

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 Conservation District Act is amended by
5 changing Section 6 as follows:

6 (70 ILCS 410/6) (from Ch. 96 1/2, par. 7106)

7 Sec. 6. Officers and employees. As soon as possible after
8 the initial election or the initial appointments, as the case
9 may be, the trustees shall organize by selecting from their
10 members a president, secretary, treasurer, and other officers
11 as are deemed necessary, who shall hold office for 2 years in
12 the case of an elected board, or the fiscal year in which
13 elected in the case of an appointed board, and until their
14 successors are selected and qualify. Three trustees shall
15 constitute a quorum of the board for the transaction of
16 business if the district has 5 trustees. If the district has 7
17 trustees, 4 trustees shall constitute a quorum of the board for
18 the transaction of business. The board shall hold regular
19 monthly meetings. Special meetings may be called by the
20 president and shall be called on the request of a majority of
21 members, as may be required.

22 The board shall provide for the proper and safe keeping of
23 its permanent records and for the recording of the corporate

1 action of the district. It shall keep a proper system of
2 accounts showing a true and accurate record of its receipts and
3 disbursements, and it shall cause an annual audit to be made of
4 its books, records, and accounts.

5 The records of the district shall be subject to public
6 inspection at all reasonable hours and under regulations as the
7 board may prescribe.

8 The district shall annually make a full and complete report
9 to the county board of each county within the district and to
10 the Department of Natural Resources of its transactions and
11 operations for the preceding year. The report shall contain a
12 full statement of its receipts, disbursements, and the program
13 of work for the period covered, and may include recommendations
14 as may be deemed advisable.

15 Executive or ministerial duties may be delegated to one or
16 more trustees or to an authorized officer, employee, agent,
17 attorney, or other representative of the district.

18 All officers and employees authorized to receive or retain
19 the custody of money or to sign vouchers, checks, warrants, or
20 evidences of indebtedness binding upon the district shall
21 furnish surety bond for the faithful performance of their
22 duties and the faithful accounting for all moneys that may come
23 into their hands in an amount to be fixed and in a form to be
24 approved by the board.

25 All contracts for supplies, material, or work involving an
26 expenditure in excess of \$25,000 ~~\$20,000~~ shall be let to the

1 lowest responsible bidder, after due advertisement, excepting
2 work requiring personal confidence or necessary supplies under
3 the control of monopolies, where competitive bidding is
4 impossible. All contracts for supplies, material, or work shall
5 be signed by the president of the board and by any other
6 officer as the board in its discretion may designate.

7 (Source: P.A. 94-454, eff. 8-4-05; 95-54, eff. 8-10-07.)

8 Section 10. The Downstate Forest Preserve District Act is
9 amended by changing Section 8 as follows:

10 (70 ILCS 805/8) (from Ch. 96 1/2, par. 6315)

11 Sec. 8. Powers and duties of corporate authority and
12 officers; contracts; salaries.

13 (a) The board shall be the corporate authority of such
14 forest preserve district and shall have power to pass and
15 enforce all necessary ordinances, rules and regulations for the
16 management of the property and conduct of the business of such
17 district. The president of such board shall have power to
18 appoint such employees as may be necessary. In counties with
19 population of less than 3,000,000, within 60 days after their
20 selection the commissioners appointed under the provisions of
21 Section 3a of this Act shall organize by selecting from their
22 members a president, secretary, treasurer and such other
23 officers as are deemed necessary who shall hold office for the
24 fiscal year in which elected and until their successors are

1 selected and qualify. In the one district in existence on July
2 1, 1977, that is managed by an appointed board of
3 commissioners, the incumbent president and the other officers
4 appointed in the manner as originally prescribed in this Act
5 shall hold such offices until the completion of their
6 respective terms or in the case of the officers other than
7 president until their successors are appointed by said
8 president, but in all cases not to extend beyond January 1,
9 1980 and until their successors are selected and qualify.
10 Thereafter, the officers shall be selected in the manner as
11 prescribed in this Section except that their first term of
12 office shall not expire until June 30, 1981 and until their
13 successors are selected and qualify.

14 (b) In any county, city, village, incorporated town or
15 sanitary district where the corporate authorities act as the
16 governing body of a forest preserve district, the person
17 exercising the powers of the president of the board shall have
18 power to appoint a secretary and an assistant secretary and
19 treasurer and an assistant treasurer and such other officers
20 and such employees as may be necessary. The assistant secretary
21 and assistant treasurer shall perform the duties of the
22 secretary and treasurer, respectively in case of death of such
23 officers or when such officers are unable to perform the duties
24 of their respective offices. All contracts for supplies,
25 material or work involving an expenditure in excess of \$25,000
26 ~~\$20,000~~ shall be let to the lowest responsible bidder, after

1 advertising at least once in one or more newspapers of general
2 circulation within the district, excepting work requiring
3 personal confidence or necessary supplies under the control of
4 monopolies, where competitive bidding is impossible. Contracts
5 for supplies, material or work involving an expenditure of
6 \$25,000 ~~\$20,000~~ or less may be let without advertising for
7 bids, but whenever practicable, at least 3 competitive bids
8 shall be obtained before letting such contract. All contracts
9 for supplies, material or work shall be signed by the president
10 of the board of commissioners or by any such other officer as
11 the board in its discretion may designate.

12 (c) The president of any board of commissioners appointed
13 under the provisions of Section 3a of this Act shall receive a
14 salary not to exceed the sum of \$2500 per annum and the salary
15 of other members of the board so appointed shall not exceed
16 \$1500 per annum. Salaries of the commissioners, officers and
17 employees shall be fixed by ordinance.

18 (d) Whenever a forest preserve district owns any personal
19 property that, in the opinion of three-fifths of the members of
20 the board of commissioners, is no longer necessary, useful to,
21 or for the best interests of the forest preserve district, then
22 three-fifths of the members of the board, at any regular
23 meeting or any special meeting called for that purpose by an
24 ordinance or resolution that includes a general description of
25 the personal property, may authorize the conveyance or sale of
26 that personal property in any manner that they may designate,

1 with or without advertising the sale.

2 (Source: P.A. 97-851, eff. 7-26-12; 98-463, eff. 8-16-13.)

3 Section 15. The Park District Code is amended by changing
4 Section 8-1 as follows:

5 (70 ILCS 1205/8-1) (from Ch. 105, par. 8-1)

6 Sec. 8-1. General corporate powers. Every park district
7 shall, from the time of its organization, be a body corporate
8 and politic by the name set forth in the petition for its
9 organization, the specific name set forth in this Code, or the
10 name it may adopt under Section 8-9 and shall have and exercise
11 the following powers:

12 (a) To adopt a corporate seal and alter the same at
13 pleasure; to sue and be sued; and to contract in furtherance of
14 any of its corporate purposes.

15 (b) (1) To acquire by gift, legacy, grant or purchase, or
16 by condemnation in the manner provided for the exercise of the
17 power of eminent domain under the Eminent Domain Act, any and
18 all real estate, or rights therein necessary for building,
19 laying out, extending, adorning and maintaining any such parks,
20 boulevards and driveways, or for effecting any of the powers or
21 purposes granted under this Code as its board may deem proper,
22 whether such lands be located within or without such district;
23 but no park district, except as provided in paragraph (2) of
24 this subsection, shall have any power of condemnation in the

1 manner provided for the exercise of the power of eminent domain
2 under the Eminent Domain Act or otherwise as to any real
3 estate, lands, riparian rights or estate, or other property
4 situated outside of such district, but shall only have power to
5 acquire the same by gift, legacy, grant or purchase, and such
6 district shall have the same control of and power over lands so
7 acquired without the district as over parks, boulevards and
8 driveways within such district.

9 (2) In addition to the powers granted in paragraph (1) of
10 subsection (b), a park district located in more than one
11 county, the majority of its territory located in a county over
12 450,000 in population and none of its territory located in a
13 county over 1,000,000 in population, shall have condemnation
14 power in the manner provided for the exercise of the power of
15 eminent domain under the Eminent Domain Act or as otherwise
16 granted by law as to any and all real estate situated up to one
17 mile outside of such district which is not within the
18 boundaries of another park district.

19 (c) To acquire by gift, legacy or purchase any personal
20 property necessary for its corporate purposes provided that all
21 contracts for supplies, materials or work involving an
22 expenditure in excess of \$25,000 ~~\$20,000~~ shall be let to the
23 lowest responsible bidder after due advertisement. No district
24 shall be required to accept a bid that does not meet the
25 district's established specifications, terms of delivery,
26 quality, and serviceability requirements. Contracts which, by

1 their nature, are not adapted to award by competitive bidding,
2 such as contracts for the services of individuals possessing a
3 high degree of professional skill where the ability or fitness
4 of the individual plays an important part, contracts for the
5 printing of finance committee reports and departmental
6 reports, contracts for the printing or engraving of bonds, tax
7 warrants and other evidences of indebtedness, contracts for
8 utility services such as water, light, heat, telephone or
9 telegraph, contracts for the use, purchase, delivery,
10 movement, or installation of data processing equipment,
11 software, or services and telecommunications and interconnect
12 equipment, software, or services, contracts for duplicating
13 machines and supplies, contracts for goods or services procured
14 from another governmental agency, purchases of equipment
15 previously owned by some entity other than the district itself,
16 and contracts for the purchase of magazines, books,
17 periodicals, pamphlets and reports are not subject to
18 competitive bidding. Contracts for emergency expenditures are
19 also exempt from competitive bidding when the emergency
20 expenditure is approved by 3/4 of the members of the board.

21 All competitive bids for contracts involving an
22 expenditure in excess of \$25,000 ~~\$20,000~~ must be sealed by the
23 bidder and must be opened by a member or employee of the park
24 board at a public bid opening at which the contents of the bids
25 must be announced. Each bidder must receive at least 3 days
26 notice of the time and place of the bid opening.

1 For purposes of this subsection, "due advertisement"
2 includes, but is not limited to, at least one public notice at
3 least 10 days before the bid date in a newspaper published in
4 the district or, if no newspaper is published in the district,
5 in a newspaper of general circulation in the area of the
6 district.

7 (d) To pass all necessary ordinances, rules and regulations
8 for the proper management and conduct of the business of the
9 board and district and to establish by ordinance all needful
10 rules and regulations for the government and protection of
11 parks, boulevards and driveways and other property under its
12 jurisdiction, and to effect the objects for which such
13 districts are formed.

14 (e) To prescribe such fines and penalties for the violation
15 of ordinances as it shall deem proper not exceeding \$1,000 for
16 any one offense, which fines and penalties may be recovered by
17 an action in the name of such district in the circuit court for
18 the county in which such violation occurred. The park district
19 may also seek in the action, in addition to or instead of fines
20 and penalties, an order that the offender be required to make
21 restitution for damage resulting from violations, and the court
22 shall grant such relief where appropriate. The procedure in
23 such actions shall be the same as that provided by law for like
24 actions for the violation of ordinances in cities organized
25 under the general laws of this State, and offenders may be
26 imprisoned for non-payment of fines and costs in the same

1 manner as in such cities. All fines when collected shall be
2 paid into the treasury of such district.

3 (f) To manage and control all officers and property of such
4 districts and to provide for joint ownership with one or more
5 cities, villages or incorporated towns of real and personal
6 property used for park purposes by one or more park districts.
7 In case of joint ownership, the terms of the agreement shall be
8 fair, just and equitable to all parties and shall be set forth
9 in a written agreement entered into by the corporate
10 authorities of each participating district, city, village or
11 incorporated town.

12 (g) To secure grants and loans, or either, from the United
13 States Government, or any agency or agencies thereof, for
14 financing the acquisition or purchase of any and all real
15 estate, or rights therein, or for effecting any of the powers
16 or purposes granted under this Code as its Board may deem
17 proper.

18 (h) To establish fees for the use of facilities and
19 recreational programs of the districts and to derive revenue
20 from non-resident fees from their operations. Fees charged
21 non-residents of such district need not be the same as fees
22 charged to residents of the district. Charging fees or deriving
23 revenue from the facilities and recreational programs shall not
24 affect the right to assert or utilize any defense or immunity,
25 common law or statutory, available to the districts or their
26 employees.

1 (i) To make contracts for a term exceeding one year, but
2 not to exceed 3 years, notwithstanding any provision of this
3 Code to the contrary, relating to: (1) the employment of a park
4 director, superintendent, administrator, engineer, health
5 officer, land planner, finance director, attorney, police
6 chief, or other officer who requires technical training or
7 knowledge; (2) the employment of outside professional
8 consultants such as engineers, doctors, land planners,
9 auditors, attorneys, or other professional consultants who
10 require technical training or knowledge; (3) the provision of
11 data processing equipment and services; and (4) the purchase of
12 energy from a utility or an alternative retail electric
13 supplier. With respect to any contract made under this
14 subsection (i), the corporate authorities shall include in the
15 annual appropriation ordinance for each fiscal year an
16 appropriation of a sum of money sufficient to pay the amount
17 which, by the terms of the contract, is to become due and
18 payable during that fiscal year.

19 (j) To enter into licensing or management agreements with
20 not-for-profit corporations organized under the laws of this
21 State to operate park district facilities if the corporation
22 covenants to use the facilities to provide public park or
23 recreational programs for youth.

24 (Source: P.A. 98-325, eff. 8-12-13; 98-772, eff. 7-16-14.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.