

SB0321



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0321

Introduced 2/19/2021, by Sen. Laura M. Murphy

SYNOPSIS AS INTRODUCED:

525 ILCS 35/3

from Ch. 85, par. 2103

Amends the Open Space Lands Acquisition and Development Act. Provides that for any grant made to a unit of local government, a minimum of 50% of the grant must be paid to the unit of local government at the time of the award of the grant. Allows a unit of local government to opt out of the advanced payment option at the time of the award of the grant. Provides that the Department of Natural Resources shall consider an applicant's request for an extension to a grant if (i) the advanced payment is expended or legally obligated within the 2 years as required by the Illinois Grant Funds Recovery Act or (ii) no advanced payment was made. Effective immediately.

LRB102 04155 CMG 14172 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning conservation.

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

4 Section 5. The Open Space Lands Acquisition and
5 Development Act is amended by changing Section 3 as follows:

6 (525 ILCS 35/3) (from Ch. 85, par. 2103)

7 Sec. 3. From appropriations made from the Capital
8 Development Fund, Build Illinois Bond Fund or other available
9 or designated funds for such purposes, the Department shall
10 make grants to local governments as financial assistance for
11 the capital development and improvement of park, recreation or
12 conservation areas, marinas and shorelines, including planning
13 and engineering costs, and for the acquisition of open space
14 lands, including acquisition of easements and other property
15 interests less than fee simple ownership if the Department
16 determines that such property interests are sufficient to
17 carry out the purposes of this Act, subject to the conditions
18 and limitations set forth in this Act.

19 No more than 10% of the amount so appropriated for any
20 fiscal year may be committed or expended on any one project
21 described in an application under this Act.

22 Any grant under this Act to a local government shall be
23 conditioned upon the state providing assistance on a 50/50

1 matching basis for the acquisition of open space lands and for
2 capital development and improvement proposals. However, a
3 local government defined as "distressed" under criteria
4 adopted by the Department through administrative rule shall be
5 eligible for assistance up to 90% for the acquisition of open
6 space lands and for capital development and improvement
7 proposals, provided that no more than 10% of the amount
8 appropriated under this Act in any fiscal year is made
9 available as grants to distressed local governments.

10 An advance payment of a ~~A~~ minimum of 50% of any grant made
11 to a unit of local government under this Act must be paid to
12 the unit of local government at the time the Department awards
13 the grant. A unit of local government may opt out of the
14 advanced payment option at the time of the award of the grant.
15 The remainder of the grant shall be distributed to the local
16 government quarterly on a reimbursement basis. The Department
17 shall consider an applicant's request for an extension to a
18 grant under this Act if (i) the advanced payment is expended or
19 legally obligated within the 2 years required by Section 5 of
20 the Illinois Grant Funds Recovery Act or (ii) no advanced
21 payment was made.

22 (Source: P.A. 98-326, eff. 8-12-13; 98-520, eff. 8-23-13;
23 98-756, eff. 7-16-14.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.