other
7 expenses as may be necessary or incident to the financing,
8 insuring, acquisition and construction of a specific project
9 and the placing of the same in operation.

10 (o) "Terminal" means a public place, station or depot for
11 receiving and delivering passengers, baggage, mail, freight or
12 express matter and any combination thereof in connection with
13 the transportation of persons and property on water or land or
14 in the air.

15 (p) "Terminal facilities" means all land, buildings,
16 structures, improvements, equipment and appliances useful in
17 the operation of public warehouse, storage and transportation
18 facilities and industrial, manufacturing or commercial
19 activities for the accommodation of or in connection with
20 commerce by water or land or in the air or useful as an aid, or
21 constituting an advantage or convenience to, the safe landing,
22 taking off and navigation of aircraft or the safe and
23 efficient operation or maintenance of a public airport.

24 (q) "Port facilities" means all public structures, except
25 terminal facilities as defined herein, that are in, over,
26 under or adjacent to navigable waters and are necessary for or

1 incident to the furtherance of water commerce and includes the
2 widening and deepening of slips, harbors and navigable waters.

3 (r) "Airport" means any locality, either land or water,
4 which is used or designed for the landing and taking off of
5 aircraft or for the location of runways, landing fields,
6 aerodromes, hangars, buildings, structures, airport roadways
7 and other facilities.

8 (Source: P.A. 98-750, eff. 1-1-15.)

9 (70 ILCS 535/4) (from Ch. 85, par. 7454)

10 Sec. 4. Establishment.

11 (a) There is hereby created a political subdivision, body
12 politic and municipal corporation named the Will-Kankakee
13 Regional Development Authority. The territorial jurisdiction
14 of the Authority is that geographic area within the boundaries
15 of Will and Kankakee counties in the State of Illinois and any
16 navigable waters and air space located therein.

17 (b) The governing and administrative powers of the
18 Authority shall be vested in a body consisting of 10 members
19 including, as an ex officio member, the Director of Commerce
20 and Economic Opportunity, or his or her designee. The other 9
21 members of the Authority shall be designated "public members",
22 3 of whom shall be appointed by the Governor, 3 of whom shall
23 be appointed by the county board chairman of Will County, and 3
24 of whom shall be appointed by the county board chairman of
25 Kankakee County. All public members shall reside within the

1 territorial jurisdiction of this Act. Six members shall
2 constitute a quorum, and the Board may not meet or take any
3 action without a quorum present. The public members shall be
4 persons of recognized ability and experience in one or more of
5 the following areas: economic development, finance, banking,
6 industrial development, small business management, real estate
7 development, community development, venture finance, organized
8 labor or civic, community or neighborhood organization. The
9 Chairman of the Authority shall be elected by the Board
10 annually from the 6 members appointed by the county board
11 chairmen.

12 (c) The terms of all members of the Authority shall begin
13 30 days after the effective date of this Act. Of the 9 public
14 members appointed pursuant to this Act, 3 shall serve until
15 the third Monday in January 1992, 3 shall serve until the third
16 Monday in January 1993, and 3 shall serve until the third
17 Monday in January 1994. All successors shall be appointed by
18 the original appointing authority and hold office for a term
19 of 3 years commencing the third Monday in January of the year
20 in which their term commences, except in case of an
21 appointment to fill a vacancy. Vacancies occurring among the
22 public members shall be filled for the remainder of the term.
23 In case of vacancy in a Governor-appointed membership when the
24 Senate is not in session, the Governor may make a temporary
25 appointment until the next meeting of the Senate when a person
26 shall be nominated to fill such office, and any person so

1 nominated who is confirmed by the Senate shall hold office
2 during the remainder of the term and until a successor shall be
3 appointed and qualified. Members of the Authority shall not be
4 entitled to compensation for their services as members but may
5 be reimbursed for all necessary expenses incurred in
6 connection with the performance of their duties as members.

7 (d) The Governor may remove any public member of the
8 Authority in case of incompetency, neglect of duty, or
9 malfeasance in office.

10 (e) The Board may appoint an Executive Director who shall
11 have a background in finance, including familiarity with the
12 legal and procedural requirements of issuing bonds, real
13 estate or economic development and administration. The
14 Executive Director shall hold office at the discretion of the
15 Board. The Executive Director shall be the chief
16 administrative and operational officer of the Authority, shall
17 direct and supervise its administrative affairs and general
18 management, shall perform such other duties as may be
19 prescribed from time to time by the members and shall receive
20 compensation fixed by the Authority. The Executive Director
21 shall attend all meetings of the Authority; however, no action
22 of the Authority shall be invalid on account of the absence of
23 the Executive Director from a meeting. The Authority may
24 engage the services of such other agents and employees,
25 including attorneys, appraisers, engineers, accountants,
26 credit analysts and other consultants, as it may deem

1 advisable and may prescribe their duties and fix their
2 compensation.

3 (f) The Board may, by majority vote, nominate up to 4
4 non-voting members for appointment by the Governor. Non-voting
5 members shall be persons of recognized ability and experience
6 in one or more of the following areas: economic development,
7 finance, banking, industrial development, small business
8 management, real estate development, community development,
9 venture finance, organized labor or civic, community or
10 neighborhood organization. Non-voting members shall serve at
11 the pleasure of the Board. All non-voting members may attend
12 meetings of the Board and may be reimbursed as provided in
13 subsection (c).

14 (g) The Board shall create a task force to study and make
15 recommendations to the Board on the economic development of
16 the territory within the jurisdiction of this Act. The members
17 of the task force shall reside within the territorial
18 jurisdiction of this Act, shall serve at the pleasure of the
19 Board and shall be persons of recognized ability and
20 experience in one or more of the following areas: economic
21 development, finance, banking, industrial development, small
22 business management, real estate development, community
23 development, venture finance, organized labor or civic,
24 community or neighborhood organization. The number of members
25 constituting the task force shall be set by the Board and may
26 vary from time to time. The Board may set a specific date by

1 which the task force is to submit its final report and
2 recommendations to the Board.

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

4 (70 ILCS 535/5.1 new)

5 Sec. 5.1. Requests for assistance; disclosure of economic
6 interests.

7 (a) The Authority may not hear a request for assistance
8 from a restricted person. This prohibition extends to business
9 relationships between a person who is an Authority leader
10 within one year prior to the request for assistance and to any
11 entity in which a restricted person holds or, within the past 2
12 years, held an ownership interest of 10% or more.

13 (b) An Authority leader shall disclose and recuse himself
14 or herself from matters relating to requests for assistance
15 from an entity that is relocating full-time employees from
16 another Authority's counties if (i) both Authorities contract
17 with or employ the same Authority leader or (ii) there is or,
18 within the past 2 years of the request, there was a business
19 relationship between the Authority leaders at the 2
20 Authorities.

21 (c) The Board of the Authority shall vote to renew the
22 appointment of the Executive Director and other Authority
23 leaders on an annual basis. All contracts shall be approved on
24 an annual basis and use a public process to solicit
25 applications. This requirement does not apply to full-time

1 employees of the Authority unless otherwise required by
2 applicable State law or local ordinance.

3 (d) Each Authority leader shall submit a statement of
4 economic interest in accordance with Article 4A of the
5 Illinois Governmental Ethics Act. Additionally, each Authority
6 leader shall disclose to the Board outside sources of income
7 and any business relationships in economic development
8 consulting or lobbying. Reporting shall include the source of
9 income, services provided, and timeline of when services were
10 provided. If the source of income is a firm or organization
11 with multiple clients, the report shall list all of the
12 entities for which the individual provided services.

13 (70 ILCS 535/5.2 new)

14 Sec. 5.2. Open meetings; record disclosure.

15 (a) The Authority is subject to the Open Meetings Act and
16 the Freedom of Information Act. Documents subject to the
17 Freedom of Information Act include, but are not limited to,
18 expenses, payroll, origination bonuses, and other financial
19 details of the Authority.

20 (b) A contract or agreement entered into by the Authority
21 must be posted on the Authority's website. The Authority shall
22 provide a detailed report of the Authority's financial
23 information on the Authority's website, including, but not
24 limited to, a statement of profits and losses, balance sheet,
25 and income statement of the Authority.

1 (70 ILCS 535/13) (from Ch. 85, par. 7463)

2 Sec. 13. Reports; commitment notice. The Authority shall
3 annually submit a report of its finances to the Auditor
4 General. The Authority shall annually submit a report of its
5 activities to the Governor and General Assembly.

6 The Authority shall provide notice to the General
7 Assembly, the Department of Commerce and Economic Opportunity,
8 and the Governor once the Authority enters into a commitment
9 to support the financing of a project. The notice to the
10 General Assembly shall be filed with the Clerk of the House of
11 Representatives and the Secretary of the Senate, in electronic
12 form only, in the manner that the Clerk and the Secretary shall
13 direct.

14 (Source: P.A. 86-1481.)

15 Section 99. Effective date. This Act takes effect July 1,
16 2023."