



Adopted in House Comm. on May 06, 2004

09300SB2880ham002

LRB093 19012 DRJ 50326 a

1 AMENDMENT TO SENATE BILL 2880

2 AMENDMENT NO. _____. Amend Senate Bill 2880, AS AMENDED,
3 after the last line of Section 90, by inserting the following:

4 "Section 91. The Illinois Finance Authority Act is amended
5 by changing Section 840-5 as follows:

6 (20 ILCS 3501/840-5)

7 Sec. 840-5. The Authority shall have the following powers:

8 (a) To fix and revise from time to time and charge and
9 collect rates, rents, fees and charges for the use of and for
10 the services furnished or to be furnished by a project or other
11 health facilities owned, financed or refinanced by the
12 Authority or any portion thereof and to contract with any
13 person, partnership, association or corporation or other body,
14 public or private, in respect thereto; to coordinate its
15 policies and procedures and cooperate with recognized health
16 facility rate setting mechanisms which may now or hereafter be
17 established.

18 (b) To establish rules and regulations for the use of a
19 project or other health facilities owned, financed or
20 refinanced by the Authority or any portion thereof and to
21 designate a participating health institution as its agent to
22 establish rules and regulations for the use of a project or
23 other health facilities owned by the Authority undertaken for
24 that participating health institution.

1 (c) To establish or contract with others to carry out on
2 its behalf a health facility project cost estimating service
3 and to make this service available on all projects to provide
4 expert cost estimates and guidance to the participating health
5 institution and to the Authority. In order to implement this
6 service and, through it, to contribute to cost containment, the
7 Authority shall have the power to require such reasonable
8 reports and documents from health facility projects as may be
9 required for this service and for the development of cost
10 reports and guidelines. The Authority may appoint a Technical
11 Committee on Health Facility Project Costs and Cost
12 Containment.

13 (d) To make mortgage or other secured or unsecured loans to
14 or for the benefit of any participating health institution for
15 the cost of a project in accordance with an agreement between
16 the Authority and the participating health institution;
17 provided that no such loan shall exceed the total cost of the
18 project as determined by the participating health institution
19 and approved by the Authority; provided further that such loans
20 may be made to any entity affiliated with a participating
21 health institution if the proceeds of such loan are made
22 available to or applied for the benefit of such participating
23 health institution.

24 (e) To make mortgage or other secured or unsecured loans to
25 or for the benefit of a participating health institution in
26 accordance with an agreement between the Authority and the
27 participating health institution to refund outstanding
28 obligations, loans, indebtedness or advances issued, made,
29 given or incurred by such participating health institution for
30 the cost of a project; including the function to issue bonds
31 and make loans to or for the benefit of a participating health
32 institution to refinance indebtedness incurred by such
33 participating health institution in projects undertaken and
34 completed or for other health facilities acquired prior to or

1 after the enactment of this Act when the Authority finds that
2 such refinancing is in the public interest, and either
3 alleviates a financial hardship of such participating health
4 institution, or is in connection with other financing by the
5 Authority for such participating health institution or may be
6 expected to result in a lessened cost of patient care and a
7 saving to third parties, including government, and to others
8 who must pay for care, or any combination thereof; provided
9 further that such loans may be made to any entity affiliated
10 with a participating health institution if the proceeds of such
11 loan are made available to or applied for the benefit of such
12 participating health institution.

13 (f) To mortgage all or any portion of a project or other
14 health facilities and the property on which any such project or
15 other health facilities are located whether owned or thereafter
16 acquired, and to assign or pledge mortgages, deeds of trust,
17 indentures of mortgage or trust or similar instruments, notes,
18 and other securities of participating health institutions to
19 which or for the benefit of which the Authority has made loans
20 or of entities affiliated with such institutions and the
21 revenues therefrom, including payments or income from any
22 thereof owned or held by the Authority, for the benefit of the
23 holders of bonds issued to finance such project or health
24 facilities or issued to refund or refinance outstanding
25 obligations, loans, indebtedness or advances of participating
26 health institutions as permitted by this Act.

27 (g) To lease to a participating health institution the
28 project being financed or refinanced or other health facilities
29 conveyed to the Authority in connection with such financing or
30 refinancing, upon such terms and conditions as the Authority
31 shall deem proper, and to charge and collect rents therefor and
32 to terminate any such lease upon the failure of the lessee to
33 comply with any of the obligations thereof; and to include in
34 any such lease, if desired, provisions that the lessee thereof

1 shall have options to renew the lease for such period or
2 periods and at such rent as shall be determined by the
3 Authority or to purchase any or all of the health facilities or
4 that upon payment of all of the indebtedness incurred by the
5 Authority for the financing of such project or health
6 facilities or for refunding outstanding obligations, loans,
7 indebtedness or advances of a participating health
8 institution, then the Authority may convey any or all of the
9 project or such other health facilities to the lessee or
10 lessees thereof with or without consideration.

11 (h) To make studies of needed health facilities that could
12 not sustain a loan were it made under this Act and to recommend
13 remedial action to the General Assembly; to do the same with
14 regard to any laws or regulations that prevent health
15 facilities from benefiting from this Act.

16 (i) To assist the Department of Commerce and Economic
17 Opportunity to establish and implement a program to assist
18 health facilities to identify and arrange financing for energy
19 conservation projects in buildings and facilities owned or
20 leased by health facilities.

21 (j) To assist the Department of Human Services in
22 establishing a low interest loan program to help child care
23 centers and family day care homes serving children of low
24 income families under Section 22.4 of the Children and Family
25 Services Act.

26 (k) To assist the Department of Public Health and nursing
27 homes in undertaking nursing home conversion projects in
28 accordance with the Older Adult Services Act.

29 (Source: P.A. 93-205, eff. 1-1-04.)".