

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 Local Planning Technical Assistance Act is  
5 amended by adding Section 33 as follows:

6 (20 ILCS 662/33 new)

7 Sec. 33. Regional priority funding areas.

8 (a) The Department, through the Opportunity Returns  
9 Economic Development Regions established by the Governor,  
10 shall designate certain units of local government and areas of  
11 the State as regional priority funding areas in which State  
12 infrastructure resources should be focused. These areas must be  
13 certified by the Department to have completed and adopted a  
14 comprehensive plan containing all elements defined in Section  
15 25 of this Act. In designating regional priority funding areas,  
16 preference shall be given to (i) units of local government and  
17 areas where there is existing public infrastructure,  
18 including, without limitation, sewers, roads, street lighting  
19 and street signals, schools, and emergency response systems,  
20 (ii) units of local government that have adopted zoning  
21 ordinances or resolutions or other ordinances or resolutions  
22 that promote compact development, including, but not limited  
23 to, ordinances or resolutions that promote mixed-use  
24 development or reduce street widths, lot sizes, parking  
25 requirements, and set-backs, and (iii) units of local  
26 government participating in an Intergovernmental Cooperation  
27 Council established under Section 5-1130 of the Counties Code.

28 (b) The Department, from funds appropriated for this  
29 purpose, is authorized to make grants to units of local  
30 government designated as, or within areas designated as,  
31 regional priority funding areas for the expansion or  
32 improvement of public infrastructure.

1       (c) The Department may promulgate rules necessary to  
2       implement and administer this Section.

3           Section 10. The Governor's Office of Management and Budget  
4       Act is amended by adding Section 2.8 as follows:

5           (20 ILCS 3005/2.8 new)

6       Sec. 2.8. Authorization of funding for proposed projects or  
7       activities; review of negative interagency review comments and  
8       findings. If a Department or Agency of the State has conducted  
9       an interagency review of a proposed project or activity and if  
10       the Department or Agency has received negative comments or  
11       findings as a result of that interagency review, then the  
12       Office must review those comments and findings before funding  
13       may be authorized for the proposed project or activity.

14           Section 15. The Regional Planning Commission Act is  
15       amended by changing Section 1 as follows:

16           (50 ILCS 15/1) (from Ch. 85, par. 1021)

17       Sec. 1. Governing bodies of counties, cities, or other  
18       local governmental units, ~~when authorized by the Department of~~  
19       ~~Commerce and Community Affairs,~~ may cooperate with the  
20       governing bodies of the counties and cities or other governing  
21       bodies of any adjoining state or states in the creation of a  
22       joint planning commission where such cooperation has been  
23       authorized by law by the adjoining state or states. Such a  
24       joint planning commission may be designated to be a regional or  
25       metropolitan planning commission and shall have powers, duties  
26       and functions as authorized by "An Act to provide for regional  
27       planning and for the creation, organization and powers of  
28       regional planning commissions", approved June 25, 1929, as  
29       heretofore or hereafter amended, and, as agreed among the  
30       governing bodies. Such a planning commission shall be a legal  
31       entity for all purposes.

32       An Intergovernmental Cooperation Council created in

1 accordance with Section 5-1130 of the Counties Code may serve  
2 as the planning commission if so designated by the county board  
3 as provided in that Section.

4 (Source: P.A. 81-1509; revised 12-6-03.)

5 Section 20. The Counties Code is amended by adding Section  
6 5-1130 as follows:

7 (55 ILCS 5/5-1130 new)

8 Sec. 5-1130. Intergovernmental Cooperation Council.

9 (a) The purpose of this Section is to provide a framework  
10 and incentives for intergovernmental cooperation for  
11 development and implementation of coordinated land use,  
12 transportation, and infrastructure plans that reduce traffic  
13 congestion, conserve land, provide housing conveniently  
14 accessible to jobs, and make the most efficient use of public  
15 infrastructure investments.

16 (b) A county board may, by resolution, establish an  
17 Intergovernmental Cooperation Council ("Council") with its  
18 membership consisting of the mayor of each municipality within  
19 the county, up to 6 county board members, and such other  
20 members as may be determined by the county and municipal  
21 members, except that the number of county board members  
22 appointed to the Council shall not exceed the number of mayors  
23 appointed to the Council. The county board members shall be  
24 appointed by the chairman of the county board. Within 60 days  
25 after the establishment of an Intergovernmental Cooperation  
26 Council in accordance with this Section, the Council must  
27 notify the Opportunity Returns Economic Development Region  
28 established by the Governor of the establishment of the Council  
29 and the identity of the Council members.

30 Each municipal and county board representative shall be  
31 entitled to a vote; the other members shall be nonvoting  
32 members, unless authorized to vote by the unanimous consent of  
33 the voting members.

34 A municipality that is located in more than one county may

1 choose, at the time of formation of the Council, to participate  
2 in the Council program of either or both of the counties.

3 The Council shall adopt by-laws, by a majority vote of the  
4 county and municipal members, to govern the functions of the  
5 Council and its subcommittees.

6 Officers of the Council shall include a chair and vice  
7 chair, one of whom shall be a county representative and one a  
8 municipal representative.

9 Principal duties of the Council, as further described in  
10 this Section, shall be (i) to develop coordinated land use,  
11 transportation, and infrastructure plans and intergovernmental  
12 Local Land Resource Management Plans that include the elements  
13 required to be included in a comprehensive plan under Section  
14 25 of the Local Planning Technical Assistance Act and that  
15 foster intergovernmental cooperation and (ii) to direct  
16 implementation and revision of the plans and procedures.

17 The Council may retain planning, mediation, negotiation,  
18 engineering, legal, and financial advisors and administrative  
19 personnel, subject to the budgetary, purchasing, and personnel  
20 policies of the county.

21 The Council shall meet at least quarterly and shall hold at  
22 least one public hearing during the preparation of each plan.

23 (c) The county board may, by resolution, assign the  
24 Intergovernmental Cooperation Council to serve as the county  
25 regional planning commission as provided in Division 5-14 and  
26 in the Regional Planning Commission Act. In counties exercising  
27 this option, the Council shall assume all the duties and  
28 responsibilities of the county regional planning commission  
29 and the Local Land Resource Management Plan shall meet the  
30 requirements of and serve as the county regional plan as  
31 provided in Section 5-14001.

32 (d) The Intergovernmental Cooperation Council shall have  
33 the responsibility to prepare, for recommendation to the county  
34 board, a Local Land Resource Management Plan for all or  
35 substantial portions of the county. The Local Land Resource  
36 Management Plan shall, to the greatest extent practical,

1 include coordinated land use, transportation, and  
2 infrastructure plans and encourage development and  
3 redevelopment patterns that reduce traffic congestion, support  
4 transit, conserve land, protect natural resources, provide  
5 housing conveniently accessible to jobs, and make the most  
6 efficient use of public infrastructure investments. The Local  
7 Land Resource Management Plan should incorporate (i) municipal  
8 and intergovernmental plans and other countywide plans and (ii)  
9 the elements required to be included in a comprehensive plan  
10 under Section 25 of the Local Planning Technical Assistance  
11 Act, to the greatest extent practical.

12 (e) The Intergovernmental Cooperation Council may prepare,  
13 for recommendation to the county board, a plan for projected  
14 future municipal boundaries. The future municipal boundaries  
15 plan should indicate land that is reasonably compact and  
16 contiguous to the existing municipal boundaries where a  
17 particular municipality is better able and prepared than other  
18 municipalities to efficiently and effectively provide public  
19 infrastructure. The plan for projected future municipal  
20 boundaries should reflect the county's responsibility to  
21 manage growth, protect natural resources, and preserve  
22 agricultural, forest, recreational, and wildlife management  
23 lands in territories outside of current and future municipal  
24 boundaries in a manner consistent with the Local Land Resource  
25 Management Plan.

26 (f) The Intergovernmental Cooperation Council may prepare,  
27 for recommendation to the county board, a procedure for  
28 intergovernmental cooperation that provides for:

29 (1) an efficient and timely process for  
30 intergovernmental review of public and private land use,  
31 development, and transportation proposals with greater  
32 than local impacts; and

33 (2) a voluntary procedure for early resolution of  
34 intergovernmental disputes regarding public and private  
35 land use, development, transportation, and annexation  
36 actions, prior to administrative or judicial hearings.

1 Public and private land use, development, and  
2 transportation proposals with greater than local impact shall  
3 require notification to interested governments, which shall  
4 include, at a minimum: (i) any local government with  
5 jurisdiction over the property in question; (ii) the county;  
6 (iii) adjacent municipalities; (iv) the Metropolitan Planning  
7 Organization or any other regional transportation agency; (v)  
8 any regional planning agency established by State law having  
9 jurisdiction for the county; (vi) the Governor's Office of  
10 Management and Budget; (vii) the Illinois Departments of  
11 Transportation, Natural Resources, Agriculture, and Commerce  
12 and Economic Opportunity, and (viii) the Illinois  
13 Environmental Protection Agency. It shall be the  
14 responsibility of the Intergovernmental Cooperation Council to  
15 establish definitions and procedures for implementation of  
16 this subsection. The notification requirement shall extend to  
17 any local development project that (i) receives State funding  
18 or requires State regulatory approval and (ii) meets certain  
19 threshold conditions as to size and probable impact as defined  
20 by the Intergovernmental Cooperation Council. Within 45 days  
21 after notification, notified entities must prepare and submit  
22 comments. The sponsoring government may hold a meeting with  
23 interested parties to discuss and seek resolution of issues  
24 raised in the comments. Completion of notification and  
25 responsiveness to comments shall enhance the priority position  
26 for State funding in support of the proposed project.

27 (g) An Intergovernmental Cooperation Council may develop a  
28 procedure providing for the early voluntary resolution of  
29 intergovernmental disputes. These procedures shall allow local  
30 governmental entities to request the Council to review disputes  
31 regarding public and private land use, development,  
32 transportation, and annexation actions, prior to seeking  
33 administrative or judicial hearings. The Council shall review  
34 actions only if each party to the dispute requests it. In  
35 conducting the review, the Council shall provide each party the  
36 opportunity to present its case. In making its finding the

1 Council shall determine whether the proposed action on the part  
2 of the first party does in fact have a negative impact on the  
3 second party, and if so, identify an appropriate mitigation or  
4 alternative course of action. In making its decision, the  
5 Council shall consider the adopted Local Land Resource  
6 Management Plan and any other plans prepared by the Council.  
7 The Council shall forward its written findings to the governing  
8 body of each party. The findings of the Council shall be  
9 non-binding and shall in no case affect the ability of each  
10 party to pursue other administrative or judicial hearings,  
11 unless otherwise agreed in writing by each party.

12 (h) In the preparation of its plans, the Intergovernmental  
13 Cooperation Council shall coordinate the planning process with  
14 any regional or multi-county planning agency having  
15 jurisdiction for the county and shall coordinate with each  
16 adjoining county to ensure that recommended plans and projects  
17 have minimum adverse impacts. An adopted Local Land Resource  
18 Management Plan and any other plan prepared by the Council  
19 shall identify steps taken to coordinate the development of  
20 plan recommendations with adjoining counties and any regional  
21 or multi-county planning agency having jurisdiction for the  
22 county.

23 (i) A unit of local government shall receive priority  
24 consideration for State grants and other State programs if the  
25 affected unit of local government is located in a county that  
26 has: (i) established an Intergovernmental Cooperation Council;  
27 (ii) adopted a Local Land Resource Management Plan that has  
28 been deemed to be "joint and compatible" by resolution of the  
29 affected unit of local government; and (iii) established  
30 procedures for intergovernmental review.

31 (j) All plans developed and all priorities established in  
32 accordance with this Section should be reviewed by the  
33 Opportunity Returns Economic Development Regions established  
34 by the Governor.

35 (k) The powers granted under this Section are in addition  
36 to any other powers granted under any other law.