

1 AN ACT concerning health facilities.

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

4 Section 1. Short title. This Act may be cited as the  
5 Illinois Medical District at Springfield Act.

6 Section 5. Creation of District. There is created in the  
7 City of Springfield a medical center district, the Illinois  
8 Medical District at Springfield, whose boundaries are 11th  
9 Street on the east, North Grand Avenue on the north, Walnut  
10 Street on the west, and Madison Street on the south. The  
11 District is created to attract and retain academic centers of  
12 excellence, viable health care facilities, medical research  
13 facilities, emerging high technology enterprises, and other  
14 facilities and uses as permitted by this Act.

15 Section 10. Illinois Medical District at Springfield  
16 Commission.

17 (a) There is created a body politic and corporate under  
18 the corporate name of the Illinois Medical District at  
19 Springfield Commission whose general purpose, in addition to  
20 and not in limitation of those purposes and powers set forth  
21 in this Act, is to:

22 (1) maintain the proper surroundings for a medical  
23 center and a related technology center in order to  
24 attract, stabilize, and retain within the District  
25 hospitals, clinics, research facilities, educational  
26 facilities, or other facilities permitted under this Act;  
27 and

28 (2) provide for the orderly creation, maintenance,  
29 development, and expansion of (i) health care facilities  
30 and other ancillary or related facilities that the

1 Commission may from time to time determine are  
2 established and operated (A) for any aspect of the  
3 carrying out of the Commission's purposes as set forth in  
4 this Act, (B) for the study, diagnosis, and treatment of  
5 human ailments and injuries, whether physical or mental,  
6 or (C) to promote medical, surgical, and scientific  
7 research and knowledge as permitted under this Act; and  
8 (ii) medical research and high technology parks, together  
9 with the necessary lands, buildings, facilities,  
10 equipment, and personal property for those parks.

11 (b) The Commission has perpetual succession and the  
12 power to contract and be contracted with, to sue and be sued  
13 except in actions sounding in tort, to plead and be  
14 impleaded, to have and use a common seal, and to alter the  
15 same at pleasure. All actions sounding in tort against the  
16 Commission shall be prosecuted in the Court of Claims. The  
17 principal office of the Commission shall be in the City of  
18 Springfield.

19 (c) The Commission shall consist of the following  
20 members: 4 members appointed by the Governor, with the  
21 advice and consent of the Senate; 4 members appointed by the  
22 Mayor of Springfield, with the advice and consent of the  
23 Springfield city council; and one member appointed by the  
24 Chairperson of the County Board of Sangamon County. The  
25 initial members of the Commission appointed by the Governor  
26 shall be appointed for terms ending, respectively on the  
27 second, third, fourth, and fifth anniversaries of their  
28 appointments. The initial members appointed by the Mayor of  
29 Springfield shall be appointed 2 each for terms ending,  
30 respectively, on the second and third anniversaries of their  
31 appointments. The initial member appointed by the  
32 Chairperson of the County Board of Sangamon County shall be  
33 appointed for a term ending on the fourth anniversary of the  
34 appointment. Thereafter, all the members shall be appointed

1 to hold office for a term of 5 years and until their  
2 successors are appointed as provided in this Act.

3 (d) Any vacancy in the membership of the Commission  
4 occurring by reason of the death, resignation,  
5 disqualification, removal, or inability or refusal to act of  
6 any of the members of the Commission shall be filled by the  
7 authority that had appointed the particular member, and for  
8 the unexpired term of office of that particular member. A  
9 vacancy caused by the expiration of the period for which the  
10 member was appointed shall be filled by a new appointment for  
11 a term of 5 years from the date of the expiration of the  
12 prior 5-year term notwithstanding when the appointment is  
13 actually made. The Commission shall obtain, under the  
14 provisions of the Personnel Code, such personnel as to the  
15 Commission shall deem advisable to carry out the purposes of  
16 this Act and the work of the Commission.

17 (e) The Commission shall hold regular meetings annually  
18 for the election of a President, Vice-President, Secretary,  
19 and Treasurer, for the adoption of a budget, and for such  
20 other business as may properly come before it. The  
21 Commission shall elect as the President a member of the  
22 Commission appointed by the Mayor of Springfield and as the  
23 Vice-President a member of the Commission appointed by the  
24 Governor. The Commission shall establish the duties and  
25 responsibilities of its officers by rule. The President or  
26 any 3 members of the Commission may call special meetings of  
27 the Commission. Each Commissioner shall take an oath of  
28 office for the faithful performance of his or her duties.  
29 The Commission may not transact business at a meeting of the  
30 Commission unless there is present at the meeting a quorum  
31 consisting of at least 5 Commissioners. Meetings may be  
32 held by telephone conference or other communications  
33 equipment by means of which all persons participating in the  
34 meeting can communicate with each other.

1 (f) The Commission shall submit to the General Assembly,  
2 not later than March 1 of each odd-numbered year, a detailed  
3 report covering its operations for the 2 preceding calendar  
4 years and a statement of its program for the next 2 years.

5 The requirement for reporting to the General Assembly  
6 shall be satisfied by filing copies of the report with the  
7 Speaker, the Minority Leader, and the Clerk of the House of  
8 Representatives and the President, the Minority Leader, and  
9 the Secretary of the Senate and with the Legislative Research  
10 Unit, as required by Section 3.1 of the General Assembly  
11 Organization Act, and by filing such additional copies with  
12 the State Government Report Distribution Center for the  
13 General Assembly as is required under paragraph (t) of  
14 Section 7 of the State Library Act.

15 (g) The Auditor General shall conduct audits of the  
16 Commission in the same manner as the Auditor General conducts  
17 audits of State agencies under the Illinois State Auditing  
18 Act.

19 (h) Neither the Commission nor the District have any  
20 power to tax.

21 (i) The Commission is a public body and subject to the  
22 Open Meetings Act and the Freedom of Information Act.

23 Section 15. Grants; loans; contracts. The Commission may  
24 apply for and accept grants, loans, or appropriations from  
25 the State of Illinois, the federal government, any State or  
26 federal agency or instrumentality, any unit of local  
27 government, or any other person or entity to be used for any  
28 of the purposes of the District. The Commission may enter  
29 into any agreement with the State of Illinois, the federal  
30 government, any State or federal instrumentality, any unit of  
31 local government, or any other person or entity in relation  
32 to the grants, matching grants, loans, or appropriations.  
33 The Commission also may, by contractual agreement, accept and

1 collect assessments or fees from entities who enter into such  
2 a contractual agreement for District enhancement and  
3 improvements, common area shared services, shared facilities,  
4 or other activities or expenditures in furtherance of the  
5 purposes of this Act. The Commission may make grants to  
6 neighborhood organizations within the District for the  
7 purpose of benefitting the community.

8 Section 20. Property; acquisition. The Commission is  
9 authorized to acquire the fee simple title to real property  
10 lying within the District and personal property required for  
11 its purposes, by gift, purchase, or otherwise. Title shall be  
12 taken in the corporate name of the Commission. The Commission  
13 may acquire by lease any real property lying within the  
14 District and personal property found by the Commission to be  
15 necessary for its purposes and to which the Commission finds  
16 that it need not acquire the fee simple title for carrying  
17 out of those purposes. All real and personal property within  
18 the District, except that owned and used for purposes  
19 authorized under this Act by medical institutions or allied  
20 educational institutions, hospitals, dispensaries, clinics,  
21 dormitories or homes for the nurses, doctors, students,  
22 instructors, or other officers or employees of those  
23 institutions located in the District, or any real property  
24 that is used for offices or for recreational purposes in  
25 connection with those institutions, or any improved  
26 residential property within a currently effective historical  
27 district properly designated under a federal statute or a  
28 State or local statute that has been certified by the  
29 Secretary of the Interior to the Secretary of the Treasury as  
30 containing criteria that will substantially achieve the  
31 purpose of preserving and rehabilitating buildings of  
32 historical significance to the district, may be acquired by  
33 the Commission in its corporate name under the provisions for

1 the exercise of the right of eminent domain under Article VII  
2 of the Code of Civil Procedure. The Commission has no  
3 quick-take powers, no zoning powers, and no power to  
4 establish or enforce building codes. The Commission may not  
5 acquire any property pursuant to this Section before a  
6 comprehensive master plan has been approved under Section 70.

7 Section 25. Construction. The Commission may, in its  
8 corporate capacity, construct or cause to be constructed  
9 within the District, hospitals, sanitariums, clinics,  
10 laboratories, or any other institution, building, or  
11 structure or other ancillary or related facilities that the  
12 Commission may, from time to time, determine are established  
13 and operated (i) for the carrying out of any aspect of the  
14 Commission's purposes as set forth in this Act, for the  
15 study, diagnosis, and treatment of human ailments and  
16 injuries, whether physical or mental, or to promote medical,  
17 surgical, and scientific research and knowledge, for any uses  
18 the Commission shall determine will support and nurture  
19 facilities and uses permitted by this Act, or for such  
20 nursing, extended care, or other facilities as the Commission  
21 shall find useful in the study of, research in, or treatment  
22 of illnesses or infirmities peculiar to aged people, after a  
23 public hearing to be held by any Commissioner or other person  
24 authorized by the Commission to conduct the hearing, which  
25 Commissioner or other person has the power to administer  
26 oaths and affirmations and take the testimony of witnesses  
27 and receive such documentary evidence as shall be pertinent,  
28 the record of which hearing he or she shall certify to the  
29 Commission, which record shall become part of the records of  
30 the Commission, notice of the time, place, and purpose of the  
31 hearings to be given by a single publication notice in a  
32 secular newspaper of general circulation in the City of  
33 Springfield at least 10 days before the date of the hearing,

1 or (ii) for such institutions as shall engage in the  
2 training, education, or rehabilitation of persons who by  
3 reason of illness or physical infirmity are wholly or  
4 partially deprived of their powers of vision or hearing or of  
5 the use of such other part or parts of their bodies as  
6 prevent them from pursuing normal activities of life, for  
7 office buildings for physicians or dealers in medical  
8 accessories, for dormitories, homes, or residences for the  
9 medical profession, including interns, nurses, students, or  
10 other officers or employees of the institutions within the  
11 District, for the use of relatives of patients in the  
12 hospitals or other institutions within the District, for the  
13 rehabilitation or establishment of residential structures  
14 within a historic district properly designated under a  
15 federal statute or a State or local statute that has been  
16 certified by the Secretary of the Interior to the Secretary  
17 of the Treasury as containing criteria that will  
18 substantially achieve the purpose of preserving and  
19 rehabilitating buildings of historic significance to the  
20 district, or such other areas of the District as the  
21 Commission shall designate, for research, development, and  
22 resultant production in any of the fields of medicine,  
23 chemistry, pharmaceuticals, physics, and genetically  
24 engineered products, for biotechnology, information  
25 technology, medical technology, or environmental technology,  
26 for the research and development of engineering, or for  
27 computer technology related to any of the purposes for which  
28 the Commission may construct structures and improvements  
29 within the District. All such structures and improvements  
30 shall be erected and constructed in accordance with the  
31 provisions of the Illinois Procurement Code that apply to  
32 State agencies. No construction may be undertaken pursuant to  
33 this Section before a comprehensive master plan has been  
34 approved under Section 70.

1           Section 30. Relocation assistance. The Commission shall  
2 provide relocation assistance to persons and entities  
3 displaced by the Commission's acquisition of property and  
4 improvement of the District. Relocation assistance shall not  
5 be less than provided under the federal Uniform Relocation  
6 Assistance and Real Property Acquisition Policies Act of 1970  
7 and the regulations under that Act, including the eligibility  
8 criteria. Relocation assistance may include assistance with  
9 the moving of a residential unit to a new location. The  
10 Commission shall establish a single point of contact for all  
11 relocation assistance under this Section.

12           Section 35. Bonds. To obtain the funds necessary for  
13 financing the acquisition of land, for the acquisition,  
14 construction, maintenance, and rehabilitation of facilities  
15 and equipment within the District, and for the operation of  
16 the District as set forth in this Act, the Commission may  
17 borrow money from any public or private agency, department,  
18 corporation, or person. In evidence of and as security for  
19 funds borrowed, the Commission may issue revenue bonds in its  
20 corporate capacity to be payable from the revenues derived  
21 from the operation of the institutions or buildings owned,  
22 leased, or operated by or on behalf of the Commission, but  
23 the bonds shall in no event constitute an indebtedness of the  
24 Commission or a claim against the property of the Commission.  
25 The bonds may be issued in such denominations as may be  
26 expedient, in such amounts, and at such rates of interest as  
27 the Commission shall deem necessary to provide sufficient  
28 funds to pay all the costs authorized under this Section. The  
29 bonds shall be executed by the President of the Commission,  
30 attested by the Secretary, and sealed with the Commission's  
31 corporate seal. If either of those officers of the Commission  
32 who shall have signed or attested any of the bonds shall have  
33 ceased to be such officer before delivery of the bonds, the



1 signature of the officer shall be valid and sufficient to the  
2 same effect as if the officer had remained in office at the  
3 time of delivery. The Commission shall furnish the State  
4 Comptroller with a record of all bonds issued under this Act.

5 Section 40. Power to sell or lease. The Commission may  
6 sell, convey, transfer, or lease, all at fair market value,  
7 any title or interest in real property owned by it to any  
8 person or persons, to be used, subject to the restrictions of  
9 this Act, for the purposes stated in Section 25, or for the  
10 purpose of serving persons using the facilities offered  
11 within the District or for carrying out of any aspect of the  
12 Commission's purposes as set forth in Section 10 of this Act,  
13 subject to such restrictions as to the use of the real  
14 property as the Commission shall determine will carry out the  
15 purpose of this Act. To assure that the use of the real  
16 property so sold or leased is in accordance with the  
17 provisions of this Act, the Commission shall inquire into and  
18 satisfy itself concerning the financial ability of the  
19 purchaser to complete the project for which the real property  
20 is sold or leased in accordance with a plan to be presented  
21 by the purchaser or lessee, which plan shall be submitted, in  
22 writing, to the Commission. Under the plan, the purchaser or  
23 lessee shall undertake (1) to use the land for the purposes  
24 designated in the plan so presented; (2) to commence and  
25 complete the construction of the buildings or other  
26 structures to be included in the project within such periods  
27 of time as the Commission fixes as reasonable; and (3) to  
28 comply with such other conditions as the Commission shall  
29 determine are necessary to carry out the project. All  
30 conveyances and leases authorized in this Section shall be on  
31 condition that, in the event of use for other than the  
32 purposes prescribed in this Act, or of nonuse for a period of  
33 one year, title to the property shall revert to the

1 Commission. All conveyances and leases made by the Commission  
2 to any corporation or person for the use of serving the  
3 residents or any person using the facilities offered within  
4 the District shall be on condition that in the event of  
5 violation of any of the restrictions as to the use of the  
6 property as the Commission shall have determined will carry  
7 out the purposes of this Act, that title to the property  
8 shall revert to the Commission. If, however, the Commission  
9 finds that financing necessary for the acquisition or lease  
10 of any real estate or for the construction of any building or  
11 improvement to be used for purposes prescribed in this Act  
12 cannot be obtained if title to the land or building or  
13 improvement is subject to such a reverter provision, which  
14 finding shall be made by the Commission after public hearing  
15 held pursuant to a single publication notice given in a  
16 secular newspaper of general circulation in the City of  
17 Springfield at least 10 days before the date of the hearing,  
18 the notice to specify the time, place, and purpose for the  
19 hearing, and upon that finding being made, the Commission may  
20 cause the real property to be conveyed free of a reverter  
21 provision, provided that at least 7 members of the Commission  
22 vote in favor thereof. The Commission may also provide in the  
23 conveyances, leases, or other documentation provisions for  
24 notice of such violations or default and the cure thereof for  
25 the benefit of any lender or mortgagee as the Commission  
26 shall determine are appropriate. If, at a regularly scheduled  
27 meeting, the Commission resolves that a parcel of real estate  
28 leased by it, or in which it has sold the fee simple title or  
29 any lesser estate, is not being used for the purposes  
30 prescribed in this Act or has been in nonuse for a period of  
31 one year, the Commission may file a law suit in the circuit  
32 court of Sangamon County to enforce the terms of the sale or  
33 lease. If a reverter of title to any property is ordered by  
34 the court under the terms of this Act, the interest of the

1 Commission shall be subject to any then existing valid  
2 mortgage or trust deed in the nature of a mortgage, but if  
3 the title is acquired through foreclosure of that mortgage or  
4 trust deed or by deed in lieu of foreclosure of that mortgage  
5 or trust deed, then the title to the property shall not  
6 revert, but shall be subject to the restrictions as to use,  
7 but not any penalty for nonuse, contained in this Act with  
8 respect to any mortgagee in possession or its successor or  
9 assigns.

10 No conveyance of real property shall be executed by the  
11 Commission without the prior written approval of the  
12 Governor. The Commission may not sell, convey, transfer, or  
13 lease any property pursuant to this Section before a  
14 comprehensive master plan has been approved under Section 70.

15 Section 45. Notice. Before holding any public hearing  
16 prescribed in Section 40 of this Act, or any meeting  
17 regarding the passage of any resolution to file a law suit,  
18 the Commission shall give notice to the grantee or lessee, or  
19 his or her legal representatives, successors, or assigns, of  
20 the time and place of the proceeding. The notice shall be  
21 accompanied by a statement signed by the Secretary of the  
22 Commission, or by any person authorized by the Commission to  
23 sign the same, setting forth any act or things done or  
24 omitted to be done in violation, or claimed to be in  
25 violation, of any restriction as to the use of the property,  
26 whether the restriction be prescribed in any of the terms of  
27 this Act or by any restriction as to the use of the property  
28 determined by the Commission under the terms of this Act. The  
29 notice of the time and place fixed for the proceeding shall  
30 also be given to such person or persons as the Commission  
31 shall deem necessary. The notice may be given by registered  
32 mail, addressed to the grantee, lessee, or legal  
33 representatives, successors, or assigns, at the last known

1 address of the grantee, lessee, or legal representatives,  
2 successors, or assigns.

3 Section 50. Rules. The Commission may adopt reasonable  
4 and proper rules, in accordance with the Illinois  
5 Administrative Procedure Act, relative to the exercise of its  
6 powers, and proper rules to govern its proceedings, to  
7 regulate the mode and manner of all hearings held by it or at  
8 its direction, and to alter and amend those rules.

9 Section 55. Official documents. Copies of all official  
10 documents, findings, and orders of the Commission, certified  
11 by a Commissioner or by the Secretary of the Commission to be  
12 true copies of the originals, under the official seal of the  
13 Commission, shall be evidence in like manner as the  
14 originals.

15 Section 60. Judicial review. Any party may obtain a  
16 judicial review of a final order or decision of the  
17 Commission in the circuit court of Sangamon County only under  
18 and in accordance with the provisions of the Administrative  
19 Review Law and the rules adopted under that Law. The circuit  
20 court shall take judicial notice of all the rules of practice  
21 and procedure of the Commission.

22 Section 65. Parks. The Commission may set apart any  
23 part of the District as a park, except those areas owned,  
24 operated, or used for purposes authorized under this Act by  
25 organizations or institutions engaged in the delivery or  
26 conduct of health care services, education, or research, and  
27 may construct, control, and maintain the same or may provide  
28 by contract with the Springfield Park District or the City of  
29 Springfield for the construction, control, and maintenance of  
30 any area within the District set apart as a park.

1           Section 70. Master plan; improvement and management of  
2 District. The Commission shall prepare and approve a  
3 comprehensive master plan for the orderly development and  
4 management of all property within the District. The master  
5 plan, and any amendment to the master plan, shall not take  
6 effect, however, until it has been approved by the advisory  
7 council and the Springfield city council. The Commission  
8 shall take the actions permitted to be taken by it under this  
9 Act as it may determine are appropriate to provide conditions  
10 most favorable for the special care and treatment of the sick  
11 and injured and for the study of disease and for any other  
12 purpose in Section 25 of this Act. In the master plan, the  
13 Commission may provide for shared services and facilities  
14 within the District for the accredited schools of medicine  
15 and the licensed non-profit acute care hospitals within the  
16 District.

17           Section 75. Advisory Council. The Commission must  
18 establish an advisory council consisting of 2  
19 representatives, appointed for one-year terms by the Mayor of  
20 Springfield, of each recognized neighborhood organization  
21 that the Mayor determines has a legitimate interest in the  
22 development and improvement of the District. There is no  
23 limit on the number of terms to which a person may be  
24 appointed as a member. The advisory council shall review and  
25 make recommendations to the Commission with respect to the  
26 comprehensive master plan to be adopted by the Commission.  
27 The advisory council may fulfill such other responsibilities  
28 as the Commission may request in furtherance of the purposes  
29 of this Act. The advisory council shall meet at the call of  
30 the President of the Commission and shall conduct its affairs  
31 in accordance with the rules that the Commission may adopt  
32 from time to time for the governance and operation of the  
33 advisory council.

1           Section 80. Public hearing. The Commission shall  
2           conduct a public hearing prior to either acquiring through  
3           eminent domain under Section 20 of this Act real or personal  
4           property within the District or approving under Section 70 of  
5           this Act a comprehensive master plan. The Commission shall  
6           also conduct a public hearing whenever it is otherwise  
7           required by law to do so, and may conduct a public hearing  
8           whenever it may elect to do so.

9           The Commission shall conduct the public hearing called by  
10          it in accordance with the requirements of the law mandating  
11          it, if any, or in accordance with the provisions of this  
12          Section if either the law mandating it is silent as to the  
13          procedures for its holding or if the Commission elects to  
14          hold a public hearing in the absence of any law mandating it.

15          In the absence of any law, or of any procedures in any  
16          law, mandating the holding of a public hearing, the  
17          Commission may authorize a Commissioner or other person of  
18          legal age to conduct a hearing. The Commissioner or other  
19          authorized person has the power to administer oaths and  
20          affirmations, take the testimony of witnesses, take and  
21          receive the production of papers, books, records, accounts,  
22          and documents, receive pertinent evidence, and certify the  
23          record of the hearing. The record of the hearing shall  
24          become part of the Commission's record. Notice of the time,  
25          place, and purpose of the hearing shall be given by a single  
26          publication notice in a secular newspaper of general  
27          circulation in the City of Springfield at least 10 days  
28          before the date of the hearing.

29          Section 85. Jurisdiction. This Act shall not be  
30          construed to limit the jurisdiction of the City of  
31          Springfield to territory outside the limits of the District  
32          nor to impair any power now possessed by or hereafter granted  
33          to the City of Springfield or to cities generally. Property

1 owned by and exclusively used by the Commission shall be  
2 exempt from taxation and shall be subject to condemnation by  
3 the State and any municipal corporation or agency of the  
4 State for any State or municipal purpose under the provisions  
5 for the exercise of the right of eminent domain under Article  
6 VII of the Code of Civil Procedure.

7 Section 90. Disposition of money; income fund. All money  
8 received by the Commission from the sale or lease of any  
9 property, in excess of the amount expended by the Commission  
10 for authorized purposes under this Act or as may be necessary  
11 to satisfy the obligation of any revenue bond issued pursuant  
12 to Section 35, shall be paid into the State treasury for  
13 deposit into the Illinois Medical District at Springfield  
14 Income Fund. The Commission is authorized to use all money  
15 received as rentals for the purposes of planning,  
16 acquisition, and development of property within the District,  
17 for the operation, maintenance, and improvement of property  
18 of the Commission, and for all purposes and powers set forth  
19 in this Act. All moneys held pursuant to this Section shall  
20 be maintained in a depository approved by the State  
21 Treasurer. The Auditor General shall, at least biennially,  
22 audit or cause to be audited all records and accounts of the  
23 Commission pertaining to the operation of the District.

24 Section 95. Attorney General. The Attorney General of  
25 the State of Illinois is the legal advisor to the Commission  
26 and shall prosecute or defend, as the case may be, all  
27 actions brought by or against the Commission.

28 Section 900. The State Finance Act is amended by adding  
29 Sections 5.595 and 6z-60 as follows:

30 (30 ILCS 105/5.595 new)

1           Sec. 5.595. The Illinois Medical District at Springfield  
2           Income Fund.

3           (30 ILCS 105/6z-60 new)

4           Sec. 6z-60. Illinois Medical District at Springfield  
5           Income Fund. All payments received from the Illinois Medical  
6           District at Springfield Commission for deposit into the  
7           Illinois Medical District at Springfield Income Fund shall be  
8           expended only pursuant to appropriation. Amounts in the Fund  
9           may be appropriated to the Commission for use in purchasing  
10          real estate.

11           Section 999. Effective date. This Act takes effect on  
12          January 1, 2003.