



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB2505

Introduced 1/6/2010, by Sen. Michael W. Frerichs

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Property Tax Code. Provides that municipalities and counties may establish green energy special service areas. Provides that those green energy special service areas shall include only property for which each owner of record has executed a contract or agreement with the county or municipality consenting to the inclusion of the property within the green energy special service area. Provides that green energy special service areas are not subject to certain notice and hearing requirements set forth in the Property Tax Code. Provides that the owner of record of each parcel of property within a green energy special service area may arrange, through an agreement with the municipality or county, for specific energy efficiency improvements or renewable energy improvements and may obtain financing for such improvements through the process set forth in the ordinance establishing the special service area. Provides that counties and municipalities may levy property taxes in connection with green energy special service areas. Provides that counties and municipalities may issue bonds in connection with those special service area projects and may sell, assign, or pledge those bonds to the Illinois Finance Authority. Amends the Illinois Finance Authority Act to make conforming changes. Contains other provisions.

LRB096 16340 HLH 31604 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

STATE DEBT  
IMPACT NOTE ACT  
MAY APPLY

1 AN ACT concerning revenue.

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

4 Section 5. The Illinois Finance Authority Act is amended by  
5 changing Sections 820-10, 820-20, and 820-25 and by adding  
6 Section 820-37 as follows:

7 (20 ILCS 3501/820-10)

8 Sec. 820-10. Definitions. The following words or terms,  
9 whenever used or referred to in this Article, shall have the  
10 following meanings ascribed to them, except where the context  
11 clearly requires otherwise:

12 (a) "Department" means the Illinois Department of Commerce  
13 and Economic Opportunity.

14 (b) "Unit of local government" means any unit of local  
15 government, as defined in Article VII, Section 1 of the 1970  
16 State Constitution and any local public entity as that term is  
17 defined by the Local Governmental and Governmental Employees  
18 Tort Immunity Act and also includes the State and any  
19 instrumentality, office, officer, department, division,  
20 bureau, commission, college or university thereof.

21 (c) "Energy conservation project" means any improvement,  
22 repair, alteration or betterment of any building or facility or  
23 any equipment, fixture or furnishing including its energy using

1 mechanical devices to be added to or used in any building or  
2 facility that the Director of the Department has certified to  
3 the Authority will be a cost-effective energy-related project  
4 that will lower energy or utility costs in connection with the  
5 operation or maintenance of such building or facility, and will  
6 achieve energy cost savings sufficient to cover bond debt  
7 service and other project costs within 10 years from the date  
8 of project installation.

9 (d) "Green energy special service area project" means any  
10 energy efficiency improvement or renewable energy improvement  
11 as such terms are defined in section 27-5 of the Special  
12 Service Area Tax Law of the Property Tax Code.

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

14 (20 ILCS 3501/820-20)

15 Sec. 820-20. Powers and Duties; Illinois Local Government  
16 Financing Assistance Program. The Authority has the power:

17 (a) To purchase from time to time pursuant to negotiated  
18 sale or to otherwise acquire from time to time any local  
19 government securities issued by one or more units of local  
20 government upon such terms and conditions as the Authority may  
21 prescribe;

22 (b) To issue bonds in one or more series pursuant to one or  
23 more resolutions of the Authority for any purpose authorized  
24 under this Article, including without limitation purchasing or  
25 acquiring local government securities, providing for the

1 payment of any interest deemed necessary on such bonds, paying  
2 for the cost of issuance of such bonds, providing for the  
3 payment of the cost of any guarantees, letters of credit,  
4 insurance contracts or other similar credit support or  
5 liquidity instruments, or providing for the funding of any  
6 reserves deemed necessary in connection with such bonds and  
7 refunding or advance refunding of any such bonds and the  
8 interest and any premium thereon, pursuant to this Act;

9 (c) To provide for the funding of any reserves or other  
10 funds or accounts deemed necessary by the Authority in  
11 connection with any bonds issued by the Authority or local  
12 government securities purchased or otherwise acquired by the  
13 Authority;

14 (d) To pledge any local government security, including any  
15 payments thereon, and any other funds of the Authority or funds  
16 made available to the Authority which may be applied to such  
17 purpose, as security for any bonds or any guarantees, letters  
18 of credit, insurance contracts or similar credit support or  
19 liquidity instruments securing the bonds;

20 (e) To enter into agreements or contracts with third  
21 parties, whether public or private, including without  
22 limitation the United States of America, the State, or any  
23 department or agency thereof to obtain any appropriations,  
24 grants, loans or guarantees which are deemed necessary or  
25 desirable by the Authority. Any such guarantee, agreement or  
26 contract may contain terms and provisions necessary or

1 desirable in connection with the program, subject to the  
2 requirements established by this Article;

3 (f) To charge reasonable fees to defray the cost of  
4 obtaining letters of credit, insurance contracts or other  
5 similar documents, and to charge such other reasonable fees to  
6 defray the cost of trustees, depositories, paying agents, bond  
7 registrars, escrow agents and other administrative expenses.  
8 Any such fees shall be payable by units of local government  
9 whose local government securities are purchased or otherwise  
10 acquired by the Authority pursuant to this Article, in such  
11 amounts and at such times as the Authority shall determine, and  
12 the amount of the fees need not be uniform among the various  
13 units of local government whose local government securities are  
14 purchased or otherwise acquired by the Authority pursuant to  
15 this Article;

16 (g) To obtain and maintain guarantees, letters of credit,  
17 insurance contracts or similar credit support or liquidity  
18 instruments which are deemed necessary or desirable in  
19 connection with any bonds or other obligations of the Authority  
20 or any local government securities;

21 (h) To establish application fees and other service fees  
22 and prescribe application, notification, contract, agreement,  
23 security and insurance forms and rules and regulations it deems  
24 necessary or appropriate;

25 (i) To provide technical assistance, at the request of any  
26 unit of local government, with respect to the financing or

1 refinancing for any public purpose. In fulfillment of this  
2 purpose, the Authority may request assistance from the  
3 Department as necessary; any unit of local government that is  
4 experiencing either a financial emergency as defined in the  
5 Local Government Financial Planning and Supervision Act or a  
6 condition of fiscal crisis evidenced by an impaired ability to  
7 obtain financing for its public purpose projects from  
8 traditional financial channels or impaired ability to fully  
9 fund its obligations to fire, police and municipal employee  
10 pension funds, or to bond payments or reserves, may request  
11 technical assistance from the Authority in the form of a  
12 diagnostic evaluation of its financial condition;

13 (j) To purchase any obligations of the Authority issued  
14 pursuant to this Article;

15 (k) To sell, transfer or otherwise dispose of local  
16 government securities purchased or otherwise acquired by the  
17 Authority pursuant to this Article, including without  
18 limitation, the sale, transfer or other disposition of  
19 undivided fractionalized interests in the right to receive  
20 payments of principal and premium, if any, or the right to  
21 receive payments of interest or the right to receive payments  
22 of principal of and premium, if any, and interest on pools of  
23 such local government securities;

24 (l) To acquire, purchase, lease, sell, transfer and  
25 otherwise dispose of real and personal property, or any  
26 interest therein, and to issue its bonds and enter into leases,

1 contracts and other agreements with units of local government  
2 in connection with such acquisitions, purchases, leases, sales  
3 and other dispositions of such real and personal property;

4 (m) To make loans to banks, savings and loans and other  
5 financial institutions for the purpose of purchasing or  
6 otherwise acquiring local government securities, and to issue  
7 its bonds, and enter into agreements and contracts in  
8 connection with such loans;

9 (n) To enter into agreements or contracts with any person  
10 necessary or appropriate to place the payment obligations of  
11 the Authority under any of its bonds in whole or in part on any  
12 interest rate basis, cash flow basis, or other basis desired by  
13 the Authority, including without limitation agreements or  
14 contracts commonly known as "interest rate swap agreements",  
15 "forward payment conversion agreements", and "futures", or  
16 agreements or contracts to exchange cash flows or a series of  
17 payments, or agreements or contracts, including without  
18 limitation agreements or contracts commonly known as  
19 "options", "puts" or "calls", to hedge payment, rate spread, or  
20 similar exposure; provided, that any such agreement or contract  
21 shall not constitute an obligation for borrowed money, and  
22 shall not be taken into account under Section 845-5 of this Act  
23 or any other debt limit of the Authority or the State of  
24 Illinois;

25 (o) To make and enter into all other agreements and  
26 contracts and execute all instruments necessary or incidental

1 to performance of its duties and the execution of its powers  
2 under this Article;

3 (p) To contract for and finance the costs of energy audits,  
4 project-specific engineering and design specifications, and  
5 any other related analyses preliminary to an energy  
6 conservation project; and, to contract for and finance the cost  
7 of project monitoring and data collection to verify  
8 post-installation energy consumption and energy-related  
9 operating costs. Any such contract shall be executed only after  
10 it has been jointly negotiated by the Authority and the  
11 Department; ~~and~~

12 (p-5) To purchase special service area bonds and to accept  
13 assignments, pledges, or both of special service area bonds,  
14 agreements relating to public and private green energy special  
15 service area projects, or both; this authority shall be  
16 liberally construed; and

17 (q) To exercise such other powers as are necessary or  
18 incidental to the foregoing.

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

20 (20 ILCS 3501/820-25)

21 Sec. 820-25. Unit of Local Government Participation. Any  
22 unit of local government is authorized to voluntarily  
23 participate in this program. Any unit of local government which  
24 is authorized to issue, sell and deliver its local government  
25 securities under any provision of the Constitution or laws of



1 the State may issue, sell and deliver such local government  
2 securities to the Authority under this Article; provided that  
3 and notwithstanding any other provision of law to the contrary,  
4 any such unit of local government may issue and sell any such  
5 local government security at any interest rate or rates, which  
6 rate or rates may be established by an index or formula which  
7 may be implemented by persons appointed or retained therefor,  
8 payable at such time or times, and at such price or prices to  
9 which the unit of local government and the Authority may agree.  
10 Any unit of local government may pay any amount charged by the  
11 Authority pursuant to this Article. Any unit of local  
12 government participating in this program may pay out of the  
13 proceeds of its local government securities or out of any other  
14 moneys or funds available to it for such purposes any costs,  
15 fees, interest deemed necessary, premium or reserves incurred  
16 or required for financing or refinancing this program,  
17 including without limitation any fees charged by the Authority  
18 pursuant to this Article and its share, as determined by the  
19 Authority, of any costs, fees, interest deemed necessary,  
20 premium or reserves incurred or required pursuant to Section  
21 820-20 of this Act. All local government securities purchased  
22 or otherwise acquired by the Authority pursuant to this Act  
23 shall upon delivery to the Authority be accompanied by an  
24 approving opinion of bond counsel as to the validity of such  
25 securities. The Authority shall have discretion to purchase or  
26 otherwise acquire those local government securities, as it

1 shall deem to be in the best interest of its financing program  
2 for all units of local government taken as a whole. Any unit of  
3 local government with the authority to provide special service  
4 area financing in connection with green energy special service  
5 area projects, as provided in the Special Service Area Tax Law,  
6 is authorized to do any of the following: (i) issue special  
7 service area bonds, (ii) sell or assign those bonds to the  
8 Authority, and (iii) assign or pledge those special service  
9 area bonds, agreements relating to public and private green  
10 energy special service area projects, or both to the Authority.  
11 (Source: P.A. 93-205, eff. 1-1-04.)

12 (20 ILCS 3501/820-37 new)  
13 Sec. 820-37. Special service area bonds. The Authority may  
14 assist units local government by establishing and implementing  
15 a program to issue its bonds secured by special service area  
16 agreements assigned or pledged to the Authority by the units of  
17 local government so as to provide financing for green energy  
18 special service area projects. Such bonds shall not constitute  
19 an indebtedness or obligation of the State of Illinois and it  
20 shall be plainly stated on the face of each bond that it does  
21 not constitute such an indebtedness or obligation but is  
22 payable solely from the revenues, income, or other assets of  
23 the Authority pledged for those purposes.

24 Section 10. The Property Tax Code is amended by changing

1 Section 27-5 and by adding Section 27-97 as follows:

2 (35 ILCS 200/27-5)

3 Sec. 27-5. Short title; definitions. This Article may be  
4 cited as the Special Service Area Tax Law.

5 When used in this Article:

6 "Energy efficiency improvement" means any installation,  
7 modification, or replacement that is intended to reduce energy  
8 consumption in any residential, commercial, or industrial  
9 building, structure, or other facility, including, but not  
10 limited to, the following:

11 (1) insulation in walls, roofs, floors, foundations,  
12 and heating and cooling distribution systems;

13 (2) storm windows and doors, multiglazed windows and  
14 doors, heat-absorbing or heat-reflective glazed and coated  
15 window and door systems, additional glazing, reductions in  
16 glass area, and other window and door system modifications;

17 (3) automatic energy control systems;

18 (4) high-efficiency furnaces, lighting fixtures,  
19 ventilating, or air conditioning and distribution systems;

20 (5) caulking and weather-stripping;

21 (6) facilities, improvements, or systems to bring  
22 natural daylight into buildings; and

23 (7) any other installation, modification, replacement,  
24 facility, improvement, rehabilitation, repair, or  
25 remodeling that has the effect of reducing energy

1 consumption.

2 "Green energy special service area" means a special service  
3 area created pursuant to Section 27-97 of this Code for the  
4 purpose of providing special services that are energy  
5 efficiency improvements, renewable energy improvements, or a  
6 combination of both. The corporate authorities may establish by  
7 ordinance (i) multiple green energy special service areas  
8 pursuant to a single ordinance or (ii) a single green energy  
9 special service area comprised of multiple buildings,  
10 structures, facilities, improvements, lots, or parcels of  
11 land, which are not required to be contiguous. Revenues from  
12 multiple green energy special service areas and revenues from  
13 multiple buildings, structures, facilities, improvements,  
14 lots, or parcels of land within a single green energy special  
15 service area may be aggregated for a pledge as security for  
16 bonds issued pursuant to Section 27-45.

17 "Renewable energy improvement" means any fixture, product,  
18 system, device, or interacting group thereof, for any  
19 residential, commercial, or industrial building, structure, or  
20 other facility that produces energy from renewable energy  
21 resources, as the term "renewable energy resources" is defined  
22 in Section 1-10 of the Illinois Power Agency Act.

23 "Special Service Area" means a contiguous area within a  
24 municipality or county in which, except as provided in Section  
25 27-97 concerning green energy special services, special  
26 governmental services are provided in addition to those

1 services provided generally throughout the municipality or  
2 county, the cost of the special services to be paid from  
3 revenues collected from taxes levied or imposed upon property  
4 within that area. Territory shall be considered contiguous for  
5 purposes of this Article even though certain completely  
6 surrounded portions of the territory are excluded from the  
7 special service area. A county may create a special service  
8 area within a municipality or municipalities when the  
9 municipality or municipalities consent to the creation of the  
10 special service area. A municipality may create a special  
11 service area within a municipality and the unincorporated area  
12 of a county or within another municipality when the county or  
13 other municipality consents to the creation of the special  
14 service area.

15 "Special Services" means all forms of services pertaining  
16 to the government and affairs of the municipality or county,  
17 including but not limited to weather modification, energy  
18 efficiency improvements, renewable energy improvements, and  
19 improvements permissible under Article 9 of the Illinois  
20 Municipal Code, and contracts for the supply of water as  
21 described in Section 11-124-1 of the Illinois Municipal Code  
22 which may be entered into by the municipality or by the county  
23 on behalf of a county service area.

24 (Source: P.A. 86-1324; 88-445.)

25 (35 ILCS 200/27-97 new)

1       Sec. 27-97. Green Energy Special Service Areas.

2       (a) The corporate authorities of each municipality or  
3 county may establish a green energy special service area, or  
4 multiple green energy special service areas under a single  
5 ordinance, for the purpose of arranging and financing energy  
6 efficiency improvements, renewable energy improvements, or  
7 both. Each green energy special service area shall include only  
8 property for which each owner of record has executed a contract  
9 or agreement consenting to the inclusion of the property within  
10 the green energy special service area. That consent may occur  
11 subsequent to the adoption of the ordinance of the corporate  
12 authorities establishing the green energy special service  
13 area. The inclusion (or, as applicable, deletion) of the  
14 property within the green energy special service area  
15 subsequent to the adoption of the ordinance of the corporate  
16 authorities establishing the green energy special service area  
17 may be made by either (i) the adoption of a supplemental or  
18 amending ordinance of the corporate authorities or (ii)  
19 pursuant to authority in the establishing ordinance  
20 designating one or more county or municipal officers, as  
21 applicable, to include (or, as applicable, delete) other  
22 properties from the special service area. Green energy special  
23 service areas are exempt from the provisions of Sections 27-20,  
24 27-25, 27-30, 27-35, 27-45, 27-55, 27-60, 27-65, and 27-70.  
25 Each owner of record of property within a green energy special  
26 service area may arrange for specific energy efficiency

1 improvements or renewable energy improvements and may obtain  
2 financing for such improvements through the process set forth  
3 in the ordinance establishing the green energy special service  
4 area. A green energy special service area may consist of a  
5 single building, structure, facility, improvement, lot, or  
6 parcel of land. The corporate authorities may establish  
7 multiple green energy special service areas pursuant to a  
8 single ordinance or include multiple buildings, structures,  
9 facilities, improvements, lots, or parcels of land within a  
10 single green energy special service area, whether or not those  
11 buildings, structures, facilities, improvements, lots, or  
12 parcels of land are contiguous. Revenues from multiple green  
13 energy special service areas and revenues from multiple  
14 buildings, structures, facilities, improvements or lots or  
15 parcels of land within a single green energy special service  
16 area may be aggregated for a pledge as security for bonds  
17 issued pursuant to Section 27-45.

18 (b) The corporate authorities of any municipality or county  
19 that establishes a green energy special service area shall levy  
20 a tax pursuant to Section 27-75 on property located within the  
21 green energy special service area if each owner of record of  
22 the property has entered into a contract or agreement for those  
23 improvements. The contract or agreement entered into with the  
24 owner of the property shall be conclusive as to the  
25 authorization and establishment of the applicable green energy  
26 special service area as it relates to that property and to the

1 amount of special tax to be levied and extended against the  
2 property for those improvements. The contract or agreement may  
3 specify tax levies pursuant to Section 27-75 related (i) to the  
4 applicable energy efficiency or green energy improvements,  
5 (ii) as applicable to the principal of and interest on bonds  
6 issued for financing such improvements, including bonds issued  
7 as a part of a larger pooled or composite issue, or (iii) to  
8 both the applicable improvements and the applicable principal  
9 of and interest on bonds. The specified tax levies in the  
10 contract or agreement, when recorded as provided in subsection  
11 (c) below and filed with the county clerk, shall be authority  
12 for each affected county to extend and collect such levied  
13 taxes for the applicable municipality or county with respect to  
14 each the contract or agreement.

15 (c) The contract or agreement in subsection (b) shall be in  
16 recordable form and shall be recorded in the office of the  
17 recorder in the county where the property is located.

18 (d) This section 27-97 shall be liberally construed to  
19 affect the legislative purpose of enabling taxpayers to make  
20 energy efficiency improvements or renewable energy  
21 improvements to their properties.

22 Section 15. The Counties Code is amended by changing  
23 Section 5-1005 as follows:

24 (55 ILCS 5/5-1005) (from Ch. 34, par. 5-1005)



1           Sec. 5-1005. Powers. Each county shall have power:

2           1. To purchase and hold the real and personal estate  
3           necessary for the uses of the county, and to purchase and  
4           hold, for the benefit of the county, real estate sold by  
5           virtue of judicial proceedings in which the county is  
6           plaintiff.

7           2. To sell and convey or lease any real or personal  
8           estate owned by the county.

9           3. To make all contracts and do all other acts in  
10          relation to the property and concerns of the county  
11          necessary to the exercise of its corporate powers.

12          4. To take all necessary measures and institute  
13          proceedings to enforce all laws for the prevention of  
14          cruelty to animals.

15          5. To purchase and hold or lease real estate upon which  
16          may be erected and maintained buildings to be utilized for  
17          purposes of agricultural experiments and to purchase, hold  
18          and use personal property for the care and maintenance of  
19          such real estate in connection with such experimental  
20          purposes.

21          6. To cause to be erected, or otherwise provided,  
22          suitable buildings for, and maintain a county hospital and  
23          necessary branch hospitals and/or a county sheltered care  
24          home or county nursing home for the care of such sick,  
25          chronically ill or infirm persons as may by law be proper  
26          charges upon the county, or upon other governmental units,

1 and to provide for the management of the same. The county  
2 board may establish rates to be paid by persons seeking  
3 care and treatment in such hospital or home in accordance  
4 with their financial ability to meet such charges, either  
5 personally or through a hospital plan or hospital  
6 insurance, and the rates to be paid by governmental units,  
7 including the State, for the care of sick, chronically ill  
8 or infirm persons admitted therein upon the request of such  
9 governmental units. Any hospital maintained by a county  
10 under this Section is authorized to provide any service and  
11 enter into any contract or other arrangement not prohibited  
12 for a hospital that is licensed under the Hospital  
13 Licensing Act, incorporated under the General  
14 Not-For-Profit Corporation Act, and exempt from taxation  
15 under paragraph (3) of subsection (c) of Section 501 of the  
16 Internal Revenue Code.

17 7. To contribute such sums of money toward erecting,  
18 building, maintaining, and supporting any non-sectarian  
19 public hospital located within its limits as the county  
20 board of the county shall deem proper.

21 8. To purchase and hold real estate for the  
22 preservation of forests, prairies and other natural areas  
23 and to maintain and regulate the use thereof.

24 9. To purchase and hold real estate for the purpose of  
25 preserving historical spots in the county, to restore,  
26 maintain and regulate the use thereof and to donate any

1 historical spot to the State.

2 10. To appropriate funds from the county treasury to be  
3 used in any manner to be determined by the board for the  
4 suppression, eradication and control of tuberculosis among  
5 domestic cattle in such county.

6 11. To take all necessary measures to prevent forest  
7 fires and encourage the maintenance and planting of trees  
8 and the preservation of forests.

9 12. To authorize the closing on Saturday mornings of  
10 all offices of all county officers at the county seat of  
11 each county, and to otherwise regulate and fix the days and  
12 the hours of opening and closing of such offices, except  
13 when the days and the hours of opening and closing of the  
14 office of any county officer are otherwise fixed by law;  
15 but the power herein conferred shall not apply to the  
16 office of State's Attorney and the offices of judges and  
17 clerks of courts and, in counties of 500,000 or more  
18 population, the offices of county clerk.

19 13. To provide for the conservation, preservation and  
20 propagation of insectivorous birds through the expenditure  
21 of funds provided for such purpose.

22 14. To appropriate funds from the county treasury and  
23 expend the same for care and treatment of tuberculosis  
24 residents.

25 15. In counties having less than 1,000,000  
26 inhabitants, to take all necessary or proper steps for the

1 extermination of mosquitoes, flies or other insects within  
2 the county.

3 16. To install an adequate system of accounts and  
4 financial records in the offices and divisions of the  
5 county, suitable to the needs of the office and in  
6 accordance with generally accepted principles of  
7 accounting for governmental bodies, which system may  
8 include such reports as the county board may determine.

9 17. To purchase and hold real estate for the  
10 construction and maintenance of motor vehicle parking  
11 facilities for persons using county buildings, but the  
12 purchase and use of such real estate shall not be for  
13 revenue producing purposes.

14 18. To acquire and hold title to real property located  
15 within the county, or partly within and partly outside the  
16 county by dedication, purchase, gift, legacy or lease, for  
17 park and recreational purposes and to charge reasonable  
18 fees for the use of or admission to any such park or  
19 recreational area and to provide police protection for such  
20 park or recreational area. Personnel employed to provide  
21 such police protection shall be conservators of the peace  
22 within such park or recreational area and shall have power  
23 to make arrests on view of the offense or upon warrants for  
24 violation of any of the ordinances governing such park or  
25 recreational area or for any breach of the peace in the  
26 same manner as the police in municipalities organized and

1 existing under the general laws of the State. All such real  
2 property outside the county shall be contiguous to the  
3 county and within the boundaries of the State of Illinois.

4 19. To appropriate funds from the county treasury to be  
5 used to provide supportive social services designed to  
6 prevent the unnecessary institutionalization of elderly  
7 residents, or, for operation of, and equipment for, senior  
8 citizen centers providing social services to elderly  
9 residents.

10 20. To appropriate funds from the county treasury and  
11 loan such funds to a county water commission created under  
12 the "Water Commission Act", approved June 30, 1984, as now  
13 or hereafter amended, in such amounts and upon such terms  
14 as the county may determine or the county and the  
15 commission may agree. The county shall not under any  
16 circumstances be obligated to make such loans. The county  
17 shall not be required to charge interest on any such loans.

18 21. To appropriate and expend funds from the county  
19 treasury for economic development purposes, including the  
20 making of grants to any other governmental entity or  
21 commercial enterprise deemed necessary or desirable for  
22 the promotion of economic development in the county.

23 22. To lease space on a telecommunications tower to a  
24 public or private entity.

25 23. In counties having a population of 100,000 or less  
26 and a public building commission organized by the county

1 seat of the county, to cause to be erected or otherwise  
2 provided, and to maintain or cause to be maintained,  
3 suitable facilities to house students pursuing a  
4 post-secondary education at an academic institution  
5 located within the county. The county may provide for the  
6 management of the facilities.

7 24. To engage in and undertake activities related to  
8 and in connection with governmental and private energy  
9 efficiency improvements and renewable energy improvements,  
10 as defined in the Special Service Area Tax Law of the  
11 Property Tax Code, including, but not limited to, special  
12 service areas related to green energy special service area  
13 financing for energy efficiency improvements and renewable  
14 energy improvements, whether on public or private  
15 property, under the Special Service Area Tax Law. This item  
16 24 shall be liberally construed to effect the legislative  
17 purpose of enabling taxpayers to make energy efficiency  
18 improvements or renewable energy improvements to their  
19 properties.

20 All contracts for the purchase of coal under this Section  
21 shall be subject to the provisions of "An Act concerning the  
22 use of Illinois mined coal in certain plants and institutions",  
23 filed July 13, 1937, as amended.

24 (Source: P.A. 95-197, eff. 8-16-07; 95-813, eff. 1-1-09;  
25 96-622, eff. 8-24-09.)

1 Section 20. The Illinois Municipal Code is amended by  
2 adding Division 15.4 to Article 11 as follows:

3 (65 ILCS 5/Art. 11 Div. 15.4 heading new)

4 DIVISION 15.4.GREEN ENERGY

5 (65 ILCS 5/11-15.4-1 new)

6 Sec. 11-15.4-1. Green Energy Special Service Areas. Each  
7 municipality shall have the power and authority to engage in  
8 and undertake activities related to and in connection with  
9 governmental and private energy efficiency improvements and  
10 renewable energy improvements, as defined in the Special  
11 Service Area Tax Law of the Property Tax Code, including, but  
12 not limited to, special service area financing related to green  
13 energy special service areas for energy efficiency  
14 improvements and renewable energy improvements, whether on  
15 public or private property, under the Special Service Area Tax  
16 Law. This Section shall be liberally construed to effect the  
17 legislative purpose of enabling taxpayers to make energy  
18 efficiency improvements or renewable energy improvements to  
19 their properties.

1 INDEX

2 Statutes amended in order of appearance

3 20 ILCS 3501/820-10

4 20 ILCS 3501/820-20

5 20 ILCS 3501/820-25

6 20 ILCS 3501/820-37 new

7 35 ILCS 200/27-5

8 35 ILCS 200/27-97 new

9 55 ILCS 5/5-1005 from Ch. 34, par. 5-1005

10 65 ILCS 5/Art. 11 Div.

11 15.4 heading new

12 65 ILCS 5/11-15.4-1 new