



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2853

Introduced 2/6/2025, by Rep. Debbie Meyers-Martin

SYNOPSIS AS INTRODUCED:

70 ILCS 410/6	from Ch. 96 1/2, par. 7106
70 ILCS 805/8	from Ch. 96 1/2, par. 6315
70 ILCS 1205/8-1	from Ch. 105, par. 8-1

Amends the Park District Code. Provides that all competitive bids for contracts involving an expenditure in excess of \$50,000 (rather than \$30,000), or a lower amount if required by board policy, must be sealed by the bidder and must be opened by a member or employee of the park board at a public bid opening at which the contents of the bids must be announced. Amends the Conservation District Act and the Downstate Forest Preserve District Act. Provides that specified contracts related to supplies, materials, or work involving an expenditure in excess of \$50,000 (rather than \$30,000), or a lower amount if required by board policy, must be competitively bid. Effective immediately.

LRB104 06123 RTM 16156 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 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
18 for 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
3 and disbursements, and it shall cause an annual audit to be
4 made of 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
7 the board may prescribe.

8 The district shall annually make a full and complete
9 report to the county board of each county within the district
10 and to the Department of Natural Resources of its transactions
11 and operations for the preceding year. The report shall
12 contain a full statement of its receipts, disbursements, and
13 the program of work for the period covered, and may include
14 recommendations 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
23 come into their hands in an amount to be fixed and in a form to
24 be approved by the board.

25 All contracts for supplies, material, or work involving an
26 expenditure in excess of \$50,000 ~~\$30,000~~, or a lower amount if

1 required by board policy, shall be let to the lowest
2 responsible bidder, after due advertisement, excepting work
3 requiring personal confidence or necessary supplies under the
4 control of monopolies, where competitive bidding is
5 impossible, or as otherwise provided in the Forest Preserve
6 District and Conservation District Design-Build Authorization
7 Act. All contracts for supplies, material, or work shall be
8 signed by the president of the board and by any other officer
9 as the board in its discretion may designate.

10 (Source: P.A. 102-460, eff. 6-1-22.)

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

13 (70 ILCS 805/8) (from Ch. 96 1/2, par. 6315)

14 Sec. 8. Powers and duties of corporate authority and
15 officers; contracts; salaries.

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

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

17 (a-5) An officer selected pursuant to subsection (a) may
18 be removed, with or without cause, upon a motion adopted by an
19 affirmative vote of four-fifths of the board of the forest
20 preserve district. Upon adoption of a motion to remove an
21 officer: (i) the office becomes vacant and the former
22 officer's compensation shall be prorated to the date the
23 motion was approved; (ii) if the officer removed is the
24 president then the vice president immediately assumes the
25 duties of the president without president compensation and, if
26 the officer removed is the vice president, treasurer, or

1 secretary, then the president shall select an interim
2 appointee who shall serve until the next regularly scheduled
3 forest preserve district board meeting; and (iii) a new
4 officer shall be selected at the next regularly scheduled
5 forest preserve district board meeting. An officer removed
6 under this Section maintains his or her status as a member of
7 the forest preserve district board.

8 (b) In any county, city, village, incorporated town or
9 sanitary district where the corporate authorities act as the
10 governing body of a forest preserve district, the person
11 exercising the powers of the president of the board shall have
12 power to appoint a secretary and an assistant secretary and
13 treasurer and an assistant treasurer and such other officers
14 and such employees as may be necessary. The assistant
15 secretary and assistant treasurer shall perform the duties of
16 the secretary and treasurer, respectively in case of death of
17 such officers or when such officers are unable to perform the
18 duties of their respective offices. All contracts for
19 supplies, material or work involving an expenditure in excess
20 of \$50,000 ~~\$30,000~~, or a lower amount if required by board
21 policy, shall be let to the lowest responsible bidder, after
22 advertising at least once in one or more newspapers of general
23 circulation within the district, excepting work requiring
24 personal confidence or necessary supplies under the control of
25 monopolies, where competitive bidding is impossible, or as
26 otherwise provided in the Forest Preserve District and

1 Conservation District Design-Build Authorization Act.
2 Contracts for supplies, material or work involving an
3 expenditure of \$50,000 ~~\$30,000~~, or a lower amount if required
4 by board policy, or less may be let without advertising for
5 bids, but whenever practicable, at least 3 competitive bids
6 shall be obtained before letting such contract. All contracts
7 for supplies, material or work shall be signed by the
8 president of the board of commissioners or by any such other
9 officer as the board in its discretion may designate.

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

16 (d) Whenever a forest preserve district owns any personal
17 property that, in the opinion of three-fifths of the members
18 of the board of commissioners, is no longer necessary, useful
19 to, or for the best interests of the forest preserve district,
20 then three-fifths of the members of the board, at any regular
21 meeting or any special meeting called for that purpose by an
22 ordinance or resolution that includes a general description of
23 the personal property, may authorize the conveyance or sale of
24 that personal property in any manner that they may designate,
25 with or without advertising the sale.

26 (Source: P.A. 101-544, eff. 8-23-19; 102-460, eff. 6-1-22.)

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

3 (70 ILCS 1205/8-1) (from Ch. 105, par. 8-1)

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

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

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

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

8 (2) In addition to the powers granted in paragraph (1)
9 of subsection (b), a park district located in more than
10 one county, the majority of its territory located in a
11 county over 450,000 in population and none of its
12 territory located in a county over 1,000,000 in
13 population, shall have condemnation power in the manner
14 provided for the exercise of the power of eminent domain
15 under the Eminent Domain Act or as otherwise granted by
16 law as to any and all real estate situated up to one mile
17 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
20 personal property necessary for its corporate purposes
21 provided that all contracts for supplies, materials or
22 work involving an expenditure in excess of \$50,000
23 ~~\$30,000~~, or a lower amount if required by board policy,
24 shall be let to the lowest responsible bidder after due
25 advertisement. No district shall be required to accept a
26 bid that does not meet the district's established

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

1 All competitive bids for contracts involving an
2 expenditure in excess of \$50,000 ~~\$30,000~~, or a lower
3 amount if required by board policy, must be sealed by the
4 bidder and must be opened by a member or employee of the
5 park board at a public bid opening at which the contents of
6 the bids must be announced. Each bidder must receive at
7 least 3 days notice of the time and place of the bid
8 opening.

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

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

22 (e) To prescribe such fines and penalties for the
23 violation of ordinances as it shall deem proper not
24 exceeding \$1,000 for any one offense, which fines and
25 penalties may be recovered by an action in the name of such
26 district in the circuit court for the county in which such

1 violation occurred. The park district may also seek in the
2 action, in addition to or instead of fines and penalties,
3 an order that the offender be required to make restitution
4 for damage resulting from violations, and the court shall
5 grant such relief where appropriate. The procedure in such
6 actions shall be the same as that provided by law for like
7 actions for the violation of ordinances in cities
8 organized under the general laws of this State, and
9 offenders may be imprisoned for non-payment of fines and
10 costs in the same manner as in such cities. All fines when
11 collected shall be paid into the treasury of such
12 district.

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

23 (g) To secure grants and loans, or either, from the
24 United States Government, or any agency or agencies
25 thereof, for financing the acquisition or purchase of any
26 and all real estate, or rights therein, or for effecting

1 any of the powers or purposes granted under this Code as
2 its Board may deem proper.

3 (h) To establish fees for the use of facilities and
4 recreational programs of the districts and to derive
5 revenue from non-resident fees from their operations. Fees
6 charged non-residents of such district need not be the
7 same as fees charged to residents of the district.
8 Charging fees or deriving revenue from the facilities and
9 recreational programs shall not affect the right to assert
10 or utilize any defense or immunity, common law or
11 statutory, available to the districts or their employees.

12 (i) To make contracts for a term exceeding one year,
13 but not to exceed 3 years, notwithstanding any provision
14 of this Code to the contrary, relating to: (1) the
15 employment of a park director, superintendent,
16 administrator, engineer, health officer, land planner,
17 finance director, attorney, police chief, or other officer
18 who requires technical training or knowledge; (2) the
19 employment of outside professional consultants such as
20 engineers, doctors, land planners, auditors, attorneys, or
21 other professional consultants who require technical
22 training or knowledge; (3) the provision of data
23 processing equipment and services; and (4) the purchase of
24 energy from a utility or an alternative retail electric
25 supplier. With respect to any contract made under this
26 subsection (i), the corporate authorities shall include in

1 the annual appropriation ordinance for each fiscal year an
2 appropriation of a sum of money sufficient to pay the
3 amount which, by the terms of the contract, is to become
4 due and payable during that fiscal year.

5 (j) To enter into licensing or management agreements
6 with not-for-profit corporations organized under the laws
7 of this State to operate park district facilities if the
8 corporation covenants to use the facilities to provide
9 public park or recreational programs for youth.

10 (Source: P.A. 101-304, eff. 8-9-19; 102-999, eff. 5-27-22.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.