

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, or a lower amount if required

1 by board policy, \$20,000 shall be let to the lowest responsible
2 bidder, after due advertisement, excepting work requiring
3 personal confidence or necessary supplies under the control of
4 monopolies, where competitive bidding is impossible. All
5 contracts for supplies, material, or work shall be signed by
6 the president of the board and by any other officer as the
7 board in its discretion may designate.

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

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

11 (70 ILCS 805/8) (from Ch. 96 1/2, par. 6315)

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

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

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

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

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

15 (c) The president of any board of commissioners appointed
16 under the provisions of Section 3a of this Act shall receive a
17 salary not to exceed the sum of \$2500 per annum and the salary
18 of other members of the board so appointed shall not exceed
19 \$1500 per annum. Salaries of the commissioners, officers and
20 employees shall be fixed by ordinance.

21 (d) Whenever a forest preserve district owns any personal
22 property that, in the opinion of three-fifths of the members of
23 the board of commissioners, is no longer necessary, useful to,
24 or for the best interests of the forest preserve district, then
25 three-fifths of the members of the board, at any regular
26 meeting or any special meeting called for that purpose by an

1 ordinance or resolution that includes a general description of
2 the personal property, may authorize the conveyance or sale of
3 that personal property in any manner that they may designate,
4 with or without advertising the sale.

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

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

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

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

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

18 (b) (1) To acquire by gift, legacy, grant or purchase, or
19 by condemnation in the manner provided for the exercise of the
20 power of eminent domain under the Eminent Domain Act, any and
21 all real estate, or rights therein necessary for building,
22 laying out, extending, adorning and maintaining any such parks,
23 boulevards and driveways, or for effecting any of the powers or
24 purposes granted under this Code as its board may deem proper,

1 whether such lands be located within or without such district;
2 but no park district, except as provided in paragraph (2) of
3 this subsection, shall have any power of condemnation in the
4 manner provided for the exercise of the power of eminent domain
5 under the Eminent Domain Act or otherwise as to any real
6 estate, lands, riparian rights or estate, or other property
7 situated outside of such district, but shall only have power to
8 acquire the same by gift, legacy, grant or purchase, and such
9 district shall have the same control of and power over lands so
10 acquired without the district as over parks, boulevards and
11 driveways within such district.

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

22 (c) To acquire by gift, legacy or purchase any personal
23 property necessary for its corporate purposes provided that all
24 contracts for supplies, materials or work involving an
25 expenditure in excess of \$25,000, or a lower amount if required
26 by board policy, ~~\$20,000~~ shall be let to the lowest responsible

1 bidder after due advertisement. No district shall be required
2 to accept a bid that does not meet the district's established
3 specifications, terms of delivery, quality, and serviceability
4 requirements. Contracts which, by their nature, are not adapted
5 to award by competitive bidding, such as contracts for the
6 services of individuals possessing a high degree of
7 professional skill where the ability or fitness of the
8 individual plays an important part, contracts for the printing
9 of finance committee reports and departmental reports,
10 contracts for the printing or engraving of bonds, tax warrants
11 and other evidences of indebtedness, contracts for utility
12 services such as water, light, heat, telephone or telegraph,
13 contracts for the use, purchase, delivery, movement, or
14 installation of data processing equipment, software, or
15 services and telecommunications and interconnect equipment,
16 software, or services, contracts for duplicating machines and
17 supplies, contracts for goods or services procured from another
18 governmental agency, purchases of equipment previously owned
19 by some entity other than the district itself, and contracts
20 for the purchase of magazines, books, periodicals, pamphlets
21 and reports are not subject to competitive bidding. Contracts
22 for emergency expenditures are also exempt from competitive
23 bidding when the emergency expenditure is approved by 3/4 of
24 the members of the board.

25 All competitive bids for contracts involving an
26 expenditure in excess of \$25,000, or a lower amount if required

1 by board policy, ~~\$20,000~~ must be sealed by the bidder and must
2 be opened by a member or employee of the park board at a public
3 bid opening at which the contents of the bids must be
4 announced. Each bidder must receive at least 3 days notice of
5 the time and place of the bid opening.

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

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

19 (e) To prescribe such fines and penalties for the violation
20 of ordinances as it shall deem proper not exceeding \$1,000 for
21 any one offense, which fines and penalties may be recovered by
22 an action in the name of such district in the circuit court for
23 the county in which such violation occurred. The park district
24 may also seek in the action, in addition to or instead of fines
25 and penalties, an order that the offender be required to make
26 restitution for damage resulting from violations, and the court

1 shall grant such relief where appropriate. The procedure in
2 such actions shall be the same as that provided by law for like
3 actions for the violation of ordinances in cities organized
4 under the general laws of this State, and offenders may be
5 imprisoned for non-payment of fines and costs in the same
6 manner as in such cities. All fines when collected shall be
7 paid into the treasury of such district.

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

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

23 (h) To establish fees for the use of facilities and
24 recreational programs of the districts and to derive revenue
25 from non-resident fees from their operations. Fees charged
26 non-residents of such district need not be the same as fees

1 charged to residents of the district. Charging fees or deriving
2 revenue from the facilities and recreational programs shall not
3 affect the right to assert or utilize any defense or immunity,
4 common law or statutory, available to the districts or their
5 employees.

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

24 (j) To enter into licensing or management agreements with
25 not-for-profit corporations organized under the laws of this
26 State to operate park district facilities if the corporation

1 covenants to use the facilities to provide public park or
2 recreational programs for youth.

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

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.