

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 Southwestern Illinois Development Authority
5 Act is amended by changing Sections 4, 5, and 8 as follows:

6 (70 ILCS 520/4) (from Ch. 85, par. 6154)

7 Sec. 4. (a) There is hereby created a political
8 subdivision, body politic and municipal corporation named the
9 Southwestern Illinois Development Authority. The territorial
10 jurisdiction of the Authority is that geographic area within
11 the boundaries of Madison, St. Clair, Bond, ~~and~~ Clinton, and
12 Monroe counties in the State of Illinois and any navigable
13 waters and air space located therein.

14 (b) The governing and administrative powers of the
15 Authority shall be vested in a body consisting of 15 voting ~~14~~
16 members including, as ex officio members, the Director of
17 Commerce and Economic Opportunity, or his or her designee, and
18 the Secretary of Transportation, or his or her designee. The
19 other 13 voting ~~12~~ members of the Authority shall be
20 designated "public members", 6 of whom shall be appointed by
21 the Governor with the advice and consent of the Senate, 2 of
22 whom shall be appointed by the county board chairman of
23 Madison County, 2 of whom shall be appointed by the county

1 board chairman of St. Clair County, one of whom shall be
2 appointed by the county board chairman of Bond County, ~~and~~ one
3 of whom shall be appointed by the county board chairman of
4 Clinton County, and one of whom shall be appointed by the
5 county board chairman of Monroe County. All public members
6 shall reside within the territorial jurisdiction of this Act.
7 Eight voting members shall constitute a quorum. The public
8 members shall be persons of recognized ability and experience
9 in one or more of the following areas: economic development,
10 finance, banking, industrial development, small business
11 management, real estate development, community development,
12 venture finance, organized labor or civic, community or
13 neighborhood organization. The Chairman of the Authority shall
14 be elected by the Board annually from the voting members
15 ~~appointed by the county board chairmen.~~

16 (c) Except as otherwise provided in this subsection, the
17 ~~The~~ terms of all members of the Authority shall begin 30 days
18 after the effective date of this Act. Of the 8 public members
19 initially appointed pursuant to this Act, 3 shall serve until
20 the third Monday in January, 1988, 3 shall serve until the
21 third Monday in January, 1989, and 2 shall serve until the
22 third Monday in January, 1990. The public members initially
23 appointed under this amendatory Act of the 94th General
24 Assembly shall serve until the third Monday in January, 2008.
25 The member initially appointed pursuant to this amendatory Act
26 of the 103rd General Assembly by the county board chairman of

1 Monroe County shall serve until the third Monday in January
2 2026. All successors shall be appointed by the original
3 appointing authority and hold office for a term of 3 years
4 commencing the third Monday in January of the year in which
5 their term commences, except in case of an appointment to fill
6 a vacancy. Vacancies occurring among the public members shall
7 be filled for the remainder of the term. In case of vacancy in
8 a Governor-appointed membership when the Senate is not in
9 session, the Governor may make a temporary appointment until
10 the next meeting of the Senate when a person shall be nominated
11 to fill such office, and any person so nominated who is
12 confirmed by the Senate shall hold office during the remainder
13 of the term and until a successor shall be appointed and
14 qualified. Members of the Authority shall not be entitled to
15 compensation for their services as members but shall be
16 entitled to reimbursement for all necessary expenses incurred
17 in connection with the performance of their duties as members.

18 (d) The Governor may remove any public member of the
19 Authority in case of incompetency, neglect of duty, or
20 malfeasance in office.

21 (e) The Board shall appoint an Executive Director who
22 shall have a background in finance, including familiarity with
23 the legal and procedural requirements of issuing bonds, real
24 estate or economic development and administration. The
25 Executive Director shall hold office at the discretion of the
26 Board. The Executive Director shall be the chief

1 administrative and operational officer of the Authority, shall
2 direct and supervise its administrative affairs and general
3 management, shall perform such other duties as may be
4 prescribed from time to time by the members and shall receive
5 compensation fixed by the Authority. The Executive Director
6 shall attend all meetings of the Authority; however, no action
7 of the Authority shall be invalid on account of the absence of
8 the Executive Director from a meeting. The Authority may
9 engage the services of such other agents and employees,
10 including attorneys, appraisers, engineers, accountants,
11 credit analysts and other consultants, as it may deem
12 advisable and may prescribe their duties and fix their
13 compensation.

14 (f) The Board may, by majority vote, nominate up to 4
15 non-voting members for appointment by the Governor. Non-voting
16 members shall be persons of recognized ability and experience
17 in one or more of the following areas: economic development,
18 finance, banking, industrial development, small business
19 management, real estate development, community development,
20 venture finance, organized labor, or civic, community, or
21 neighborhood organization. Non-voting members shall serve at
22 the pleasure of the Board. All non-voting members may attend
23 meetings of the Board and shall be reimbursed as provided in
24 subsection (c).

25 (g) The Board shall create a task force to study and make
26 recommendations to the Board on the economic development of

1 the city of East St. Louis and on the economic development of
2 the riverfront within the territorial jurisdiction of this
3 Act. The members of the task force shall reside within the
4 territorial jurisdiction of this Act, shall serve at the
5 pleasure of the Board and shall be persons of recognized
6 ability and experience in one or more of the following areas:
7 economic development, finance, banking, industrial
8 development, small business management, real estate
9 development, community development, venture finance, organized
10 labor or civic, community or neighborhood organization. The
11 number of members constituting the task force shall be set by
12 the Board and may vary from time to time. The Board may set a
13 specific date by which the task force is to submit its final
14 report and recommendations to the Board.

15 (Source: P.A. 96-443, eff. 8-14-09.)

16 (70 ILCS 520/5) (from Ch. 85, par. 6155)

17 Sec. 5. All official acts of the Authority shall require
18 the approval of at least 8 voting members. It shall be the duty
19 of the Authority to promote development within the geographic
20 confines of Madison, Bond, Clinton, ~~and~~ St. Clair, and Monroe
21 counties. The Authority shall use the powers herein conferred
22 upon it to assist in the development, construction and
23 acquisition of industrial, commercial, housing or residential
24 projects within Madison, Bond, Clinton, ~~and~~ St. Clair, and
25 Monroe counties.

1 (Source: P.A. 94-1096, eff. 6-1-07.)

2 (70 ILCS 520/8) (from Ch. 85, par. 6158)

3 Sec. 8. (a) The Authority may, but need not, acquire title
4 to any project with respect to which it exercises its
5 authority.

6 (b) The Authority shall have power to acquire by purchase,
7 lease, gift or otherwise any property or rights therein from
8 any person or persons, the State of Illinois, any municipal
9 corporation, any local unit of government, the government of
10 the United States and any agency or instrumentality of the
11 United States, any body politic or any county useful for its
12 purposes, whether improved for the purposes of any prospective
13 project or unimproved. The Authority may also accept any
14 donation of funds for its purposes from any such source. The
15 Authority may acquire any real property, or rights therein,
16 upon condemnation. The acquisition by eminent domain of such
17 real property or any interest therein by the Authority shall
18 be in the manner provided by the Eminent Domain Act, including
19 Article 20 thereof (quick-take power).

20 The Authority shall not exercise any quick-take eminent
21 domain powers granted by State law within the corporate limits
22 of a municipality unless the governing authority of the
23 municipality authorizes the Authority to do so. The Authority
24 shall not exercise any quick-take eminent domain powers
25 granted by State law within the unincorporated areas of a

1 county unless the county board authorizes the Authority to do
2 so.

3 (c) The Authority shall have power to develop, construct
4 and improve, either under its own direction or through
5 collaboration with any approved applicant, or to acquire
6 through purchase or otherwise any project, using for such
7 purpose the proceeds derived from its sale of revenue bonds,
8 notes or other evidences of indebtedness or governmental loans
9 or grants and to hold title in the name of the Authority to
10 such projects.

11 (d) The Authority shall have the power to enter into
12 intergovernmental agreements with the State of Illinois, the
13 counties of Bond, Clinton, Madison, Monroe, and ~~or~~ St. Clair,
14 the Southwest Regional Port District, the Illinois Finance
15 Authority, the Illinois Housing Development Authority, the
16 Metropolitan Pier and Exposition Authority, the United States
17 government and any agency or instrumentality of the United
18 States, the city of East St. Louis, any unit of local
19 government located within the territory of the Authority or
20 any other unit of government to the extent allowed by Article
21 VII, Section 10 of the Illinois Constitution and the
22 Intergovernmental Cooperation Act.

23 (e) The Authority shall have the power to share employees
24 with other units of government, including agencies of the
25 United States, agencies of the State of Illinois and agencies
26 or personnel of any unit of local government.

1 (f) The Authority shall have the power to exercise powers
2 and issue bonds as if it were a municipality so authorized in
3 Divisions 12.1, 74, 74.1, 74.3 and 74.5 of Article 11 of the
4 Illinois Municipal Code.

5 (Source: P.A. 93-205, eff. 1-1-04; 94-1055, eff. 1-1-07.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.