



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB3129

Introduced 1/11/2022, by Sen. Win Stoller

#### SYNOPSIS AS INTRODUCED:

210 ILCS 85/17 new

Amends the Hospital Licensing Act. Provides that a municipality, political subdivision, State agency, or other governmental entity that owns or operates a hospital under any law authorizing or establishing a hospital or hospital district shall, relative to the delivery of health care services, have, in addition to any authority vested by law, the authority and legal capacity concerning the specified use and investment of funds. Provides that conversion of public funds for the benefit of any individual concerning the specified use and investment of funds shall constitute grounds for review and action by the Attorney General or applicable State's Attorney. Provides that a municipality, political subdivision, State agency, or other governmental entity exercising the powers granted concerning the use and investment of funds shall be subject to all applicable public purchasing requirements and the requirements of the Open Meetings Act.

LRB102 23911 RJF 33109 b

1 AN ACT concerning regulation.

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

4 Section 5. The Hospital Licensing Act is amended by adding  
5 Section 17 as follows:

6 (210 ILCS 85/17 new)

7 Sec. 17. Hospital investment.

8 (a) Notwithstanding any provision of law to the contrary,  
9 a municipality, political subdivision, State agency, or other  
10 governmental entity that owns or operates a hospital under any  
11 law authorizing or establishing a hospital or hospital  
12 district shall, relative to the delivery of health care  
13 services, have, in addition to any authority vested by law,  
14 the following authority and legal capacity:

15 (1) to expend funds, including public funds in any  
16 form, or devote the resources of the hospital or hospital  
17 district for the successful performance of the hospital or  
18 hospital district's public purpose of the promotion of  
19 health, provided that the expenditures in whatever form  
20 are reasonable under the facts and circumstances of the  
21 situation; and

22 (2) to invest hospital funds in any security which has  
23 been recommended by a registered investment adviser or by

1       a bank or trust company exercising its trust powers. Funds  
2       invested under this paragraph (2) must be invested  
3       according to written investment policies and written  
4       investment procedures established by the governmental  
5       entity.

6       (b) The conversion of public funds for the benefit of any  
7       individual in the exercise of the powers granted under this  
8       Section shall constitute grounds for review and action by the  
9       Attorney General or applicable State's Attorney.

10       (c) A municipality, political subdivision, State agency,  
11       or other governmental entity exercising the powers granted  
12       under this Section shall be subject to all applicable public  
13       purchasing requirements and the requirements of the Open  
14       Meetings Act.