

SB0247



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB0247

Introduced 1/31/2023, by Sen. Michael W. Halpin

SYNOPSIS AS INTRODUCED:

805 ILCS 105/103.05

from Ch. 32, par. 103.05

Amends the General Not For Profit Corporation Act of 1986. Provides that a not-for-profit corporation may be organized to do engineering for conservation purposes. Effective immediately.

LRB103 27780 SPS 54158 b

A BILL FOR

1 AN ACT concerning business.

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

4 Section 5. The General Not For Profit Corporation Act of
5 1986 is amended by changing Section 103.05 as follows:

6 (805 ILCS 105/103.05) (from Ch. 32, par. 103.05)
7 Sec. 103.05. Purposes and authority of corporations;
8 particular purposes; exemptions.

9 (a) Not-for-profit corporations may be organized under
10 this Act for any one or more of the following or similar
11 purposes:

- 12 (1) Charitable.
- 13 (2) Benevolent.
- 14 (3) Eleemosynary.
- 15 (4) Educational.
- 16 (5) Civic.
- 17 (6) Patriotic.
- 18 (7) Political.
- 19 (8) Religious.
- 20 (9) Social.
- 21 (10) Literary.
- 22 (11) Athletic.
- 23 (12) Scientific.

- 1 (13) Research.
- 2 (14) Agricultural.
- 3 (15) Horticultural.
- 4 (16) Soil improvement.
- 5 (17) Crop improvement.
- 6 (18) Livestock or poultry improvement.
- 7 (19) Professional, commercial, industrial, or trade
- 8 association.
- 9 (20) Promoting the development, establishment, or
- 10 expansion of industries.
- 11 (21) Electrification on a cooperative basis.
- 12 (22) Telephone service on a mutual or cooperative
- 13 basis.
- 14 (23) Ownership and operation of water supply
- 15 facilities for drinking and general domestic use on a
- 16 mutual or cooperative basis.
- 17 (24) Ownership or administration of residential
- 18 property on a cooperative basis.
- 19 (25) Administration and operation of property owned on
- 20 a condominium basis or by a homeowner association.
- 21 (26) Administration and operation of an organization
- 22 on a cooperative basis producing or furnishing goods,
- 23 services, or facilities primarily for the benefit of its
- 24 members who are consumers of those goods, services, or
- 25 facilities.
- 26 (27) Operation of a community mental health board or

1 center organized pursuant to the Community Mental Health
2 Act for the purpose of providing direct patient services.

3 (28) Provision of debt management services as
4 authorized by the Debt Management Service Act.

5 (29) Promotion, operation, and administration of a
6 ridesharing arrangement as defined in Section 1-176.1 of
7 the Illinois Vehicle Code.

8 (30) The administration and operation of an
9 organization for the purpose of assisting low-income
10 consumers in the acquisition of utility and telephone
11 services.

12 (31) Any purpose permitted to be exempt from taxation
13 under Sections 501(c) or 501(d) of the United States
14 Internal Revenue Code, as now in or hereafter amended.

15 (32) Any purpose that would qualify for tax-deductible
16 gifts under the Section 170(c) of the United States
17 Internal Revenue Code, as now or hereafter amended. Any
18 such purpose is deemed to be charitable under subsection
19 (a)(1) of this Section.

20 (33) Furnishing of natural gas on a cooperative basis.

21 (34) Ownership and operation of agriculture-based
22 biogas (anaerobic digester) systems on a cooperative basis
23 including the marketing and sale of products produced from
24 these, including but not limited to methane gas,
25 electricity, and compost.

26 (35) Ownership and operation of a hemophilia program,

1 including comprehensive hemophilia diagnostic treatment
2 centers, under Section 501(a)(2) of the Social Security
3 Act. The hemophilia program may employ physicians, other
4 health care professionals, and staff. The program and the
5 corporate board may not exercise control over, direct, or
6 interfere with a physician's exercise and execution of his
7 or her professional judgment in the provision of care or
8 treatment.

9 (36) Engineering for conservation purposes.

10 (b) A corporation may be organized hereunder to serve in
11 an area that adjoins or borders (except for any intervening
12 natural watercourse) an area located in an adjoining state
13 intended to be similarly served, and the corporation may join
14 any corporation created by the adjoining state having an
15 identical purpose and organized as a not-for-profit
16 corporation. Whenever any corporation organized under this Act
17 so joins with a foreign corporation having an identical
18 purpose, the corporation shall be permitted to do business in
19 Illinois as one corporation; provided (1) that the name, bylaw
20 provisions, officers, and directors of each corporation are
21 identical, (2) that the foreign corporation complies with the
22 provisions of this Act relating to the admission of foreign
23 corporation, and (3) that the Illinois corporation files a
24 statement with the Secretary of State indicating that it has
25 joined with a foreign corporation setting forth the name
26 thereof and the state of its incorporation.

1 (Source: P.A. 101-57, eff. 7-12-19.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.