



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4600

Introduced 2/5/2020, by Rep. Rita Mayfield

SYNOPSIS AS INTRODUCED:

35 ILCS 200/20-15	
65 ILCS 5/11-74.4-3	from Ch. 24, par. 11-74.4-3
65 ILCS 5/11-74.4-3.7 new	
65 ILCS 5/11-74.4-4	from Ch. 24, par. 11-74.4-4
65 ILCS 5/11-74.4-5	from Ch. 24, par. 11-74.4-5

Amends the Property Tax Code. Provides that there shall be printed on each tax bill, or on a separate slip mailed with a tax bill, each taxing district affected by revenues received by a tax increment financing district. Amends the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code. Revises the definition of "blighted area": (1) to require that a reasonable person would conclude that each factor of a blighted area is present to a meaningful extent so that a municipality may reasonably find that the factor is clearly present, is reasonably distributed throughout the improved or vacant part of the redevelopment project area, and that public intervention is necessary to address the factor; and (2) to provide that a "blighted area" does not include any area within another redevelopment project area. Provides that a municipality must reevaluate whether a redevelopment project area designated as a blighted area is still a blighted area every 10th calendar year after the year in which the ordinance approving the redevelopment project area was adopted, redesignating the redevelopment project area as a blighted area if it meets the requirements or discontinuing the redevelopment project area if it does not meet the requirements. Limits where municipalities may jointly undertake plans or utilize revenues in contiguous redevelopment projects areas.

LRB101 15455 AWJ 64788 b

FISCAL NOTE ACT
MAY APPLY

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 Property Tax Code is amended by changing
5 Section 20-15 as follows:

6 (35 ILCS 200/20-15)

7 Sec. 20-15. Information on bill or separate statement.
8 There shall be printed on each bill, or on a separate slip
9 which shall be mailed with the bill:

10 (a) a statement itemizing the rate at which taxes have
11 been extended for each of the taxing districts in the
12 county in whose district the property is located, and in
13 those counties utilizing electronic data processing
14 equipment the dollar amount of tax due from the person
15 assessed allocable to each of those taxing districts,
16 including a separate statement of the dollar amount of tax
17 due which is allocable to a tax levied under the Illinois
18 Local Library Act or to any other tax levied by a
19 municipality or township for public library purposes,

20 (b) a separate statement for each of the taxing
21 districts of the dollar amount of tax due which is
22 allocable to a tax levied under the Illinois Pension Code
23 or to any other tax levied by a municipality or township

1 for public pension or retirement purposes,
2 (b-5) a list of each tax increment financing (TIF)
3 district in which the property is located, ~~and~~ the dollar
4 amount of tax due that is allocable to the TIF district, and each taxing district affected by revenues received by a
5 TIF district,
6

7 (c) the total tax rate,

8 (d) the total amount of tax due, and

9 (e) the amount by which the total tax and the tax
10 allocable to each taxing district differs from the
11 taxpayer's last prior tax bill.

12 The county treasurer shall ensure that only those taxing
13 districts in which a parcel of property is located shall be
14 listed on the bill for that property.

15 In all counties the statement shall also provide:

16 (1) the property index number or other suitable
17 description,

18 (2) the assessment of the property,

19 (3) the statutory amount of each homestead exemption
20 applied to the property,

21 (4) the assessed value of the property after
22 application of all homestead exemptions,

23 (5) the equalization factors imposed by the county and
24 by the Department, and

25 (6) the equalized assessment resulting from the
26 application of the equalization factors to the basic

1 assessment.

2 In all counties which do not classify property for purposes
3 of taxation, for property on which a single family residence is
4 situated the statement shall also include a statement to
5 reflect the fair cash value determined for the property. In all
6 counties which classify property for purposes of taxation in
7 accordance with Section 4 of Article IX of the Illinois
8 Constitution, for parcels of residential property in the lowest
9 assessment classification the statement shall also include a
10 statement to reflect the fair cash value determined for the
11 property.

12 In all counties, the statement must include information
13 that certain taxpayers may be eligible for tax exemptions,
14 abatements, and other assistance programs and that, for more
15 information, taxpayers should consult with the office of their
16 township or county assessor and with the Illinois Department of
17 Revenue.

18 In counties which use the estimated or accelerated billing
19 methods, these statements shall only be provided with the final
20 installment of taxes due. The provisions of this Section create
21 a mandatory statutory duty. They are not merely directory or
22 discretionary. The failure or neglect of the collector to mail
23 the bill, or the failure of the taxpayer to receive the bill,
24 shall not affect the validity of any tax, or the liability for
25 the payment of any tax.

26 (Source: P.A. 100-621, eff. 7-20-18; 101-134, eff. 7-26-19.)

1 Section 10. The Illinois Municipal Code is amended by
2 changing Sections 11-74.4-3, 11-74.4-4, and 11-74.4-5 and by
3 adding Section 11-74.4-3.7 as follows:

4 (65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)

5 Sec. 11-74.4-3. Definitions. The following terms, wherever
6 used or referred to in this Division 74.4 shall have the
7 following respective meanings, unless in any case a different
8 meaning clearly appears from the context.

9 (a) For any redevelopment project area that has been
10 designated pursuant to this Section by an ordinance adopted
11 prior to the effective date of this amendatory Act of the 101st
12 General Assembly November 1, 1999 ~~(the effective date of Public~~
13 ~~Act 91-478)~~, "blighted area" shall have the meaning set forth
14 in this Section prior to that date.

15 On and after the effective date of this amendatory Act of
16 the 101st General Assembly November 1, 1999, "blighted area"
17 means any improved or vacant area within the boundaries of a
18 redevelopment project area located within the territorial
19 limits of the municipality where:

20 (1) If improved, industrial, commercial, and
21 residential buildings or improvements are detrimental to
22 the public safety, health, or welfare because of a
23 combination of 5 or more of the following factors, each of
24 which a reasonable person would conclude ~~is~~ (i) is present,

1 with that presence documented, to a meaningful extent so
2 that a municipality may reasonably find that the factor is
3 clearly present within the intent of the Act, ~~and~~ (ii) is
4 reasonably distributed throughout the improved part of the
5 redevelopment project area, and (iii) that public
6 intervention is necessary to address the factor:

7 (A) Dilapidation. An advanced state of disrepair
8 or neglect of necessary repairs to the primary
9 structural components of buildings or improvements in
10 such a combination that a documented building
11 condition analysis determines that major repair is
12 required or the defects are so serious and so extensive
13 that the buildings must be removed.

14 (B) Obsolescence. The condition or process of
15 falling into disuse. Structures have become ill-suited
16 for the original use.

17 (C) Deterioration. With respect to buildings,
18 defects including, but not limited to, major defects in
19 the secondary building components such as doors,
20 windows, porches, gutters and downspouts, and fascia.
21 With respect to surface improvements, that the
22 condition of roadways, alleys, curbs, gutters,
23 sidewalks, off-street parking, and surface storage
24 areas evidence deterioration, including, but not
25 limited to, surface cracking, crumbling, potholes,
26 depressions, loose paving material, and weeds

1 protruding through paved surfaces.

2 (D) Presence of structures below minimum code
3 standards. All structures that do not meet the
4 standards of zoning, subdivision, building, fire, and
5 other governmental codes applicable to property, but
6 not including housing and property maintenance codes.

7 (E) Illegal use of individual structures. The use
8 of structures in violation of applicable federal,
9 State, or local laws, exclusive of those applicable to
10 the presence of structures below minimum code
11 standards.

12 (F) Excessive vacancies. The presence of buildings
13 that are unoccupied or under-utilized and that
14 represent an adverse influence on the area because of
15 the frequency, extent, or duration of the vacancies.

16 (G) Lack of ventilation, light, or sanitary
17 facilities. The absence of adequate ventilation for
18 light or air circulation in spaces or rooms without
19 windows, or that require the removal of dust, odor,
20 gas, smoke, or other noxious airborne materials.
21 Inadequate natural light and ventilation means the
22 absence of skylights or windows for interior spaces or
23 rooms and improper window sizes and amounts by room
24 area to window area ratios. Inadequate sanitary
25 facilities refers to the absence or inadequacy of
26 garbage storage and enclosure, bathroom facilities,

1 hot water and kitchens, and structural inadequacies
2 preventing ingress and egress to and from all rooms and
3 units within a building.

4 (H) Inadequate utilities. Underground and overhead
5 utilities such as storm sewers and storm drainage,
6 sanitary sewers, water lines, and gas, telephone, and
7 electrical services that are shown to be inadequate.
8 Inadequate utilities are those that are: (i) of
9 insufficient capacity to serve the uses in the
10 redevelopment project area, (ii) deteriorated,
11 antiquated, obsolete, or in disrepair, or (iii)
12 lacking within the redevelopment project area.

13 (I) Excessive land coverage and overcrowding of
14 structures and community facilities. The
15 over-intensive use of property and the crowding of
16 buildings and accessory facilities onto a site.
17 Examples of problem conditions warranting the
18 designation of an area as one exhibiting excessive land
19 coverage are: (i) the presence of buildings either
20 improperly situated on parcels or located on parcels of
21 inadequate size and shape in relation to present-day
22 standards of development for health and safety and (ii)
23 the presence of multiple buildings on a single parcel.
24 For there to be a finding of excessive land coverage,
25 these parcels must exhibit one or more of the following
26 conditions: insufficient provision for light and air

1 within or around buildings, increased threat of spread
2 of fire due to the close proximity of buildings, lack
3 of adequate or proper access to a public right-of-way,
4 lack of reasonably required off-street parking, or
5 inadequate provision for loading and service.

6 (J) Deleterious land use or layout. The existence
7 of incompatible land-use relationships, buildings
8 occupied by inappropriate mixed-uses, or uses
9 considered to be noxious, offensive, or unsuitable for
10 the surrounding area.

11 (K) Environmental clean-up. The proposed
12 redevelopment project area has incurred Illinois
13 Environmental Protection Agency or United States
14 Environmental Protection Agency remediation costs for,
15 or a study conducted by an independent consultant
16 recognized as having expertise in environmental
17 remediation has determined a need for, the clean-up of
18 hazardous waste, hazardous substances, or underground
19 storage tanks required by State or federal law,
20 provided that the remediation costs constitute a
21 material impediment to the development or
22 redevelopment of the redevelopment project area.

23 (L) Lack of community planning. The proposed
24 redevelopment project area was developed prior to or
25 without the benefit or guidance of a community plan.
26 This means that the development occurred prior to the

1 adoption by the municipality of a comprehensive or
2 other community plan or that the plan was not followed
3 at the time of the area's development. This factor must
4 be documented by evidence of adverse or incompatible
5 land-use relationships, inadequate street layout,
6 improper subdivision, parcels of inadequate shape and
7 size to meet contemporary development standards, or
8 other evidence demonstrating an absence of effective
9 community planning.

10 (M) The total equalized assessed value of the
11 proposed redevelopment project area has declined for 3
12 of the last 5 calendar years prior to the year in which
13 the redevelopment project area is designated or is
14 increasing at an annual rate that is less than the
15 balance of the municipality for 3 of the last 5
16 calendar years for which information is available or is
17 increasing at an annual rate that is less than the
18 Consumer Price Index for All Urban Consumers published
19 by the United States Department of Labor or successor
20 agency for 3 of the last 5 calendar years prior to the
21 year in which the redevelopment project area is
22 designated.

23 (2) If vacant, the sound growth of the redevelopment
24 project area is impaired by a combination of 2 or more of
25 the following factors, each of which a reasonable person
26 would conclude ~~is~~ (i) is present, with that presence

1 documented, to a meaningful extent so that a municipality
2 may reasonably find that the factor is clearly present
3 within the intent of the Act, ~~and~~ (ii) is reasonably
4 distributed throughout the vacant part of the
5 redevelopment project area to which it pertains, and (iii)
6 that public intervention is necessary to address the
7 factor:

8 (A) Obsolete platting of vacant land that results
9 in parcels of limited or narrow size or configurations
10 of parcels of irregular size or shape that would be
11 difficult to develop on a planned basis and in a manner
12 compatible with contemporary standards and
13 requirements, or platting that failed to create
14 rights-of-ways for streets or alleys or that created
15 inadequate right-of-way widths for streets, alleys, or
16 other public rights-of-way or that omitted easements
17 for public utilities.

18 (B) Diversity of ownership of parcels of vacant
19 land sufficient in number to retard or impede the
20 ability to assemble the land for development.

21 (C) Tax and special assessment delinquencies exist
22 or the property has been the subject of tax sales under
23 the Property Tax Code within the last 5 years.

24 (D) Deterioration of structures or site
25 improvements in neighboring areas adjacent to the
26 vacant land.

1 (E) The area has incurred Illinois Environmental
2 Protection Agency or United States Environmental
3 Protection Agency remediation costs for, or a study
4 conducted by an independent consultant recognized as
5 having expertise in environmental remediation has
6 determined a need for, the clean-up of hazardous waste,
7 hazardous substances, or underground storage tanks
8 required by State or federal law, provided that the
9 remediation costs constitute a material impediment to
10 the development or redevelopment of the redevelopment
11 project area.

12 (F) The total equalized assessed value of the
13 proposed redevelopment project area has declined for 3
14 of the last 5 calendar years prior to the year in which
15 the redevelopment project area is designated or is
16 increasing at an annual rate that is less than the
17 balance of the municipality for 3 of the last 5
18 calendar years for which information is available or is
19 increasing at an annual rate that is less than the
20 Consumer Price Index for All Urban Consumers published
21 by the United States Department of Labor or successor
22 agency for 3 of the last 5 calendar years prior to the
23 year in which the redevelopment project area is
24 designated.

25 (3) If vacant, the sound growth of the redevelopment
26 project area is impaired by one of the following factors

1 that a reasonable person would conclude (i) is present,
2 with that presence documented, to a meaningful extent so
3 that a municipality may reasonably find that the factor is
4 clearly present within the intent of the Act, ~~and~~ (ii) is
5 reasonably distributed throughout the vacant part of the
6 redevelopment project area to which it pertains, and (iii)
7 that public intervention is necessary to address the
8 factor:

9 (A) The area consists of one or more unused
10 quarries, mines, or strip mine ponds.

11 (B) The area consists of unused rail yards, rail
12 tracks, or railroad rights-of-way.

13 (C) The area, prior to its designation, is subject
14 to (i) chronic flooding that adversely impacts on real
15 property in the area as certified by a registered
16 professional engineer or appropriate regulatory agency
17 or (ii) surface water that discharges from all or a
18 part of the area and contributes to flooding within the
19 same watershed, but only if the redevelopment project
20 provides for facilities or improvements to contribute
21 to the alleviation of all or part of the flooding.

22 (D) The area consists of an unused or illegal
23 disposal site containing earth, stone, building
24 debris, or similar materials that were removed from
25 construction, demolition, excavation, or dredge sites.

26 (E) Prior to November 1, 1999, the area is not less

1 than 50 nor more than 100 acres and 75% of which is
2 vacant (notwithstanding that the area has been used for
3 commercial agricultural purposes within 5 years prior
4 to the designation of the redevelopment project area),
5 and the area meets at least one of the factors itemized
6 in paragraph (1) of this subsection, the area has been
7 designated as a town or village center by ordinance or
8 comprehensive plan adopted prior to January 1, 1982,
9 and the area has not been developed for that designated
10 purpose.

11 (F) The area qualified as a blighted improved area
12 immediately prior to becoming vacant, unless there has
13 been substantial private investment in the immediately
14 surrounding area.

15 "Blighted area" does not include any area within another
16 redevelopment project area.

17 (b) For any redevelopment project area that has been
18 designated pursuant to this Section by an ordinance adopted
19 prior to November 1, 1999 (the effective date of Public Act
20 91-478), "conservation area" shall have the meaning set forth
21 in this Section prior to that date.

22 On and after November 1, 1999, "conservation area" means
23 any improved area within the boundaries of a redevelopment
24 project area located within the territorial limits of the
25 municipality in which 50% or more of the structures in the area
26 have an age of 35 years or more. Such an area is not yet a

1 blighted area but because of a combination of 3 or more of the
2 following factors is detrimental to the public safety, health,
3 morals or welfare and such an area may become a blighted area:

4 (1) Dilapidation. An advanced state of disrepair or
5 neglect of necessary repairs to the primary structural
6 components of buildings or improvements in such a
7 combination that a documented building condition analysis
8 determines that major repair is required or the defects are
9 so serious and so extensive that the buildings must be
10 removed.

11 (2) Obsolescence. The condition or process of falling
12 into disuse. Structures have become ill-suited for the
13 original use.

14 (3) Deterioration. With respect to buildings, defects
15 including, but not limited to, major defects in the
16 secondary building components such as doors, windows,
17 porches, gutters and downspouts, and fascia. With respect
18 to surface improvements, that the condition of roadways,
19 alleys, curbs, gutters, sidewalks, off-street parking, and
20 surface storage areas evidence deterioration, including,
21 but not limited to, surface cracking, crumbling, potholes,
22 depressions, loose paving material, and weeds protruding
23 through paved surfaces.

24 (4) Presence of structures below minimum code
25 standards. All structures that do not meet the standards of
26 zoning, subdivision, building, fire, and other

1 governmental codes applicable to property, but not
2 including housing and property maintenance codes.

3 (5) Illegal use of individual structures. The use of
4 structures in violation of applicable federal, State, or
5 local laws, exclusive of those applicable to the presence
6 of structures below minimum code standards.

7 (6) Excessive vacancies. The presence of buildings
8 that are unoccupied or under-utilized and that represent an
9 adverse influence on the area because of the frequency,
10 extent, or duration of the vacancies.

11 (7) Lack of ventilation, light, or sanitary
12 facilities. The absence of adequate ventilation for light
13 or air circulation in spaces or rooms without windows, or
14 that require the removal of dust, odor, gas, smoke, or
15 other noxious airborne materials. Inadequate natural light
16 and ventilation means the absence or inadequacy of
17 skylights or windows for interior spaces or rooms and
18 improper window sizes and amounts by room area to window
19 area ratios. Inadequate sanitary facilities refers to the
20 absence or inadequacy of garbage storage and enclosure,
21 bathroom facilities, hot water and kitchens, and
22 structural inadequacies preventing ingress and egress to
23 and from all rooms and units within a building.

24 (8) Inadequate utilities. Underground and overhead
25 utilities such as storm sewers and storm drainage, sanitary
26 sewers, water lines, and gas, telephone, and electrical

1 services that are shown to be inadequate. Inadequate
2 utilities are those that are: (i) of insufficient capacity
3 to serve the uses in the redevelopment project area, (ii)
4 deteriorated, antiquated, obsolete, or in disrepair, or
5 (iii) lacking within the redevelopment project area.

6 (9) Excessive land coverage and overcrowding of
7 structures and community facilities. The over-intensive
8 use of property and the crowding of buildings and accessory
9 facilities onto a site. Examples of problem conditions
10 warranting the designation of an area as one exhibiting
11 excessive land coverage are: the presence of buildings
12 either improperly situated on parcels or located on parcels
13 of inadequate size and shape in relation to present-day
14 standards of development for health and safety and the
15 presence of multiple buildings on a single parcel. For
16 there to be a finding of excessive land coverage, these
17 parcels must exhibit one or more of the following
18 conditions: insufficient provision for light and air
19 within or around buildings, increased threat of spread of
20 fire due to the close proximity of buildings, lack of
21 adequate or proper access to a public right-of-way, lack of
22 reasonably required off-street parking, or inadequate
23 provision for loading and service.

24 (10) Deleterious land use or layout. The existence of
25 incompatible land-use relationships, buildings occupied by
26 inappropriate mixed-uses, or uses considered to be

1 noxious, offensive, or unsuitable for the surrounding
2 area.

3 (11) Lack of community planning. The proposed
4 redevelopment project area was developed prior to or
5 without the benefit or guidance of a community plan. This
6 means that the development occurred prior to the adoption
7 by the municipality of a comprehensive or other community
8 plan or that the plan was not followed at the time of the
9 area's development. This factor must be documented by
10 evidence of adverse or incompatible land-use
11 relationships, inadequate street layout, improper
12 subdivision, parcels of inadequate shape and size to meet
13 contemporary development standards, or other evidence
14 demonstrating an absence of effective community planning.

15 (12) The area has incurred Illinois Environmental
16 Protection Agency or United States Environmental
17 Protection Agency remediation costs for, or a study
18 conducted by an independent consultant recognized as
19 having expertise in environmental remediation has
20 determined a need for, the clean-up of hazardous waste,
21 hazardous substances, or underground storage tanks
22 required by State or federal law, provided that the
23 remediation costs constitute a material impediment to the
24 development or redevelopment of the redevelopment project
25 area.

26 (13) The total equalized assessed value of the proposed

1 redevelopment project area has declined for 3 of the last 5
2 calendar years for which information is available or is
3 increasing at an annual rate that is less than the balance
4 of the municipality for 3 of the last 5 calendar years for
5 which information is available or is increasing at an
6 annual rate that is less than the Consumer Price Index for
7 All Urban Consumers published by the United States
8 Department of Labor or successor agency for 3 of the last 5
9 calendar years for which information is available.

10 (c) "Industrial park" means an area in a blighted or
11 conservation area suitable for use by any manufacturing,
12 industrial, research or transportation enterprise, of
13 facilities to include but not be limited to factories, mills,
14 processing plants, assembly plants, packing plants,
15 fabricating plants, industrial distribution centers,
16 warehouses, repair overhaul or service facilities, freight
17 terminals, research facilities, test facilities or railroad
18 facilities.

19 (d) "Industrial park conservation area" means an area
20 within the boundaries of a redevelopment project area located
21 within the territorial limits of a municipality that is a labor
22 surplus municipality or within 1 1/2 miles of the territorial
23 limits of a municipality that is a labor surplus municipality
24 if the area is annexed to the municipality; which area is zoned
25 as industrial no later than at the time the municipality by
26 ordinance designates the redevelopment project area, and which

1 area includes both vacant land suitable for use as an
2 industrial park and a blighted area or conservation area
3 contiguous to such vacant land.

4 (e) "Labor surplus municipality" means a municipality in
5 which, at any time during the 6 months before the municipality
6 by ordinance designates an industrial park conservation area,
7 the unemployment rate was over 6% and was also 100% or more of
8 the national average unemployment rate for that same time as
9 published in the United States Department of Labor Bureau of
10 Labor Statistics publication entitled "The Employment
11 Situation" or its successor publication. For the purpose of
12 this subsection, if unemployment rate statistics for the
13 municipality are not available, the unemployment rate in the
14 municipality shall be deemed to be the same as the unemployment
15 rate in the principal county in which the municipality is
16 located.

17 (f) "Municipality" shall mean a city, village,
18 incorporated town, or a township that is located in the
19 unincorporated portion of a county with 3 million or more
20 inhabitants, if the county adopted an ordinance that approved
21 the township's redevelopment plan.

22 (g) "Initial Sales Tax Amounts" means the amount of taxes
23 paid under the Retailers' Occupation Tax Act, Use Tax Act,
24 Service Use Tax Act, the Service Occupation Tax Act, the
25 Municipal Retailers' Occupation Tax Act, and the Municipal
26 Service Occupation Tax Act by retailers and servicemen on

1 transactions at places located in a State Sales Tax Boundary
2 during the calendar year 1985.

3 (g-1) "Revised Initial Sales Tax Amounts" means the amount
4 of taxes paid under the Retailers' Occupation Tax Act, Use Tax
5 Act, Service Use Tax Act, the Service Occupation Tax Act, the
6 Municipal Retailers' Occupation Tax Act, and the Municipal
7 Service Occupation Tax Act by retailers and servicemen on
8 transactions at places located within the State Sales Tax
9 Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

10 (h) "Municipal Sales Tax Increment" means an amount equal
11 to the increase in the aggregate amount of taxes paid to a
12 municipality from the Local Government Tax Fund arising from
13 sales by retailers and servicemen within the redevelopment
14 project area or State Sales Tax Boundary, as the case may be,
15 for as long as the redevelopment project area or State Sales
16 Tax Boundary, as the case may be, exist over and above the
17 aggregate amount of taxes as certified by the Illinois
18 Department of Revenue and paid under the Municipal Retailers'
19 Occupation Tax Act and the Municipal Service Occupation Tax Act
20 by retailers and servicemen, on transactions at places of
21 business located in the redevelopment project area or State
22 Sales Tax Boundary, as the case may be, during the base year
23 which shall be the calendar year immediately prior to the year
24 in which the municipality adopted tax increment allocation
25 financing. For purposes of computing the aggregate amount of
26 such taxes for base years occurring prior to 1985, the

1 Department of Revenue shall determine the Initial Sales Tax
2 Amounts for such taxes and deduct therefrom an amount equal to
3 4% of the aggregate amount of taxes per year for each year the
4 base year is prior to 1985, but not to exceed a total deduction
5 of 12%. The amount so determined shall be known as the
6 "Adjusted Initial Sales Tax Amounts". For purposes of
7 determining the Municipal Sales Tax Increment, the Department
8 of Revenue shall for each period subtract from the amount paid
9 to the municipality from the Local Government Tax Fund arising
10 from sales by retailers and servicemen on transactions located
11 in the redevelopment project area or the State Sales Tax
12 Boundary, as the case may be, the certified Initial Sales Tax
13 Amounts, the Adjusted Initial Sales Tax Amounts or the Revised
14 Initial Sales Tax Amounts for the Municipal Retailers'
15 Occupation Tax Act and the Municipal Service Occupation Tax
16 Act. For the State Fiscal Year 1989, this calculation shall be
17 made by utilizing the calendar year 1987 to determine the tax
18 amounts received. For the State Fiscal Year 1990, this
19 calculation shall be made by utilizing the period from January
20 1, 1988, until September 30, 1988, to determine the tax amounts
21 received from retailers and servicemen pursuant to the
22 Municipal Retailers' Occupation Tax and the Municipal Service
23 Occupation Tax Act, which shall have deducted therefrom
24 nine-twelfths of the certified Initial Sales Tax Amounts, the
25 Adjusted Initial Sales Tax Amounts or the Revised Initial Sales
26 Tax Amounts as appropriate. For the State Fiscal Year 1991,

1 this calculation shall be made by utilizing the period from
2 October 1, 1988, to June 30, 1989, to determine the tax amounts
3 received from retailers and servicemen pursuant to the
4 Municipal Retailers' Occupation Tax and the Municipal Service
5 Occupation Tax Act which shall have deducted therefrom
6 nine-twelfths of the certified Initial Sales Tax Amounts,
7 Adjusted Initial Sales Tax Amounts or the Revised Initial Sales
8 Tax Amounts as appropriate. For every State Fiscal Year
9 thereafter, the applicable period shall be the 12 months
10 beginning July 1 and ending June 30 to determine the tax
11 amounts received which shall have deducted therefrom the
12 certified Initial Sales Tax Amounts, the Adjusted Initial Sales
13 Tax Amounts or the Revised Initial Sales Tax Amounts, as the
14 case may be.

15 (i) "Net State Sales Tax Increment" means the sum of the
16 following: (a) 80% of the first \$100,000 of State Sales Tax
17 Increment annually generated within a State Sales Tax Boundary;
18 (b) 60% of the amount in excess of \$100,000 but not exceeding
19 \$500,000 of State Sales Tax Increment annually generated within
20 a State Sales Tax Boundary; and (c) 40% of all amounts in
21 excess of \$500,000 of State Sales Tax Increment annually
22 generated within a State Sales Tax Boundary. If, however, a
23 municipality established a tax increment financing district in
24 a county with a population in excess of 3,000,000 before
25 January 1, 1986, and the municipality entered into a contract
26 or issued bonds after January 1, 1986, but before December 31,

1 1986, to finance redevelopment project costs within a State
2 Sales Tax Boundary, then the Net State Sales Tax Increment
3 means, for the fiscal years beginning July 1, 1990, and July 1,
4 1991, 100% of the State Sales Tax Increment annually generated
5 within a State Sales Tax Boundary; and notwithstanding any
6 other provision of this Act, for those fiscal years the
7 Department of Revenue shall distribute to those municipalities
8 100% of their Net State Sales Tax Increment before any
9 distribution to any other municipality and regardless of
10 whether or not those other municipalities will receive 100% of
11 their Net State Sales Tax Increment. For Fiscal Year 1999, and
12 every year thereafter until the year 2007, for any municipality
13 that has not entered into a contract or has not issued bonds
14 prior to June 1, 1988 to finance redevelopment project costs
15 within a State Sales Tax Boundary, the Net State Sales Tax
16 Increment shall be calculated as follows: By multiplying the
17 Net State Sales Tax Increment by 90% in the State Fiscal Year
18 1999; 80% in the State Fiscal Year 2000; 70% in the State
19 Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the
20 State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30%
21 in the State Fiscal Year 2005; 20% in the State Fiscal Year
22 2006; and 10% in the State Fiscal Year 2007. No payment shall
23 be made for State Fiscal Year 2008 and thereafter.

24 Municipalities that issued bonds in connection with a
25 redevelopment project in a redevelopment project area within
26 the State Sales Tax Boundary prior to July 29, 1991, or that

1 entered into contracts in connection with a redevelopment
2 project in a redevelopment project area before June 1, 1988,
3 shall continue to receive their proportional share of the
4 Illinois Tax Increment Fund distribution until the date on
5 which the redevelopment project is completed or terminated. If,
6 however, a municipality that issued bonds in connection with a
7 redevelopment project in a redevelopment project area within
8 the State Sales Tax Boundary prior to July 29, 1991 retires the
9 bonds prior to June 30, 2007 or a municipality that entered
10 into contracts in connection with a redevelopment project in a
11 redevelopment project area before June 1, 1988 completes the
12 contracts prior to June 30, 2007, then so long as the
13 redevelopment project is not completed or is not terminated,
14 the Net State Sales Tax Increment shall be calculated,
15 beginning on the date on which the bonds are retired or the
16 contracts are completed, as follows: By multiplying the Net
17 State Sales Tax Increment by 60% in the State Fiscal Year 2002;
18 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year
19 2004; 30% in the State Fiscal Year 2005; 20% in the State
20 Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No
21 payment shall be made for State Fiscal Year 2008 and
22 thereafter. Refunding of any bonds issued prior to July 29,
23 1991, shall not alter the Net State Sales Tax Increment.

24 (j) "State Utility Tax Increment Amount" means an amount
25 equal to the aggregate increase in State electric and gas tax
26 charges imposed on owners and tenants, other than residential

1 customers, of properties located within the redevelopment
2 project area under Section 9-222 of the Public Utilities Act,
3 over and above the aggregate of such charges as certified by
4 the Department of Revenue and paid by owners and tenants, other
5 than residential customers, of properties within the
6 redevelopment project area during the base year, which shall be
7 the calendar year immediately prior to the year of the adoption
8 of the ordinance authorizing tax increment allocation
9 financing.

10 (k) "Net State Utility Tax Increment" means the sum of the
11 following: (a) 80% of the first \$100,000 of State Utility Tax
12 Increment annually generated by a redevelopment project area;
13 (b) 60% of the amount in excess of \$100,000 but not exceeding
14 \$500,000 of the State Utility Tax Increment annually generated
15 by a redevelopment project area; and (c) 40% of all amounts in
16 excess of \$500,000 of State Utility Tax Increment annually
17 generated by a redevelopment project area. For the State Fiscal
18 Year 1999, and every year thereafter until the year 2007, for
19 any municipality that has not entered into a contract or has
20 not issued bonds prior to June 1, 1988 to finance redevelopment
21 project costs within a redevelopment project area, the Net
22 State Utility Tax Increment shall be calculated as follows: By
23 multiplying the Net State Utility Tax Increment by 90% in the
24 State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70%
25 in the State Fiscal Year 2001; 60% in the State Fiscal Year
26 2002; 50% in the State Fiscal Year 2003; 40% in the State

1 Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the
2 State Fiscal Year 2006; and 10% in the State Fiscal Year 2007.
3 No payment shall be made for the State Fiscal Year 2008 and
4 thereafter.

5 Municipalities that issue bonds in connection with the
6 redevelopment project during the period from June 1, 1988 until
7 3 years after the effective date of this Amendatory Act of 1988
8 shall receive the Net State Utility Tax Increment, subject to
9 appropriation, for 15 State Fiscal Years after the issuance of
10 such bonds. For the 16th through the 20th State Fiscal Years
11 after issuance of the bonds, the Net State Utility Tax
12 Increment shall be calculated as follows: By multiplying the
13 Net State Utility Tax Increment by 90% in year 16; 80% in year
14 17; 70% in year 18; 60% in year 19; and 50% in year 20.
15 Refunding of any bonds issued prior to June 1, 1988, shall not
16 alter the revised Net State Utility Tax Increment payments set
17 forth above.

18 (l) "Obligations" mean bonds, loans, debentures, notes,
19 special certificates or other evidence of indebtedness issued
20 by the municipality to carry out a redevelopment project or to
21 refund outstanding obligations.

22 (m) "Payment in lieu of taxes" means those estimated tax
23 revenues from real property in a redevelopment project area
24 derived from real property that has been acquired by a
25 municipality which according to the redevelopment project or
26 plan is to be used for a private use which taxing districts

1 would have received had a municipality not acquired the real
2 property and adopted tax increment allocation financing and
3 which would result from levies made after the time of the
4 adoption of tax increment allocation financing to the time the
5 current equalized value of real property in the redevelopment
6 project area exceeds the total initial equalized value of real
7 property in said area.

8 (n) "Redevelopment plan" means the comprehensive program
9 of the municipality for development or redevelopment intended
10 by the payment of redevelopment project costs to reduce or
11 eliminate those conditions the existence of which qualified the
12 redevelopment project area as a "blighted area" or
13 "conservation area" or combination thereof or "industrial park
14 conservation area," and thereby to enhance the tax bases of the
15 taxing districts which extend into the redevelopment project
16 area, provided that, with respect to redevelopment project
17 areas described in subsections (p-1) and (p-2), "redevelopment
18 plan" means the comprehensive program of the affected
19 municipality for the development of qualifying transit
20 facilities. On and after November 1, 1999 (the effective date
21 of Public Act 91-478), no redevelopment plan may be approved or
22 amended that includes the development of vacant land (i) with a
23 golf course and related clubhouse and other facilities or (ii)
24 designated by federal, State, county, or municipal government
25 as public land for outdoor recreational activities or for
26 nature preserves and used for that purpose within 5 years prior

1 to the adoption of the redevelopment plan. For the purpose of
2 this subsection, "recreational activities" is limited to mean
3 camping and hunting. Each redevelopment plan shall set forth in
4 writing the program to be undertaken to accomplish the
5 objectives and shall include but not be limited to:

6 (A) an itemized list of estimated redevelopment
7 project costs;

8 (B) evidence indicating that the redevelopment project
9 area on the whole has not been subject to growth and
10 development through investment by private enterprise,
11 provided that such evidence shall not be required for any
12 redevelopment project area located within a transit
13 facility improvement area established pursuant to Section
14 11-74.4-3.3;

15 (C) an assessment of any financial impact of the
16 redevelopment project area on or any increased demand for
17 services from any taxing district affected by the plan and
18 any program to address such financial impact or increased
19 demand;

20 (D) the sources of funds to pay costs;

21 (E) the nature and term of the obligations to be
22 issued;

23 (F) the most recent equalized assessed valuation of the
24 redevelopment project area;

25 (G) an estimate as to the equalized assessed valuation
26 after redevelopment and the general land uses to apply in

1 the redevelopment project area;

2 (H) a commitment to fair employment practices and an
3 affirmative action plan;

4 (I) if it concerns an industrial park conservation
5 area, the plan shall also include a general description of
6 any proposed developer, user and tenant of any property, a
7 description of the type, structure and general character of
8 the facilities to be developed, a description of the type,
9 class and number of new employees to be employed in the
10 operation of the facilities to be developed; and

11 (J) if property is to be annexed to the municipality,
12 the plan shall include the terms of the annexation
13 agreement.

14 The provisions of items (B) and (C) of this subsection (n)
15 shall not apply to a municipality that before March 14, 1994
16 (the effective date of Public Act 88-537) had fixed, either by
17 its corporate authorities or by a commission designated under
18 subsection (k) of Section 11-74.4-4, a time and place for a
19 public hearing as required by subsection (a) of Section
20 11-74.4-5. No redevelopment plan shall be adopted unless a
21 municipality complies with all of the following requirements:

22 (1) The municipality finds that the redevelopment
23 project area on the whole has not been subject to growth
24 and development through investment by private enterprise
25 and would not reasonably be anticipated to be developed
26 without the adoption of the redevelopment plan, provided,

1 however, that such a finding shall not be required with
2 respect to any redevelopment project area located within a
3 transit facility improvement area established pursuant to
4 Section 11-74.4-3.3.

5 (2) The municipality finds that the redevelopment plan
6 and project conform to the comprehensive plan for the
7 development of the municipality as a whole, or, for
8 municipalities with a population of 100,000 or more,
9 regardless of when the redevelopment plan and project was
10 adopted, the redevelopment plan and project either: (i)
11 conforms to the strategic economic development or
12 redevelopment plan issued by the designated planning
13 authority of the municipality, or (ii) includes land uses
14 that have been approved by the planning commission of the
15 municipality.

16 (3) The redevelopment plan establishes the estimated
17 dates of completion of the redevelopment project and
18 retirement of obligations issued to finance redevelopment
19 project costs. Those dates may not be later than the dates
20 set forth under Section 11-74.4-3.5.

21 A municipality may by municipal ordinance amend an
22 existing redevelopment plan to conform to this paragraph
23 (3) as amended by Public Act 91-478, which municipal
24 ordinance may be adopted without further hearing or notice
25 and without complying with the procedures provided in this
26 Act pertaining to an amendment to or the initial approval

1 of a redevelopment plan and project and designation of a
2 redevelopment project area.

3 (3.5) The municipality finds, in the case of an
4 industrial park conservation area, also that the
5 municipality is a labor surplus municipality and that the
6 implementation of the redevelopment plan will reduce
7 unemployment, create new jobs and by the provision of new
8 facilities enhance the tax base of the taxing districts
9 that extend into the redevelopment project area.

10 (4) If any incremental revenues are being utilized
11 under Section 8(a)(1) or 8(a)(2) of this Act in
12 redevelopment project areas approved by ordinance after
13 January 1, 1986, the municipality finds: (a) that the
14 redevelopment project area would not reasonably be
15 developed without the use of such incremental revenues, and
16 (b) that such incremental revenues will be exclusively
17 utilized for the development of the redevelopment project
18 area.

19 (5) If: (a) the redevelopment plan will not result in
20 displacement of residents from 10 or more inhabited
21 residential units, and the municipality certifies in the
22 plan that such displacement will not result from the plan;
23 or (b) the redevelopment plan is for a redevelopment
24 project area located within a transit facility improvement
25 area established pursuant to Section 11-74.4-3.3, and the
26 applicable project is subject to the process for evaluation

1 of environmental effects under the National Environmental
2 Policy Act of 1969, 42 U.S.C. 4321 et seq., then a housing
3 impact study need not be performed. If, however, the
4 redevelopment plan would result in the displacement of
5 residents from 10 or more inhabited residential units, or
6 if the redevelopment project area contains 75 or more
7 inhabited residential units and no certification is made,
8 then the municipality shall prepare, as part of the
9 separate feasibility report required by subsection (a) of
10 Section 11-74.4-5, a housing impact study.

11 Part I of the housing impact study shall include (i)
12 data as to whether the residential units are single family
13 or multi-family units, (ii) the number and type of rooms
14 within the units, if that information is available, (iii)
15 whether the units are inhabited or uninhabited, as
16 determined not less than 45 days before the date that the
17 ordinance or resolution required by subsection (a) of
18 Section 11-74.4-5 is passed, and (iv) data as to the racial
19 and ethnic composition of the residents in the inhabited
20 residential units. The data requirement as to the racial
21 and ethnic composition of the residents in the inhabited
22 residential units shall be deemed to be fully satisfied by
23 data from the most recent federal census.

24 Part II of the housing impact study shall identify the
25 inhabited residential units in the proposed redevelopment
26 project area that are to be or may be removed. If inhabited

1 residential units are to be removed, then the housing
2 impact study shall identify (i) the number and location of
3 those units that will or may be removed, (ii) the
4 municipality's plans for relocation assistance for those
5 residents in the proposed redevelopment project area whose
6 residences are to be removed, (iii) the availability of
7 replacement housing for those residents whose residences
8 are to be removed, and shall identify the type, location,
9 and cost of the housing, and (iv) the type and extent of
10 relocation assistance to be provided.

11 (6) On and after November 1, 1999, the housing impact
12 study required by paragraph (5) shall be incorporated in
13 the redevelopment plan for the redevelopment project area.

14 (7) On and after November 1, 1999, no redevelopment
15 plan shall be adopted, nor an existing plan amended, nor
16 shall residential housing that is occupied by households of
17 low-income and very low-income persons in currently
18 existing redevelopment project areas be removed after
19 November 1, 1999 unless the redevelopment plan provides,
20 with respect to inhabited housing units that are to be
21 removed for households of low-income and very low-income
22 persons, affordable housing and relocation assistance not
23 less than that which would be provided under the federal
24 Uniform Relocation Assistance and Real Property
25 Acquisition Policies Act of 1970 and the regulations under
26 that Act, including the eligibility criteria. Affordable

1 housing may be either existing or newly constructed
2 housing. For purposes of this paragraph (7), "low-income
3 households", "very low-income households", and "affordable
4 housing" have the meanings set forth in the Illinois
5 Affordable Housing Act. The municipality shall make a good
6 faith effort to ensure that this affordable housing is
7 located in or near the redevelopment project area within
8 the municipality.

9 (8) On and after November 1, 1999, if, after the
10 adoption of the redevelopment plan for the redevelopment
11 project area, any municipality desires to amend its
12 redevelopment plan to remove more inhabited residential
13 units than specified in its original redevelopment plan,
14 that change shall be made in accordance with the procedures
15 in subsection (c) of Section 11-74.4-5.

16 (9) For redevelopment project areas designated prior
17 to November 1, 1999, the redevelopment plan may be amended
18 without further joint review board meeting or hearing,
19 provided that the municipality shall give notice of any
20 such changes by mail to each affected taxing district and
21 registrant on the interested party registry, to authorize
22 the municipality to expend tax increment revenues for
23 redevelopment project costs defined by paragraphs (5) and
24 (7.5), subparagraphs (E) and (F) of paragraph (11), and
25 paragraph (11.5) of subsection (q) of Section 11-74.4-3, so
26 long as the changes do not increase the total estimated

1 redevelopment project costs set out in the redevelopment
2 plan by more than 5% after adjustment for inflation from
3 the date the plan was adopted.

4 (o) "Redevelopment project" means any public and private
5 development project in furtherance of the objectives of a
6 redevelopment plan. On and after November 1, 1999 (the
7 effective date of Public Act 91-478), no redevelopment plan may
8 be approved or amended that includes the development of vacant
9 land (i) with a golf course and related clubhouse and other
10 facilities or (ii) designated by federal, State, county, or
11 municipal government as public land for outdoor recreational
12 activities or for nature preserves and used for that purpose
13 within 5 years prior to the adoption of the redevelopment plan.
14 For the purpose of this subsection, "recreational activities"
15 is limited to mean camping and hunting.

16 (p) "Redevelopment project area" means an area designated
17 by the municipality, which is not less in the aggregate than 1
18 1/2 acres and in respect to which the municipality has made a
19 finding that there exist conditions which cause the area to be
20 classified as an industrial park conservation area or a
21 blighted area or a conservation area, or a combination of both
22 blighted areas and conservation areas.

23 (p-1) Notwithstanding any provision of this Act to the
24 contrary, on and after August 25, 2009 (the effective date of
25 Public Act 96-680), a redevelopment project area may include
26 areas within a one-half mile radius of an existing or proposed

1 Regional Transportation Authority Suburban Transit Access
2 Route (STAR Line) station without a finding that the area is
3 classified as an industrial park conservation area, a blighted
4 area, a conservation area, or a combination thereof, but only
5 if the municipality receives unanimous consent from the joint
6 review board created to review the proposed redevelopment
7 project area.

8 (p-2) Notwithstanding any provision of this Act to the
9 contrary, on and after the effective date of this amendatory
10 Act of the 99th General Assembly, a redevelopment project area
11 may include areas within a transit facility improvement area
12 that has been established pursuant to Section 11-74.4-3.3
13 without a finding that the area is classified as an industrial
14 park conservation area, a blighted area, a conservation area,
15 or any combination thereof.

16 (q) "Redevelopment project costs", except for
17 redevelopment project areas created pursuant to subsection
18 (p-1) or (p-2), means and includes the sum total of all
19 reasonable or necessary costs incurred or estimated to be
20 incurred, and any such costs incidental to a redevelopment plan
21 and a redevelopment project. Such costs include, without
22 limitation, the following:

- 23 (1) Costs of studies, surveys, development of plans,
24 and specifications, implementation and administration of
25 the redevelopment plan including but not limited to staff
26 and professional service costs for architectural,

1 engineering, legal, financial, planning or other services,
2 provided however that no charges for professional services
3 may be based on a percentage of the tax increment
4 collected; except that on and after November 1, 1999 (the
5 effective date of Public Act 91-478), no contracts for
6 professional services, excluding architectural and
7 engineering services, may be entered into if the terms of
8 the contract extend beyond a period of 3 years. In
9 addition, "redevelopment project costs" shall not include
10 lobbying expenses. After consultation with the
11 municipality, each tax increment consultant or advisor to a
12 municipality that plans to designate or has designated a
13 redevelopment project area shall inform the municipality
14 in writing of any contracts that the consultant or advisor
15 has entered into with entities or individuals that have
16 received, or are receiving, payments financed by tax
17 increment revenues produced by the redevelopment project
18 area with respect to which the consultant or advisor has
19 performed, or will be performing, service for the
20 municipality. This requirement shall be satisfied by the
21 consultant or advisor before the commencement of services
22 for the municipality and thereafter whenever any other
23 contracts with those individuals or entities are executed
24 by the consultant or advisor;

25 (1.5) After July 1, 1999, annual administrative costs
26 shall not include general overhead or administrative costs

1 of the municipality that would still have been incurred by
2 the municipality if the municipality had not designated a
3 redevelopment project area or approved a redevelopment
4 plan;

5 (1.6) The cost of marketing sites within the
6 redevelopment project area to prospective businesses,
7 developers, and investors;

8 (2) Property assembly costs, including but not limited
9 to acquisition of land and other property, real or
10 personal, or rights or interests therein, demolition of
11 buildings, site preparation, site improvements that serve
12 as an engineered barrier addressing ground level or below
13 ground environmental contamination, including, but not
14 limited to parking lots and other concrete or asphalt
15 barriers, and the clearing and grading of land;

16 (3) Costs of rehabilitation, reconstruction or repair
17 or remodeling of existing public or private buildings,
18 fixtures, and leasehold improvements; and the cost of
19 replacing an existing public building if pursuant to the
20 implementation of a redevelopment project the existing
21 public building is to be demolished to use the site for
22 private investment or devoted to a different use requiring
23 private investment; including any direct or indirect costs
24 relating to Green Globes or LEED certified construction
25 elements or construction elements with an equivalent
26 certification;

1 (4) Costs of the construction of public works or
2 improvements, including any direct or indirect costs
3 relating to Green Globes or LEED certified construction
4 elements or construction elements with an equivalent
5 certification, except that on and after November 1, 1999,
6 redevelopment project costs shall not include the cost of
7 constructing a new municipal public building principally
8 used to provide offices, storage space, or conference
9 facilities or vehicle storage, maintenance, or repair for
10 administrative, public safety, or public works personnel
11 and that is not intended to replace an existing public
12 building as provided under paragraph (3) of subsection (q)
13 of Section 11-74.4-3 unless either (i) the construction of
14 the new municipal building implements a redevelopment
15 project that was included in a redevelopment plan that was
16 adopted by the municipality prior to November 1, 1999, (ii)
17 the municipality makes a reasonable determination in the
18 redevelopment plan, supported by information that provides
19 the basis for that determination, that the new municipal
20 building is required to meet an increase in the need for
21 public safety purposes anticipated to result from the
22 implementation of the redevelopment plan, or (iii) the new
23 municipal public building is for the storage, maintenance,
24 or repair of transit vehicles and is located in a transit
25 facility improvement area that has been established
26 pursuant to Section 11-74.4-3.3;

1 (5) Costs of job training and retraining projects,
2 including the cost of "welfare to work" programs
3 implemented by businesses located within the redevelopment
4 project area;

5 (6) Financing costs, including but not limited to all
6 necessary and incidental expenses related to the issuance
7 of obligations and which may include payment of interest on
8 any obligations issued hereunder including interest
9 accruing during the estimated period of construction of any
10 redevelopment project for which such obligations are
11 issued and for not exceeding 36 months thereafter and
12 including reasonable reserves related thereto;

13 (7) To the extent the municipality by written agreement
14 accepts and approves the same, all or a portion of a taxing
15 district's capital costs resulting from the redevelopment
16 project necessarily incurred or to be incurred within a
17 taxing district in furtherance of the objectives of the
18 redevelopment plan and project;

19 (7.5) For redevelopment project areas designated (or
20 redevelopment project areas amended to add or increase the
21 number of tax-increment-financing assisted housing units)
22 on or after November 1, 1999, an elementary, secondary, or
23 unit school district's increased costs attributable to
24 assisted housing units located within the redevelopment
25 project area for which the developer or redeveloper
26 receives financial assistance through an agreement with

1 the municipality or because the municipality incurs the
2 cost of necessary infrastructure improvements within the
3 boundaries of the assisted housing sites necessary for the
4 completion of that housing as authorized by this Act, and
5 which costs shall be paid by the municipality from the
6 Special Tax Allocation Fund when the tax increment revenue
7 is received as a result of the assisted housing units and
8 shall be calculated annually as follows:

9 (A) for foundation districts, excluding any school
10 district in a municipality with a population in excess
11 of 1,000,000, by multiplying the district's increase
12 in attendance resulting from the net increase in new
13 students enrolled in that school district who reside in
14 housing units within the redevelopment project area
15 that have received financial assistance through an
16 agreement with the municipality or because the
17 municipality incurs the cost of necessary
18 infrastructure improvements within the boundaries of
19 the housing sites necessary for the completion of that
20 housing as authorized by this Act since the designation
21 of the redevelopment project area by the most recently
22 available per capita tuition cost as defined in Section
23 10-20.12a of the School Code less any increase in
24 general State aid as defined in Section 18-8.05 of the
25 School Code or evidence-based funding as defined in
26 Section 18-8.15 of the School Code attributable to

1 these added new students subject to the following
2 annual limitations:

3 (i) for unit school districts with a district
4 average 1995-96 Per Capita Tuition Charge of less
5 than \$5,900, no more than 25% of the total amount
6 of property tax increment revenue produced by
7 those housing units that have received tax
8 increment finance assistance under this Act;

9 (ii) for elementary school districts with a
10 district average 1995-96 Per Capita Tuition Charge
11 of less than \$5,900, no more than 17% of the total
12 amount of property tax increment revenue produced
13 by those housing units that have received tax
14 increment finance assistance under this Act; and

15 (iii) for secondary school districts with a
16 district average 1995-96 Per Capita Tuition Charge
17 of less than \$5,900, no more than 8% of the total
18 amount of property tax increment revenue produced
19 by those housing units that have received tax
20 increment finance assistance under this Act.

21 (B) For alternate method districts, flat grant
22 districts, and foundation districts with a district
23 average 1995-96 Per Capita Tuition Charge equal to or
24 more than \$5,900, excluding any school district with a
25 population in excess of 1,000,000, by multiplying the
26 district's increase in attendance resulting from the

1 net increase in new students enrolled in that school
2 district who reside in housing units within the
3 redevelopment project area that have received
4 financial assistance through an agreement with the
5 municipality or because the municipality incurs the
6 cost of necessary infrastructure improvements within
7 the boundaries of the housing sites necessary for the
8 completion of that housing as authorized by this Act
9 since the designation of the redevelopment project
10 area by the most recently available per capita tuition
11 cost as defined in Section 10-20.12a of the School Code
12 less any increase in general state aid as defined in
13 Section 18-8.05 of the School Code or evidence-based
14 funding as defined in Section 18-8.15 of the School
15 Code attributable to these added new students subject
16 to the following annual limitations:

17 (i) for unit school districts, no more than 40%
18 of the total amount of property tax increment
19 revenue produced by those housing units that have
20 received tax increment finance assistance under
21 this Act;

22 (ii) for elementary school districts, no more
23 than 27% of the total amount of property tax
24 increment revenue produced by those housing units
25 that have received tax increment finance
26 assistance under this Act; and

1 (iii) for secondary school districts, no more
2 than 13% of the total amount of property tax
3 increment revenue produced by those housing units
4 that have received tax increment finance
5 assistance under this Act.

6 (C) For any school district in a municipality with
7 a population in excess of 1,000,000, the following
8 restrictions shall apply to the reimbursement of
9 increased costs under this paragraph (7.5):

10 (i) no increased costs shall be reimbursed
11 unless the school district certifies that each of
12 the schools affected by the assisted housing
13 project is at or over its student capacity;

14 (ii) the amount reimbursable shall be reduced
15 by the value of any land donated to the school
16 district by the municipality or developer, and by
17 the value of any physical improvements made to the
18 schools by the municipality or developer; and

19 (iii) the amount reimbursed may not affect
20 amounts otherwise obligated by the terms of any
21 bonds, notes, or other funding instruments, or the
22 terms of any redevelopment agreement.

23 Any school district seeking payment under this
24 paragraph (7.5) shall, after July 1 and before
25 September 30 of each year, provide the municipality
26 with reasonable evidence to support its claim for

1 reimbursement before the municipality shall be
2 required to approve or make the payment to the school
3 district. If the school district fails to provide the
4 information during this period in any year, it shall
5 forfeit any claim to reimbursement for that year.
6 School districts may adopt a resolution waiving the
7 right to all or a portion of the reimbursement
8 otherwise required by this paragraph (7.5). By
9 acceptance of this reimbursement the school district
10 waives the right to directly or indirectly set aside,
11 modify, or contest in any manner the establishment of
12 the redevelopment project area or projects;

13 (7.7) For redevelopment project areas designated (or
14 redevelopment project areas amended to add or increase the
15 number of tax-increment-financing assisted housing units)
16 on or after January 1, 2005 (the effective date of Public
17 Act 93-961), a public library district's increased costs
18 attributable to assisted housing units located within the
19 redevelopment project area for which the developer or
20 redeveloper receives financial assistance through an
21 agreement with the municipality or because the
22 municipality incurs the cost of necessary infrastructure
23 improvements within the boundaries of the assisted housing
24 sites necessary for the completion of that housing as
25 authorized by this Act shall be paid to the library
26 district by the municipality from the Special Tax

1 Allocation Fund when the tax increment revenue is received
2 as a result of the assisted housing units. This paragraph
3 (7.7) applies only if (i) the library district is located
4 in a county that is subject to the Property Tax Extension
5 Limitation Law or (ii) the library district is not located
6 in a county that is subject to the Property Tax Extension
7 Limitation Law but the district is prohibited by any other
8 law from increasing its tax levy rate without a prior voter
9 referendum.

10 The amount paid to a library district under this
11 paragraph (7.7) shall be calculated by multiplying (i) the
12 net increase in the number of persons eligible to obtain a
13 library card in that district who reside in housing units
14 within the redevelopment project area that have received
15 financial assistance through an agreement with the
16 municipality or because the municipality incurs the cost of
17 necessary infrastructure improvements within the
18 boundaries of the housing sites necessary for the
19 completion of that housing as authorized by this Act since
20 the designation of the redevelopment project area by (ii)
21 the per-patron cost of providing library services so long
22 as it does not exceed \$120. The per-patron cost shall be
23 the Total Operating Expenditures Per Capita for the library
24 in the previous fiscal year. The municipality may deduct
25 from the amount that it must pay to a library district
26 under this paragraph any amount that it has voluntarily

1 paid to the library district from the tax increment
2 revenue. The amount paid to a library district under this
3 paragraph (7.7) shall be no more than 2% of the amount
4 produced by the assisted housing units and deposited into
5 the Special Tax Allocation Fund.

6 A library district is not eligible for any payment
7 under this paragraph (7.7) unless the library district has
8 experienced an increase in the number of patrons from the
9 municipality that created the tax-increment-financing
10 district since the designation of the redevelopment
11 project area.

12 Any library district seeking payment under this
13 paragraph (7.7) shall, after July 1 and before September 30
14 of each year, provide the municipality with convincing
15 evidence to support its claim for reimbursement before the
16 municipality shall be required to approve or make the
17 payment to the library district. If the library district
18 fails to provide the information during this period in any
19 year, it shall forfeit any claim to reimbursement for that
20 year. Library districts may adopt a resolution waiving the
21 right to all or a portion of the reimbursement otherwise
22 required by this paragraph (7.7). By acceptance of such
23 reimbursement, the library district shall forfeit any
24 right to directly or indirectly set aside, modify, or
25 contest in any manner whatsoever the establishment of the
26 redevelopment project area or projects;

1 (8) Relocation costs to the extent that a municipality
2 determines that relocation costs shall be paid or is
3 required to make payment of relocation costs by federal or
4 State law or in order to satisfy subparagraph (7) of
5 subsection (n);

6 (9) Payment in lieu of taxes;

7 (10) Costs of job training, retraining, advanced
8 vocational education or career education, including but
9 not limited to courses in occupational, semi-technical or
10 technical fields leading directly to employment, incurred
11 by one or more taxing districts, provided that such costs
12 (i) are related to the establishment and maintenance of
13 additional job training, advanced vocational education or
14 career education programs for persons employed or to be
15 employed by employers located in a redevelopment project
16 area; and (ii) when incurred by a taxing district or taxing
17 districts other than the municipality, are set forth in a
18 written agreement by or among the municipality and the
19 taxing district or taxing districts, which agreement
20 describes the program to be undertaken, including but not
21 limited to the number of employees to be trained, a
22 description of the training and services to be provided,
23 the number and type of positions available or to be
24 available, itemized costs of the program and sources of
25 funds to pay for the same, and the term of the agreement.
26 Such costs include, specifically, the payment by community

1 college districts of costs pursuant to Sections 3-37, 3-38,
2 3-40 and 3-40.1 of the Public Community College Act and by
3 school districts of costs pursuant to Sections 10-22.20a
4 and 10-23.3a of the School Code;

5 (11) Interest cost incurred by a redeveloper related to
6 the construction, renovation or rehabilitation of a
7 redevelopment project provided that:

8 (A) such costs are to be paid directly from the
9 special tax allocation fund established pursuant to
10 this Act;

11 (B) such payments in any one year may not exceed
12 30% of the annual interest costs incurred by the
13 redeveloper with regard to the redevelopment project
14 during that year;

15 (C) if there are not sufficient funds available in
16 the special tax allocation fund to make the payment
17 pursuant to this paragraph (11) then the amounts so due
18 shall accrue and be payable when sufficient funds are
19 available in the special tax allocation fund;

20 (D) the total of such interest payments paid
21 pursuant to this Act may not exceed 30% of the total
22 (i) cost paid or incurred by the redeveloper for the
23 redevelopment project plus (ii) redevelopment project
24 costs excluding any property assembly costs and any
25 relocation costs incurred by a municipality pursuant
26 to this Act;

1 (E) the cost limits set forth in subparagraphs (B)
2 and (D) of paragraph (11) shall be modified for the
3 financing of rehabilitated or new housing units for
4 low-income households and very low-income households,
5 as defined in Section 3 of the Illinois Affordable
6 Housing Act. The percentage of 75% shall be substituted
7 for 30% in subparagraphs (B) and (D) of paragraph (11);
8 and

9 (F) instead of the eligible costs provided by
10 subparagraphs (B) and (D) of paragraph (11), as
11 modified by this subparagraph, and notwithstanding any
12 other provisions of this Act to the contrary, the
13 municipality may pay from tax increment revenues up to
14 50% of the cost of construction of new housing units to
15 be occupied by low-income households and very
16 low-income households as defined in Section 3 of the
17 Illinois Affordable Housing Act. The cost of
18 construction of those units may be derived from the
19 proceeds of bonds issued by the municipality under this
20 Act or other constitutional or statutory authority or
21 from other sources of municipal revenue that may be
22 reimbursed from tax increment revenues or the proceeds
23 of bonds issued to finance the construction of that
24 housing.

25 The eligible costs provided under this
26 subparagraph (F) of paragraph (11) shall be an eligible

1 cost for the construction, renovation, and
2 rehabilitation of all low and very low-income housing
3 units, as defined in Section 3 of the Illinois
4 Affordable Housing Act, within the redevelopment
5 project area. If the low and very low-income units are
6 part of a residential redevelopment project that
7 includes units not affordable to low and very
8 low-income households, only the low and very
9 low-income units shall be eligible for benefits under
10 this subparagraph (F) of paragraph (11). The standards
11 for maintaining the occupancy by low-income households
12 and very low-income households, as defined in Section 3
13 of the Illinois Affordable Housing Act, of those units
14 constructed with eligible costs made available under
15 the provisions of this subparagraph (F) of paragraph
16 (11) shall be established by guidelines adopted by the
17 municipality. The responsibility for annually
18 documenting the initial occupancy of the units by
19 low-income households and very low-income households,
20 as defined in Section 3 of the Illinois Affordable
21 Housing Act, shall be that of the then current owner of
22 the property. For ownership units, the guidelines will
23 provide, at a minimum, for a reasonable recapture of
24 funds, or other appropriate methods designed to
25 preserve the original affordability of the ownership
26 units. For rental units, the guidelines will provide,

1 at a minimum, for the affordability of rent to low and
2 very low-income households. As units become available,
3 they shall be rented to income-eligible tenants. The
4 municipality may modify these guidelines from time to
5 time; the guidelines, however, shall be in effect for
6 as long as tax increment revenue is being used to pay
7 for costs associated with the units or for the
8 retirement of bonds issued to finance the units or for
9 the life of the redevelopment project area, whichever
10 is later;

11 (11.5) If the redevelopment project area is located
12 within a municipality with a population of more than
13 100,000, the cost of day care services for children of
14 employees from low-income families working for businesses
15 located within the redevelopment project area and all or a
16 portion of the cost of operation of day care centers
17 established by redevelopment project area businesses to
18 serve employees from low-income families working in
19 businesses located in the redevelopment project area. For
20 the purposes of this paragraph, "low-income families"
21 means families whose annual income does not exceed 80% of
22 the municipal, county, or regional median income, adjusted
23 for family size, as the annual income and municipal,
24 county, or regional median income are determined from time
25 to time by the United States Department of Housing and
26 Urban Development.

1 (12) Costs relating to the development of urban
2 agricultural areas under Division 15.2 of the Illinois
3 Municipal Code.

4 Unless explicitly stated herein the cost of construction of
5 new privately-owned buildings shall not be an eligible
6 redevelopment project cost.

7 After November 1, 1999 (the effective date of Public Act
8 91-478), none of the redevelopment project costs enumerated in
9 this subsection shall be eligible redevelopment project costs
10 if those costs would provide direct financial support to a
11 retail entity initiating operations in the redevelopment
12 project area while terminating operations at another Illinois
13 location within 10 miles of the redevelopment project area but
14 outside the boundaries of the redevelopment project area
15 municipality. For purposes of this paragraph, termination
16 means a closing of a retail operation that is directly related
17 to the opening of the same operation or like retail entity
18 owned or operated by more than 50% of the original ownership in
19 a redevelopment project area, but it does not mean closing an
20 operation for reasons beyond the control of the retail entity,
21 as documented by the retail entity, subject to a reasonable
22 finding by the municipality that the current location contained
23 inadequate space, had become economically obsolete, or was no
24 longer a viable location for the retailer or serviceman.

25 No cost shall be a redevelopment project cost in a
26 redevelopment project area if used to demolish, remove, or

1 substantially modify a historic resource, after August 26, 2008
2 (the effective date of Public Act 95-934), unless no prudent
3 and feasible alternative exists. "Historic resource" for the
4 purpose of this paragraph means (i) a place or structure that
5 is included or eligible for inclusion on the National Register
6 of Historic Places or (ii) a contributing structure in a
7 district on the National Register of Historic Places. This
8 paragraph does not apply to a place or structure for which
9 demolition, removal, or modification is subject to review by
10 the preservation agency of a Certified Local Government
11 designated as such by the National Park Service of the United
12 States Department of the Interior.

13 If a special service area has been established pursuant to
14 the Special Service Area Tax Act or Special Service Area Tax
15 Law, then any tax increment revenues derived from the tax
16 imposed pursuant to the Special Service Area Tax Act or Special
17 Service Area Tax Law may be used within the redevelopment
18 project area for the purposes permitted by that Act or Law as
19 well as the purposes permitted by this Act.

20 (q-1) For redevelopment project areas created pursuant to
21 subsection (p-1), redevelopment project costs are limited to
22 those costs in paragraph (q) that are related to the existing
23 or proposed Regional Transportation Authority Suburban Transit
24 Access Route (STAR Line) station.

25 (q-2) For a redevelopment project area located within a
26 transit facility improvement area established pursuant to

1 Section 11-74.4-3.3, redevelopment project costs means those
2 costs described in subsection (q) that are related to the
3 construction, reconstruction, rehabilitation, remodeling, or
4 repair of any existing or proposed transit facility.

5 (r) "State Sales Tax Boundary" means the redevelopment
6 project area or the amended redevelopment project area
7 boundaries which are determined pursuant to subsection (9) of
8 Section 11-74.4-8a of this Act. The Department of Revenue shall
9 certify pursuant to subsection (9) of Section 11-74.4-8a the
10 appropriate boundaries eligible for the determination of State
11 Sales Tax Increment.

12 (s) "State Sales Tax Increment" means an amount equal to
13 the increase in the aggregate amount of taxes paid by retailers
14 and servicemen, other than retailers and servicemen subject to
15 the Public Utilities Act, on transactions at places of business
16 located within a State Sales Tax Boundary pursuant to the
17 Retailers' Occupation Tax Act, the Use Tax Act, the Service Use
18 Tax Act, and the Service Occupation Tax Act, except such
19 portion of such increase that is paid into the State and Local
20 Sales Tax Reform Fund, the Local Government Distributive Fund,
21 the Local Government Tax Fund and the County and Mass Transit
22 District Fund, for as long as State participation exists, over
23 and above the Initial Sales Tax Amounts, Adjusted Initial Sales
24 Tax Amounts or the Revised Initial Sales Tax Amounts for such
25 taxes as certified by the Department of Revenue and paid under
26 those Acts by retailers and servicemen on transactions at

1 places of business located within the State Sales Tax Boundary
2 during the base year which shall be the calendar year
3 immediately prior to the year in which the municipality adopted
4 tax increment allocation financing, less 3.0% of such amounts
5 generated under the Retailers' Occupation Tax Act, Use Tax Act
6 and Service Use Tax Act and the Service Occupation Tax Act,
7 which sum shall be appropriated to the Department of Revenue to
8 cover its costs of administering and enforcing this Section.
9 For purposes of computing the aggregate amount of such taxes
10 for base years occurring prior to 1985, the Department of
11 Revenue shall compute the Initial Sales Tax Amount for such
12 taxes and deduct therefrom an amount equal to 4% of the
13 aggregate amount of taxes per year for each year the base year
14 is prior to 1985, but not to exceed a total deduction of 12%.
15 The amount so determined shall be known as the "Adjusted
16 Initial Sales Tax Amount". For purposes of determining the
17 State Sales Tax Increment the Department of Revenue shall for
18 each period subtract from the tax amounts received from
19 retailers and servicemen on transactions located in the State
20 Sales Tax Boundary, the certified Initial Sales Tax Amounts,
21 Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax
22 Amounts for the Retailers' Occupation Tax Act, the Use Tax Act,
23 the Service Use Tax Act and the Service Occupation Tax Act. For
24 the State Fiscal Year 1989 this calculation shall be made by
25 utilizing the calendar year 1987 to determine the tax amounts
26 received. For the State Fiscal Year 1990, this calculation

1 shall be made by utilizing the period from January 1, 1988,
2 until September 30, 1988, to determine the tax amounts received
3 from retailers and servicemen, which shall have deducted
4 therefrom nine-twelfths of the certified Initial Sales Tax
5 Amounts, Adjusted Initial Sales Tax Amounts or the Revised
6 Initial Sales Tax Amounts as appropriate. For the State Fiscal
7 Year 1991, this calculation shall be made by utilizing the
8 period from October 1, 1988, until June 30, 1989, to determine
9 the tax amounts received from retailers and servicemen, which
10 shall have deducted therefrom nine-twelfths of the certified
11 Initial State Sales Tax Amounts, Adjusted Initial Sales Tax
12 Amounts or the Revised Initial Sales Tax Amounts as
13 appropriate. For every State Fiscal Year thereafter, the
14 applicable period shall be the 12 months beginning July 1 and
15 ending on June 30, to determine the tax amounts received which
16 shall have deducted therefrom the certified Initial Sales Tax
17 Amounts, Adjusted Initial Sales Tax Amounts or the Revised
18 Initial Sales Tax Amounts. Municipalities intending to receive
19 a distribution of State Sales Tax Increment must report a list
20 of retailers to the Department of Revenue by October 31, 1988
21 and by July 31, of each year thereafter.

22 (t) "Taxing districts" means counties, townships, cities
23 and incorporated towns and villages, school, road, park,
24 sanitary, mosquito abatement, forest preserve, public health,
25 fire protection, river conservancy, tuberculosis sanitarium
26 and any other municipal corporations or districts with the

1 power to levy taxes.

2 (u) "Taxing districts' capital costs" means those costs of
3 taxing districts for capital improvements that are found by the
4 municipal corporate authorities to be necessary and directly
5 result from the redevelopment project.

6 (v) As used in subsection (a) of Section 11-74.4-3 of this
7 Act, "vacant land" means any parcel or combination of parcels
8 of real property without industrial, commercial, and
9 residential buildings which has not been used for commercial
10 agricultural purposes within 5 years prior to the designation
11 of the redevelopment project area, unless the parcel is
12 included in an industrial park conservation area or the parcel
13 has been subdivided; provided that if the parcel was part of a
14 larger tract that has been divided into 3 or more smaller
15 tracts that were accepted for recording during the period from
16 1950 to 1990, then the parcel shall be deemed to have been
17 subdivided, and all proceedings and actions of the municipality
18 taken in that connection with respect to any previously
19 approved or designated redevelopment project area or amended
20 redevelopment project area are hereby validated and hereby
21 declared to be legally sufficient for all purposes of this Act.
22 For purposes of this Section and only for land subject to the
23 subdivision requirements of the Plat Act, land is subdivided
24 when the original plat of the proposed Redevelopment Project
25 Area or relevant portion thereof has been properly certified,
26 acknowledged, approved, and recorded or filed in accordance

1 with the Plat Act and a preliminary plat, if any, for any
2 subsequent phases of the proposed Redevelopment Project Area or
3 relevant portion thereof has been properly approved and filed
4 in accordance with the applicable ordinance of the
5 municipality.

6 (w) "Annual Total Increment" means the sum of each
7 municipality's annual Net Sales Tax Increment and each
8 municipality's annual Net Utility Tax Increment. The ratio of
9 the Annual Total Increment of each municipality to the Annual
10 Total Increment for all municipalities, as most recently
11 calculated by the Department, shall determine the proportional
12 shares of the Illinois Tax Increment Fund to be distributed to
13 each municipality.

14 (x) "LEED certified" means any certification level of
15 construction elements by a qualified Leadership in Energy and
16 Environmental Design Accredited Professional as determined by
17 the U.S. Green Building Council.

18 (y) "Green Globes certified" means any certification level
19 of construction elements by a qualified Green Globes
20 Professional as determined by the Green Building Initiative.

21 (Source: P.A. 99-792, eff. 8-12-16; 100-201, eff. 8-18-17;
22 100-465, eff. 8-31-17; 100-1133, eff. 1-1-19.)

23 (65 ILCS 5/11-74.4-3.7 new)

24 Sec. 11-74.4-3.7. 10-year reevaluation of blighted areas.

25 (a) Notwithstanding any other provision of law, a

1 municipality must reevaluate whether a redevelopment project
2 area designated as a blighted area is still a blighted area
3 every 10th calendar year after the year in which the ordinance
4 approving the redevelopment project area was adopted. In the
5 reevaluation process, the joint review board and municipality
6 shall evaluate if the redevelopment project area currently
7 meets the required number of factors to be designated a
8 blighted area. The joint review board and municipality may
9 determine that a redevelopment project area is still a blighted
10 area based upon the same factors or different factors from when
11 the redevelopment project area was originally designated a
12 blighted area. The joint review board and municipality shall
13 use the definition of "blighted area" in effect on the date in
14 which the ordinance approving the redevelopment project area
15 was adopted to evaluate whether or not the redevelopment
16 project area remains a blighted area.

17 (b) If the municipality finds that a redevelopment project
18 area remains a blighted area after the reevaluation process
19 under Section 11-74.4-5, the corporate authorities of the
20 municipality shall adopt an ordinance or resolution
21 redesignating the redevelopment project area as a blighted
22 area. If an ordinance or resolution is adopted under this
23 subsection, the completion dates for the redevelopment project
24 area shall remain the same as provided under Section
25 11-74.4-3.5 based upon the year in which the ordinance
26 originally approving the redevelopment project area was

1 adopted.

2 (c) If the municipality finds that a redevelopment project
3 area no longer meets the requirements to be a blighted area
4 after the reevaluation process under Section 11-74.4-5, the
5 corporate authorities of the municipality shall wind up the
6 redevelopment project area and terminate the designation of the
7 redevelopment project area by the process required under this
8 Act.

9 (65 ILCS 5/11-74.4-4) (from Ch. 24, par. 11-74.4-4)

10 Sec. 11-74.4-4. Municipal powers and duties; redevelopment
11 project areas. The changes made by this amendatory Act of the
12 91st General Assembly do not apply to a municipality that, (i)
13 before the effective date of this amendatory Act of the 91st
14 General Assembly, has adopted an ordinance or resolution fixing
15 a time and place for a public hearing under Section 11-74.4-5
16 or (ii) before July 1, 1999, has adopted an ordinance or
17 resolution providing for a feasibility study under Section
18 11-74.4-4.1, but has not yet adopted an ordinance approving
19 redevelopment plans and redevelopment projects or designating
20 redevelopment project areas under this Section, until after
21 that municipality adopts an ordinance approving redevelopment
22 plans and redevelopment projects or designating redevelopment
23 project areas under this Section; thereafter the changes made
24 by this amendatory Act of the 91st General Assembly apply to
25 the same extent that they apply to redevelopment plans and

1 redevelopment projects that were approved and redevelopment
2 projects that were designated before the effective date of this
3 amendatory Act of the 91st General Assembly.

4 A municipality may:

5 (a) By ordinance introduced in the governing body of
6 the municipality within 14 to 90 days from the completion
7 of the hearing specified in Section 11-74.4-5 approve
8 redevelopment plans and redevelopment projects, and
9 designate redevelopment project areas pursuant to notice
10 and hearing required by this Act. No redevelopment project
11 area shall be designated unless a plan and project are
12 approved prior to the designation of such area and such
13 area shall include only those contiguous parcels of real
14 property and improvements thereon substantially benefited
15 by the proposed redevelopment project improvements. Upon
16 adoption of the ordinances, the municipality shall
17 forthwith transmit to the county clerk of the county or
18 counties within which the redevelopment project area is
19 located a certified copy of the ordinances, a legal
20 description of the redevelopment project area, a map of the
21 redevelopment project area, identification of the year
22 that the county clerk shall use for determining the total
23 initial equalized assessed value of the redevelopment
24 project area consistent with subsection (a) of Section
25 11-74.4-9, and a list of the parcel or tax identification
26 number of each parcel of property included in the

1 redevelopment project area.

2 (b) Make and enter into all contracts with property
3 owners, developers, tenants, overlapping taxing bodies,
4 and others necessary or incidental to the implementation
5 and furtherance of its redevelopment plan and project.
6 Contract provisions concerning loan repayment obligations
7 in contracts entered into on or after the effective date of
8 this amendatory Act of the 93rd General Assembly shall
9 terminate no later than the last to occur of the estimated
10 dates of completion of the redevelopment project and
11 retirement of the obligations issued to finance
12 redevelopment project costs as required by item (3) of
13 subsection (n) of Section 11-74.4-3. Payments received
14 under contracts entered into by the municipality prior to
15 the effective date of this amendatory Act of the 93rd
16 General Assembly that are received after the redevelopment
17 project area has been terminated by municipal ordinance
18 shall be deposited into a special fund of the municipality
19 to be used for other community redevelopment needs within
20 the redevelopment project area.

21 (c) Within a redevelopment project area, acquire by
22 purchase, donation, lease or eminent domain; own, convey,
23 lease, mortgage or dispose of land and other property, real
24 or personal, or rights or interests therein, and grant or
25 acquire licenses, easements and options with respect
26 thereto, all in the manner and at such price the

1 municipality determines is reasonably necessary to achieve
2 the objectives of the redevelopment plan and project. No
3 conveyance, lease, mortgage, disposition of land or other
4 property owned by a municipality, or agreement relating to
5 the development of such municipal property shall be made
6 except upon the adoption of an ordinance by the corporate
7 authorities of the municipality. Furthermore, no
8 conveyance, lease, mortgage, or other disposition of land
9 owned by a municipality or agreement relating to the
10 development of such municipal property shall be made
11 without making public disclosure of the terms of the
12 disposition and all bids and proposals made in response to
13 the municipality's request. The procedures for obtaining
14 such bids and proposals shall provide reasonable
15 opportunity for any person to submit alternative proposals
16 or bids.

17 (d) Within a redevelopment project area, clear any area
18 by demolition or removal of any existing buildings and
19 structures.

20 (e) Within a redevelopment project area, renovate or
21 rehabilitate or construct any structure or building, as
22 permitted under this Act.

23 (f) Install, repair, construct, reconstruct or
24 relocate streets, utilities and site improvements
25 essential to the preparation of the redevelopment area for
26 use in accordance with a redevelopment plan.

1 (g) Within a redevelopment project area, fix, charge
2 and collect fees, rents and charges for the use of any
3 building or property owned or leased by it or any part
4 thereof, or facility therein.

5 (h) Accept grants, guarantees and donations of
6 property, labor, or other things of value from a public or
7 private source for use within a project redevelopment area.

8 (i) Acquire and construct public facilities within a
9 redevelopment project area, as permitted under this Act.

10 (j) Incur project redevelopment costs and reimburse
11 developers who incur redevelopment project costs
12 authorized by a redevelopment agreement; provided,
13 however, that on and after the effective date of this
14 amendatory Act of the 91st General Assembly, no
15 municipality shall incur redevelopment project costs
16 (except for planning costs and any other eligible costs
17 authorized by municipal ordinance or resolution that are
18 subsequently included in the redevelopment plan for the
19 area and are incurred by the municipality after the
20 ordinance or resolution is adopted) that are not consistent
21 with the program for accomplishing the objectives of the
22 redevelopment plan as included in that plan and approved by
23 the municipality until the municipality has amended the
24 redevelopment plan as provided elsewhere in this Act.

25 (k) Create a commission of not less than 5 or more than
26 15 persons to be appointed by the mayor or president of the

1 municipality with the consent of the majority of the
2 governing board of the municipality. Members of a
3 commission appointed after the effective date of this
4 amendatory Act of 1987 shall be appointed for initial terms
5 of 1, 2, 3, 4 and 5 years, respectively, in such numbers as
6 to provide that the terms of not more than 1/3 of all such
7 members shall expire in any one year. Their successors
8 shall be appointed for a term of 5 years. The commission,
9 subject to approval of the corporate authorities may
10 exercise the powers enumerated in this Section. The
11 commission shall also have the power to hold the public
12 hearings required by this division and make
13 recommendations to the corporate authorities concerning
14 the adoption of redevelopment plans, redevelopment
15 projects and designation of redevelopment project areas.

16 (l) Make payment in lieu of taxes or a portion thereof
17 to taxing districts. If payments in lieu of taxes or a
18 portion thereof are made to taxing districts, those
19 payments shall be made to all districts within a project
20 redevelopment area on a basis which is proportional to the
21 current collections of revenue which each taxing district
22 receives from real property in the redevelopment project
23 area.

24 (m) Exercise any and all other powers necessary to
25 effectuate the purposes of this Act.

26 (n) If any member of the corporate authority, a member

1 of a commission established pursuant to Section
2 11-74.4-4(k) of this Act, or an employee or consultant of
3 the municipality involved in the planning and preparation
4 of a redevelopment plan, or project for a redevelopment
5 project area or proposed redevelopment project area, as
6 defined in Sections 11-74.4-3(i) through (k) of this Act,
7 owns or controls an interest, direct or indirect, in any
8 property included in any redevelopment area, or proposed
9 redevelopment area, he or she shall disclose the same in
10 writing to the clerk of the municipality, and shall also so
11 disclose the dates and terms and conditions of any
12 disposition of any such interest, which disclosures shall
13 be acknowledged by the corporate authorities and entered
14 upon the minute books of the corporate authorities. If an
15 individual holds such an interest then that individual
16 shall refrain from any further official involvement in
17 regard to such redevelopment plan, project or area, from
18 voting on any matter pertaining to such redevelopment plan,
19 project or area, or communicating with other members
20 concerning corporate authorities, commission or employees
21 concerning any matter pertaining to said redevelopment
22 plan, project or area. Furthermore, no such member or
23 employee shall acquire of any interest direct, or indirect,
24 in any property in a redevelopment area or proposed
25 redevelopment area after either (a) such individual
26 obtains knowledge of such plan, project or area or (b)

1 first public notice of such plan, project or area pursuant
2 to Section 11-74.4-6 of this Division, whichever occurs
3 first. For the purposes of this subsection, a property
4 interest acquired in a single parcel of property by a
5 member of the corporate authority, which property is used
6 exclusively as the member's primary residence, shall not be
7 deemed to constitute an interest in any property included
8 in a redevelopment area or proposed redevelopment area that
9 was established before December 31, 1989, but the member
10 must disclose the acquisition to the municipal clerk under
11 the provisions of this subsection. A single property
12 interest acquired within one year after the effective date
13 of this amendatory Act of the 94th General Assembly or 2
14 years after the effective date of this amendatory Act of
15 the 95th General Assembly by a member of the corporate
16 authority does not constitute an interest in any property
17 included in any redevelopment area or proposed
18 redevelopment area, regardless of when the redevelopment
19 area was established, if (i) the property is used
20 exclusively as the member's primary residence, (ii) the
21 member discloses the acquisition to the municipal clerk
22 under the provisions of this subsection, (iii) the
23 acquisition is for fair market value, (iv) the member
24 acquires the property as a result of the property being
25 publicly advertised for sale, and (v) the member refrains
26 from voting on, and communicating with other members

1 concerning, any matter when the benefits to the
2 redevelopment project or area would be significantly
3 greater than the benefits to the municipality as a whole.
4 For the purposes of this subsection, a month-to-month
5 leasehold interest in a single parcel of property by a
6 member of the corporate authority shall not be deemed to
7 constitute an interest in any property included in any
8 redevelopment area or proposed redevelopment area, but the
9 member must disclose the interest to the municipal clerk
10 under the provisions of this subsection.

11 (o) Create a Tax Increment Economic Development
12 Advisory Committee to be appointed by the Mayor or
13 President of the municipality with the consent of the
14 majority of the governing board of the municipality, the
15 members of which Committee shall be appointed for initial
16 terms of 1, 2, 3, 4 and 5 years respectively, in such
17 numbers as to provide that the terms of not more than 1/3
18 of all such members shall expire in any one year. Their
19 successors shall be appointed for a term of 5 years. The
20 Committee shall have none of the powers enumerated in this
21 Section. The Committee shall serve in an advisory capacity
22 only. The Committee may advise the governing Board of the
23 municipality and other municipal officials regarding
24 development issues and opportunities within the
25 redevelopment project area or the area within the State
26 Sales Tax Boundary. The Committee may also promote and

1 publicize development opportunities in the redevelopment
2 project area or the area within the State Sales Tax
3 Boundary.

4 (p) Municipalities may jointly undertake and perform
5 redevelopment plans and projects and utilize the
6 provisions of the Act wherever they have contiguous
7 redevelopment project areas or they determine to adopt tax
8 increment financing with respect to a redevelopment
9 project area which includes contiguous real property
10 within the boundaries of the municipalities, and in doing
11 so, they may, by agreement between municipalities, issue
12 obligations, separately or jointly, and expend revenues
13 received under the Act for eligible expenses anywhere
14 within contiguous redevelopment project areas or as
15 otherwise permitted in the Act. With respect to
16 redevelopment project areas that are established within a
17 transit facility improvement area, the provisions of this
18 subsection apply only with respect to such redevelopment
19 project areas that are contiguous to each other.

20 Except for municipalities jointly undertaking and
21 performing redevelopment plans or otherwise utilizing the
22 provisions of this subsection on the effective date of this
23 amendatory Act of the 101st General Assembly, a
24 municipality shall not utilize the provisions of this
25 subsection for any property that is more than one mile from
26 the border where the redevelopment project areas are

1 contiguous. A municipality utilizing this subsection on
2 the effective date of this amendatory Act of the 101st
3 General Assembly shall conform to the requirements of this
4 paragraph as soon as is possible after the effective date
5 of this amendatory Act of the 101st General Assembly.

6 (q) Utilize revenues, other than State sales tax
7 increment revenues, received under this Act from one
8 redevelopment project area for eligible costs in another
9 redevelopment project area that is:

10 (i) contiguous to the redevelopment project area
11 from which the revenues are received;

12 (ii) separated only by a public right of way from
13 the redevelopment project area from which the revenues
14 are received; or

15 (iii) separated only by forest preserve property
16 from the redevelopment project area from which the
17 revenues are received if the closest boundaries of the
18 redevelopment project areas that are separated by the
19 forest preserve property are less than one mile apart.

20 Utilize tax increment revenues for eligible costs that
21 are received from a redevelopment project area created
22 under the Industrial Jobs Recovery Law that is either
23 contiguous to, or is separated only by a public right of
24 way from, the redevelopment project area created under this
25 Act which initially receives these revenues. Utilize
26 revenues, other than State sales tax increment revenues, by

1 transferring or loaning such revenues to a redevelopment
2 project area created under the Industrial Jobs Recovery Law
3 that is either contiguous to, or separated only by a public
4 right of way from the redevelopment project area that
5 initially produced and received those revenues; and, if the
6 redevelopment project area (i) was established before the
7 effective date of this amendatory Act of the 91st General
8 Assembly and (ii) is located within a municipality with a
9 population of more than 100,000, utilize revenues or
10 proceeds of obligations authorized by Section 11-74.4-7 of
11 this Act, other than use or occupation tax revenues, to pay
12 for any redevelopment project costs as defined by
13 subsection (q) of Section 11-74.4-3 to the extent that the
14 redevelopment project costs involve public property that
15 is either contiguous to, or separated only by a public
16 right of way from, a redevelopment project area whether or
17 not redevelopment project costs or the source of payment
18 for the costs are specifically set forth in the
19 redevelopment plan for the redevelopment project area.

20 Except for municipalities utilizing revenues under the
21 provisions of this subsection on the effective date of this
22 amendatory Act of the 101st General Assembly, a
23 municipality shall not utilize revenue for any property
24 that is more than one mile from the border where the
25 redevelopment project areas are contiguous, separated by a
26 public right of way, or separated by forest preserve

1 property. A municipality utilizing revenues under the
2 provisions of this subsection on the effective date of this
3 amendatory Act of the 101st General Assembly shall conform
4 to the requirements of this paragraph as soon as is
5 possible after the effective date of this amendatory Act of
6 the 101st General Assembly.

7 (r) If no redevelopment project has been initiated in a
8 redevelopment project area within 7 years after the area
9 was designated by ordinance under subsection (a), the
10 municipality shall adopt an ordinance repealing the area's
11 designation as a redevelopment project area; provided,
12 however, that if an area received its designation more than
13 3 years before the effective date of this amendatory Act of
14 1994 and no redevelopment project has been initiated within
15 4 years after the effective date of this amendatory Act of
16 1994, the municipality shall adopt an ordinance repealing
17 its designation as a redevelopment project area.
18 Initiation of a redevelopment project shall be evidenced by
19 either a signed redevelopment agreement or expenditures on
20 eligible redevelopment project costs associated with a
21 redevelopment project.

22 Notwithstanding any other provision of this Section to
23 the contrary, with respect to a redevelopment project area
24 designated by an ordinance that was adopted on July 29,
25 1998 by the City of Chicago, the City of Chicago shall
26 adopt an ordinance repealing the area's designation as a

1 redevelopment project area if no redevelopment project has
2 been initiated in the redevelopment project area within 15
3 years after the designation of the area. The City of
4 Chicago may retroactively repeal any ordinance adopted by
5 the City of Chicago, pursuant to this subsection (r), that
6 repealed the designation of a redevelopment project area
7 designated by an ordinance that was adopted by the City of
8 Chicago on July 29, 1998. The City of Chicago has 90 days
9 after the effective date of this amendatory Act to repeal
10 the ordinance. The changes to this Section made by this
11 amendatory Act of the 96th General Assembly apply
12 retroactively to July 27, 2005.

13 (Source: P.A. 99-792, eff. 8-12-16.)

14 (65 ILCS 5/11-74.4-5) (from Ch. 24, par. 11-74.4-5)

15 Sec. 11-74.4-5. Public hearing; joint review board.

16 (a) The changes made by this amendatory Act of the 91st
17 General Assembly do not apply to a municipality that, (i)
18 before the effective date of this amendatory Act of the 91st
19 General Assembly, has adopted an ordinance or resolution fixing
20 a time and place for a public hearing under this Section or
21 (ii) before July 1, 1999, has adopted an ordinance or
22 resolution providing for a feasibility study under Section
23 11-74.4-4.1, but has not yet adopted an ordinance approving
24 redevelopment plans and redevelopment projects or designating
25 redevelopment project areas under Section 11-74.4-4, until

1 after that municipality adopts an ordinance approving
2 redevelopment plans and redevelopment projects or designating
3 redevelopment project areas under Section 11-74.4-4;
4 thereafter the changes made by this amendatory Act of the 91st
5 General Assembly apply to the same extent that they apply to
6 redevelopment plans and redevelopment projects that were
7 approved and redevelopment projects that were designated
8 before the effective date of this amendatory Act of the 91st
9 General Assembly.

10 Prior to the adoption of an ordinance proposing the
11 designation of a redevelopment project area, or approving a
12 redevelopment plan or redevelopment project, the municipality
13 by its corporate authorities, or as it may determine by any
14 commission designated under subsection (k) of Section
15 11-74.4-4 shall adopt an ordinance or resolution fixing a time
16 and place for public hearing. At least 10 days prior to the
17 adoption of the ordinance or resolution establishing the time
18 and place for the public hearing, the municipality shall make
19 available for public inspection a redevelopment plan or a
20 separate report that provides in reasonable detail the basis
21 for the eligibility of the redevelopment project area. The
22 report along with the name of a person to contact for further
23 information shall be sent within a reasonable time after the
24 adoption of such ordinance or resolution to the affected taxing
25 districts by certified mail. On and after the effective date of
26 this amendatory Act of the 91st General Assembly, the

1 municipality shall print in a newspaper of general circulation
2 within the municipality a notice that interested persons may
3 register with the municipality in order to receive information
4 on the proposed designation of a redevelopment project area or
5 the approval of a redevelopment plan. The notice shall state
6 the place of registration and the operating hours of that
7 place. The municipality shall have adopted reasonable rules to
8 implement this registration process under Section 11-74.4-4.2.
9 The municipality shall provide notice of the availability of
10 the redevelopment plan and eligibility report, including how to
11 obtain this information, by mail within a reasonable time after
12 the adoption of the ordinance or resolution, to all residential
13 addresses that, after a good faith effort, the municipality
14 determines are located outside the proposed redevelopment
15 project area and within 750 feet of the boundaries of the
16 proposed redevelopment project area. This requirement is
17 subject to the limitation that in a municipality with a
18 population of over 100,000, if the total number of residential
19 addresses outside the proposed redevelopment project area and
20 within 750 feet of the boundaries of the proposed redevelopment
21 project area exceeds 750, the municipality shall be required to
22 provide the notice to only the 750 residential addresses that,
23 after a good faith effort, the municipality determines are
24 outside the proposed redevelopment project area and closest to
25 the boundaries of the proposed redevelopment project area.
26 Notwithstanding the foregoing, notice given after August 7,

1 2001 (the effective date of Public Act 92-263) and before the
2 effective date of this amendatory Act of the 92nd General
3 Assembly to residential addresses within 750 feet of the
4 boundaries of a proposed redevelopment project area shall be
5 deemed to have been sufficiently given in compliance with this
6 Act if given only to residents outside the boundaries of the
7 proposed redevelopment project area. The notice shall also be
8 provided by the municipality, regardless of its population, to
9 those organizations and residents that have registered with the
10 municipality for that information in accordance with the
11 registration guidelines established by the municipality under
12 Section 11-74.4-4.2.

13 At the public hearing any interested person or affected
14 taxing district may file with the municipal clerk written
15 objections to and may be heard orally in respect to any issues
16 embodied in the notice. The municipality shall hear all
17 protests and objections at the hearing and the hearing may be
18 adjourned to another date without further notice other than a
19 motion to be entered upon the minutes fixing the time and place
20 of the subsequent hearing. At the public hearing or at any time
21 prior to the adoption by the municipality of an ordinance
22 approving a redevelopment plan, the municipality may make
23 changes in the redevelopment plan. Changes which (1) add
24 additional parcels of property to the proposed redevelopment
25 project area, (2) substantially affect the general land uses
26 proposed in the redevelopment plan, (3) substantially change

1 the nature of or extend the life of the redevelopment project,
2 or (4) increase the number of inhabited residential units to be
3 displaced from the redevelopment project area, as measured from
4 the time of creation of the redevelopment project area, to a
5 total of more than 10, shall be made only after the
6 municipality gives notice, convenes a joint review board, and
7 conducts a public hearing pursuant to the procedures set forth
8 in this Section and in Section 11-74.4-6 of this Act. Changes
9 which do not (1) add additional parcels of property to the
10 proposed redevelopment project area, (2) substantially affect
11 the general land uses proposed in the redevelopment plan, (3)
12 substantially change the nature of or extend the life of the
13 redevelopment project, or (4) increase the number of inhabited
14 residential units to be displaced from the redevelopment
15 project area, as measured from the time of creation of the
16 redevelopment project area, to a total of more than 10, may be
17 made without further hearing, provided that the municipality
18 shall give notice of any such changes by mail to each affected
19 taxing district and registrant on the interested parties
20 registry, provided for under Section 11-74.4-4.2, and by
21 publication in a newspaper of general circulation within the
22 affected taxing district. Such notice by mail and by
23 publication shall each occur not later than 10 days following
24 the adoption by ordinance of such changes. Hearings with regard
25 to a redevelopment project area, project or plan may be held
26 simultaneously.

1 (b) Prior to holding a public hearing to approve or amend a
2 redevelopment plan, ~~or~~ to designate or add additional parcels
3 of property to a redevelopment project area, or to reevaluate
4 whether a redevelopment project area designed as a blighted
5 area is still a blighted area under Section 11-74.4-3.7, the
6 municipality shall convene a joint review board. The board
7 shall consist of a representative selected by each community
8 college district, local elementary school district and high
9 school district or each local community unit school district,
10 park district, library district, township, fire protection
11 district, and county that will have the authority to directly
12 levy taxes on the property within the proposed redevelopment
13 project area at the time that the proposed redevelopment
14 project area is approved, a representative selected by the
15 municipality and a public member. The public member shall first
16 be selected and then the board's chairperson shall be selected
17 by a majority of the board members present and voting.

18 For redevelopment project areas with redevelopment plans
19 or proposed redevelopment plans that would result in the
20 displacement of residents from 10 or more inhabited residential
21 units or that include 75 or more inhabited residential units,
22 the public member shall be a person who resides in the
23 redevelopment project area. If, as determined by the housing
24 impact study provided for in paragraph (5) of subsection (n) of
25 Section 11-74.4-3, or if no housing impact study is required
26 then based on other reasonable data, the majority of

1 residential units are occupied by very low, low, or moderate
2 income households, as defined in Section 3 of the Illinois
3 Affordable Housing Act, the public member shall be a person who
4 resides in very low, low, or moderate income housing within the
5 redevelopment project area. Municipalities with fewer than
6 15,000 residents shall not be required to select a person who
7 lives in very low, low, or moderate income housing within the
8 redevelopment project area, provided that the redevelopment
9 plan or project will not result in displacement of residents
10 from 10 or more inhabited units, and the municipality so
11 certifies in the plan. If no person satisfying these
12 requirements is available or if no qualified person will serve
13 as the public member, then the joint review board is relieved
14 of this paragraph's selection requirements for the public
15 member.

16 Within 90 days of the effective date of this amendatory Act
17 of the 91st General Assembly, each municipality that designated
18 a redevelopment project area for which it was not required to
19 convene a joint review board under this Section shall convene a
20 joint review board to perform the duties specified under
21 paragraph (e) of this Section.

22 All board members shall be appointed and the first board
23 meeting shall be held at least 14 days but not more than 28
24 days after the mailing of notice by the municipality to the
25 taxing districts as required by Section 11-74.4-6(c).
26 Notwithstanding the preceding sentence, a municipality that

1 adopted either a public hearing resolution or a feasibility
2 resolution between July 1, 1999 and July 1, 2000 that called
3 for the meeting of the joint review board within 14 days of
4 notice of public hearing to affected taxing districts is deemed
5 to be in compliance with the notice, meeting, and public
6 hearing provisions of the Act. Such notice shall also advise
7 the taxing bodies represented on the joint review board of the
8 time and place of the first meeting of the board. Additional
9 meetings of the board shall be held upon the call of any
10 member. The municipality seeking reevaluation or designation
11 of the redevelopment project area shall provide administrative
12 support to the board.

13 The board shall review (i) the public record, planning
14 documents and proposed ordinances approving the redevelopment
15 plan and project, ~~and~~ (ii) proposed amendments to the
16 redevelopment plan or additions of parcels of property to the
17 redevelopment project area to be adopted by the municipality,
18 and (iii) documents relating to the reevaluation of a
19 redemption project area under Section 11-74.4-3.7. As part
20 of its deliberations, the board may hold additional hearings on
21 the proposal. A board's recommendation shall be an advisory,
22 non-binding recommendation. The recommendation shall be
23 adopted by a majority of those members present and voting. The
24 recommendations shall be submitted to the municipality within
25 30 days after convening of the board. Failure of the board to
26 submit its report on a timely basis shall not be cause to delay

1 the public hearing or any other step in the process of
2 designating or amending the redevelopment project area but
3 shall be deemed to constitute approval by the joint review
4 board of the matters before it.

5 The board shall base its recommendation to approve or
6 disapprove the redevelopment plan and the designation of the
7 redevelopment project area, ~~or~~ the amendment of the
8 redevelopment plan or addition of parcels of property to the
9 redevelopment project area, or the redesignation of a
10 redevelopment project area as a blighted area under Section
11 11-74.4-3.7 on the basis of the redevelopment project area and
12 redevelopment plan satisfying the plan requirements, the
13 eligibility criteria defined in Section 11-74.4-3, and the
14 objectives of this Act.

15 The board shall issue a written report describing why the
16 redevelopment plan and project area, ~~or~~ the amendment thereof, ~~or~~
17 or the redesignation of a redevelopment project area as a
18 blighted area under Section 11-74.4-3.7 meets or fails to meet
19 one or more of the objectives of this Act and both the plan
20 requirements and the eligibility criteria defined in Section
21 11-74.4-3. In the event the Board does not file a report it
22 shall be presumed that these taxing bodies find the
23 redevelopment project area and redevelopment plan satisfy the
24 objectives of this Act and the plan requirements and
25 eligibility criteria.

26 If the board recommends rejection of the matters before it,

1 the municipality will have 30 days within which to resubmit the
2 plan, ~~or~~ amendment, or reevaluation documentation. During this
3 period, the municipality will meet and confer with the board
4 and attempt to resolve those issues set forth in the board's
5 written report that led to the rejection of the plan or
6 amendment.

7 Notwithstanding the resubmission set forth above, the
8 municipality may commence the scheduled public hearing and
9 either adjourn the public hearing or continue the public
10 hearing until a date certain. Prior to continuing any public
11 hearing to a date certain, the municipality shall announce
12 during the public hearing the time, date, and location for the
13 reconvening of the public hearing. Any changes to the
14 redevelopment plan necessary to satisfy the issues set forth in
15 the joint review board report shall be the subject of a public
16 hearing before the hearing is adjourned if the changes would
17 (1) substantially affect the general land uses proposed in the
18 redevelopment plan, (2) substantially change the nature of or
19 extend the life of the redevelopment project, or (3) increase
20 the number of inhabited residential units to be displaced from
21 the redevelopment project area, as measured from the time of
22 creation of the redevelopment project area, to a total of more
23 than 10. Changes to the redevelopment plan necessary to satisfy
24 the issues set forth in the joint review board report shall not
25 require any further notice or convening of a joint review board
26 meeting, except that any changes to the redevelopment plan that

1 would add additional parcels of property to the proposed
2 redevelopment project area shall be subject to the notice,
3 public hearing, and joint review board meeting requirements
4 established for such changes by subsection (a) of Section
5 11-74.4-5.

6 In the event that the municipality and the board are unable
7 to resolve these differences, or in the event that the
8 resubmitted plan or amendment is rejected by the board, the
9 municipality may proceed with the plan, ~~or~~ amendment, or
10 redesignation, but only upon a three-fifths vote of the
11 corporate authority responsible for approval of the plan, ~~or~~
12 amendment, or redesignation, excluding positions of members
13 that are vacant and those members that are ineligible to vote
14 because of conflicts of interest.

15 (c) After a municipality has by ordinance approved a
16 redevelopment plan and designated a redevelopment project
17 area, the plan may be amended and additional properties may be
18 added to the redevelopment project area only as herein
19 provided. Amendments which (1) add additional parcels of
20 property to the proposed redevelopment project area, (2)
21 substantially affect the general land uses proposed in the
22 redevelopment plan, (3) substantially change the nature of the
23 redevelopment project, (4) increase the total estimated
24 redevelopment project costs set out in the redevelopment plan
25 by more than 5% after adjustment for inflation from the date
26 the plan was adopted, (5) add additional redevelopment project

1 costs to the itemized list of redevelopment project costs set
2 out in the redevelopment plan, or (6) increase the number of
3 inhabited residential units to be displaced from the
4 redevelopment project area, as measured from the time of
5 creation of the redevelopment project area, to a total of more
6 than 10, shall be made only after the municipality gives
7 notice, convenes a joint review board, and conducts a public
8 hearing pursuant to the procedures set forth in this Section
9 and in Section 11-74.4-6 of this Act. Changes which do not (1)
10 add additional parcels of property to the proposed
11 redevelopment project area, (2) substantially affect the
12 general land uses proposed in the redevelopment plan, (3)
13 substantially change the nature of the redevelopment project,
14 (4) increase the total estimated redevelopment project cost set
15 out in the redevelopment plan by more than 5% after adjustment
16 for inflation from the date the plan was adopted, (5) add
17 additional redevelopment project costs to the itemized list of
18 redevelopment project costs set out in the redevelopment plan,
19 or (6) increase the number of inhabited residential units to be
20 displaced from the redevelopment project area, as measured from
21 the time of creation of the redevelopment project area, to a
22 total of more than 10, may be made without further public
23 hearing and related notices and procedures including the
24 convening of a joint review board as set forth in Section
25 11-74.4-6 of this Act, provided that the municipality shall
26 give notice of any such changes by mail to each affected taxing

1 district and registrant on the interested parties registry,
2 provided for under Section 11-74.4-4.2, and by publication in a
3 newspaper of general circulation within the affected taxing
4 district. Such notice by mail and by publication shall each
5 occur not later than 10 days following the adoption by
6 ordinance of such changes.

7 (d) After the effective date of this amendatory Act of the
8 91st General Assembly, a municipality shall submit in an
9 electronic format the following information for each
10 redevelopment project area (i) to the State Comptroller under
11 Section 8-8-3.5 of the Illinois Municipal Code, subject to any
12 extensions or exemptions provided at the Comptroller's
13 discretion under that Section, and (ii) to all taxing districts
14 overlapping the redevelopment project area no later than 180
15 days after the close of each municipal fiscal year or as soon
16 thereafter as the audited financial statements become
17 available and, in any case, shall be submitted before the
18 annual meeting of the Joint Review Board to each of the taxing
19 districts that overlap the redevelopment project area:

20 (1) Any amendments to the redevelopment plan, the
21 redevelopment project area, or the State Sales Tax
22 Boundary.

23 (1.5) A list of the redevelopment project areas
24 administered by the municipality and, if applicable, the
25 date each redevelopment project area was designated or
26 terminated by the municipality.

1 (2) Audited financial statements of the special tax
2 allocation fund once a cumulative total of \$100,000 has
3 been deposited in the fund.

4 (3) Certification of the Chief Executive Officer of the
5 municipality that the municipality has complied with all of
6 the requirements of this Act during the preceding fiscal
7 year.

8 (4) An opinion of legal counsel that the municipality
9 is in compliance with this Act.

10 (5) An analysis of the special tax allocation fund
11 which sets forth:

12 (A) the balance in the special tax allocation fund
13 at the beginning of the fiscal year;

14 (B) all amounts deposited in the special tax
15 allocation fund by source;

16 (C) an itemized list of all expenditures from the
17 special tax allocation fund by category of permissible
18 redevelopment project cost; and

19 (D) the balance in the special tax allocation fund
20 at the end of the fiscal year including a breakdown of
21 that balance by source and a breakdown of that balance
22 identifying any portion of the balance that is
23 required, pledged, earmarked, or otherwise designated
24 for payment of or securing of obligations and
25 anticipated redevelopment project costs. Any portion
26 of such ending balance that has not been identified or

1 is not identified as being required, pledged,
2 earmarked, or otherwise designated for payment of or
3 securing of obligations or anticipated redevelopment
4 projects costs shall be designated as surplus as set
5 forth in Section 11-74.4-7 hereof.

6 (6) A description of all property purchased by the
7 municipality within the redevelopment project area
8 including:

9 (A) Street address.

10 (B) Approximate size or description of property.

11 (C) Purchase price.

12 (D) Seller of property.

13 (7) A statement setting forth all activities
14 undertaken in furtherance of the objectives of the
15 redevelopment plan, including:

16 (A) Any project implemented in the preceding
17 fiscal year.

18 (B) A description of the redevelopment activities
19 undertaken.

20 (C) A description of any agreements entered into by
21 the municipality with regard to the disposition or
22 redevelopment of any property within the redevelopment
23 project area or the area within the State Sales Tax
24 Boundary.

25 (D) Additional information on the use of all funds
26 received under this Division and steps taken by the

1 municipality to achieve the objectives of the
2 redevelopment plan.

3 (E) Information regarding contracts that the
4 municipality's tax increment advisors or consultants
5 have entered into with entities or persons that have
6 received, or are receiving, payments financed by tax
7 increment revenues produced by the same redevelopment
8 project area.

9 (F) Any reports submitted to the municipality by
10 the joint review board.

11 (G) A review of public and, to the extent possible,
12 private investment actually undertaken to date after
13 the effective date of this amendatory Act of the 91st
14 General Assembly and estimated to be undertaken during
15 the following year. This review shall, on a
16 project-by-project basis, set forth the estimated
17 amounts of public and private investment incurred
18 after the effective date of this amendatory Act of the
19 91st General Assembly and provide the ratio of private
20 investment to public investment to the date of the
21 report and as estimated to the completion of the
22 redevelopment project.

23 (8) With regard to any obligations issued by the
24 municipality:

25 (A) copies of any official statements; and

26 (B) an analysis prepared by financial advisor or

1 underwriter setting forth: (i) nature and term of
2 obligation; and (ii) projected debt service including
3 required reserves and debt coverage.

4 (9) For special tax allocation funds that have
5 experienced cumulative deposits of incremental tax
6 revenues of \$100,000 or more, a certified audit report
7 reviewing compliance with this Act performed by an
8 independent public accountant certified and licensed by
9 the authority of the State of Illinois. The financial
10 portion of the audit must be conducted in accordance with
11 Standards for Audits of Governmental Organizations,
12 Programs, Activities, and Functions adopted by the
13 Comptroller General of the United States (1981), as
14 amended, or the standards specified by Section 8-8-5 of the
15 Illinois Municipal Auditing Law of the Illinois Municipal
16 Code. The audit report shall contain a letter from the
17 independent certified public accountant indicating
18 compliance or noncompliance with the requirements of
19 subsection (q) of Section 11-74.4-3. For redevelopment
20 plans or projects that would result in the displacement of
21 residents from 10 or more inhabited residential units or
22 that contain 75 or more inhabited residential units, notice
23 of the availability of the information, including how to
24 obtain the report, required in this subsection shall also
25 be sent by mail to all residents or organizations that
26 operate in the municipality that register with the

1 municipality for that information according to
2 registration procedures adopted under Section 11-74.4-4.2.
3 All municipalities are subject to this provision.

4 (10) A list of all intergovernmental agreements in
5 effect during the fiscal year to which the municipality is
6 a party and an accounting of any moneys transferred or
7 received by the municipality during that fiscal year
8 pursuant to those intergovernmental agreements.

9 (d-1) Prior to the effective date of this amendatory Act of
10 the 91st General Assembly, municipalities with populations of
11 over 1,000,000 shall, after adoption of a redevelopment plan or
12 project, make available upon request to any taxing district in
13 which the redevelopment project area is located the following
14 information:

15 (1) Any amendments to the redevelopment plan, the
16 redemption project area, or the State Sales Tax
17 Boundary; and

18 (2) In connection with any redevelopment project area
19 for which the municipality has outstanding obligations
20 issued to provide for redevelopment project costs pursuant
21 to Section 11-74.4-7, audited financial statements of the
22 special tax allocation fund.

23 (e) The joint review board shall meet annually 180 days
24 after the close of the municipal fiscal year or as soon as the
25 redemption project audit for that fiscal year becomes
26 available to review the effectiveness and status of the

1 redevelopment project area up to that date.

2 (f) (Blank).

3 (g) In the event that a municipality has held a public
4 hearing under this Section prior to March 14, 1994 (the
5 effective date of Public Act 88-537), the requirements imposed
6 by Public Act 88-537 relating to the method of fixing the time
7 and place for public hearing, the materials and information
8 required to be made available for public inspection, and the
9 information required to be sent after adoption of an ordinance
10 or resolution fixing a time and place for public hearing shall
11 not be applicable.

12 (h) On and after the effective date of this amendatory Act
13 of the 96th General Assembly, the State Comptroller must post
14 on the State Comptroller's official website the information
15 submitted by a municipality pursuant to subsection (d) of this
16 Section. The information must be posted no later than 45 days
17 after the State Comptroller receives the information from the
18 municipality. The State Comptroller must also post a list of
19 the municipalities not in compliance with the reporting
20 requirements set forth in subsection (d) of this Section.

21 (i) No later than 10 years after the corporate authorities
22 of a municipality adopt an ordinance to establish a
23 redevelopment project area, the municipality must compile a
24 status report concerning the redevelopment project area. The
25 status report must detail without limitation the following: (i)
26 the amount of revenue generated within the redevelopment

1 project area, (ii) any expenditures made by the municipality
2 for the redevelopment project area including without
3 limitation expenditures from the special tax allocation fund,
4 (iii) the status of planned activities, goals, and objectives
5 set forth in the redevelopment plan including details on new or
6 planned construction within the redevelopment project area,
7 (iv) the amount of private and public investment within the
8 redevelopment project area, and (v) any other relevant
9 evaluation or performance data. Within 30 days after the
10 municipality compiles the status report, the municipality must
11 hold at least one public hearing concerning the report. The
12 municipality must provide 20 days' public notice of the
13 hearing.

14 (j) Beginning in fiscal year 2011 and in each fiscal year
15 thereafter, a municipality must detail in its annual budget (i)
16 the revenues generated from redevelopment project areas by
17 source and (ii) the expenditures made by the municipality for
18 redevelopment project areas.

19 (Source: P.A. 98-922, eff. 8-15-14.)