



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0688

Introduced 2/8/2021, by Rep. Deanne M. Mazzochi

SYNOPSIS AS INTRODUCED:

615 ILCS 5/29b new

Amends the Rivers, Lakes, and Streams Act. Provides that no person, State agency, or unit of local government shall materially reduce, demolish, materially impair, or remove in whole or in part a structure located within 50 feet of the historic district commonly known as Graue Mill without approval of the Graue Mill Intergovernmental Oversight Board. Creates and provides for the membership of the Graue Mill Intergovernmental Oversight Board. Provides that no structure that was built, in whole or in part, using funds from this State shall be demolished without first securing advance written approval from the State agency supplying the funding. Provides that, if that agency no longer exists or the proper agency cannot be determined, then notice shall be given to the Governor, but only upon the approval of the State Representative and State Senator for the area where the structure is located. Provides that nothing in the new provisions shall prevent the party responsible for a structure from engaging in ordinary and customary maintenance and repair of the structure, including dredging around the structure, so long as the process does not materially impair or destabilize the structure. Effective immediately.

LRB102 13848 RAM 19199 b

1 AN ACT concerning transportation.

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

4 Section 5. The Rivers, Lakes, and Streams Act is amended
5 by adding Section 29b as follows:

6 (615 ILCS 5/29b new)

7 Sec. 29b. Modification of certain structures associated
8 with Graue Mill.

9 (a) As used in this Section, "structure" means a dike,
10 dam, weir, barrage, or man-made public works or private
11 improvement that directs or controls stormwater, drainage,
12 flooding, or erosion within a waterway and is contained fully
13 within, or is located within 50 feet of, the historic district
14 commonly known as Graue Mill and located at 3800 York Road in
15 the Village of Oak Brook.

16 (b) Notwithstanding any other provision of law, after
17 January 1, 2022 or the effective date of this amendatory Act of
18 the 102nd General Assembly, whichever is later, no person,
19 State agency, or unit of local government shall materially
20 reduce, demolish, materially impair, or remove in whole or in
21 part a structure without approval of the Graue Mill
22 Intergovernmental Oversight Board.

23 (c) The Graue Mill Intergovernmental Oversight Board is

1 created. The Graue Mill Intergovernmental Oversight Board
2 shall include the following members:

3 (1) A designee by each owner of property lying within
4 50 feet of the structure. If the surrounding land is
5 public space, then a designee of the unit of local
6 government responsible for the repair and maintenance of
7 the structure shall be appointed by the head of the unit of
8 local government.

9 (2) An appointee from the DuPage County Board, to be
10 selected by the County Board Chair. The County Board
11 appointee shall be either: (i) an elected county board
12 member in whose district the structure is located; or (ii)
13 an elected county board member who has responsibilities
14 for stormwater management, at the discretion of the County
15 Board Chair. If no qualified elected member is willing to
16 serve, then the appointment may be at the discretion of
17 the County Board Chair.

18 (3) An appointee by the head of any municipality that
19 is geographically located within 1,000 feet of the
20 structure.

21 (4) An appointee by any historical district that is
22 geographically located within 500 feet of the structure.

23 (5) As ex officio members, a representative from the
24 Department of Natural Resources; the State Representative
25 and State Senator encompassing the area where the
26 structure; and a representative of the County Board of the

1 next County downstream from the structure.

2 (d) No structure that was built, in whole or in part, using
3 funds from this State shall be demolished without first
4 securing advance written approval from the State agency
5 supplying the funding. If that agency no longer exists or the
6 proper agency cannot be determined, then notice shall be given
7 to the Governor, but only upon the approval of the State
8 Representative and State Senator for the area where the
9 structure is located. Nothing in this Section shall prevent
10 the party responsible for a structure from engaging in
11 ordinary and customary maintenance and repair of the
12 structure, including dredging around the structure, so long as
13 the process does not materially impair or destabilize the
14 structure.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.