



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB5078

Introduced 2/8/2024, by Rep. Eva-Dina Delgado

#### SYNOPSIS AS INTRODUCED:

70 ILCS 1707/10  
70 ILCS 1707/15  
70 ILCS 1707/25  
70 ILCS 1707/60  
70 ILCS 1707/62  
70 ILCS 1707/63 rep.  
70 ILCS 1707/70 rep.

Amends the Regional Planning Act. Removes provisions relating to the Chicago Metropolitan Agency for Planning's Wastewater Committee. Provides that approval of four-fifths of the Board of the Chicago Metropolitan Agency for Planning members in office is necessary for the Board to take action regarding Agency budget and work plan approval, regional plan approval, annual federally funded program approval, legislative agenda approval, and approval of any matter regarding the executive director, but action on all other matters shall be taken in accordance with the Board's bylaws. Provides that the Board shall continue directly involving local elected officials in federal program allocation decisions for any other federally suballocated funding as required by law (rather than only directly involving local elected officials in federal program allocation decisions for the Surface Transportation Program and Congestion Mitigation and Air Quality funds). Repeals provisions relating to succession and transfers related to the Northeastern Illinois Planning Commission and a transition period of the Board. Provides that each General Assembly shall appropriate dedicated funding to the Chicago Metropolitan Agency for Planning to fulfill those functions and programs authorized by the Act (rather than additional funding shall be provided to the Agency to support those functions and programs authorized by the Act). Makes other changes.

LRB103 38280 AWJ 68415 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 Regional Planning Act is amended by  
5 changing Sections 10, 15, 25, 60, and 62 as follows:

6 (70 ILCS 1707/10)

7 Sec. 10. Definitions.

8 "Board" means the Board of the Chicago Metropolitan Agency  
9 for Planning.

10 "CMAP" means the Chicago Metropolitan Agency for Planning.

11 "Chief elected county official" means the Board Chair  
12 ~~Chairman~~ in DuPage, Kane, Kendall, Lake, and McHenry Counties  
13 and the County Executive in Will County.

14 "Fiscal year" means the fiscal year of the State.

15 "IDOT" means the Illinois Department of Transportation.

16 "MPO" means the metropolitan planning organization  
17 designated under 23 U.S.C. 134.

18 "Members" means the members of the Board.

19 "Person" means an individual, partnership, firm, public or  
20 private corporation, State agency, transportation agency, or  
21 unit of local government.

22 "Policy Committee" means the decision-making body of the  
23 MPO.

1 "Region" or "northeastern Illinois region" means Cook,  
2 DuPage, Kane, Kendall, Lake, McHenry, and Will Counties.

3 "State agency" means "agency" as defined in Section 1-20  
4 of the Illinois Administrative Procedure Act.

5 "Transportation agency" means the Regional Transportation  
6 Authority and its Service Boards; the Illinois Toll Highway  
7 Authority; the Illinois Department of Transportation; and the  
8 transportation functions of units of local government.

9 "Unit of local government" means a unit of local  
10 government, as defined in Section 1 of Article VII of the  
11 Illinois Constitution, that is located within the jurisdiction  
12 and area of operation of the Board.

13 "USDOT" means the United States Department of  
14 Transportation.

15 (Source: P.A. 94-510, eff. 8-9-05; 95-677, eff. 10-11-07.)

16 (70 ILCS 1707/15)

17 Sec. 15. Chicago Metropolitan Agency for Planning;  
18 structure.

19 (a) The Chicago Metropolitan Agency for Planning is  
20 established as a political subdivision, body politic, and  
21 municipal corporation. The Board shall be responsible for  
22 developing and adopting a funding and implementation strategy  
23 for an integrated land use and transportation planning process  
24 for the northeastern Illinois region.

25 (b) (Blank.)

1 (c) The Board shall consist of 15 voting members as  
2 follows:

3 (1) One member from DuPage County appointed  
4 cooperatively by the mayors of DuPage County and the chief  
5 elected county official of DuPage County.

6 (2) One member representing both Kane and Kendall  
7 Counties appointed cooperatively by the mayors of Kane  
8 County and Kendall County and the chief elected county  
9 officials of Kane County and Kendall County.

10 (3) One member from Lake County appointed  
11 cooperatively by the mayors of Lake County and the chief  
12 elected county official of Lake County.

13 (4) One member from McHenry County appointed  
14 cooperatively by the mayors of McHenry County and the  
15 chief elected county official of McHenry County.

16 (5) One member from Will County appointed  
17 cooperatively by the mayors of Will County and the chief  
18 elected county official of Will County.

19 (6) Five members from the City of Chicago appointed by  
20 the Mayor of the City of Chicago.

21 (7) One member from that portion of Cook County  
22 outside of the City of Chicago appointed by the President  
23 of the Cook County Board of Commissioners.

24 (8) Four members from that portion of Cook County  
25 outside of the City of Chicago appointed, with the consent  
26 of the President of the Cook County Board of

1 Commissioners, as follows:

2 (i) One by the mayors representing those  
3 communities in Cook County that are outside of the  
4 City of Chicago and north of Devon Avenue.

5 (ii) One by the mayors representing those  
6 communities in Cook County that are outside of the  
7 City of Chicago, south of Devon Avenue, and north of  
8 Interstate 55, and in addition the Village of Summit.

9 (iii) One by the mayors representing those  
10 communities in Cook County that are outside of the  
11 City of Chicago, south of Interstate 55, and west of  
12 Interstate 57, excluding the communities of Summit,  
13 Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and  
14 Tinley Park.

15 (iv) One by the mayors representing those  
16 communities in Cook County that are outside of the  
17 City of Chicago and east of Interstate 57, and, in  
18 addition, the communities of Dixmoor, Posen, Robbins,  
19 Midlothian, Oak Forest, and Tinley Park.

20 The terms of the members initially appointed to the Board  
21 shall begin within 60 days after this Act takes effect.

22 (d) The CMAP Board may appoint non-voting members of the  
23 Board.

24 (e) (Blank). ~~(1) The CMAP Board shall create a Wastewater~~  
25 ~~Committee with the responsibility of recommending directly to~~  
26 ~~the Illinois Environmental Protection Agency (IEPA) the~~

1 ~~appropriateness of proposed requests for modifications and~~  
2 ~~amendments to the established boundaries of wastewater~~  
3 ~~facility planning areas, requests for the creation of new~~  
4 ~~wastewater facility planning areas, requests for the~~  
5 ~~elimination of existing wastewater facility planning areas,~~  
6 ~~requests for new or expanded sewage treatment facilities, or~~  
7 ~~any other amendments to the State of Illinois Water Quality~~  
8 ~~Management Plan required under the federal Clean Water Act.~~  
9 ~~The Chairmanship of the Wastewater Committee shall rotate~~  
10 ~~every 24 months between the individuals described in~~  
11 ~~subsections (c) (2) (iv) and (c) (2) (v) with the individual~~  
12 ~~identified in subsection (c) (2) (v) serving as chairman for the~~  
13 ~~initial 24-month period commencing on the effective date of~~  
14 ~~this amendatory Act of the 95th General Assembly.~~

15 ~~(2) The Wastewater Committee shall consist of 5~~  
16 ~~members of the CMAP Board designated as follows:~~

17 ~~(i) One member of the Wastewater Committee shall~~  
18 ~~be one of the CMAP Board members designated in~~  
19 ~~subsection (c) (1) through (c) (5).~~

20 ~~(ii) One member of the Wastewater Committee shall~~  
21 ~~be one of the CMAP Board members designated in~~  
22 ~~subsection (c) (6).~~

23 ~~(iii) One member of the Wastewater Committee shall~~  
24 ~~be one of the CMAP Board members designated in~~  
25 ~~subsection (c) (7) or (c) (8).~~

26 ~~(iv) One member of the Wastewater Committee shall~~

1 ~~be a person appointed by the President of the~~  
2 ~~Metropolitan Water Reclamation District of Greater~~  
3 ~~Chicago (and who does not need to serve on the CMAP~~  
4 ~~Board).~~

5 ~~(v) One member of the Wastewater Committee shall~~  
6 ~~be a person appointed by the President of the largest~~  
7 ~~statewide association of wastewater agencies (and who~~  
8 ~~does not need to serve on the CMAP Board).~~

9 ~~(3) Terms of the members of the Wastewater Committee~~  
10 ~~shall be consistent with those identified in Section 25,~~  
11 ~~except that the term of the member of the Wastewater~~  
12 ~~Committee appointed by the President of the Metropolitan~~  
13 ~~Water Reclamation District of Greater Chicago shall expire~~  
14 ~~on July 1, 2009, and the term of the member of the~~  
15 ~~Wastewater Committee appointed by the President of the~~  
16 ~~largest statewide association of wastewater agencies shall~~  
17 ~~expire on July 1, 2009.~~

18 (f) Concurrence of four-fifths of the Board members in  
19 office is necessary for the Board to take action regarding  
20 Agency budget and work plan approval, regional plan approval,  
21 annual federally funded program approval, legislative agenda  
22 approval, and approval of any matter regarding the executive  
23 director. Action on all other matters shall be approved by a  
24 number of members of the Board allowed in the Board's bylaws  
25 ~~With the exception of matters considered and recommended by~~  
26 ~~the Wastewater Committee directly to the IEPA, which shall~~

1 ~~require only a concurrence of a simple majority of the~~  
2 ~~Wastewater Committee members in office, concurrence of~~  
3 ~~four-fifths of the Board members in office is necessary for~~  
4 ~~the Board to take any action.~~

5 (Source: P.A. 94-510, eff. 8-9-05; 95-677, eff. 10-11-07.)

6 (70 ILCS 1707/25)

7 Sec. 25. Operations.

8 (a) Each appointing authority shall give notice of its  
9 Board appointments to each other appointing authority, to the  
10 Board, and to the Secretary of State. Within 30 days after his  
11 or her appointment and before entering upon the duties of the  
12 office, each Board member shall take and subscribe to the  
13 constitutional oath of office and file it with the Secretary  
14 of State. Board members shall hold office for a term of 4 years  
15 or until successors are appointed and qualified. The terms of  
16 the initial Board members shall expire as follows:

17 (1) The terms of the member from DuPage County and the  
18 member representing both Kane and Kendall Counties shall  
19 expire on July 1, 2007.

20 (2) The terms of those members from Lake, McHenry, and  
21 Will Counties shall expire on July 1, 2009.

22 (3) As designated at the time of appointment, the  
23 terms of 2 members from the City of Chicago shall expire on  
24 July 1, 2007 and the terms of 3 members from the City of  
25 Chicago shall expire on July 1, 2009.



1           (4) The term of the member appointed by the President  
2 of the Cook County Board of Commissioners shall expire on  
3 July 1, 2007.

4           (5) The terms of those members appointed, with the  
5 consent of the President of the Cook County Board of  
6 Commissioners, by the mayors representing those  
7 communities in Cook County that are outside of the City of  
8 Chicago and north of Devon Avenue shall expire on July 1,  
9 2007.

10          (6) The terms of those members appointed, with the  
11 consent of the President of the Cook County Board of  
12 Commissioners, by the mayors representing those  
13 communities in Cook County that are outside of the City of  
14 Chicago, south of Interstate 55, and west of Interstate  
15 57, excluding the communities of Summit, Dixmoor, Posen,  
16 Robbins, Midlothian, Oak Forest, and Tinley Park, shall  
17 expire on July 1, 2007.

18          (7) The terms of those members appointed, with the  
19 consent of the President of the Cook County Board of  
20 Commissioners, by the mayor representing those communities  
21 in Cook County that are outside of the City of Chicago,  
22 south of Devon Avenue, and north of Interstate 55, and, in  
23 addition, the Village of Summit, shall expire on July 1,  
24 2009.

25          (8) The terms of those members appointed, with the  
26 consent of the President of the Cook County Board of

1           Commissioners, by the mayors representing those  
2           communities in Cook County that are outside of the City of  
3           Chicago and east of Interstate 57, and, in addition, the  
4           communities of Dixmoor, Posen, Robbins, Midlothian, Oak  
5           Forest, and Tinley Park, shall expire on July 1, 2009.

6           (b) If a vacancy occurs, the appropriate appointing  
7           authority shall fill the vacancy by an appointment for the  
8           unexpired term. Board members shall receive no compensation,  
9           but shall be reimbursed for expenses incurred in the  
10          performance of their duties.

11          (c) The Board shall be so appointed as to represent the  
12          City of Chicago, that part of Cook County outside the City of  
13          Chicago, and that part of the metropolitan region outside of  
14          Cook County on a one person ~~man~~ one vote basis. Within 6 months  
15          after the release of each certified federal decennial census,  
16          the Board shall review its composition and, if a change is  
17          necessary in order to comply with the representation  
18          requirements of this subsection (c), shall recommend the  
19          necessary revision for approval by the General Assembly.

20          (d) Regular meetings of the Board shall be held at least  
21          once in each calendar quarter. The time and place of Board  
22          meetings shall be fixed by resolution of the Board. Special  
23          meetings of the Board may be called by the chair ~~chairman~~ or a  
24          majority of the Board members. A written notice of the time and  
25          place of any special meeting shall be provided to all Board  
26          members at least 3 days prior to the date fixed for the

1 meeting, except that if the time and place of a special meeting  
2 is fixed at a regular meeting at which all Board members are  
3 present, no such written notice is required. A majority of the  
4 Board members in office constitutes a quorum for the purpose  
5 of convening a meeting of the Board.

6 (e) The meetings of the Board shall be held in compliance  
7 with the Open Meetings Act. The Board shall maintain records  
8 in accordance with the provisions of the State Records Act.

9 (f) At its initial meeting and its first regular meeting  
10 after July 1 of each year thereafter, the Board from its  
11 membership shall appoint a chair ~~chairman~~ and may appoint vice  
12 chairs ~~chairmen~~ and shall provide the term and duties of those  
13 officers pursuant to its bylaws. Before entering upon duties  
14 of office, the chair ~~chairman~~ shall execute a bond with  
15 corporate sureties to be approved by the Board and shall file  
16 it with the principal office of the Board. The bond shall be  
17 payable to the Board in whatever penal sum may be directed and  
18 shall be conditioned upon the faithful performance of the  
19 duties of office and the payment of all money received by the  
20 chair ~~chairman~~ according to law and the orders of the Board.  
21 The Board may appoint, from time to time, an executive  
22 committee and standing and ad hoc committees to assist in  
23 carrying out its responsibilities.

24 (g) Open meetings of the Board shall be broadcast to the  
25 public and maintained in real-time on the Board's website  
26 using a high-speed Internet connection. Recordings of each

1 meeting broadcast shall be posted to the Board's website  
2 within a reasonable time after the meeting and shall be  
3 maintained as public records to the extent practicable, as  
4 determined by the Board. Compliance with the provisions of  
5 this amendatory Act of the 100th General Assembly does not  
6 relieve the Board of its obligations under the Open Meetings  
7 Act.

8 (Source: P.A. 100-479, eff. 1-1-18.)

9 (70 ILCS 1707/60)

10 Sec. 60. Transportation decision-making.

11 (a) The Policy Committee is the federally designated  
12 Metropolitan Planning Organization for the Chicago region  
13 under the requirements of federal regulations promulgated by  
14 USDOT. The Policy Committee shall approve all plans, reports,  
15 and programs required of an MPO, including the federally  
16 mandated Regional Transportation Plan, Transportation  
17 Improvement Program and Unified Work Program.

18 (b) It is the intent of this Act that the transportation  
19 planning and investment decision-making process be fully  
20 integrated into the regional planning process.

21 (c) The Board, in cooperation with local governments and  
22 transportation providers, shall develop and adopt a process  
23 for making the transportation decisions that require final MPO  
24 approval pursuant to federal law. That process shall comply  
25 with all applicable federal requirements. The adopted process

1 shall ensure that all MPO plans, reports, and programs shall  
2 be approved by the CMAP Board prior to final approval by the  
3 MPO.

4 (d) The Board shall continue directly involving local  
5 elected officials in federal program allocation decisions for  
6 the Surface Transportation Program, ~~and~~ Congestion Mitigation  
7 and Air Quality funds, and any other federally suballocated  
8 funding as required by law and in addressing other regional  
9 transportation issues.

10 (Source: P.A. 94-510, eff. 8-9-05; 95-677, eff. 10-11-07.)

11 (70 ILCS 1707/62)

12 Sec. 62. Board Funding. In order to carry out any of the  
13 powers or purposes of CMAP, the Board shall be involved in the  
14 allocation of traditional sources of funds such as those from  
15 the federal Metropolitan Planning Program and CMAQ as well as  
16 non-traditional federal funds consistent with the Board's  
17 broader mission. These funds may be supplemented by fees for  
18 services and by grants from nongovernmental agencies. The  
19 Board may also pursue and accept funding from State, regional,  
20 and local sources in order to meet its planning objectives.

21 Each General Assembly shall appropriate dedicated funding  
22 ~~Additional funding shall be provided~~ to CMAP to fulfill  
23 ~~support~~ those functions and programs authorized by this Act.

24 (Source: P.A. 95-677, eff. 10-11-07.)

1 (70 ILCS 1707/63 rep.)

2 (70 ILCS 1707/70 rep.)

3 Section 10. The Regional Planning Act is amended by  
4 repealing Sections 63 and 70.