



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3052

Introduced 2/7/2014, by Sen. Daniel Biss

SYNOPSIS AS INTRODUCED:

See Index

Amends the Special Service Area Tax Law in the Property Tax Code. Provides that the corporate authorities of a county or a municipality may establish a green special service area. Provides that those green 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 special service area. Provides that counties and municipalities may levy property taxes in connection with green special service areas. Provides that counties and municipalities may issue bonds in connection with green special service areas and may sell, assign, or pledge those bonds to the Illinois Finance Authority. Amends the Counties Code and the Illinois Municipal Code to provide that each county or municipality shall have the power and authority to engage in specified activities that relate to green special service areas. Amends the Illinois Finance Authority Act. Provides that the Illinois Finance Authority has the power to purchase special service area bonds and to accept assignments or pledges, or both, of special service area bonds or agreements relating to green special service area projects. Effective immediately.

LRB098 16411 HLH 51476 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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, including but not limited to an Energy

1 Efficiency Project, as defined in item (iii) of subsection (b)
2 of Section 825-65, in connection with any school district or
3 community college district project, and any fixture or
4 furnishing including its energy using mechanical devices to be
5 added to or used in any building or facility that the Director
6 of the Department has certified to the Authority will be a
7 cost-effective energy-related project that will lower energy
8 or utility costs in connection with the operation or
9 maintenance of such building or facility, and will achieve
10 energy cost savings sufficient to cover bond debt service and
11 other project costs within 20 ~~10~~ years from the date of project
12 installation.

13 (d) "Green special service area project" means any energy
14 efficiency improvement, renewable energy improvement, or water
15 use improvement as such terms are defined in Section 27-5 of
16 the Special Service Area Tax Law.

17 (Source: P.A. 97-760, eff. 7-6-12.)

18 (20 ILCS 3501/820-20)

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

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

1 (b) To issue bonds in one or more series pursuant to one or
2 more resolutions of the Authority for any purpose authorized
3 under this Article, including without limitation purchasing or
4 acquiring local government securities, providing for the
5 payment of any interest deemed necessary on such bonds, paying
6 for the cost of issuance of such bonds, providing for the
7 payment of the cost of any guarantees, letters of credit,
8 insurance contracts or other similar credit support or
9 liquidity instruments, or providing for the funding of any
10 reserves deemed necessary in connection with such bonds and
11 refunding or advance refunding of any such bonds and the
12 interest and any premium thereon, pursuant to this Act;

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

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

24 (e) To enter into agreements or contracts with third
25 parties, whether public or private, including without
26 limitation the United States of America, the State, or any

1 department or agency thereof to obtain any appropriations,
2 grants, loans or guarantees which are deemed necessary or
3 desirable by the Authority. Any such guarantee, agreement or
4 contract may contain terms and provisions necessary or
5 desirable in connection with the program, subject to the
6 requirements established by this Article;

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

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

25 (h) To establish application fees and other service fees
26 and prescribe application, notification, contract, agreement,

1 security and insurance forms and rules and regulations it deems
2 necessary or appropriate;

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

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

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

1 such local government securities;

2 (l) To acquire, purchase, lease, sell, transfer and
3 otherwise dispose of real and personal property, or any
4 interest therein, and to issue its bonds and enter into leases,
5 contracts and other agreements with units of local government
6 in connection with such acquisitions, purchases, leases, sales
7 and other dispositions of such real and personal property;

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

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

1 or any other debt limit of the Authority or the State of
2 Illinois;

3 (o) To make and enter into all other agreements and
4 contracts and execute all instruments necessary or incidental
5 to performance of its duties and the execution of its powers
6 under this Article;

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

16 (p-5) To purchase special service area bonds and to accept
17 assignments or pledges, or both, of special service area bonds
18 or agreements relating to green special service area projects,
19 which authority shall be liberally construed; and

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

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

23 (20 ILCS 3501/820-25)

24 Sec. 820-25. Unit of Local Government Participation. Any
25 unit of local government is authorized to voluntarily

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

1 approving opinion of bond counsel as to the validity of such
2 securities. The Authority shall have discretion to purchase or
3 otherwise acquire those local government securities, as it
4 shall deem to be in the best interest of its financing program
5 for all units of local government taken as a whole. Any unit of
6 local government with the authority, in connection with green
7 special service area projects, to provide special service area
8 tax financing under the Special Service Area Tax Law is
9 authorized to issue special service area bonds and sell or
10 assign those special service area bonds to the Authority or to
11 assign or pledge special service area bonds or agreements, or
12 both, to the Authority.

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

14 (20 ILCS 3501/820-37 new)

15 Sec. 820-37. Unit of local government participation;
16 bonds. The Authority may assist units of local government by
17 establishing and implementing a program to issue their bonds
18 secured by special service area agreements assigned or pledged
19 to the Authority by units of local government so as to provide
20 financing for green special service area projects. The bonds of
21 the Authority shall not constitute an indebtedness or
22 obligation of the Authority or the State, and it shall be
23 plainly stated on the face of each such bond that it does not
24 constitute an indebtedness or obligation of the Authority or
25 the State but is payable solely from the revenues, income, or

1 other assets of the Authority that are pledged to the repayment
2 of those bonds. In assisting units of local government in
3 financing green special service area projects, the Authority
4 shall establish quality control standards that shall apply to
5 those green special service area projects.

6 Section 10. The Property Tax Code is amended by changing
7 Section 27-5 and by adding Section 27-97 as follows:

8 (35 ILCS 200/27-5)

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

11 When used in this Article:

12 "Energy efficiency improvement" means any installation,
13 modification, or replacement that reduces energy consumption
14 in any residential, commercial, or industrial building,
15 structure, or other facility, including, but not limited to,
16 all of the following:

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

19 (2) storm windows and doors, multi-glazed windows and
20 doors, heat-absorbing or heat-reflective glazed and coated
21 window and door systems, additional glazing, reductions in
22 glass area, and other window and door system modifications;

23 (3) automatic energy control systems;

24 (4) high efficiency furnaces, lighting fixtures,

1 ventilating, or air conditioning and distribution systems;

2 (5) caulking and weather-stripping;

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

5 (7) any other installation, modification, replacement,
6 facility, improvement, rehabilitation, repair, or
7 remodeling that is permanently affixed to the property and
8 has the effect of reducing energy consumption.

9 For the purposes of levying a special service area tax on
10 the real property on which the energy efficiency improvement is
11 located in a green special service area under the Special
12 Service Area Tax Law in the Property Tax Code, any energy
13 efficiency improvement shall be deemed to be real property.

14 "Green special service area" means a special service area
15 created pursuant to Section 27-97 of this Act for the purpose
16 of providing special services that are energy efficiency
17 improvements, renewable energy improvements, water use
18 improvements, or a combination thereof. The corporate
19 authorities of the municipality or county may establish (i)
20 multiple green special service areas pursuant to a single
21 ordinance or (ii) multiple buildings, structures, facilities,
22 improvements, or lots or parcels of land within a single green
23 special service area, which are not required to be contiguous.
24 Revenues from multiple green special service areas and revenues
25 from multiple buildings, structures, facilities, improvements
26 or lots or parcels of land within a single green special

1 service area may be aggregated for a pledge as security for
2 bonds issued pursuant to Section 27-45 of this Act.

3 "Green special service area project" means any energy
4 efficiency improvement, renewable energy improvement, or water
5 use improvement, or any combination thereof.

6 "Renewable energy improvement" means any fixture, product,
7 system, device, or interacting group thereof, for or serving
8 any residential, commercial, or industrial building,
9 structure, or other facility that is permanently affixed to the
10 property and produces energy from renewable resources as
11 defined in Section 1-10 of the Illinois Power Agency Act. For
12 purposes of levying a special service area tax on the real
13 property on which the renewable energy improvement is located
14 in a green special service area under the Special Service Area
15 Tax Law and the Property Tax Code, any renewable energy
16 improvement shall be deemed to be real property.

17 "Special Service Area" means a contiguous area, except as
18 provided in this Act concerning green special service areas,
19 within a municipality or county in which special governmental
20 services are provided in addition to those services provided
21 generally throughout the municipality or county, the cost of
22 the special services to be paid from revenues collected from
23 taxes levied or imposed upon property within that area.
24 Territory shall be considered contiguous for purposes of this
25 Article even though certain completely surrounded portions of
26 the territory are excluded from the special service area. A

1 county may create a special service area within a municipality
2 or municipalities when the municipality or municipalities
3 consent to the creation of the special service area. A
4 municipality may create a special service area within a
5 municipality and the unincorporated area of a county or within
6 another municipality when the county or other municipality
7 consents to the creation of the special service area.

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

17 "Water use improvement" means any fixture, product,
18 system, device, or interacting group thereof, for or serving
19 any residential, commercial, or industrial building,
20 structure, or other facility that has the effect of conserving
21 water resources through improved water management or
22 efficiency. For the purposes of levying a special service area
23 tax on the real property on which the water use improvement is
24 located in a green special service area under the Special
25 Service Area Tax Law in the Property Tax Code, any water use
26 improvement shall be deemed to be real property.

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

2 (35 ILCS 200/27-97 new)

3 Sec. 27-97. Green special service areas.

4 (a) The corporate authorities of a municipality or a county
5 may establish a green special service area, or multiple green
6 special service areas under a single ordinance, for the purpose
7 of arranging for and financing energy efficiency improvements,
8 renewable energy improvements, or water use improvements, the
9 financing of which shall constitute a public purpose. Each
10 green special service area shall include only property for
11 which each owner of record has executed a contract or agreement
12 consenting to the inclusion of the property within the green
13 special service area, and such contract or agreement may be
14 entered into after the adoption of the ordinance by the
15 corporate authorities establishing the green special service
16 area. The inclusion, or, as applicable, deletion, of property
17 within the green special service area after the adoption of the
18 ordinance by the corporate authorities establishing the green
19 special service area may be made either (i) by the adoption of
20 a supplemental or amending ordinance by the corporate
21 authorities or (ii) pursuant to authority in the establishing
22 ordinance designating one or more county or municipal officers,
23 as applicable, to include or delete other properties. Green
24 special service areas are exempt from the provisions of
25 Sections 27-20, 27-25, 27-30, 27-35, 27-40, 27-50, 27-55,

1 27-60, 27-65, and 27-70 of the Special Service Area Tax Law. A
2 municipality or a county may create a green special service
3 area by an ordinance establishing the green special service
4 area or multiple green special services areas. Notwithstanding
5 anything in the Special Service Area Tax Law to the contrary, a
6 county may establish a green special service area within a
7 municipality without the consent of that municipality. Each
8 owner of record of property within a green special service area
9 may arrange for the specific energy efficiency improvements,
10 renewable energy improvements, or water use improvements, and
11 may obtain financing for such improvements through the process
12 set forth in the ordinance establishing the green special
13 service area. A green special service area may consist of a
14 single building, structure, facility, improvement, or lot or
15 parcel of land. The corporate authorities of a municipality or
16 a county may establish multiple green special service areas
17 pursuant to a single ordinance or may, within a single green
18 special service area, identify multiple buildings, structures,
19 facilities, improvements, or lots or parcels of land, whether
20 or not those buildings, structures, facilities, improvements,
21 lots, or parcels are contiguous. However, each green special
22 service area shall be established with respect to a single
23 contract or agreement. Revenues derived from special service
24 area taxes levied in multiple green special service areas or
25 revenues from multiple buildings, structures, facilities,
26 improvements or lots or parcels of land within a single green

1 special service area may be aggregated for a pledge as security
2 for bonds issued pursuant to Section 27-45 of the Special
3 Service Area Tax Law. Municipalities and counties shall have
4 the power to issue bonds under Section 27-45 of the Special
5 Service Area Tax Law for the public purposes set forth in this
6 Section 27-97; provided that it shall not be necessary to give
7 notice of or to conduct a public hearing, as required in
8 Section 27-45 of the Special Service Area Tax Law, in
9 connection with the issuance of those bonds, as otherwise
10 required by Section 27-45 of the Special Service Area Tax Law.

11 (b) The corporate authorities of a county or municipality
12 that establish a green special service area shall have the
13 power to levy a special service area tax on the real property
14 on which the energy use improvements, the renewable energy
15 improvements, and the water use improvements are located if
16 each owner of record has entered into a contract or agreement
17 for those energy efficiency improvements, those renewable
18 energy improvements, and those water use improvements. It is
19 not necessary to file a copy of the notice of public hearing
20 with the County Clerk as otherwise required by Section 27-75 of
21 the Special Service Area Tax Law. The contract or agreement
22 entered into with the owner of the property shall be conclusive
23 as to the due authorization and establishment of the applicable
24 green special service area as it relates to those energy
25 efficiency improvements, those renewable energy improvements,
26 and those water use improvements and the amount of the special

1 service area taxes to be levied and extended against the real
2 property on which such energy efficiency improvements, such
3 renewable energy improvements and such water use improvements
4 are located. A contract or agreement may specify the amount of
5 the special service area taxes levied pursuant to this Section
6 on the real property on which the applicable energy efficiency
7 improvements, renewable energy improvements, water use
8 improvements, or a combination thereof are located or as
9 applicable to the principal of and interest on bonds issued,
10 including as a part of a larger pooled or composite issue, for
11 financing such energy efficiency improvements, renewable
12 energy improvements or water use improvements. The specified
13 special service area tax levies in a contract or agreement when
14 recorded as provided in subsection (c) of this Section and
15 filed in the office of the recorder of the county where the
16 real property is located shall be authority for each affected
17 municipality or county to extend and collect the levied special
18 service area taxes for the applicable municipality or county,
19 or both, with respect to each such contract or agreement.

20 In the event that a municipality establishes a green
21 special service area pursuant to this Section, the county clerk
22 of the county in which the green special service area is
23 located may agree to extend, and the county collector of that
24 county may agree to collect, distribute, and account for, the
25 special service area taxes on behalf of the municipality upon
26 the establishment of the green special service area or at any

1 time thereafter. Upon agreement, the county clerk shall
2 continue to extend, and the county collector shall continue to
3 collect, distribute, and account for the levied special service
4 area taxes until the green special service area is dissolved.
5 If the county clerk and the county collector agree to extend,
6 collect, and account for the levied special service area taxes,
7 the ordinance levying the special service area taxes in a green
8 special service area shall be filed with the county clerk of
9 that county. A municipality that establishes a green special
10 service area may extend and collect the special service area
11 taxes, and send out a separate tax bill with respect to those
12 levied taxes.

13 (c) The contract or agreement in subsection (b) of this
14 Section shall be in recordable form and shall be recorded in
15 the office of the recorder in the county where the real
16 property is located. Notwithstanding any other law to the
17 contrary, a lien created by such recording shall not be senior
18 to or in any manner have priority over any mortgage, judgment,
19 or other lien upon the underlying parcel that was recorded
20 prior to the recording of the contract or agreement identified
21 in subsection (b).

22 (d) Any municipality or county with the authority to
23 provide special service area financing in connection with green
24 special service area projects, as provided in the Special
25 Service Area Tax Law, may do any of the following: (i) issue
26 special service area bonds pursuant to Section 27-45 of the

1 Special Service Area Tax Law, as provided in subsection (a) of
2 this Section, (ii) sell or assign those bonds to the Illinois
3 Finance Authority, and (iii) assign or pledge those special
4 service area bonds, agreements relating to green special
5 service area projects, or both to the Illinois Finance
6 Authority.

7 (e) This Section shall be liberally construed to effect the
8 legislative purpose of enabling property owners to make energy
9 efficiency improvements, renewable energy improvements, or
10 water use improvements, or any combination thereof, to their
11 properties.

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

14 (55 ILCS 5/5-1005) (from Ch. 34, par. 5-1005)

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

16 1. To purchase and hold the real and personal estate
17 necessary for the uses of the county, and to purchase and
18 hold, for the benefit of the county, real estate sold by
19 virtue of judicial proceedings in which the county is
20 plaintiff.

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

23 3. To make all contracts and do all other acts in
24 relation to the property and concerns of the county

1 necessary to the exercise of its corporate powers.

2 4. To take all necessary measures and institute
3 proceedings to enforce all laws for the prevention of
4 cruelty to animals.

5 5. To purchase and hold or lease real estate upon which
6 may be erected and maintained buildings to be utilized for
7 purposes of agricultural experiments and to purchase, hold
8 and use personal property for the care and maintenance of
9 such real estate in connection with such experimental
10 purposes.

11 6. To cause to be erected, or otherwise provided,
12 suitable buildings for, and maintain a county hospital and
13 necessary branch hospitals and/or a county sheltered care
14 home or county nursing home for the care of such sick,
15 chronically ill or infirm persons as may by law be proper
16 charges upon the county, or upon other governmental units,
17 and to provide for the management of the same. The county
18 board may establish rates to be paid by persons seeking
19 care and treatment in such hospital or home in accordance
20 with their financial ability to meet such charges, either
21 personally or through a hospital plan or hospital
22 insurance, and the rates to be paid by governmental units,
23 including the State, for the care of sick, chronically ill
24 or infirm persons admitted therein upon the request of such
25 governmental units. Any hospital maintained by a county
26 under this Section is authorized to provide any service and

1 enter into any contract or other arrangement not prohibited
2 for a hospital that is licensed under the Hospital
3 Licensing Act, incorporated under the General
4 Not-For-Profit Corporation Act, and exempt from taxation
5 under paragraph (3) of subsection (c) of Section 501 of the
6 Internal Revenue Code.

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

11 8. To purchase and hold real estate for the
12 preservation of forests, prairies and other natural areas
13 and to maintain and regulate the use thereof.

14 9. To purchase and hold real estate for the purpose of
15 preserving historical spots in the county, to restore,
16 maintain and regulate the use thereof and to donate any
17 historical spot to the State.

18 10. To appropriate funds from the county treasury to be
19 used in any manner to be determined by the board for the
20 suppression, eradication and control of tuberculosis among
21 domestic cattle in such county.

22 11. To take all necessary measures to prevent forest
23 fires and encourage the maintenance and planting of trees
24 and the preservation of forests.

25 12. To authorize the closing on Saturday mornings of
26 all offices of all county officers at the county seat of

1 each county, and to otherwise regulate and fix the days and
2 the hours of opening and closing of such offices, except
3 when the days and the hours of opening and closing of the
4 office of any county officer are otherwise fixed by law;
5 but the power herein conferred shall not apply to the
6 office of State's Attorney and the offices of judges and
7 clerks of courts and, in counties of 500,000 or more
8 population, the offices of county clerk.

9 13. To provide for the conservation, preservation and
10 propagation of insectivorous birds through the expenditure
11 of funds provided for such purpose.

12 14. To appropriate funds from the county treasury and
13 expend the same for care and treatment of tuberculosis
14 residents.

15 15. In counties having less than 1,000,000
16 inhabitants, to take all necessary or proper steps for the
17 extermination of mosquitoes, flies or other insects within
18 the county.

19 16. To install an adequate system of accounts and
20 financial records in the offices and divisions of the
21 county, suitable to the needs of the office and in
22 accordance with generally accepted principles of
23 accounting for governmental bodies, which system may
24 include such reports as the county board may determine.

25 17. To purchase and hold real estate for the
26 construction and maintenance of motor vehicle parking

1 facilities for persons using county buildings, but the
2 purchase and use of such real estate shall not be for
3 revenue producing purposes.

4 18. To acquire and hold title to real property located
5 within the county, or partly within and partly outside the
6 county by dedication, purchase, gift, legacy or lease, for
7 park and recreational purposes and to charge reasonable
8 fees for the use of or admission to any such park or
9 recreational area and to provide police protection for such
10 park or recreational area. Personnel employed to provide
11 such police protection shall be conservators of the peace
12 within such park or recreational area and shall have power
13 to make arrests on view of the offense or upon warrants for
14 violation of any of the ordinances governing such park or
15 recreational area or for any breach of the peace in the
16 same manner as the police in municipalities organized and
17 existing under the general laws of the State. All such real
18 property outside the county shall be contiguous to the
19 county and within the boundaries of the State of Illinois.

20 19. To appropriate funds from the county treasury to be
21 used to provide supportive social services designed to
22 prevent the unnecessary institutionalization of elderly
23 residents, or, for operation of, and equipment for, senior
24 citizen centers providing social services to elderly
25 residents.

26 20. To appropriate funds from the county treasury and

1 loan such funds to a county water commission created under
2 the "Water Commission Act", approved June 30, 1984, as now
3 or hereafter amended, in such amounts and upon such terms
4 as the county may determine or the county and the
5 commission may agree. The county shall not under any
6 circumstances be obligated to make such loans. The county
7 shall not be required to charge interest on any such loans.

8 21. To appropriate and expend funds from the county
9 treasury for economic development purposes, including the
10 making of grants to any other governmental entity or
11 commercial enterprise deemed necessary or desirable for
12 the promotion of economic development in the county.

13 22. To lease space on a telecommunications tower to a
14 public or private entity.

15 23. In counties having a population of 100,000 or less
16 and a public building commission organized by the county
17 seat of the county, to cause to be erected or otherwise
18 provided, and to maintain or cause to be maintained,
19 suitable facilities to house students pursuing a
20 post-secondary education at an academic institution
21 located within the county. The county may provide for the
22 management of the facilities.

23 24. To engage in and undertake activities related to
24 and in connection with energy efficiency improvements,
25 renewable energy improvements, and water use improvements,
26 all as defined in the Special Service Area Tax Law,

1 including, but not limited to, green special service area
2 tax financing for energy efficiency improvements,
3 renewable energy improvements, and water use improvements
4 whether on public or private property, under the Special
5 Service Area Tax Law. This item shall be liberally
6 construed to effect the legislative purpose of enabling
7 property owners to make energy efficiency improvements,
8 renewable energy improvements, and water use improvements
9 to or serving the designated properties.

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

14 (Source: P.A. 95-197, eff. 8-16-07; 95-813, eff. 1-1-09;
15 96-622, eff. 8-24-09.)

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

18 (65 ILCS 5/Art. 11 Div. 15.4 heading new)

19 DIVISION 15.4. GREEN SPECIAL SERVICE AREAS

20 (65 ILCS 5/11-15.4-1 new)

21 Sec. 11-15.4-1. Green special service areas. Each
22 municipality shall have the power and authority to engage in
23 and undertake activities related to and in connection with

1 energy efficiency improvements, renewable energy improvements,
2 and water use improvements, all as defined in the Special
3 Service Area Tax Law, including, but not limited to, green
4 special service area tax financing for those energy efficiency
5 improvements, renewable energy improvements, and water use
6 improvements whether on public or private property, under the
7 Special Service Area Tax Law. This Section shall be liberally
8 construed to effect the legislative purpose of enabling
9 property owners to make energy efficiency improvements,
10 renewable energy improvements, or water use improvements to or
11 servicing the designated properties.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.

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