



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1165

Introduced 1/31/2023, by Rep. David Friess

SYNOPSIS AS INTRODUCED:

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

Amends the Southwestern Illinois Development Authority Act. Adds Monroe County and Randolph County to the territory of the Southwestern Illinois Development Authority. Makes conforming changes. Allows the Authority to also enter into intergovernmental agreements with Bond, Clinton, Monroe, and Randolph counties, in addition to other entities (currently, the only counties included are Madison and St. Clair counties). Effective immediately.

LRB103 00078 AWJ 45078 b

1 AN ACT concerning local government.

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

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

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

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

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

1 board chairman of St. Clair County, one of whom shall be
2 appointed by the county board chairman of Bond County, ~~and~~ one
3 of whom shall be appointed by the county board chairman of
4 Clinton County, 2 of whom shall be appointed by the county
5 board chairman of Monroe County, and 2 of whom shall be
6 appointed by the county board chairman of Randolph County. All
7 public members shall reside within the territorial
8 jurisdiction of this Act. Ten voting ~~Eight~~ members shall
9 constitute a quorum. 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 elected by the Board
16 annually from the members appointed by the county board
17 chairmen.

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

1 Of the members appointed pursuant to this amendatory Act of
2 the 103rd General Assembly, one member appointed by the county
3 board chairman of Monroe County and one member appointed by
4 the county board chairman of Randolph County shall serve until
5 the third Monday in January 2026, and the other two members
6 appointed shall serve until the third Monday in January 2027.

7 All successors shall be appointed by the original appointing
8 authority and hold office for a term of 3 years commencing the
9 third Monday in January of the year in which their term
10 commences, except in case of an appointment to fill a vacancy.

11 Vacancies occurring among the public members shall be filled
12 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 such office, and any person so nominated who is
17 confirmed by the Senate shall hold office during the remainder
18 of the term and until a successor shall be appointed and
19 qualified. Members of the Authority shall not be entitled to
20 compensation for their services as members but shall be
21 entitled to reimbursement for all necessary expenses incurred
22 in connection with the performance of their duties as members.

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

26 (e) The Board shall appoint an Executive Director who

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

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

1 the pleasure of the Board. All non-voting members may attend
2 meetings of the Board and shall be reimbursed as provided in
3 subsection (c).

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

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

21 (70 ILCS 520/5) (from Ch. 85, par. 6155)

22 Sec. 5. All official acts of the Authority shall require
23 the approval of at least 10 voting & members. It shall be the
24 duty of the Authority to promote development within the
25 geographic confines of Madison, Bond, Clinton, ~~and~~ St. Clair, L

1 Monroe, and Randolph counties. The Authority shall use the
2 powers herein conferred upon it to assist in the development,
3 construction and acquisition of industrial, commercial,
4 housing or residential projects within Madison, Bond, Clinton,
5 ~~and~~ St. Clair, Monroe, and Randolph counties.

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

7 (70 ILCS 520/8) (from Ch. 85, par. 6158)

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

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

25 The Authority shall not exercise any quick-take eminent

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

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

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

1 Intergovernmental Cooperation Act.

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

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

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

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