



Rep. Al Riley

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LRB098 07448 OMW 41375 a

1 AMENDMENT TO HOUSE BILL 1295

2 AMENDMENT NO. _____. Amend House Bill 1295 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Urban Development Authority Act is
5 amended by changing Sections 2 and 3 as follows:

6 (70 ILCS 531/2)

7 Sec. 2. Findings. The General Assembly hereby determines
8 and declares that:

9 (1) the economic burdens resulting from involuntary
10 unemployment fall in part upon the State in the form of
11 increased need for public assistance, reduced tax
12 revenues, and increased resources devoted to crime
13 prevention and incarceration and that the unemployed
14 worker and his or her family may migrate outside the State
15 to find work and such migration will reduce the tax
16 revenues of local governments and the State of Illinois,

1 thereby endangering their financial ability to support
2 necessary governmental services for their remaining
3 inhabitants;

4 (2) the State has a responsibility to help create a
5 favorable climate for new and improved job opportunities
6 for all of its citizens, especially in areas with high
7 economic distress, by encouraging the development of
8 commercial and service businesses and industrial and
9 manufacturing plants and creating job opportunities;

10 (3) the State has a responsibility to increase and
11 improve post-release employment opportunities for
12 ex-offenders and reduce recidivism rates through the
13 combined resources and expertise of providers of workforce
14 development, supportive services, and private enterprises;

15 (4) a lack of decent housing contributes to urban
16 blight, crime, anti-social behavior, disease, a higher
17 need for public assistance, reduced tax revenues, and the
18 migration of workers and their families away from areas
19 that fail to offer adequate, decent, affordable housing;

20 (5) decent, affordable housing is a necessary
21 ingredient of life affording each citizen basic human
22 dignity, a sense of self worth, confidence, and a firm
23 foundation upon which to build a family and educate
24 children; and

25 (6) in order to foster civic and neighborhood pride,
26 citizens require access to educational institutions,

1 recreation, parks and open spaces, entertainment and
2 sports, a reliable transportation network, cultural
3 facilities, and theaters.

4 It is hereby declared to be the policy of the State of
5 Illinois, in the interest of promoting industrial, commercial,
6 residential, jobs, service, transportation, and facilities,
7 thereby reducing the evils attendant upon unemployment, crime,
8 and recidivism and enhancing the public health, safety, morals,
9 happiness, and general welfare of this State specifically by
10 making available through the Illinois Urban Development
11 Authority, funds for industrial projects, commercial projects,
12 transportation projects, and housing projects to a
13 municipality with a municipal poverty rate greater than 3% in
14 excess of the statewide average.

15 (Source: P.A. 96-234, eff. 1-1-10.)

16 (70 ILCS 531/3)

17 Sec. 3. Definitions. The following terms, whenever used or
18 referred to in this Act, shall have the following meanings,
19 except in such instances where the context may clearly indicate
20 otherwise:

21 "Authority" means the Illinois Urban Development Authority
22 created by this Act.

23 "Board" means the Illinois Urban Development Authority
24 Board of Directors.

25 "Bonds" shall include bonds, notes, or other evidence of

1 indebtedness.

2 "Commercial project" means any project, including but not
3 limited to one or more buildings and other structures,
4 improvements, machinery, and equipment whether or not on the
5 same site or sites now existing or hereafter acquired, suitable
6 for use by any retail or wholesale concern, distributorship, or
7 agency, any cultural facilities of a for-profit or
8 not-for-profit type including but not limited to educational,
9 theatrical, recreational and entertainment, sports facilities,
10 racetracks, stadiums, convention centers, exhibition halls,
11 arenas, opera houses and theaters, waterfront improvements,
12 swimming pools, boat storage, moorage, docking facilities,
13 restaurants, coliseums, sports training facilities, parking
14 facilities, terminals, hotels and motels, gymnasiums, medical
15 facilities, and port facilities.

16 "Costs incurred in connection with the development,
17 construction, acquisition, or improvement of a project" means
18 the cost of purchase and construction of all lands and
19 improvements in connection with a project and equipment and
20 other property, rights, easements, and franchises acquired
21 that are deemed necessary for such construction; financing
22 charges; interest costs with respect to bonds, notes, and other
23 evidences of indebtedness of the Authority prior to and during
24 construction and for a period of 6 months thereafter;
25 engineering and legal expenses; the costs of plans,
26 specifications, surveys, and estimates of costs and other

1 expenses necessary or incident to determining the feasibility
2 or practicability of any project, together with such other
3 expenses as may be necessary or incident to the financing,
4 insuring, acquisition, and construction of a specific project
5 and the placing of the same in operation.

6 "Develop" or "development" means to do one or more of the
7 following: plan, design, develop, lease, acquire, install,
8 construct, reconstruct, rehabilitate, extend, or expand.

9 "Financial aid" means the expenditure of Authority funds or
10 funds provided by the Authority through the issuance of its
11 revenue bonds, notes, or other evidences of indebtedness for
12 the development, construction, acquisition, or improvement of
13 a project.

14 "Governmental agency" means any federal, State or local
15 governmental body, and any agency or instrumentality thereof,
16 corporate or otherwise.

17 "Governor" means the Governor of the State of Illinois.

18 "Housing project" or "residential project" includes a
19 specific work or improvement undertaken to provide dwelling
20 accommodations, including the acquisition, construction,
21 leasing, or rehabilitation of lands, buildings, and community
22 facilities and in connection therewith to provide nonhousing
23 facilities which are an integral part of a planned large-scale
24 project or new community.

25 "Industrial project" means (1) a capital project,
26 including one or more buildings and other structures,

1 improvements, machinery, and equipment whether or not on the
2 same site or sites now existing or hereafter acquired, suitable
3 for use by any manufacturing, industrial, research,
4 transportation, or commercial enterprise including but not
5 limited to use as a factory, mill, processing plant, assembly
6 plant, packaging plant, fabricating plant, office building,
7 industrial distribution center, warehouse, repair, overhaul or
8 service facility, freight terminal, research facility, test
9 facility, railroad facility, solid waste and wastewater
10 treatment and disposal sites and other pollution control
11 facilities, resource or waste reduction, recovery, treatment
12 and disposal facilities, and including also the sites thereof
13 and other rights in land therefor whether improved or
14 unimproved, site preparation and landscaping and all
15 appurtenances and facilities incidental thereto such as
16 utilities, access roads, railroad sidings, truck docking and
17 similar facilities, parking facilities, dockage, wharfage,
18 railroad roadbed, track, trestle, depot, terminal, switching,
19 and signaling equipment or related equipment and other
20 improvements necessary or convenient thereto; or (2) any land,
21 buildings, machinery or equipment comprising an addition to or
22 renovation, rehabilitation or improvement of any existing
23 capital project.

24 "Lease agreement" means an agreement whereby a project
25 acquired by the Authority by purchase, gift, or lease is leased
26 to any person or corporation that will use or cause the project

1 to be used as a project as defined in this Act upon terms
2 providing for lease rental payments at least sufficient to pay
3 when due all principal of and interest and premium, if any, on
4 any bonds, notes or other evidences of indebtedness of the
5 Authority issued with respect to such project, providing for
6 the maintenance, insurance, and operation of the project on
7 terms satisfactory to the Authority, and providing for
8 disposition of the project upon termination of the lease term,
9 including purchase options or abandonment of the premises, with
10 such other terms as may be deemed desirable by the Authority.
11 The Authority may, directly or indirectly, lease or otherwise
12 transfer property the Authority owns to another and such leased
13 property shall remain tax exempt.

14 "Loan agreement" means any agreement pursuant to which the
15 Authority agrees to loan the proceeds of its bonds, notes, or
16 other evidences of indebtedness issued with respect to a
17 project to any person or corporation that will use or cause the
18 project to be used as a project as defined in this Act upon
19 terms providing for loan repayment installments at least
20 sufficient to pay when due all principal and interest and
21 premium, if any, on any bonds, notes, or other evidences of
22 indebtedness of the Authority issued with respect to the
23 project, providing for maintenance, insurance, and operation
24 of the project on terms satisfactory to the Authority and
25 providing for other matters as may be deemed advisable by the
26 Authority.

1 "Maintain" or "maintenance" includes ordinary maintenance,
2 repair, rehabilitation, capital maintenance, maintenance
3 replacement, and any other categories of maintenance that may
4 be designated by the local, regional, or State transportation
5 agency.

6 "Municipal poverty rate" is the percentage of total
7 population of the municipality having income levels below the
8 poverty level as determined by the Authority based upon the
9 most recent data released by the United States Census Bureau
10 before the beginning of such calendar year.

11 "Occupational license" means a license issued by the
12 Illinois Gaming Board to a person or entity to perform an
13 occupation which the Illinois Gaming Board has identified as
14 requiring a license to engage in riverboat, dockside, or
15 land-based gambling in Illinois.

16 "Operate" or "operation" means to do one or more of the
17 following: maintain, improve, equip, modify, or otherwise
18 operate.

19 "Person" means any natural person, firm, partnership,
20 corporation, both domestic and foreign, company, association,
21 or joint stock association and includes any trustee, receiver,
22 assignee, or personal representative thereof.

23 "Project" means an industrial, housing, residential,
24 commercial, transportation, or service project, or any
25 combination thereof, provided that all uses shall fall within
26 one of those categories. Any project, of any nature whatsoever,

1 shall automatically include all site improvements and new
2 construction involving sidewalks, sewers, solid waste and
3 wastewater treatment and disposal sites and other pollution
4 control facilities, resource or waste reduction, recovery,
5 treatment and disposal facilities, parks, open spaces,
6 wildlife sanctuaries, streets, highways, and runways.

7 "Revenue bond" means any bond issued by the Authority under
8 the supervision of the Illinois Finance Authority, the
9 principal and interest of which are payable solely from
10 revenues or income derived from any project or activity of the
11 Authority.

12 "Transportation facility" means any new or existing road,
13 highway, toll highway, bridge, tunnel, intermodal facility,
14 intercity or high-speed passenger rail, or other
15 transportation facility or infrastructure, excluding airports.
16 The term "transportation facility" may refer to one or more
17 transportation facilities that are proposed to be developed or
18 operated as part of a single transportation project.

19 "Transportation project" means one or more transportation
20 improvement projects including, but not limited to, new or
21 existing roads or highways, new or expanded intermodal
22 projects, and new or expanded transit projects,
23 transit-oriented development, intercity rail, and passenger
24 rail. "Transportation project" does not include airport
25 projects.

26 (Source: P.A. 96-234, eff. 1-1-10.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".