



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB5297

Introduced 2/9/2024, by Rep. Sonya M. Harper

#### SYNOPSIS AS INTRODUCED:

New Act  
30 ILCS 105/5.1015 new

Creates the Resilient Illinois Revolving Loan Fund Act. Establishes the Resilient Illinois Revolving Loan Fund as a special fund in the State treasury. Provides that moneys in the Fund shall be used to provide low-interest or no-interest loans to counties and nonprofit organizations for local resilience projects that address mitigation of hazards. Specifies that moneys in the Fund may also be used for administrative support associated with the Fund, including the hiring of necessary staff. Tasks the Illinois Emergency Management Agency and Office of Homeland Security with the Fund's administration. Requires the Director of the Illinois Emergency Management Agency and Office of Homeland Security (IEMA-OHS) to apply to the Federal Emergency Management Agency when funding is available under the federal STORM Act to capitalize the Fund. Directs IEMA-OHS to prioritize providing loans to projects it determines to have the greatest impact on eliminating hazards. Provides that the Fund shall be administered, operated, and maintained to remain available in perpetuity to provide loans and other financial assistance. Requires the Agencies to establish application procedures and eligibility criteria for loans from the Fund. Amends the State Finance Act to make a conforming change. Effective immediately.

LRB103 36610 JAG 66719 b

1 AN ACT concerning safety.

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

4 Section 1. Short title. This Act may be cited as the  
5 Resilient Illinois Revolving Loan Fund Act.

6 Section 5. Findings; purpose.

7 (a) The General Assembly finds that:

8 (1) Congress enacted the Safeguarding Tomorrow through  
9 Ongoing Risk Mitigation (STORM) Act, enacted as Public Law  
10 116-284, in 2021 to provide a conduit through which states  
11 can establish a revolving loan fund and make loans to  
12 local municipalities to conduct hazard mitigation and  
13 resiliency projects.

14 (2) As emergencies become more prevalent, it is  
15 important for the State to take advantage of as many  
16 federal funding opportunities as possible.

17 (b) The purpose of this Act is:

18 (1) to ensure that the State is ready to receive  
19 federal funds from the STORM Act by establishing the  
20 Resilient Illinois Revolving Loan Fund; and

21 (2) to provide administrative support for the Fund by  
22 establishing a position within the Department of Natural  
23 Resources, a position within the Environmental Protection

1 Agency, and a position within the Illinois Emergency  
2 Management Agency and Office of Homeland Security.

3 Section 10. Definitions. In this Act:

4 "Agencies" means the Illinois Emergency Management Agency  
5 and Office of Homeland Security, the Department of Natural  
6 Resources, and the Environmental Protection Agency.

7 "Directors" means the Director of Natural Resources, the  
8 Director of the Environmental Protection Agency, and the  
9 Director of the Illinois Emergency Management Agency and  
10 Office of Homeland Security.

11 "Full-time equivalent position" means an employment  
12 position in which the employee's scheduled working hours  
13 divided by the employer's required hours for a full-time  
14 workweek equal 1.0.

15 "Fund" means the Resilient Illinois Revolving Loan Fund  
16 established under subsection (a) of Section 15.

17 "STORM Act" means the federal Safeguarding Tomorrow  
18 through Ongoing Risk Mitigation Act, enacted as Public Law  
19 116-284.

20 Section 15. Resilient Illinois Revolving Loan Fund.

21 (a) The Resilient Illinois Revolving Loan Fund is  
22 established as a special fund in the State treasury, which  
23 shall be used and co-administered by the Environmental  
24 Protection Agency, the Department of Natural Resources, and

1 the Illinois Emergency Management Agency and Office of  
2 Homeland Security. Notwithstanding any other law, the Fund is  
3 not subject to sweeps, administrative charge-backs, or any  
4 other fiscal or budgetary maneuver that would in any way  
5 transfer any amounts from the Fund into any other fund of the  
6 State. The following moneys shall be deposited into the Fund:

7 (1) moneys from federal or private funding sources;

8 (2) moneys appropriated by the General Assembly to the  
9 Fund;

10 (3) investment and interest earnings of the Fund;

11 (4) moneys received as repayment of loans, including,  
12 but not limited to, interest and payments received on  
13 account of principal; and

14 (5) all other moneys received by the Fund from any  
15 other source.

16 (b) Moneys in the Fund shall be used to provide  
17 low-interest or no-interest loans to municipalities, counties,  
18 and nonprofit organizations for local resilience projects that  
19 address mitigation of hazards, including, but not limited to,  
20 natural disasters. Moneys in the Fund may be used for  
21 administrative support associated with the Fund, including,  
22 but not limited to, the hiring of necessary staff.

23 (c) Loans from the Fund shall be for a fixed loan period  
24 and may be used to satisfy the nonfederal match for federal  
25 mitigation grants.

26 (d) Expenditures from the Fund shall be co-administered by

1 the Director of the Environmental Protection Agency, the  
2 Director of Natural Resources, and the Director of the  
3 Illinois Emergency Management Agency and Office of Homeland  
4 Security. When funding is available, the Directors shall apply  
5 to the Federal Emergency Management Agency under the STORM Act  
6 to capitalize the Fund. All moneys appropriated or provided  
7 from the Fund shall be expended. The Agencies shall prioritize  
8 using moneys in the fund to provide loans for projects that the  
9 Agencies determine have the greatest impact on eliminating  
10 hazards.

11 (e) The Fund shall be administered, operated, and  
12 maintained in order to remain available in perpetuity and to  
13 provide loans and other financial assistance under this Act  
14 and pursuant to the STORM Act. All moneys deposited or paid  
15 into the Fund and any interest earned on the balance of the  
16 Fund shall be continuously available to the Directors for  
17 expenditure consistent with this Act.

18 (f) The State Treasurer shall hold and invest moneys in  
19 the Fund as permitted by law.

20 (g) Moneys expended from the Fund shall be supplemental to  
21 and shall not take the place of funding that otherwise would be  
22 appropriated to counties for resilience projects.

23 (h) The Agencies shall establish application procedures  
24 and eligibility criteria for loans from the Fund. The  
25 eligibility criteria shall require that a county or nonprofit  
26 organization demonstrate:

- 1           (1) the need for a loan to address hazard mitigation;  
2           and  
3           (2) the ability to repay the loan, if required, at a  
4           later date.

5           Section 20. Administrative structure and employment  
6           positions.

7           (a) The Agencies may each establish and fill one full-time  
8           equivalent position in order to implement and administer this  
9           Act and the Fund.

10          (b) The Department of Natural Resources shall be the  
11          primary administrator of the Fund, with coordination and  
12          support from the Environmental Protection Agency and the  
13          Illinois Emergency Management Agency and Office of Homeland  
14          Security.

15          Section 25. The State Finance Act is amended by adding  
16          Section 5.1015 as follows:

17                 (30 ILCS 105/5.1015 new)

18                 Sec. 5.1015. The Resilient Illinois Revolving Loan Fund.

19          Section 99. Effective date. This Act takes effect upon  
20          becoming law.