SB2303

100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2303

Introduced 1/10/2018, by Sen. Dale Fowler

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-74.4-3.5

Amends the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code. Creates a tax increment allocation financing extension for an ordinance adopted on October 23, 1995 by the City of Marion. Effective immediately.

LRB100 14551 AWJ 29345 b

A BILL FOR

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 Illinois Municipal Code is amended by

5   changing Section 11-74.4-3.5 as follows:

6   (65 ILCS 5/11-74.4-3.5)

7   Sec. 11-74.4-3.5. Completion dates for redevelopment

8   projects.

9   (a) Unless otherwise stated in this Section, the estimated

10   dates of completion of the redevelopment project and retirement

11   of obligations issued to finance redevelopment project costs

12   (including refunding bonds under Section 11-74.4-7) may not be

13   later than December 31 of the year in which the payment to the

14   municipal treasurer, as provided in subsection (b) of Section

15   11-74.4-8 of this Act, is to be made with respect to ad valorem

16   taxes levied in the 23rd calendar year after the year in which

17   the ordinance approving the redevelopment project area was

18   adopted if the ordinance was adopted on or after January 15,

19   1981.

20   (a-5) If the redevelopment project area is located within a

21   transit facility improvement area established pursuant to

22   Section 11-74.4-3, the estimated dates of completion of the

23   redevelopment project and retirement of obligations issued to

1   finance redevelopment project costs (including refunding bonds

2   under Section 11-74.4-7) may not be later than December 31 of

3   the year in which the payment to the municipal treasurer, as

4   provided in subsection (b) of Section 11-74.4-8 of this Act

5   amendatory Act of the 99th General Assembly, is to be made with

6   respect to ad valorem taxes levied in the 35th calendar year

7   after the year in which the ordinance approving the

8   redevelopment project area was adopted.

9   (a-7) A municipality may adopt tax increment financing for

10   a redevelopment project area located in a transit facility

11   improvement area that also includes real property located

12   within an existing redevelopment project area established

13   prior to August 12, 2016 (the effective date of Public Act

14   99-792) this amendatory Act of 99th General Assembly. In such

15   case: (i) the provisions of this Division shall apply with

16   respect to the previously established redevelopment project

17   area until the municipality adopts, as required in accordance

18   with applicable provisions of this Division, an ordinance

19   dissolving the special tax allocation fund for such

20   redevelopment project area and terminating the designation of

21   such redevelopment project area as a redevelopment project

22   area; and (ii) after the effective date of the ordinance

23   described in (i), the provisions of this Division shall apply

24   with respect to the subsequently established redevelopment

25   project area located in a transit facility improvement area.

26   (b) The estimated dates of completion of the redevelopment

1   project and retirement of obligations issued to finance

2   redevelopment project costs (including refunding bonds under

3   Section 11-74.4-7) may not be later than December 31 of the

4   year in which the payment to the municipal treasurer as

5   provided in subsection (b) of Section 11-74.4-8 of this Act is

6   to be made with respect to ad valorem taxes levied in the 32nd

7   calendar year after the year in which the ordinance approving

8   the redevelopment project area was adopted if the ordinance was

9   adopted on September 9, 1999 by the Village of Downs.

10   The estimated dates of completion of the redevelopment

11 project and retirement of obligations issued to finance

12 redevelopment project costs (including refunding bonds under

13 Section 11-74.4-7) may not be later than December 31 of the

14 year in which the payment to the municipal treasurer as

15 provided in subsection (b) of Section 11-74.4-8 of this Act is

16 to be made with respect to ad valorem taxes levied in the 33rd

17 calendar year after the year in which the ordinance approving

18 the redevelopment project area was adopted if the ordinance was

19 adopted on May 20, 1985 by the Village of Wheeling.

20   The estimated dates of completion of the redevelopment

21 project and retirement of obligations issued to finance

22 redevelopment project costs (including refunding bonds under

23 Section 11-74.4-7) may not be later than December 31 of the

24 year in which the payment to the municipal treasurer as

25 provided in subsection (b) of Section 11-74.4-8 of this Act is

26 to be made with respect to ad valorem taxes levied in the 28th

1   calendar year after the year in which the ordinance approving

2   the redevelopment project area was adopted if the ordinance was

3   adopted on October 12, 1989 by the City of Lawrenceville.

4   (c) The estimated dates of completion of the redevelopment

5   project and retirement of obligations issued to finance

6   redevelopment project costs (including refunding bonds under

7   Section 11-74.4-7) may not be later than December 31 of the

8   year in which the payment to the municipal treasurer as

9   provided in subsection (b) of Section 11-74.4-8 of this Act is

10   to be made with respect to ad valorem taxes levied in the 35th

11   calendar year after the year in which the ordinance approving

12   the redevelopment project area was adopted:

13   (1) If the ordinance was adopted before January 15,

14   1981.

15   (2) If the ordinance was adopted in December 1983,

16   April 1984, July 1985, or December 1989.

17   (3) If the ordinance was adopted in December 1987 and

18   the redevelopment project is located within one mile of

19   Midway Airport.

20   (4) If the ordinance was adopted before January 1, 1987

21   by a municipality in Mason County.

22   (5) If the municipality is subject to the Local

23   Government Financial Planning and Supervision Act or the

24   Financially Distressed City Law.

25   (6) If the ordinance was adopted in December 1984 by

26   the Village of Rosemont.

1   (7) If the ordinance was adopted on December 31, 1986

2   by a municipality located in Clinton County for which at

3   least $250,000 of tax increment bonds were authorized on

4   June 17, 1997, or if the ordinance was adopted on December

5   31, 1986 by a municipality with a population in 1990 of

6   less than 3,600 that is located in a county with a

7   population in 1990 of less than 34,000 and for which at

8   least $250,000 of tax increment bonds were authorized on

9   June 17, 1997.

10   (8) If the ordinance was adopted on October 5, 1982 by

11   the City of Kankakee, or if the ordinance was adopted on

12   December 29, 1986 by East St. Louis.

13   (9) If the ordinance was adopted on November 12, 1991

14   by the Village of Sauget.

15   (10) If the ordinance was adopted on February 11, 1985

16   by the City of Rock Island.

17   (11) If the ordinance was adopted before December 18,

18   1986 by the City of Moline.

19   (12) If the ordinance was adopted in September 1988 by

20   Sauk Village.

21   (13) If the ordinance was adopted in October 1993 by

22   Sauk Village.

23   (14) If the ordinance was adopted on December 29, 1986

24   by the City of Galva.

25   (15) If the ordinance was adopted in March 1991 by the

26   City of Centreville.

1   (16) If the ordinance was adopted on January 23, 1991

2   by the City of East St. Louis.

3   (17) If the ordinance was adopted on December 22, 1986

4   by the City of Aledo.

5   (18) If the ordinance was adopted on February 5, 1990

6   by the City of Clinton.

7   (19) If the ordinance was adopted on September 6, 1994

8   by the City of Freeport.

9   (20) If the ordinance was adopted on December 22, 1986

10   by the City of Tuscola.

11   (21) If the ordinance was adopted on December 23, 1986

12   by the City of Sparta.

13   (22) If the ordinance was adopted on December 23, 1986

14   by the City of Beardstown.

15   (23) If the ordinance was adopted on April 27, 1981,

16   October 21, 1985, or December 30, 1986 by the City of

17   Belleville.

18   (24) If the ordinance was adopted on December 29, 1986

19   by the City of Collinsville.

20   (25) If the ordinance was adopted on September 14, 1994

21   by the City of Alton.

22   (26) If the ordinance was adopted on November 11, 1996

23   by the City of Lexington.

24   (27) If the ordinance was adopted on November 5, 1984

25   by the City of LeRoy.

26   (28) If the ordinance was adopted on April 3, 1991 or

1   June 3, 1992 by the City of Markham.

2   (29) If the ordinance was adopted on November 11, 1986

3   by the City of Pekin.

4   (30) If the ordinance was adopted on December 15, 1981

5   by the City of Champaign.

6   (31) If the ordinance was adopted on December 15, 1986

7   by the City of Urbana.

8   (32) If the ordinance was adopted on December 15, 1986

9   by the Village of Heyworth.

10   (33) If the ordinance was adopted on February 24, 1992

11   by the Village of Heyworth.

12   (34) If the ordinance was adopted on March 16, 1995 by

13   the Village of Heyworth.

14   (35) If the ordinance was adopted on December 23, 1986

15   by the Town of Cicero.

16   (36) If the ordinance was adopted on December 30, 1986

17   by the City of Effingham.

18   (37) If the ordinance was adopted on May 9, 1991 by the

19   Village of Tilton.

20   (38) If the ordinance was adopted on October 20, 1986

21   by the City of Elmhurst.

22   (39) If the ordinance was adopted on January 19, 1988

23   by the City of Waukegan.

24   (40) If the ordinance was adopted on September 21, 1998

25   by the City of Waukegan.

26   (41) If the ordinance was adopted on December 31, 1986

1   by the City of Sullivan.

2   (42) If the ordinance was adopted on December 23, 1991

3   by the City of Sullivan.

4   (43) If the ordinance was adopted on December 31, 1986

5   by the City of Oglesby.

6   (44) If the ordinance was adopted on July 28, 1987 by

7   the City of Marion.

8   (45) If the ordinance was adopted on April 23, 1990 by

9   the City of Marion.

10   (46) If the ordinance was adopted on August 20, 1985 by

11   the Village of Mount Prospect.

12   (47) If the ordinance was adopted on February 2, 1998

13   by the Village of Woodhull.

14   (48) If the ordinance was adopted on April 20, 1993 by

15   the Village of Princeville.

16   (49) If the ordinance was adopted on July 1, 1986 by

17   the City of Granite City.

18   (50) If the ordinance was adopted on February 2, 1989

19   by the Village of Lombard.

20   (51) If the ordinance was adopted on December 29, 1986

21   by the Village of Gardner.

22   (52) If the ordinance was adopted on July 14, 1999 by

23   the Village of Paw Paw.

24   (53) If the ordinance was adopted on November 17, 1986

25   by the Village of Franklin Park.

26   (54) If the ordinance was adopted on November 20, 1989

1   by the Village of South Holland.

2   (55) If the ordinance was adopted on July 14, 1992 by

3   the Village of Riverdale.

4   (56) If the ordinance was adopted on December 29, 1986

5   by the City of Galesburg.

6   (57) If the ordinance was adopted on April 1, 1985 by

7   the City of Galesburg.

8   (58) If the ordinance was adopted on May 21, 1990 by

9   the City of West Chicago.

10   (59) If the ordinance was adopted on December 16, 1986

11   by the City of Oak Forest.

12   (60) If the ordinance was adopted in 1999 by the City

13   of Villa Grove.

14   (61) If the ordinance was adopted on January 13, 1987

15   by the Village of Mt. Zion.

16   (62) If the ordinance was adopted on December 30, 1986

17   by the Village of Manteno.

18   (63) If the ordinance was adopted on April 3, 1989 by

19   the City of Chicago Heights.

20   (64) If the ordinance was adopted on January 6, 1999 by

21   the Village of Rosemont.

22   (65) If the ordinance was adopted on December 19, 2000

23   by the Village of Stone Park.

24   (66) If the ordinance was adopted on December 22, 1986

25   by the City of DeKalb.

26   (67) If the ordinance was adopted on December 2, 1986

1   by the City of Aurora.

2   (68) If the ordinance was adopted on December 31, 1986

3   by the Village of Milan.

4   (69) If the ordinance was adopted on September 8, 1994

5   by the City of West Frankfort.

6   (70) If the ordinance was adopted on December 23, 1986

7   by the Village of Libertyville.

8   (71) If the ordinance was adopted on December 22, 1986

9   by the Village of Hoffman Estates.

10   (72) If the ordinance was adopted on September 17, 1986

11   by the Village of Sherman.

12   (73) If the ordinance was adopted on December 16, 1986

13   by the City of Macomb.

14   (74) If the ordinance was adopted on June 11, 2002 by

15   the City of East Peoria to create the West Washington

16   Street TIF.

17   (75) If the ordinance was adopted on June 11, 2002 by

18   the City of East Peoria to create the Camp Street TIF.

19   (76) If the ordinance was adopted on August 7, 2000 by

20   the City of Des Plaines.

21   (77) If the ordinance was adopted on December 22, 1986

22   by the City of Washington to create the Washington Square

23   TIF #2.

24   (78) If the ordinance was adopted on December 29, 1986

25   by the City of Morris.

26   (79) If the ordinance was adopted on July 6, 1998 by

1   the Village of Steeleville.

2   (80) If the ordinance was adopted on December 29, 1986

3   by the City of Pontiac to create TIF I (the Main St TIF).

4   (81) If the ordinance was adopted on December 29, 1986

5   by the City of Pontiac to create TIF II (the Interstate

6   TIF).

7   (82) If the ordinance was adopted on November 6, 2002

8   by the City of Chicago to create the Madden/Wells TIF

9   District.

10   (83) If the ordinance was adopted on November 4, 1998

11   by the City of Chicago to create the Roosevelt/Racine TIF

12   District.

13   (84) If the ordinance was adopted on June 10, 1998 by

14   the City of Chicago to create the Stony Island

15   Commercial/Burnside Industrial Corridors TIF District.

16   (85) If the ordinance was adopted on November 29, 1989

17   by the City of Chicago to create the Englewood Mall TIF

18   District.

19   (86) If the ordinance was adopted on December 27, 1986

20   by the City of Mendota.

21   (87) If the ordinance was adopted on December 31, 1986

22   by the Village of Cahokia.

23   (88) If the ordinance was adopted on September 20, 1999

24   by the City of Belleville.

25   (89) If the ordinance was adopted on December 30, 1986

26   by the Village of Bellevue to create the Bellevue TIF

1   District 1.

2   (90) If the ordinance was adopted on December 13, 1993

3   by the Village of Crete.

4   (91) If the ordinance was adopted on February 12, 2001

5   by the Village of Crete.

6   (92) If the ordinance was adopted on April 23, 2001 by

7   the Village of Crete.

8   (93) If the ordinance was adopted on December 16, 1986

9   by the City of Champaign.

10   (94) If the ordinance was adopted on December 20, 1986

11   by the City of Charleston.

12   (95) If the ordinance was adopted on June 6, 1989 by

13   the Village of Romeoville.

14   (96) If the ordinance was adopted on October 14, 1993

15   and amended on August 2, 2010 by the City of Venice.

16   (97) If the ordinance was adopted on June 1, 1994 by

17   the City of Markham.

18   (98) If the ordinance was adopted on May 19, 1998 by

19   the Village of Bensenville.

20   (99) If the ordinance was adopted on November 12, 1987

21   by the City of Dixon.

22   (100) If the ordinance was adopted on December 20, 1988

23   by the Village of Lansing.

24   (101) If the ordinance was adopted on October 27, 1998

25   by the City of Moline.

26   (102) If the ordinance was adopted on May 21, 1991 by

1   the Village of Glenwood.

2   (103) If the ordinance was adopted on January 28, 1992

3   by the City of East Peoria.

4   (104) If the ordinance was adopted on December 14, 1998

5   by the City of Carlyle.

6   (105) If the ordinance was adopted on May 17, 2000, as

7   subsequently amended, by the City of Chicago to create the

8   Midwest Redevelopment TIF District.

9   (106) If the ordinance was adopted on September 13,

10   1989 by the City of Chicago to create the Michigan/Cermak

11   Area TIF District.

12   (107) If the ordinance was adopted on March 30, 1992 by

13   the Village of Ohio.

14   (108) If the ordinance was adopted on July 6, 1998 by

15   the Village of Orangeville.

16   (109) If the ordinance was adopted on December 16, 1997

17   by the Village of Germantown.

18   (110) If the ordinance was adopted on April 28, 2003 by

19   Gibson City.

20   (111) If the ordinance was adopted on December 18, 1990

21   by the Village of Washington Park, but only after the

22   Village of Washington Park becomes compliant with the

23   reporting requirements under subsection (d) of Section

24   11-74.4-5, and after the State Comptroller's certification

25   of such compliance.

26   (112) If the ordinance was adopted on February 28, 2000

1   by the City of Harvey.

2   (113) If the ordinance was adopted on January 11, 1991

3   by the City of Chicago to create the Read/Dunning TIF

4   District.

5   (114) If the ordinance was adopted on July 24, 1991 by

6   the City of Chicago to create the Sanitary and Ship Canal

7   TIF District.

8   (115) If the ordinance was adopted on December 4, 2007

9   by the City of Naperville.

10   (116) If the ordinance was adopted on July 1, 2002 by

11   the Village of Arlington Heights.

12   (117) If the ordinance was adopted on February 11, 1991

13   by the Village of Machesney Park.

14   (118) If the ordinance was adopted on December 29, 1993

15   by the City of Ottawa.

16   (119) If the ordinance was adopted on June 4, 1991 by

17   the Village of Lansing.

18   (120) If the ordinance was adopted on February 10, 2004

19   by the Village of Fox Lake.

20   (121) If the ordinance was adopted on December 22, 1992

21   by the City of Fairfield.

22   (122) If the ordinance was adopted on February 10, 1992

23   by the City of Mt. Sterling.

24   (123) If the ordinance was adopted on March 15, 2004 by

25   the City of Batavia.

26   (124) If the ordinance was adopted on March 18, 2002 by

1   the Village of Lake Zurich.

2   (125) If the ordinance was adopted on September 23,

3   1997 by the City of Granite City.

4   (126) If the ordinance was adopted on May 8, 2013 by

5   the Village of Rosemont to create the Higgins Road/River

6   Road TIF District No. 6.

7   (127) If the ordinance was adopted on November 22, 1993

8   by the City of Arcola.

9   (128) If the ordinance was adopted on September 7, 2004

10   by the City of Arcola.

11   (129) If the ordinance was adopted on November 29, 1999

12   by the City of Paris.

13   (130) If the ordinance was adopted on September 20,

14   1994 by the City of Ottawa to create the U.S. Route 6 East

15   Ottawa TIF.

16   (131) If the ordinance was adopted on May 2, 2002 by

17   the Village of Crestwood.

18   (132) If the ordinance was adopted on October 27, 1992

19   by the City of Blue Island.

20   (133) If the ordinance was adopted on December 23, 1993

21   by the City of Lacon.

22   (134) If the ordinance was adopted on May 4, 1998 by

23   the Village of Bradford.

24   (135) If the ordinance was adopted on June 11, 2002 by

25   the City of Oak Forest.

26   (136) If the ordinance was adopted on November 16, 1992

1   by the City of Pinckneyville.

2   (137) If the ordinance was adopted on March 1, 2001 by

3   the Village of South Jacksonville.

4   (138) If the ordinance was adopted on February 26, 1992

5   by the City of Chicago to create the Stockyards Southeast

6   Quadrant TIF District.

7   (139) If the ordinance was adopted on January 25, 1993

8   by the City of LaSalle.

9   (140) If the ordinance was adopted on December 23, 1997

10   by the Village of Dieterich.

11   (141) If the ordinance was adopted on February 10, 2016

12   by the Village of Rosemont to create the Balmoral/Pearl TIF

13   No. 8 Tax Increment Financing Redevelopment Project Area.

14   (142) (132) If the ordinance was adopted on June 11,

15   2002 by the City of Oak Forest.

16   (143) If the ordinance was adopted on October 23, 1995

17   by the City of Marion.

18   (d) For redevelopment project areas for which bonds were

19   issued before July 29, 1991, or for which contracts were

20   entered into before June 1, 1988, in connection with a

21   redevelopment project in the area within the State Sales Tax

22   Boundary, the estimated dates of completion of the

23   redevelopment project and retirement of obligations to finance

24   redevelopment project costs (including refunding bonds under

25   Section 11-74.4-7) may be extended by municipal ordinance to

26   December 31, 2013. The termination procedures of subsection (b)

1   of Section 11-74.4-8 are not required for these redevelopment

2   project areas in 2009 but are required in 2013. The extension

3   allowed by Public Act 87-1272 shall not apply to real property

4   tax increment allocation financing under Section 11-74.4-8.

5   (e) Those dates, for purposes of real property tax

6   increment allocation financing pursuant to Section 11-74.4-8

7   only, shall be not more than 35 years for redevelopment project

8   areas that were adopted on or after December 16, 1986 and for

9   which at least $8 million worth of municipal bonds were

10   authorized on or after December 19, 1989 but before January 1,

11   1990; provided that the municipality elects to extend the life

12   of the redevelopment project area to 35 years by the adoption

13   of an ordinance after at least 14 but not more than 30 days'

14   written notice to the taxing bodies, that would otherwise

15   constitute the joint review board for the redevelopment project

16   area, before the adoption of the ordinance.

17   (f) Those dates, for purposes of real property tax

18   increment allocation financing pursuant to Section 11-74.4-8

19   only, shall be not more than 35 years for redevelopment project

20   areas that were established on or after December 1, 1981 but

21   before January 1, 1982 and for which at least $1,500,000 worth

22   of tax increment revenue bonds were authorized on or after

23   September 30, 1990 but before July 1, 1991; provided that the

24   municipality elects to extend the life of the redevelopment

25   project area to 35 years by the adoption of an ordinance after

26   at least 14 but not more than 30 days' written notice to the

1   taxing bodies, that would otherwise constitute the joint review

2   board for the redevelopment project area, before the adoption

3   of the ordinance.

4   (f-5) Those dates, for purposes of real property tax

5   increment allocation financing pursuant to Section 11-74.4-8

6   only, shall be not more than 47 years for redevelopment project

7   areas that were established on December 29, 1981 by the City of

8   Springfield; provided that (i) the City city of Springfield

9   adopts an ordinance extending the life of the redevelopment

10   project area to 47 years and (ii) the City of Springfield

11   provides notice to the taxing bodies that would otherwise

12   constitute the joint review board for the redevelopment project

13   area not more than 30 and not less than 14 days prior to the

14   adoption of that ordinance.

15   (g) In consolidating the material relating to completion

16   dates from Sections 11-74.4-3 and 11-74.4-7 into this Section,

17   it is not the intent of the General Assembly to make any

18   substantive change in the law, except for the extension of the

19   completion dates for the City of Aurora, the Village of Milan,

20   the City of West Frankfort, the Village of Libertyville, and

21   the Village of Hoffman Estates set forth under items (67),

22   (68), (69), (70), and (71) of subsection (c) of this Section.

23   (Source: P.A. 98-109, eff. 7-25-13; 98-135, eff. 8-2-13;

24   98-230, eff. 8-9-13; 98-463, eff. 8-16-13; 98-614, eff.

25   12-27-13; 98-667, eff. 6-25-14; 98-889, eff. 8-15-14; 98-893,

26   eff. 8-15-14; 98-1064, eff. 8-26-14; 98-1136, eff. 12-29-14;

1   98-1153, eff. 1-9-15; 98-1157, eff. 1-9-15; 98-1159, eff.

2   1-9-15; 99-78, eff. 7-20-15; 99-136, eff. 7-24-15; 99-263, eff.

3   8-4-15; 99-361, eff. 1-1-16; 99-394, eff. 8-18-15; 99-495, eff.

4   12-17-15; 99-508, eff. 6-24-16; 99-792, eff. 8-12-16; revised

5   9-22-16.)

6   Section 99. Effective date. This Act takes effect upon

7   becoming law.