



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB4492

by Rep. Rita Mayfield

#### SYNOPSIS AS INTRODUCED:

50 ILCS 460/10	
70 ILCS 2305/0.1	from Ch. 42, par. 276.99
70 ILCS 2305/0.5 new	
70 ILCS 2305/3	from Ch. 42, par. 279
70 ILCS 2305/4	from Ch. 42, par. 280
70 ILCS 2305/7.6 new	
70 ILCS 2305/7.7 new	
70 ILCS 2305/11	from Ch. 42, par. 287
70 ILCS 2305/18.5 new	
70 ILCS 2305/31 new	
70 ILCS 2405/17.1	from Ch. 42, par. 316.1
735 ILCS 30/15-5-15	

Amends the North Shore Sanitary District Act. Changes the title of the Act from the North Shore Sanitary District Act to the North Shore Water Reclamation District Act. Provides that the board may enact ordinances regarding rates or charges for the treatment and disposal of sewage and surface or ground water. Allows the board to impose civil fines, liens, and declare a nuisance regarding unlawful discharge of waste into the sewerage system or any sewer tributary. Provides that the sanitary district may sell, dispose of, or otherwise expend recovered resources and renewable energy resources and may construct, maintain, finance, and operate facilities necessary for this purpose. Further provides that the sanitary district may capture recovered resources and produce renewable energy resources from materials previously discarded. Amends the Special Assessment Supplemental Bond and Procedures Act, the Sanitary District Act of 1917, and the Eminent Domain Act making conforming changes. Effective immediately.

LRB099 15785 AWJ 40092 b

1 AN ACT concerning local government.

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

4 Section 5. The Special Assessment Supplemental Bond and  
5 Procedures Act is amended by changing Section 10 as follows:

6 (50 ILCS 460/10)

7 Sec. 10. Definitions. As used in this Act, unless the  
8 context or usage clearly indicates otherwise:

9 "Governing body" means the legislative body, council,  
10 board, commission, trustees, or any other body by whatever name  
11 it is known having charge of the corporate affairs of a  
12 governmental unit.

13 "Governmental unit" means a county, township,  
14 municipality, municipal corporation, unit of local government,  
15 or a special district, by whatever name known, authorized by  
16 any special assessment law to make local improvements by  
17 special assessment.

18 "Special assessment bond" means any instrument evidencing  
19 the obligation to pay money authorized or issued by or on  
20 behalf of a governmental unit under a special assessment law or  
21 under this Act, being payable from assessments made under a  
22 special assessment law, and when applicable, as supplemented by  
23 this Act.

1 "Special assessment law" means any law of the State of  
2 Illinois authorizing governmental units to make local  
3 improvements payable wholly or in part by special assessment,  
4 and includes, without limitation, Division 2 of Article 9 of  
5 the Illinois Municipal Code, Division 5-32 of Article 5 of the  
6 Counties Code, Section 21 of the North Shore Water Reclamation  
7 ~~Sanitary~~ District Act, Section 19 of the Sanitary District Act  
8 of 1917, Sections 22a.1 through 22a.55 of the Sanitary District  
9 Act of 1917, and Section 28 of the Sanitary District Act of  
10 1936.

11 "Special assessment proceeding" means the proceeding by  
12 any governmental unit under a special assessment law to provide  
13 for the making of a specific local improvement by special  
14 assessment.

15 "Special assessment ordinance" means an ordinance, or when  
16 applicable a resolution, as provided for by any special  
17 assessment law by which the governing body institutes, calls  
18 for, or provides for the making of a local improvement to be  
19 paid by the imposition of a special assessment pursuant to such  
20 special assessment law.

21 "Supplemental Act Assessment Bonds" are those special  
22 assessment bonds issued under Section 100 of this Act.

23 "Voucher" means any voucher issued under a special  
24 assessment law for work done in connection with the making of a  
25 local improvement.

26 (Source: P.A. 90-480, eff. 8-17-97.)

1 Section 10. The North Shore Sanitary District Act is  
2 amended by changing Sections 0.1, 3, 4, and 11 and by adding  
3 Sections 0.5, 7.6, 7.7, 18.5, and 31 as follows:

4 (70 ILCS 2305/0.1) (from Ch. 42, par. 276.99)

5 Sec. 0.1. This Act shall be known and may be cited as the  
6 "North Shore Water Reclamation Sanitary District Act".

7 (Source: P.A. 77-699.)

8 (70 ILCS 2305/0.5 new)

9 Sec. 0.5. Sanitary district references. On and after the  
10 date the sanitary district renames itself under Section 4 of  
11 this Act, any references to "sanitary district" in this Act  
12 shall mean "water reclamation district".

13 (70 ILCS 2305/3) (from Ch. 42, par. 279)

14 Sec. 3. Election of trustees; terms. The corporate  
15 authority of the North Shore Water Reclamation Sanitary  
16 District shall consist of 5 trustees.

17 Within 20 days after the adoption of the Act, as provided  
18 in Section 1, the county governing body shall proceed to divide  
19 the sanitary district into 5 wards for the purpose of electing  
20 trustees. One trustee shall be elected for each ward on the  
21 date of the next regular county election. In each sanitary  
22 district organized pursuant to the provisions of this Act prior

1 to the effective date of this amendatory Act of 1975, one  
2 trustee shall be elected for each ward on the date of the  
3 regular county election in the year 1976. However, the  
4 population in no one ward shall be less than 1/6 of the  
5 population of the whole district and the territory in each of  
6 the wards shall be composed of contiguous territory in as  
7 compact form as practicable. A portion of each ward shall abut  
8 the west shore of Lake Michigan and the boundaries of the  
9 respective wards shall coincide with precinct boundaries and  
10 the boundaries of existing municipalities as nearly as  
11 practicable. In the year 1981, and every 10 years thereafter,  
12 the sanitary district board of trustees shall reapportion the  
13 district, so that the respective wards shall conform as nearly  
14 as practicable with the above requirements as to population,  
15 shape and territory.

16 All trustees elected from 1994 through 2011 shall assume  
17 office on the first Monday in December following the general  
18 election. All trustees elected in 2012 or thereafter shall  
19 assume office on the second Wednesday in December following the  
20 general election.

21 In the year 1982, and every 10 years thereafter, following  
22 each decennial Federal census, all 5 trustees shall be elected.  
23 Immediately following each decennial redistricting, the  
24 sanitary district board of trustees shall be randomly divided  
25 into 2 groups, one of which shall consist of 3 wards and the  
26 other shall consist of 2 wards. A random process shall again be

1 used to determine which trustees from one group shall serve  
2 terms of 4 years, 4 years and 2 years; and which trustees from  
3 the other group shall serve terms of 2 years, 4 years and 4  
4 years.

5 Each of the trustees, upon entering the duties of their  
6 respective offices, shall execute a bond with security, in the  
7 amount and form to be approved by the corporate authorities,  
8 payable to the district, in the penal sum of not less than  
9 \$250,000.00, as directed by resolution or ordinance,  
10 conditioned upon the faithful performance of the duties of the  
11 office. Each bond shall be filed with and preserved by the  
12 board secretary.

13 When a vacancy exists in the office of trustees of any  
14 sanitary district organized under the provisions of this Act,  
15 the vacancy shall be filled by appointment by the president of  
16 the sanitary district board of trustees, with the advice and  
17 consent of the sanitary district board of trustees, until the  
18 next regular election at which trustees of the sanitary  
19 district are elected, and shall be made a matter of record in  
20 the office of the county clerk in the county in which the  
21 district is located.

22 A majority of the board of trustees shall constitute a  
23 quorum, but a smaller number may adjourn from day to day. No  
24 trustee or employee of the district shall be directly or  
25 indirectly interested in any contract, work or business of the  
26 district, or the sale of any article, the expense, price or

1 consideration of which is paid by the district; nor in the  
2 purchase of any real estate or other property belonging to the  
3 district, or which shall be sold for taxes or assessments, or  
4 by virtue of legal process at the suit of the district. The  
5 trustees have the power to provide and adopt a corporate seal  
6 for the district.

7 (Source: P.A. 97-500, eff. 8-23-11; 98-162, eff. 8-2-13.)

8 (70 ILCS 2305/4) (from Ch. 42, par. 280)

9 Sec. 4. Board of trustees; powers; compensation. The  
10 trustees shall constitute a board of trustees for the district.  
11 The board of trustees is the corporate authority of the  
12 district, and shall exercise all the powers and manage and  
13 control all the affairs and property of the district. The board  
14 shall elect a president and vice-president from among their own  
15 number. In case of the death, resignation, absence from the  
16 state, or other disability of the president, the powers, duties  
17 and emoluments of the office of the president shall devolve  
18 upon the vice-president, until the disability is removed or  
19 until a successor to the president is appointed and chosen in  
20 the manner provided in this Act. The board may select a  
21 secretary, treasurer, executive director, and attorney, and  
22 may provide by ordinance for the employment of other employees  
23 as the board may deem necessary for the municipality. The board  
24 may appoint such other officers and hire such employees to  
25 manage and control the operations of the district as it deems

1 necessary; provided, however, that the board shall not employ  
2 an individual as a wastewater operator whose Certificate of  
3 Technical Competency is suspended or revoked under rules  
4 adopted by the Pollution Control Board under item (4) of  
5 subsection (a) of Section 13 of the Environmental Protection  
6 Act. All employees selected by the board shall hold their  
7 respective offices during the pleasure of the board, and give  
8 such bond as may be required by the board. The board may  
9 prescribe the duties and fix the compensation of all the  
10 officers and employees of the sanitary district. However, the  
11 president of the board of trustees shall not receive more than  
12 \$10,000 per year and the other members of the board shall not  
13 receive more than \$7,000 per year. However, beginning with the  
14 commencement of the new term of each board member in 1993, the  
15 president shall not receive more than \$11,000 per year and each  
16 other member of the board shall not receive more than \$8,000  
17 per year. Beginning with the commencement of the first new term  
18 after the effective date of this amendatory Act of the 95th  
19 General Assembly, the president of the board shall not receive  
20 more than \$14,000 per year, and each other member of the board  
21 shall not receive more than \$11,000 per year. The board of  
22 trustees has full power to pass all necessary ordinances, rules  
23 and regulations for the proper management and conduct of the  
24 business of the board and of the corporation, and for carrying  
25 into effect the objects for which the sanitary district was  
26 formed. The ordinances may provide for a fine for each offense



1 of not less than \$100 or more than \$1,000. Each day's  
2 continuance of a violation shall be a separate offense. Fines  
3 under this Section are recoverable by the sanitary district in  
4 a civil action. The sanitary district is authorized to apply to  
5 the circuit court for injunctive relief or mandamus when, in  
6 the opinion of the chief administrative officer, the relief is  
7 necessary to protect the sewerage system of the sanitary  
8 district.

9 The board of trustees shall have the authority to change  
10 the name of the District, by ordinance, to the North Shore  
11 Water Reclamation District. Any such name change shall not  
12 impair the legal status of any act by the sanitary district. If  
13 an ordinance is passed pursuant to this paragraph, all  
14 provisions of this Act shall apply to the newly renamed  
15 district. No rights, duties, or privilege of such sanitary  
16 district or of any person existing before the change of name  
17 shall be affected by the change in the name of the sanitary  
18 district. All proceedings pending in any court relating to such  
19 sanitary district may continue to final consummation under the  
20 name in which they were commenced.

21 (Source: P.A. 98-162, eff. 8-2-13.)

22 (70 ILCS 2305/7.6 new)

23 Sec. 7.6. Rates for treatment and disposal of sewage and  
24 surface or ground water. The board of trustees shall have the  
25 authority by ordinance to establish, revise, and maintain rates

1 or charges for the treatment and disposal of sewage and surface  
2 or ground water. Any user charge, industrial waste surcharge,  
3 or industrial cost recovery charge imposed by the sanitary  
4 district, together with all penalties, interest, and costs  
5 imposed in connection therewith, shall be liens against the  
6 real estate which receives the service or benefit for which the  
7 charges are being imposed; provided, however, such liens shall  
8 not attach to such real estate until such charges or rates have  
9 become delinquent as provided by the ordinance of the sanitary  
10 district and provided further, that nothing in this Section  
11 shall be construed to give the sanitary district a preference  
12 over the rights of any purchaser, mortgagee, judgment creditor,  
13 or other lien holder arising prior to the filing in the office  
14 of the recorder of the county in which real estate is located  
15 of notice of the lien, which notice shall consist of a sworn  
16 statement setting out (1) a description of the real estate for  
17 which the service or the benefit was rendered sufficient to  
18 identify the real estate, (2) the amount or amounts of money  
19 due for such service or benefit, and (3) the date or dates when  
20 such amount or amounts became delinquent. The sanitary district  
21 shall have the power to foreclose such lien in the same manner  
22 and with the same effect as in the foreclosure of mortgages on  
23 real estate.

24 The assertion of liens against real estate by the sanitary  
25 district to secure payment of user charges, industrial waste  
26 surcharges, or industrial cost recovery charges imposed by the

1 sanitary district as indicated in the previous paragraph shall  
2 be in addition to any other remedy or right of recovery which  
3 the sanitary district may have with respect to the collection  
4 or recovery of such charges imposed by the sanitary district.  
5 Judgment in a civil action brought by the sanitary district to  
6 recover or collect such charges shall not operate as a release  
7 and waiver of the lien upon the real estate for the amount of  
8 the judgment. Only satisfaction of the judgment or the filing  
9 of a release or satisfaction of lien shall release said lien.  
10 The lien for charges on account of services or benefits  
11 provided for in this Section and the rights created hereunder  
12 shall be in addition to the lien upon real estate created by  
13 and imposed for general real estate taxes.

14 (70 ILCS 2305/7.7 new)

15 Sec. 7.7. Discharge into sewers of the sanitary district.

16 (a) As used in this Section:

17 "Executive director" means the executive director of the  
18 sanitary district.

19 "Industrial wastes" means all solids, liquids, or gaseous  
20 wastes resulting from any commercial, industrial,  
21 manufacturing, agricultural, trade, or business operation or  
22 process, or from the development, recovery, or processing of  
23 natural resources.

24 "Other wastes" means decayed wood, sawdust, shavings,  
25 bark, lime, refuse, ashes, garbage, offal, oil, tar, chemicals,

1 and all other substances except sewage and industrial wastes.

2 "Person" means any individual, firm, association, joint  
3 venture, sole proprietorship, company, partnership, estate  
4 copartnership, corporation, joint stock company, trust, school  
5 district, unit of local government, or private corporation  
6 organized or existing under the laws of this or any other state  
7 or country.

8 "Sewage" means water-carried human wastes or a combination  
9 of water-carried wastes from residences, buildings,  
10 businesses, industrial establishments, institutions, or other  
11 places together with any ground, surface, storm, or other water  
12 that may be present.

13 (b) It shall be unlawful for any person to discharge  
14 sewage, industrial waste, or other wastes into the sewerage  
15 system of the sanitary district or into any sewer tributary  
16 therewith, except upon the terms and conditions that the  
17 sanitary district might reasonably impose by way of ordinance,  
18 permit, rule, or regulation.

19 The sanitary district, in addition to all other powers  
20 vested in it and in the interest of public health and safety,  
21 or as authorized by subsections (b) and (c) of Section 46 of  
22 the Environmental Protection Act, is hereby empowered to pass  
23 all ordinances, rules, or regulations necessary to implement  
24 this Section, including, but not limited to, the imposition of  
25 charges based on factors that influence the cost of treatment,  
26 including strength and volume, and including the right of

1 access during reasonable hours to the premises of a person for  
2 enforcement of adopted ordinances, rules, or regulations.

3 (c) Whenever the sanitary district, acting through the  
4 executive director, determines that sewage, industrial wastes,  
5 or other wastes are being discharged into the sewerage system  
6 and when, in the opinion of the executive director, the  
7 discharge is in violation of an ordinance, rules, or  
8 regulations adopted by the board of trustees under this Section  
9 governing industrial wastes or other wastes, the executive  
10 director shall order the offending party to cease and desist.  
11 The order shall be served by certified mail or personally on  
12 the owner, officer, registered agent, or individual designated  
13 by permit.

14 In the event the offending party fails or refuses to  
15 discontinue the discharge within 90 days after notification of  
16 the cease and desist order, the executive director may order  
17 the offending party to show cause before the board of trustees  
18 of the sanitary district why the discharge should not be  
19 discontinued. A notice shall be served on the offending party  
20 directing him, her, or it to show cause before the board of  
21 trustees why an order should not be entered directing the  
22 discontinuance of the discharge. The notice shall specify the  
23 time and place where a hearing will be held and shall be served  
24 personally or by registered or certified mail at least 10 days  
25 before the hearing; and, in the case of a unit of local  
26 government or a corporation, the service shall be upon an

1 officer or agent thereof. After reviewing the evidence, the  
2 board of trustees may issue an order to the party responsible  
3 for the discharge, directing that within a specified period of  
4 time the discharge be discontinued. The board of trustees may  
5 also order the party responsible for the discharge to pay a  
6 civil penalty in an amount specified by the board of trustees  
7 that is not less than \$1,000 nor more than \$2,000 per day for  
8 each day of discharge of effluent in violation of this Act as  
9 provided in subsection (d). The board of trustees may also  
10 order the party responsible for the violation to pay court  
11 reporter costs and hearing officer fees in an amount not  
12 exceeding \$3,000.

13 (d) The board of trustees shall establish procedures for  
14 assessing civil penalties and issuing orders under subsection  
15 (c) as follows:

16 (1) In making its orders and determinations, the board  
17 of trustees shall take into consideration all the facts and  
18 circumstances bearing on the activities involved and the  
19 assessment of civil penalties as shown by the record  
20 produced at the hearing.

21 (2) The board of trustees shall establish a panel of  
22 one or more independent hearing officers to conduct all  
23 hearings on the assessment of civil penalties and issuance  
24 of orders under subsection (c). All hearing officers shall  
25 be attorneys licensed to practice law in this State.

26 (3) The board of trustees shall promulgate procedural

1 rules governing the proceedings, the assessment of civil  
2 penalties, and the issuance of orders.

3 (4) All hearings shall be on the record, and testimony  
4 taken must be under oath and recorded stenographically.  
5 Transcripts so recorded must be made available to any  
6 member of the public or any party to the hearing upon  
7 payment of the usual charges for transcripts. At the  
8 hearing, the hearing officer may issue, in the name of the  
9 board of trustees, notices of hearing requesting the  
10 attendance and testimony of witnesses, the production of  
11 evidence relevant to any matter involved in the hearing,  
12 and may examine witnesses.

13 (5) The hearing officer shall conduct a full and  
14 impartial hearing on the record, with an opportunity for  
15 the presentation of evidence and cross-examination of the  
16 witnesses. The hearing officer shall issue findings of  
17 fact, conclusions of law, a recommended civil penalty, and  
18 an order based solely on the record. The hearing officer  
19 may also recommend, as part of the order, that the  
20 discharge of industrial waste be discontinued within a  
21 specified time.

22 (6) The findings of fact, conclusions of law,  
23 recommended civil penalty, and order shall be transmitted  
24 to the board of trustees along with a complete record of  
25 the hearing.

26 (7) The board of trustees shall either approve or

1 disapprove the findings of fact, conclusions of law,  
2 recommended civil penalty, and order. If the findings of  
3 fact, conclusions of law, recommended civil penalty, or  
4 order are rejected, the board of trustees shall remand the  
5 matter to the hearing officer for further proceedings. If  
6 the order is accepted by the board of trustees, it shall  
7 constitute the final order of the board of trustees.

8 (8) The civil penalty specified by the board of  
9 trustees shall be paid within 35 days after the party on  
10 whom it is imposed receives a written copy of the order of  
11 the board of trustees, unless the person or persons to whom  
12 the order is issued seeks judicial review.

13 (9) If a person seeks judicial review of the order  
14 assessing civil penalties, the person shall, within 35 days  
15 after the date of the final order, pay the amount of the  
16 civil penalties into an escrow account maintained by the  
17 sanitary district for that purpose or file a bond  
18 guaranteeing payment of the civil penalties if the civil  
19 penalties are upheld on review.

20 (10) Civil penalties not paid by the times specified  
21 above shall be delinquent and subject to a lien recorded  
22 against the property of the person ordered to pay the  
23 penalty. The foregoing provisions for asserting liens  
24 against real estate by the sanitary district shall be in  
25 addition to any other remedy or right of recovery that the  
26 sanitary district may have with respect to the collection



1 or recovery of penalties and charges imposed by the  
2 sanitary district. Judgment in a civil action brought by  
3 the sanitary district to recover or collect the charges  
4 shall not operate as a release and waiver of the lien upon  
5 the real estate for the amount of the judgment. Only  
6 satisfaction of the judgment or the filing of a release or  
7 satisfaction of lien shall release the lien.

8 (e) The executive director may order a person to cease the  
9 discharge of industrial waste upon a finding by the executive  
10 director that the final order of the board of trustees entered  
11 after a hearing to show cause has been violated. The executive  
12 director shall serve the person with a copy of his or her order  
13 either by certified mail or personally by serving the owner,  
14 officer, registered agent, or individual designated by permit.  
15 The order of the executive director shall also schedule an  
16 expedited hearing before a hearing officer designated by the  
17 board of trustees for the purpose of determining whether the  
18 person has violated the final order of the board of trustees.  
19 The board of trustees shall adopt rules of procedure governing  
20 expedited hearings. In no event shall the hearing be conducted  
21 less than 7 days after service of the executive director's  
22 order.

23 At the conclusion of the expedited hearing, the hearing  
24 officer shall prepare a report with his or her findings and  
25 recommendations and transmit it to the board of trustees. If  
26 the board of trustees, after reviewing the findings and

1 recommendations, and the record produced at the hearing,  
2 determines that the person has violated the board of trustees'  
3 final order, the board of trustees may authorize the plugging  
4 of the sewer. The executive director shall give not less than  
5 10 days' written notice of the board of trustees' order to the  
6 owner, officer, registered agent, or individual designated by  
7 permit, as well as the owner of record of the real estate and  
8 other parties known to be affected, that the sewer will be  
9 plugged.

10 The foregoing provision for plugging a sewer shall be in  
11 addition to any other remedy that the sanitary district may  
12 have to prevent violation of its ordinances and orders of its  
13 board of trustees.

14 (f) A violation of the final order of the board of trustees  
15 shall be considered a nuisance. If any person discharges  
16 sewage, industrial wastes, or other wastes into any waters  
17 contrary to the final order of the board of trustees, the  
18 sanitary district, acting through the executive director, has  
19 the power to commence an action or proceeding in the circuit  
20 court in and for the county in which the sanitary district is  
21 located for the purpose of having the discharge stopped either  
22 by mandamus or injunction, or to remedy the violation in any  
23 manner provided for in this Section.

24 The court shall specify a time, not exceeding 20 days after  
25 the service of the copy of the complaint, in which the party  
26 complained of must plead to the complaint, and in the meantime,

1 the party may be restrained. In case of default or after  
2 pleading, the court shall immediately inquire into the facts  
3 and circumstances of the case and enter an appropriate judgment  
4 in respect to the matters complained of. Appeals may be taken  
5 as in other civil cases.

6 (g) The sanitary district, acting through the executive  
7 director, has the power to commence an action or proceeding for  
8 mandamus or injunction in the circuit court ordering a person  
9 to cease its discharge, when, in the opinion of the executive  
10 director, the person's discharge presents an imminent danger to  
11 the public health, welfare, or safety; presents or may present  
12 an endangerment to the environment; or threatens to interfere  
13 with the operation of the sewerage system or a water  
14 reclamation plant under the jurisdiction of the sanitary  
15 district. The initiation of a show cause hearing is not a  
16 prerequisite to the commencement by the sanitary district of an  
17 action or proceeding for mandamus or injunction in the circuit  
18 court. The court shall specify a time, not exceeding 20 days  
19 after the service of a copy of the petition, in which the party  
20 complained of must answer the petition, and in the meantime,  
21 the party may be restrained. In case of default in answer or  
22 after answer, the court shall immediately inquire into the  
23 facts and circumstances of the case and enter an appropriate  
24 judgment order in respect to the matters complained of. An  
25 appeal may be taken from the final judgment in the same manner  
26 and with the same effect as appeals are taken from judgment of

1 the circuit court in other actions for mandamus or injunction.

2 (h) Whenever the sanitary district commences an action  
3 under subsection (f) of this Section, the court shall assess a  
4 civil penalty of not less than \$1,000 nor more than \$10,000 for  
5 each day the person violates the board of trustees' order.

6 Whenever the sanitary district commences an action under  
7 subsection (g) of this Section, the court shall assess a civil  
8 penalty of not less than \$1,000 nor more than \$10,000 for each  
9 day the person violates the ordinance. Each day's continuance  
10 of the violation is a separate offense. The penalties provided  
11 in this Section plus interest at the rate set forth in the  
12 Interest Act on unpaid penalties, costs, and fees, imposed by  
13 the board of trustees under subsection (d); the reasonable  
14 costs to the sanitary district of removal or other remedial  
15 action caused by discharges in violation of this Act;  
16 reasonable attorney's fees; court costs; other expenses of  
17 litigation; and costs for inspection, sampling, analysis, and  
18 administration related to the enforcement action against the  
19 offending party are recoverable by the sanitary district in a  
20 civil action.

21 (i) The board of trustees may establish fees for late  
22 filing of reports with the sanitary district required by an  
23 ordinance governing discharges. The sanitary district shall  
24 provide by certified mail a written notice of the fee  
25 assessment that states the person has 30 days after the receipt  
26 of the notice to request a conference with the executive

1 director's designee to discuss or dispute the appropriateness  
2 of the assessed fee. Unless a person objects to paying the fee  
3 for filing a report late by timely requesting in writing a  
4 conference with a designee of the executive director, that  
5 person waives his or her right to a conference and the sanitary  
6 district may impose a lien recorded against the property of the  
7 person for the amount of the unpaid fee.

8 If a person requests a conference and the matter is not  
9 resolved at the conference, the person subject to the fee may  
10 request an administrative hearing before an impartial hearing  
11 officer appointed under subsection (d) to determine the  
12 person's liability for and the amount of the fee. If the  
13 hearing officer finds that the late filing fees are owed to the  
14 sanitary district, the sanitary district shall notify the  
15 responsible person or persons of the hearing officer's  
16 decision. If payment is not made within 30 days after the  
17 notice, the sanitary district may impose a lien on the property  
18 of the person or persons.

19 Any liens filed under this subsection shall apply only to  
20 the property to which the late filing fees are related. A claim  
21 for lien shall be filed in the office of the recorder of the  
22 county in which the property is located. The filing of a claim  
23 for lien by the sanitary district does not prevent the sanitary  
24 district from pursuing other means for collecting late filing  
25 fees. If a claim for lien is filed, the sanitary district shall  
26 notify the person whose property is subject to the lien, and

1 the person may challenge the lien by filing an action in the  
2 circuit court. The action shall be filed within 90 days after  
3 the person receives the notice of the filing of the claim for  
4 lien. The court shall hear evidence concerning the underlying  
5 reasons for the lien only if an administrative hearing has not  
6 been held under this subsection.

7 (j) To be effective service under this Section, a demand or  
8 order sent by certified or registered mail to the last known  
9 address need not be received by the offending party. Service of  
10 the demand or order by registered or certified mail shall be  
11 deemed effective upon deposit in the United States mail with  
12 proper postage prepaid and addressed as provided in this  
13 Section.

14 (k) The provisions of the Administrative Review Law and all  
15 amendments and rules adopted pursuant to that Law apply to and  
16 govern all proceedings for the judicial review of final  
17 administrative decisions of the board of trustees in the  
18 enforcement of any ordinance, rule, or regulation adopted under  
19 this Act. The cost of preparing the record on appeal shall be  
20 paid by the person seeking a review of an order or action  
21 pursuant to the Administrative Review Law.

22 (l) The provisions of this Section are severable under  
23 Section 1.31 of the Statute on Statutes.

24 (70 ILCS 2305/11) (from Ch. 42, par. 287)

25 Sec. 11. Except as otherwise provided in this Section, all

1 contracts for purchases or sales by the municipality, the  
2 expense of which will exceed the mandatory competitive bid  
3 threshold, shall be let to the lowest responsible bidder  
4 therefor upon not less than 14 days' public notice of the terms  
5 and conditions upon which the contract is to be let, having  
6 been given by publication in a newspaper of general circulation  
7 published in the district, and the board may reject any and all  
8 bids and readvertise. In determining the lowest responsible  
9 bidder, the board shall take into consideration the qualities  
10 and serviceability of the articles supplied, their conformity  
11 with specifications, their suitability to the requirements of  
12 the district, the availability of support services, the  
13 uniqueness of the service, materials, equipment, or supplies as  
14 it applies to network integrated computer systems, the  
15 compatibility of the service, materials, equipment or supplies  
16 with existing equipment, and the delivery terms. Contracts for  
17 services in excess of the mandatory competitive bid threshold  
18 may, subject to the provisions of this Section, be let by  
19 competitive bidding at the discretion of the district board of  
20 trustees. All contracts for purchases or sales that will not  
21 exceed the mandatory competitive bid threshold may be made in  
22 the open market without publication in a newspaper as above  
23 provided, but whenever practical shall be based on at least 3  
24 competitive bids. For purposes of this Section, the "mandatory  
25 competitive bid threshold" is a dollar amount equal to 0.1% of  
26 the total general fixed assets of the district as reported in

1 the most recent required audit report. In no event, however,  
2 shall the mandatory competitive bid threshold dollar amount be  
3 less than \$10,000, nor more than \$40,000.

4 Cash, a cashier's check, a certified check, or a bid bond  
5 with adequate surety approved by the board of trustees as a  
6 deposit of good faith, in a reasonable amount, but not in  
7 excess of 10% of the contract amount, may be required of each  
8 bidder by the district on all bids involving amounts in excess  
9 of the mandatory competitive bid threshold and, if so required,  
10 the advertisement for bids shall so specify.

11 Contracts which by their nature are not adapted to award by  
12 competitive bidding, including, without limitation, contracts  
13 for the services of individuals, groups or firms possessing a  
14 high degree of professional skill where the ability or fitness  
15 of the individual or organization plays an important part,  
16 contracts for financial management services undertaken  
17 pursuant to "An Act relating to certain investments of public  
18 funds by public agencies", approved July 23, 1943, as now or  
19 hereafter amended, contracts for the purchase or sale of  
20 utilities, contracts for commodities including supply  
21 contracts for natural gas and electricity, contracts for  
22 materials economically procurable only from a single source of  
23 supply, contracts for services, supplies, materials, parts, or  
24 equipment which are available only from a single source or  
25 contracts for maintenance, repairs, OEM supplies, or OEM parts  
26 from the manufacturer or from a source authorized by the



1 manufacturer, contracts for the use, purchase, delivery,  
2 movement, or installation of data processing equipment,  
3 software, or services and telecommunications and interconnect  
4 equipment, software, or services, contracts for duplicating  
5 machines and supplies, contracts for goods or services procured  
6 from another governmental agency, purchases of equipment  
7 previously owned by an entity other than the district itself,  
8 purchases of used equipment, purchases at auction or similar  
9 transactions which by their very nature are not suitable to  
10 competitive bids, and leases of real property where the  
11 sanitary district is the lessee shall not be subject to the  
12 competitive bidding requirements of this Section.

13 The District may use a design-build procurement method for  
14 any public project which shall not be subject to the  
15 competitive bidding requirements of this Section provided the  
16 Board of Trustees approves the contract for the public project  
17 by a vote of 4 of the 5 trustees. For the purposes of this  
18 Section, "design-build" means a delivery system that provides  
19 responsibility within a single contract for the furnishing of  
20 architecture, engineering, land surveying and related services  
21 as required, and the labor, materials, equipment, and other  
22 construction services for the project.

23 In the case of an emergency affecting the public health or  
24 safety so declared by the Board of Trustees of the municipality  
25 at a meeting thereof duly convened, which declaration shall  
26 require the affirmative vote of four of the five Trustees, and

1 shall set forth the nature of the danger to the public health  
2 or safety, contracts totaling not more than the emergency  
3 contract cap may be let to the extent necessary to resolve such  
4 emergency without public advertisement or competitive bidding.  
5 For purposes of this Section, the dollar amount of an emergency  
6 contract shall not be less than \$40,000, nor more than  
7 \$350,000. The Resolution or Ordinance in which such declaration  
8 is embodied shall fix the date upon which such emergency shall  
9 terminate which date may be extended or abridged by the Board  
10 of Trustees as in their judgment the circumstances require. A  
11 full written account of any such emergency, together with a  
12 requisition for the materials, supplies, labor or equipment  
13 required therefor shall be submitted immediately upon  
14 completion and shall be open to public inspection for a period  
15 of at least one year subsequent to the date of such emergency  
16 purchase. ~~Within 30 days after the passage of the resolution or~~  
17 ~~ordinance declaring an emergency affecting the public health or~~  
18 ~~safety, the municipality shall submit to the Illinois~~  
19 ~~Environmental Protection Agency the full written account of any~~  
20 ~~such emergency along with a copy of the resolution or ordinance~~  
21 ~~declaring the emergency, in accordance with requirements as may~~  
22 ~~be provided by rule.~~

23 To address operating emergencies not affecting the public  
24 health or safety, the Board of Trustees shall authorize, in  
25 writing, officials or employees of the sanitary district to  
26 purchase in the open market and without advertisement any

1 supplies, materials, equipment, or services for immediate  
2 delivery to meet the bona fide operating emergency, without  
3 filing a requisition or estimate therefor, in an amount not in  
4 excess of \$100,000; provided that the Board of Trustees must be  
5 notified of the operating emergency. A full, written account of  
6 each operating emergency and a requisition for the materials,  
7 supplies, equipment, and services required to meet the  
8 operating emergency must be immediately submitted by the  
9 officials or employees authorized to make purchases to the  
10 Board of Trustees. The account must be available for public  
11 inspection for a period of at least one year after the date of  
12 the operating emergency purchase. The exercise of authority  
13 with respect to purchases for a bona fide operating emergency  
14 is not dependent on a declaration of an operating emergency by  
15 the Board of Trustees.

16 The competitive bidding requirements of this Section do not  
17 apply to contracts, including contracts for both materials and  
18 services incidental thereto, for the repair or replacement of a  
19 sanitary district's treatment plant, sewers, equipment, or  
20 facilities damaged or destroyed as the result of a sudden or  
21 unexpected occurrence, including, but not limited to, a flood,  
22 fire, tornado, earthquake, storm, or other natural or man-made  
23 disaster, if the board of trustees determines in writing that  
24 the awarding of those contracts without competitive bidding is  
25 reasonably necessary for the sanitary district to maintain  
26 compliance with a permit issued under the National Pollution

1 Discharge Elimination System (NPDES) or any successor system or  
2 with any outstanding order relating to that compliance issued  
3 by the United States Environmental Protection Agency, the  
4 Illinois Environmental Protection Agency, or the Illinois  
5 Pollution Control Board. The authority to issue contracts  
6 without competitive bidding pursuant to this paragraph expires  
7 6 months after the date of the writing determining that the  
8 awarding of contracts without competitive bidding is  
9 reasonably necessary.

10 No Trustee shall be interested, directly or indirectly, in  
11 any contract, work or business of the municipality, or in the  
12 sale of any article, whenever the expense, price or  
13 consideration of the contract work, business or sale is paid  
14 either from the treasury or by any assessment levied by any  
15 Statute or Ordinance. No Trustee shall be interested, directly  
16 or indirectly, in the purchase of any property which (1)  
17 belongs to the municipality, or (2) is sold for taxes or  
18 assessments of the municipality, or (3) is sold by virtue of  
19 legal process in the suit of the municipality.

20 A contract for any work or other public improvement, to be  
21 paid for in whole or in part by special assessment or special  
22 taxation, shall be entered into and the performance thereof  
23 controlled by the provisions of Division 2 of Article 9 of the  
24 "Illinois Municipal Code", approved May 29, 1961, as heretofore  
25 or hereafter amended, as near as may be. However, contracts may  
26 be let for making proper and suitable connections between the

1 mains and outlets of the respective sanitary sewers in the  
2 district with any conduit, conduits, main pipe or pipes that  
3 may be constructed by such sanitary district.

4 (Source: P.A. 98-162, eff. 8-2-13.)

5 (70 ILCS 2305/18.5 new)

6 Sec. 18.5. Contracts. The sanitary district may enter into  
7 contracts with municipalities or other parties outside the  
8 sanitary district that may request service from the sanitary  
9 district at higher rates than the existing rates for like  
10 consumers within the sanitary district to allow the sanitary  
11 district to obtain a fair return to cover the costs of  
12 financing, constructing, operating, and maintaining its  
13 facilities. In the event that thereafter such rates are not  
14 agreed upon by the parties or are not otherwise provided for by  
15 contract, such rates shall be fixed and determined by the  
16 circuit court of Lake County after a petition has been filed  
17 with that court.

18 (70 ILCS 2305/31 new)

19 Sec. 31. Resource recovery.

20 (a) As used in this Section:

21 "Recovered resources" means any material produced by or  
22 extracted from the operation of sanitary district facilities,  
23 including, but not limited to:

24 (1) solids, including solids from the digestion

1 process, semi-solids, or liquid materials;

2 (2) gases, including biogas, carbon dioxide, and  
3 methane;

4 (3) nutrients;

5 (4) algae;

6 (5) treated effluent; and

7 (6) thermal energy or hydropower.

8 "Renewable energy facility" shall have the same meaning as  
9 a facility defined under Section 5 of the Renewable Energy  
10 Production District Act.

11 "Renewable energy resources" means resources as defined  
12 under Section 1-10 of the Illinois Power Agency Act.

13 "Resource recovery" means the recovery of material or  
14 energy from waste as defined under Section 3.435 of the  
15 Environmental Protection Act.

16 (b) The General Assembly finds that:

17 (1) technological advancements in wastewater treatment  
18 have resulted in the ability to capture recovered resources  
19 and produce renewable energy resources from material  
20 previously discarded;

21 (2) the capture and beneficial reuse of recovered  
22 resources and the production of renewable energy resources  
23 serve a wide variety of environmental benefits including,  
24 but not limited to, improved water quality, reduction of  
25 greenhouse gases, reduction of carbon footprint, reduction  
26 of landfill usage, reduced usage of hydrocarbon-based

1 fuels, return of nutrients to the food cycle, and reduced  
2 water consumption;

3 (3) the sanitary district is a leader in the field of  
4 wastewater treatment and possesses the expertise and  
5 experience necessary to capture and beneficially reuse or  
6 prepare for beneficial reuse recovered resources,  
7 including renewable energy resources; and

8 (4) the sanitary district has the opportunity and  
9 ability to change the approach to wastewater treatment from  
10 that of a waste material to be disposed of to one of a  
11 collection of resources to be recovered, reused, and sold,  
12 with the opportunity to provide the sanitary district with  
13 additional sources of revenue and reduce operating costs.

14 (c) The sanitary district may sell or otherwise dispose of  
15 recovered resources or renewable energy resources resulting  
16 from the operation of sanitary district facilities, and may  
17 construct, maintain, finance, and operate such activities,  
18 facilities, and other works as are necessary for that purpose.

19 (d) The sanitary district may take in materials which are  
20 used in the generation of usable products from recovered  
21 resources, or which increase the production of renewable energy  
22 resources, including, but not limited to, food waste, organic  
23 fraction of solid waste, commercial or industrial organic  
24 wastes, fats, oils, greases, and vegetable debris.

25 (e) The authorizations granted to the sanitary district  
26 under this Section shall not be construed as modifying or

1 limiting any other law or regulation. Any actions taken  
2 pursuant to the authorities granted in this Section must be in  
3 compliance with all applicable laws and regulations,  
4 including, but not limited to, the Environmental Protection  
5 Act, and rules adopted under that Act.

6 Section 15. The Sanitary District Act of 1917 is amended by  
7 changing Section 17.1 as follows:

8 (70 ILCS 2405/17.1) (from Ch. 42, par. 316.1)

9 Sec. 17.1. Acquiring district or municipal treatment  
10 works.

11 (a) After incorporation, any district organized under this  
12 Act may, in accordance with this Act and an intergovernmental  
13 agreement with the sanitary district being acquired or the  
14 municipality from whom the treatment works and lines are to be  
15 acquired, acquire the territory, treatment works, lines,  
16 appurtenances, and other property of (i) any sanitary district  
17 organized under this Act, the Sanitary District Act of 1907,  
18 the North Shore Water Reclamation Sanitary District Act, the  
19 Sanitary District Act of 1936, or the Metro-East Sanitary  
20 District Act of 1974 or (ii) any municipality whose treatment  
21 works were established under the Illinois Municipal Code or the  
22 Municipal Wastewater Disposal Zones Act, regardless of whether  
23 that district or municipality is contiguous to the acquiring  
24 sanitary district. The distance between the sanitary district



1 being acquired or municipality and the acquiring sanitary  
2 district, however, as measured between the points on their  
3 corporate boundaries that are nearest to each other, shall not  
4 exceed 20 miles. In the case of a municipality, only that  
5 property used by the municipality for transport, treatment, and  
6 discharge of wastewater and for disposal of sewage sludge shall  
7 be transferred to the acquiring sanitary district.

8 (b) The board of trustees of the sanitary district being  
9 acquired, or the corporate authorities of a municipality whose  
10 treatment works is being acquired, shall, jointly with the  
11 board of trustees of the acquiring sanitary district, petition  
12 the circuit court of the county containing all or the larger  
13 portion of the sanitary district being acquired or the  
14 municipality to permit the acquisition. The petition shall show  
15 the following:

16 (1) The reason for the acquisition.

17 (2) That there are no debts of the sanitary district  
18 being acquired or municipality outstanding, or that there  
19 are sufficient funds on hand or available to satisfy those  
20 debts.

21 (3) That no contract or federal or State permit or  
22 grant will be impaired by the acquisition.

23 (4) That all assets and responsibilities of the  
24 sanitary district being acquired or municipality, as they  
25 relate to wastewater treatment, have been properly  
26 assigned to the acquiring sanitary district.

1           (5) That the acquiring sanitary district will pay any  
2           court costs incurred in connection with the petition.

3           (6) The boundaries of the acquired sanitary district or  
4           municipality as of the date of the petition.

5           (c) Upon adequate notice, including appropriate notice to  
6           the Illinois Environmental Protection Agency, the circuit  
7           court shall hold a hearing to determine whether there is good  
8           cause for the acquisition by the acquiring district and whether  
9           the allegations of the petition are true. If the court finds  
10          that there is good cause and that the allegations are true, it  
11          shall order the acquisition to proceed. If the court finds that  
12          there is not good cause for the acquisition or that the  
13          allegations of the petition are not true, the court shall  
14          dismiss the petition. In either event, the costs shall be taxed  
15          against the acquiring sanitary district. The order shall be  
16          final. Separate or joint appeals may be taken by any party  
17          affected by the order as in other civil cases.

18          (d) If the court orders the acquisition contemplated in the  
19          petition, there shall be no further appointments of trustees if  
20          the acquired agency is a sanitary district. The trustees of the  
21          acquired sanitary district acting at the time of the order  
22          shall close up the business affairs of the sanitary district  
23          and make the necessary conveyances of title to the sanitary  
24          district property in accordance with the intergovernmental  
25          agreement between the acquiring and acquired sanitary  
26          districts. In the case of a municipality, the governing body of

1 the municipality shall make the necessary conveyances of title  
2 to municipal property to the acquiring sanitary district in  
3 accordance with the intergovernmental agreement between the  
4 municipality and the acquiring sanitary district. The  
5 acquiring sanitary district's ordinances take effect in the  
6 acquired territory upon entry of the order.

7 (e) The acquisition of any sanitary district by another  
8 sanitary district or the acquisition of a treatment works from  
9 a municipality by another sanitary district shall not affect  
10 the obligation of any bonds issued or contracts entered into by  
11 the acquired sanitary district or the municipality, nor  
12 invalidate the levy, extension, or collection of any taxes or  
13 special assessments upon a property in the acquired sanitary  
14 district, but all those bonds and contracts shall be  
15 discharged. The general obligation indebtedness of the  
16 acquired sanitary district shall be paid from the proceeds of  
17 continuing taxes and special assessments as provided in this  
18 Act.

19 All money remaining after the business affairs of the  
20 acquired sanitary district or acquired treatment works of the  
21 municipality have been closed up and all debts and obligations  
22 of the entities paid shall be paid to the acquiring sanitary  
23 district in accordance with the intergovernmental agreement  
24 between the parties.

25 (f) The board of trustees of the acquiring sanitary  
26 district required to provide sewer service under this Act may

1 levy and collect, for that purpose, a tax on the taxable  
2 property within that district. The aggregate amount of the tax  
3 shall be as provided in this Act.

4 (g) Any intergovernmental agreement entered into by the  
5 parties under this Section shall provide for the imposition or  
6 continuance of a user charge system in accordance with the  
7 acquiring district's ordinance, the Illinois Environmental  
8 Protection Act, and the federal Clean Water Act.

9 (h) All courts shall take judicial notice of the  
10 acquisition of the sanitary district being acquired or  
11 municipal treatment works by the acquiring sanitary district.

12 (Source: P.A. 87-1060.)

13 Section 20. The Eminent Domain Act is amended by changing  
14 Section 15-5-15 as follows:

15 (735 ILCS 30/15-5-15)

16 Sec. 15-5-15. Eminent domain powers in ILCS Chapters 70  
17 through 75. The following provisions of law may include express  
18 grants of the power to acquire property by condemnation or  
19 eminent domain:

20 (70 ILCS 5/8.02 and 5/9); Airport Authorities Act; airport  
21 authorities; for public airport facilities.

22 (70 ILCS 5/8.05 and 5/9); Airport Authorities Act; airport  
23 authorities; for removal of airport hazards.

1 (70 ILCS 5/8.06 and 5/9); Airport Authorities Act; airport  
2 authorities; for reduction of the height of objects or  
3 structures.

4 (70 ILCS 10/4); Interstate Airport Authorities Act; interstate  
5 airport authorities; for general purposes.

6 (70 ILCS 15/3); Kankakee River Valley Area Airport Authority  
7 Act; Kankakee River Valley Area Airport Authority; for  
8 acquisition of land for airports.

9 (70 ILCS 200/2-20); Civic Center Code; civic center  
10 authorities; for grounds, centers, buildings, and parking.

11 (70 ILCS 200/5-35); Civic Center Code; Aledo Civic Center  
12 Authority; for grounds, centers, buildings, and parking.

13 (70 ILCS 200/10-15); Civic Center Code; Aurora Metropolitan  
14 Exposition, Auditorium and Office Building Authority; for  
15 grounds, centers, buildings, and parking.

16 (70 ILCS 200/15-40); Civic Center Code; Benton Civic Center  
17 Authority; for grounds, centers, buildings, and parking.

18 (70 ILCS 200/20-15); Civic Center Code; Bloomington Civic  
19 Center Authority; for grounds, centers, buildings, and  
20 parking.

21 (70 ILCS 200/35-35); Civic Center Code; Brownstown Park  
22 District Civic Center Authority; for grounds, centers,  
23 buildings, and parking.

24 (70 ILCS 200/40-35); Civic Center Code; Carbondale Civic Center  
25 Authority; for grounds, centers, buildings, and parking.

26 (70 ILCS 200/55-60); Civic Center Code; Chicago South Civic

1 Center Authority; for grounds, centers, buildings, and  
2 parking.

3 (70 ILCS 200/60-30); Civic Center Code; Collinsville  
4 Metropolitan Exposition, Auditorium and Office Building  
5 Authority; for grounds, centers, buildings, and parking.

6 (70 ILCS 200/70-35); Civic Center Code; Crystal Lake Civic  
7 Center Authority; for grounds, centers, buildings, and  
8 parking.

9 (70 ILCS 200/75-20); Civic Center Code; Decatur Metropolitan  
10 Exposition, Auditorium and Office Building Authority; for  
11 grounds, centers, buildings, and parking.

12 (70 ILCS 200/80-15); Civic Center Code; DuPage County  
13 Metropolitan Exposition, Auditorium and Office Building  
14 Authority; for grounds, centers, buildings, and parking.

15 (70 ILCS 200/85-35); Civic Center Code; Elgin Metropolitan  
16 Exposition, Auditorium and Office Building Authority; for  
17 grounds, centers, buildings, and parking.

18 (70 ILCS 200/95-25); Civic Center Code; Herrin Metropolitan  
19 Exposition, Auditorium and Office Building Authority; for  
20 grounds, centers, buildings, and parking.

21 (70 ILCS 200/110-35); Civic Center Code; Illinois Valley Civic  
22 Center Authority; for grounds, centers, buildings, and  
23 parking.

24 (70 ILCS 200/115-35); Civic Center Code; Jasper County Civic  
25 Center Authority; for grounds, centers, buildings, and  
26 parking.

1 (70 ILCS 200/120-25); Civic Center Code; Jefferson County  
2 Metropolitan Exposition, Auditorium and Office Building  
3 Authority; for grounds, centers, buildings, and parking.

4 (70 ILCS 200/125-15); Civic Center Code; Jo Daviess County  
5 Civic Center Authority; for grounds, centers, buildings,  
6 and parking.

7 (70 ILCS 200/130-30); Civic Center Code; Katherine Dunham  
8 Metropolitan Exposition, Auditorium and Office Building  
9 Authority; for grounds, centers, buildings, and parking.

10 (70 ILCS 200/145-35); Civic Center Code; Marengo Civic Center  
11 Authority; for grounds, centers, buildings, and parking.

12 (70 ILCS 200/150-35); Civic Center Code; Mason County Civic  
13 Center Authority; for grounds, centers, buildings, and  
14 parking.

15 (70 ILCS 200/155-15); Civic Center Code; Matteson Metropolitan  
16 Civic Center Authority; for grounds, centers, buildings,  
17 and parking.

18 (70 ILCS 200/160-35); Civic Center Code; Maywood Civic Center  
19 Authority; for grounds, centers, buildings, and parking.

20 (70 ILCS 200/165-35); Civic Center Code; Melrose Park  
21 Metropolitan Exposition Auditorium and Office Building  
22 Authority; for grounds, centers, buildings, and parking.

23 (70 ILCS 200/170-20); Civic Center Code; certain Metropolitan  
24 Exposition, Auditorium and Office Building Authorities;  
25 for general purposes.

26 (70 ILCS 200/180-35); Civic Center Code; Normal Civic Center

1 Authority; for grounds, centers, buildings, and parking.  
2 (70 ILCS 200/185-15); Civic Center Code; Oak Park Civic Center  
3 Authority; for grounds, centers, buildings, and parking.  
4 (70 ILCS 200/195-35); Civic Center Code; Ottawa Civic Center  
5 Authority; for grounds, centers, buildings, and parking.  
6 (70 ILCS 200/200-15); Civic Center Code; Pekin Civic Center  
7 Authority; for grounds, centers, buildings, and parking.  
8 (70 ILCS 200/205-15); Civic Center Code; Peoria Civic Center  
9 Authority; for grounds, centers, buildings, and parking.  
10 (70 ILCS 200/210-35); Civic Center Code; Pontiac Civic Center  
11 Authority; for grounds, centers, buildings, and parking.  
12 (70 ILCS 200/215-15); Civic Center Code; Illinois Quad City  
13 Civic Center Authority; for grounds, centers, buildings,  
14 and parking.  
15 (70 ILCS 200/220-30); Civic Center Code; Quincy Metropolitan  
16 Exposition, Auditorium and Office Building Authority; for  
17 grounds, centers, buildings, and parking.  
18 (70 ILCS 200/225-35); Civic Center Code; Randolph County Civic  
19 Center Authority; for grounds, centers, buildings, and  
20 parking.  
21 (70 ILCS 200/230-35); Civic Center Code; River Forest  
22 Metropolitan Exposition, Auditorium and Office Building  
23 Authority; for grounds, centers, buildings, and parking.  
24 (70 ILCS 200/235-40); Civic Center Code; Riverside Civic Center  
25 Authority; for grounds, centers, buildings, and parking.  
26 (70 ILCS 200/245-35); Civic Center Code; Salem Civic Center



1 Authority; for grounds, centers, buildings, and parking.

2 (70 ILCS 200/255-20); Civic Center Code; Springfield  
3 Metropolitan Exposition and Auditorium Authority; for  
4 grounds, centers, and parking.

5 (70 ILCS 200/260-35); Civic Center Code; Sterling Metropolitan  
6 Exposition, Auditorium and Office Building Authority; for  
7 grounds, centers, buildings, and parking.

8 (70 ILCS 200/265-20); Civic Center Code; Vermilion County  
9 Metropolitan Exposition, Auditorium and Office Building  
10 Authority; for grounds, centers, buildings, and parking.

11 (70 ILCS 200/270-35); Civic Center Code; Waukegan Civic Center  
12 Authority; for grounds, centers, buildings, and parking.

13 (70 ILCS 200/275-35); Civic Center Code; West Frankfort Civic  
14 Center Authority; for grounds, centers, buildings, and  
15 parking.

16 (70 ILCS 200/280-20); Civic Center Code; Will County  
17 Metropolitan Exposition and Auditorium Authority; for  
18 grounds, centers, and parking.

19 (70 ILCS 210/5); Metropolitan Pier and Exposition Authority  
20 Act; Metropolitan Pier and Exposition Authority; for  
21 general purposes, including quick-take power.

22 (70 ILCS 405/22.04); Soil and Water Conservation Districts Act;  
23 soil and water conservation districts; for general  
24 purposes.

25 (70 ILCS 410/10 and 410/12); Conservation District Act;  
26 conservation districts; for open space, wildland, scenic

1 roadway, pathway, outdoor recreation, or other  
2 conservation benefits.

3 (70 ILCS 503/25); Chanute-Rantoul National Aviation Center  
4 Redevelopment Commission Act; Chanute-Rantoul National  
5 Aviation Center Redevelopment Commission; for general  
6 purposes.

7 (70 ILCS 507/15); Fort Sheridan Redevelopment Commission Act;  
8 Fort Sheridan Redevelopment Commission; for general  
9 purposes or to carry out comprehensive or redevelopment  
10 plans.

11 (70 ILCS 520/8); Southwestern Illinois Development Authority  
12 Act; Southwestern Illinois Development Authority; for  
13 general purposes, including quick-take power.

14 (70 ILCS 605/4-17 and 605/5-7); Illinois Drainage Code;  
15 drainage districts; for general purposes.

16 (70 ILCS 615/5 and 615/6); Chicago Drainage District Act;  
17 corporate authorities; for construction and maintenance of  
18 works.

19 (70 ILCS 705/10); Fire Protection District Act; fire protection  
20 districts; for general purposes.

21 (70 ILCS 750/20); Flood Prevention District Act; flood  
22 prevention districts; for general purposes.

23 (70 ILCS 805/6); Downstate Forest Preserve District Act;  
24 certain forest preserve districts; for general purposes.

25 (70 ILCS 805/18.8); Downstate Forest Preserve District Act;  
26 certain forest preserve districts; for recreational and

1 cultural facilities.

2 (70 ILCS 810/8); Cook County Forest Preserve District Act;  
3 Forest Preserve District of Cook County; for general  
4 purposes.

5 (70 ILCS 810/38); Cook County Forest Preserve District Act;  
6 Forest Preserve District of Cook County; for recreational  
7 facilities.

8 (70 ILCS 910/15 and 910/16); Hospital District Law; hospital  
9 districts; for hospitals or hospital facilities.

10 (70 ILCS 915/3); Illinois Medical District Act; Illinois  
11 Medical District Commission; for general purposes.

12 (70 ILCS 915/4.5); Illinois Medical District Act; Illinois  
13 Medical District Commission; quick-take power for the  
14 Illinois State Police Forensic Science Laboratory  
15 (obsolete).

16 (70 ILCS 920/5); Tuberculosis Sanitarium District Act;  
17 tuberculosis sanitarium districts; for tuberculosis  
18 sanitariums.

19 (70 ILCS 925/20); Mid-Illinois Medical District Act;  
20 Mid-Illinois Medical District; for general purposes.

21 (70 ILCS 930/20); Mid-America Medical District Act;  
22 Mid-America Medical District Commission; for general  
23 purposes.

24 (70 ILCS 935/20); Roseland Community Medical District Act;  
25 medical district; for general purposes.

26 (70 ILCS 1005/7); Mosquito Abatement District Act; mosquito

1 abatement districts; for general purposes.

2 (70 ILCS 1105/8); Museum District Act; museum districts; for  
3 general purposes.

4 (70 ILCS 1205/7-1); Park District Code; park districts; for  
5 streets and other purposes.

6 (70 ILCS 1205/8-1); Park District Code; park districts; for  
7 parks.

8 (70 ILCS 1205/9-2 and 1205/9-4); Park District Code; park  
9 districts; for airports and landing fields.

10 (70 ILCS 1205/11-2 and 1205/11-3); Park District Code; park  
11 districts; for State land abutting public water and certain  
12 access rights.

13 (70 ILCS 1205/11.1-3); Park District Code; park districts; for  
14 harbors.

15 (70 ILCS 1225/2); Park Commissioners Land Condemnation Act;  
16 park districts; for street widening.

17 (70 ILCS 1230/1 and 1230/1-a); Park Commissioners Water Control  
18 Act; park districts; for parks, boulevards, driveways,  
19 parkways, viaducts, bridges, or tunnels.

20 (70 ILCS 1250/2); Park Commissioners Street Control (1889) Act;  
21 park districts; for boulevards or driveways.

22 (70 ILCS 1290/1); Park District Aquarium and Museum Act;  
23 municipalities or park districts; for aquariums or  
24 museums.

25 (70 ILCS 1305/2); Park District Airport Zoning Act; park  
26 districts; for restriction of the height of structures.

1 (70 ILCS 1310/5); Park District Elevated Highway Act; park  
2 districts; for elevated highways.

3 (70 ILCS 1505/15); Chicago Park District Act; Chicago Park  
4 District; for parks and other purposes.

5 (70 ILCS 1505/25.1); Chicago Park District Act; Chicago Park  
6 District; for parking lots or garages.

7 (70 ILCS 1505/26.3); Chicago Park District Act; Chicago Park  
8 District; for harbors.

9 (70 ILCS 1570/5); Lincoln Park Commissioners Land Condemnation  
10 Act; Lincoln Park Commissioners; for land and interests in  
11 land, including riparian rights.

12 (70 ILCS 1801/30); Alexander-Cairo Port District Act;  
13 Alexander-Cairo Port District; for general purposes.

14 (70 ILCS 1805/8); Havana Regional Port District Act; Havana  
15 Regional Port District; for general purposes.

16 (70 ILCS 1810/7); Illinois International Port District Act;  
17 Illinois International Port District; for general  
18 purposes.

19 (70 ILCS 1815/13); Illinois Valley Regional Port District Act;  
20 Illinois Valley Regional Port District; for general  
21 purposes.

22 (70 ILCS 1820/4); Jackson-Union Counties Regional Port  
23 District Act; Jackson-Union Counties Regional Port  
24 District; for removal of airport hazards or reduction of  
25 the height of objects or structures.

26 (70 ILCS 1820/5); Jackson-Union Counties Regional Port

1 District Act; Jackson-Union Counties Regional Port  
2 District; for general purposes.

3 (70 ILCS 1825/4.9); Joliet Regional Port District Act; Joliet  
4 Regional Port District; for removal of airport hazards.

5 (70 ILCS 1825/4.10); Joliet Regional Port District Act; Joliet  
6 Regional Port District; for reduction of the height of  
7 objects or structures.

8 (70 ILCS 1825/4.18); Joliet Regional Port District Act; Joliet  
9 Regional Port District; for removal of hazards from ports  
10 and terminals.

11 (70 ILCS 1825/5); Joliet Regional Port District Act; Joliet  
12 Regional Port District; for general purposes.

13 (70 ILCS 1830/7.1); Kaskaskia Regional Port District Act;  
14 Kaskaskia Regional Port District; for removal of hazards  
15 from ports and terminals.

16 (70 ILCS 1830/14); Kaskaskia Regional Port District Act;  
17 Kaskaskia Regional Port District; for general purposes.

18 (70 ILCS 1831/30); Massac-Metropolis Port District Act;  
19 Massac-Metropolis Port District; for general purposes.

20 (70 ILCS 1835/5.10); Mt. Carmel Regional Port District Act; Mt.  
21 Carmel Regional Port District; for removal of airport  
22 hazards.

23 (70 ILCS 1835/5.11); Mt. Carmel Regional Port District Act; Mt.  
24 Carmel Regional Port District; for reduction of the height  
25 of objects or structures.

26 (70 ILCS 1835/6); Mt. Carmel Regional Port District Act; Mt.

1 Carmel Regional Port District; for general purposes.  
2 (70 ILCS 1837/30); Ottawa Port District Act; Ottawa Port  
3 District; for general purposes.  
4 (70 ILCS 1845/4.9); Seneca Regional Port District Act; Seneca  
5 Regional Port District; for removal of airport hazards.  
6 (70 ILCS 1845/4.10); Seneca Regional Port District Act; Seneca  
7 Regional Port District; for reduction of the height of  
8 objects or structures.  
9 (70 ILCS 1845/5); Seneca Regional Port District Act; Seneca  
10 Regional Port District; for general purposes.  
11 (70 ILCS 1850/4); Shawneetown Regional Port District Act;  
12 Shawneetown Regional Port District; for removal of airport  
13 hazards or reduction of the height of objects or  
14 structures.  
15 (70 ILCS 1850/5); Shawneetown Regional Port District Act;  
16 Shawneetown Regional Port District; for general purposes.  
17 (70 ILCS 1855/4); Southwest Regional Port District Act;  
18 Southwest Regional Port District; for removal of airport  
19 hazards or reduction of the height of objects or  
20 structures.  
21 (70 ILCS 1855/5); Southwest Regional Port District Act;  
22 Southwest Regional Port District; for general purposes.  
23 (70 ILCS 1860/4); Tri-City Regional Port District Act; Tri-City  
24 Regional Port District; for removal of airport hazards.  
25 (70 ILCS 1860/5); Tri-City Regional Port District Act; Tri-City  
26 Regional Port District; for the development of facilities.

1 (70 ILCS 1863/11); Upper Mississippi River International Port  
2 District Act; Upper Mississippi River International Port  
3 District; for general purposes.

4 (70 ILCS 1865/4.9); Waukegan Port District Act; Waukegan Port  
5 District; for removal of airport hazards.

6 (70 ILCS 1865/4.10); Waukegan Port District Act; Waukegan Port  
7 District; for restricting the height of objects or  
8 structures.

9 (70 ILCS 1865/5); Waukegan Port District Act; Waukegan Port  
10 District; for the development of facilities.

11 (70 ILCS 1870/8); White County Port District Act; White County  
12 Port District; for the development of facilities.

13 (70 ILCS 1905/16); Railroad Terminal Authority Act; Railroad  
14 Terminal Authority (Chicago); for general purposes.

15 (70 ILCS 1915/25); Grand Avenue Railroad Relocation Authority  
16 Act; Grand Avenue Railroad Relocation Authority; for  
17 general purposes, including quick-take power (now  
18 obsolete).

19 (70 ILCS 1935/25); Elmwood Park Grade Separation Authority Act;  
20 Elmwood Park Grade Separation Authority; for general  
21 purposes.

22 (70 ILCS 2105/9b); River Conservancy Districts Act; river  
23 conservancy districts; for general purposes.

24 (70 ILCS 2105/10a); River Conservancy Districts Act; river  
25 conservancy districts; for corporate purposes.

26 (70 ILCS 2205/15); Sanitary District Act of 1907; sanitary



1 districts; for corporate purposes.

2 (70 ILCS 2205/18); Sanitary District Act of 1907; sanitary  
3 districts; for improvements and works.

4 (70 ILCS 2205/19); Sanitary District Act of 1907; sanitary  
5 districts; for access to property.

6 (70 ILCS 2305/8); North Shore Water Reclamation ~~Sanitary~~  
7 District Act; North Shore Water Reclamation ~~Sanitary~~  
8 District; for corporate purposes.

9 (70 ILCS 2305/15); North Shore Water Reclamation ~~Sanitary~~  
10 District Act; North Shore Water Reclamation ~~Sanitary~~  
11 District; for improvements.

12 (70 ILCS 2405/7.9); Sanitary District Act of 1917; Sanitary  
13 District of Decatur; for carrying out agreements to sell,  
14 convey, or disburse treated wastewater to a private entity.

15 (70 ILCS 2405/8); Sanitary District Act of 1917; sanitary  
16 districts; for corporate purposes.

17 (70 ILCS 2405/15); Sanitary District Act of 1917; sanitary  
18 districts; for improvements.

19 (70 ILCS 2405/16.9 and 2405/16.10); Sanitary District Act of  
20 1917; sanitary districts; for waterworks.

21 (70 ILCS 2405/17.2); Sanitary District Act of 1917; sanitary  
22 districts; for public sewer and water utility treatment  
23 works.

24 (70 ILCS 2405/18); Sanitary District Act of 1917; sanitary  
25 districts; for dams or other structures to regulate water  
26 flow.

1 (70 ILCS 2605/8); Metropolitan Water Reclamation District Act;  
2 Metropolitan Water Reclamation District; for corporate  
3 purposes.

4 (70 ILCS 2605/16); Metropolitan Water Reclamation District  
5 Act; Metropolitan Water Reclamation District; quick-take  
6 power for improvements.

7 (70 ILCS 2605/17); Metropolitan Water Reclamation District  
8 Act; Metropolitan Water Reclamation District; for bridges.

9 (70 ILCS 2605/35); Metropolitan Water Reclamation District  
10 Act; Metropolitan Water Reclamation District; for widening  
11 and deepening a navigable stream.

12 (70 ILCS 2805/10); Sanitary District Act of 1936; sanitary  
13 districts; for corporate purposes.

14 (70 ILCS 2805/24); Sanitary District Act of 1936; sanitary  
15 districts; for improvements.

16 (70 ILCS 2805/26i and 2805/26j); Sanitary District Act of 1936;  
17 sanitary districts; for drainage systems.

18 (70 ILCS 2805/27); Sanitary District Act of 1936; sanitary  
19 districts; for dams or other structures to regulate water  
20 flow.

21 (70 ILCS 2805/32k); Sanitary District Act of 1936; sanitary  
22 districts; for water supply.

23 (70 ILCS 2805/32l); Sanitary District Act of 1936; sanitary  
24 districts; for waterworks.

25 (70 ILCS 2905/2-7); Metro-East Sanitary District Act of 1974;  
26 Metro-East Sanitary District; for corporate purposes.

1 (70 ILCS 2905/2-8); Metro-East Sanitary District Act of 1974;  
2 Metro-East Sanitary District; for access to property.

3 (70 ILCS 3010/10); Sanitary District Revenue Bond Act; sanitary  
4 districts; for sewerage systems.

5 (70 ILCS 3205/12); Illinois Sports Facilities Authority Act;  
6 Illinois Sports Facilities Authority; quick-take power for  
7 its corporate purposes (obsolete).

8 (70 ILCS 3405/16); Surface Water Protection District Act;  
9 surface water protection districts; for corporate  
10 purposes.

11 (70 ILCS 3605/7); Metropolitan Transit Authority Act; Chicago  
12 Transit Authority; for transportation systems.

13 (70 ILCS 3605/8); Metropolitan Transit Authority Act; Chicago  
14 Transit Authority; for general purposes.

15 (70 ILCS 3605/10); Metropolitan Transit Authority Act; Chicago  
16 Transit Authority; for general purposes, including  
17 railroad property.

18 (70 ILCS 3610/3 and 3610/5); Local Mass Transit District Act;  
19 local mass transit districts; for general purposes.

20 (70 ILCS 3615/2.13); Regional Transportation Authority Act;  
21 Regional Transportation Authority; for general purposes.

22 (70 ILCS 3705/8 and 3705/12); Public Water District Act; public  
23 water districts; for waterworks.

24 (70 ILCS 3705/23a); Public Water District Act; public water  
25 districts; for sewerage properties.

26 (70 ILCS 3705/23e); Public Water District Act; public water

1 districts; for combined waterworks and sewerage systems.  
2 (70 ILCS 3715/6); Water Authorities Act; water authorities; for  
3 facilities to ensure adequate water supply.  
4 (70 ILCS 3715/27); Water Authorities Act; water authorities;  
5 for access to property.  
6 (75 ILCS 5/4-7); Illinois Local Library Act; boards of library  
7 trustees; for library buildings.  
8 (75 ILCS 16/30-55.80); Public Library District Act of 1991;  
9 public library districts; for general purposes.  
10 (75 ILCS 65/1 and 65/3); Libraries in Parks Act; corporate  
11 authorities of city or park district, or board of park  
12 commissioners; for free public library buildings.  
13 (Source: P.A. 97-333, eff. 8-12-11; 97-813, eff. 7-13-12;  
14 incorporates 98-564, eff. 8-27-13; 98-756, eff. 7-16-14.)

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.