



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0179

Introduced 1/22/2021, 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.

LRB102 03584 AWJ 13597 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
5 a 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
3 purposes of taxation, for property on which a single family
4 residence is situated the statement shall also include a
5 statement to reflect the fair cash value determined for the
6 property. In all counties which classify property for purposes
7 of taxation in accordance with Section 4 of Article IX of the
8 Illinois Constitution, for parcels of residential property in
9 the lowest assessment classification the statement shall also
10 include a statement to reflect the fair cash value determined
11 for the 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
17 of Revenue.

18 In counties which use the estimated or accelerated billing
19 methods, these statements shall only be provided with the
20 final installment of taxes due. The provisions of this Section
21 create a mandatory statutory duty. They are not merely
22 directory or discretionary. The failure or neglect of the
23 collector to mail the bill, or the failure of the taxpayer to
24 receive the bill, shall not affect the validity of any tax, or
25 the liability for 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 102nd
12 General Assembly November 1, 1999 ~~(the effective date of~~
13 ~~Public Act 91-478)~~, "blighted area" shall have the meaning set
14 forth in this Section prior to that date.

15 On and after the effective date of this amendatory Act of
16 the 102nd 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

1 present, with that presence documented, to a meaningful
2 extent so that a municipality may reasonably find that the
3 factor is clearly present within the intent of the Act,
4 ~~and~~ (ii) is reasonably distributed throughout the improved
5 part of the redevelopment project area, and (iii) that
6 public 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
13 extensive 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
19 in 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
3 and 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
19 land coverage are: (i) the presence of buildings
20 either improperly situated on parcels or located on
21 parcels of inadequate size and shape in relation to
22 present-day standards of development for health and
23 safety and (ii) the presence of multiple buildings on
24 a single parcel. For there to be a finding of excessive
25 land coverage, these parcels must exhibit one or more
26 of the following conditions: insufficient provision

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

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

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

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

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

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

24 (2) If vacant, the sound growth of the redevelopment
25 project area is impaired by a combination of 2 or more of
26 the following factors, each of which a reasonable person

1 would conclude ~~is~~ (i) is present, with that presence
2 documented, to a meaningful extent so that a municipality
3 may reasonably find that the factor is clearly present
4 within the intent of the Act, ~~and~~ (ii) is reasonably
5 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) Obsolete platting of vacant land that results
10 in parcels of limited or narrow size or configurations
11 of parcels of irregular size or shape that would be
12 difficult to develop on a planned basis and in a manner
13 compatible with contemporary standards and
14 requirements, or platting that failed to create
15 rights-of-ways for streets or alleys or that created
16 inadequate right-of-way widths for streets, alleys, or
17 other public rights-of-way or that omitted easements
18 for public utilities.

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

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

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

1 vacant land.

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

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

26 (3) If vacant, the sound growth of the redevelopment

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

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

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

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

24 (D) The area consists of an unused or illegal
25 disposal site containing earth, stone, building
26 debris, or similar materials that were removed from

1 construction, demolition, excavation, or dredge sites.

2 (E) Prior to November 1, 1999, the area is not less
3 than 50 nor more than 100 acres and 75% of which is
4 vacant (notwithstanding that the area has been used
5 for commercial agricultural purposes within 5 years
6 prior to the designation of the redevelopment project
7 area), and the area meets at least one of the factors
8 itemized in paragraph (1) of this subsection, the area
9 has been designated as a town or village center by
10 ordinance or comprehensive plan adopted prior to
11 January 1, 1982, and the area has not been developed
12 for that designated purpose.

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

17 "Blighted area" does not include any area within another
18 redevelopment project area.

19 (b) For any redevelopment project area that has been
20 designated pursuant to this Section by an ordinance adopted
21 prior to November 1, 1999 (the effective date of Public Act
22 91-478), "conservation area" shall have the meaning set forth
23 in this Section prior to that date.

24 On and after November 1, 1999, "conservation area" means
25 any improved area within the boundaries of a redevelopment
26 project area located within the territorial limits of the

1 municipality in which 50% or more of the structures in the area
2 have an age of 35 years or more. Such an area is not yet a
3 blighted area but because of a combination of 3 or more of the
4 following factors is detrimental to the public safety, health,
5 morals or welfare and such an area may become a blighted area:

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

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

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

26 (4) Presence of structures below minimum code

1 standards. All structures that do not meet the standards
2 of zoning, subdivision, building, fire, and other
3 governmental codes applicable to property, but not
4 including housing and property maintenance codes.

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

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

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

26 (8) Inadequate utilities. Underground and overhead

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

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

1 (10) Deleterious land use or layout. The existence of
2 incompatible land-use relationships, buildings occupied by
3 inappropriate mixed-uses, or uses considered to be
4 noxious, offensive, or unsuitable for the surrounding
5 area.

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

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

1 development or redevelopment of the redevelopment project
2 area.

3 (13) The total equalized assessed value of the
4 proposed redevelopment project area has declined for 3 of
5 the last 5 calendar years for which information is
6 available or is increasing at an annual rate that is less
7 than the balance of the municipality for 3 of the last 5
8 calendar years for which information is available or is
9 increasing at an annual rate that is less than the
10 Consumer Price Index for All Urban Consumers published by
11 the United States Department of Labor or successor agency
12 for 3 of the last 5 calendar years for which information is
13 available.

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

23 (d) "Industrial park conservation area" means an area
24 within the boundaries of a redevelopment project area located
25 within the territorial limits of a municipality that is a
26 labor surplus municipality or within 1 1/2 miles of the

1 territorial limits of a municipality that is a labor surplus
2 municipality if the area is annexed to the municipality; which
3 area is zoned as industrial no later than at the time the
4 municipality by ordinance designates the redevelopment project
5 area, and which area includes both vacant land suitable for
6 use as an industrial park and a blighted area or conservation
7 area contiguous to such vacant land.

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

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

26 (g) "Initial Sales Tax Amounts" means the amount of taxes

1 paid under the Retailers' Occupation Tax Act, Use Tax Act,
2 Service Use Tax Act, the Service Occupation Tax Act, the
3 Municipal Retailers' Occupation Tax Act, and the Municipal
4 Service Occupation Tax Act by retailers and servicemen on
5 transactions at places located in a State Sales Tax Boundary
6 during the calendar year 1985.

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

15 (h) "Municipal Sales Tax Increment" means an amount equal
16 to the increase in the aggregate amount of taxes paid to a
17 municipality from the Local Government Tax Fund arising from
18 sales by retailers and servicemen within the redevelopment
19 project area or State Sales Tax Boundary, as the case may be,
20 for as long as the redevelopment project area or State Sales
21 Tax Boundary, as the case may be, exist over and above the
22 aggregate amount of taxes as certified by the Illinois
23 Department of Revenue and paid under the Municipal Retailers'
24 Occupation Tax Act and the Municipal Service Occupation Tax
25 Act by retailers and servicemen, on transactions at places of
26 business located in the redevelopment project area or State

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

1 Municipal Retailers' Occupation Tax and the Municipal Service
2 Occupation Tax Act, which shall have deducted therefrom
3 nine-twelfths of the certified Initial Sales Tax Amounts, the
4 Adjusted Initial Sales Tax Amounts or the Revised Initial
5 Sales Tax Amounts as appropriate. For the State Fiscal Year
6 1991, this calculation shall be made by utilizing the period
7 from October 1, 1988, to June 30, 1989, to determine the tax
8 amounts received from retailers and servicemen pursuant to the
9 Municipal Retailers' Occupation Tax and the Municipal Service
10 Occupation Tax Act which shall have deducted therefrom
11 nine-twelfths of the certified Initial Sales Tax Amounts,
12 Adjusted Initial Sales Tax Amounts or the Revised Initial
13 Sales Tax Amounts as appropriate. For every State Fiscal Year
14 thereafter, the applicable period shall be the 12 months
15 beginning July 1 and ending June 30 to determine the tax
16 amounts received which shall have deducted therefrom the
17 certified Initial Sales Tax Amounts, the Adjusted Initial
18 Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as
19 the case may be.

20 (i) "Net State Sales Tax Increment" means the sum of the
21 following: (a) 80% of the first \$100,000 of State Sales Tax
22 Increment annually generated within a State Sales Tax
23 Boundary; (b) 60% of the amount in excess of \$100,000 but not
24 exceeding \$500,000 of State Sales Tax Increment annually
25 generated within a State Sales Tax Boundary; and (c) 40% of all
26 amounts in excess of \$500,000 of State Sales Tax Increment

1 annually generated within a State Sales Tax Boundary. If,
2 however, a municipality established a tax increment financing
3 district in a county with a population in excess of 3,000,000
4 before January 1, 1986, and the municipality entered into a
5 contract or issued bonds after January 1, 1986, but before
6 December 31, 1986, to finance redevelopment project costs
7 within a State Sales Tax Boundary, then the Net State Sales Tax
8 Increment means, for the fiscal years beginning July 1, 1990,
9 and July 1, 1991, 100% of the State Sales Tax Increment
10 annually generated within a State Sales Tax Boundary; and
11 notwithstanding any other provision of this Act, for those
12 fiscal years the Department of Revenue shall distribute to
13 those municipalities 100% of their Net State Sales Tax
14 Increment before any distribution to any other municipality
15 and regardless of whether or not those other municipalities
16 will receive 100% of their Net State Sales Tax Increment. For
17 Fiscal Year 1999, and every year thereafter until the year
18 2007, for any municipality that has not entered into a
19 contract or has not issued bonds prior to June 1, 1988 to
20 finance redevelopment project costs within a State Sales Tax
21 Boundary, the Net State Sales Tax Increment shall be
22 calculated as follows: By multiplying the Net State Sales Tax
23 Increment by 90% in the State Fiscal Year 1999; 80% in the
24 State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60%
25 in the State Fiscal Year 2002; 50% in the State Fiscal Year
26 2003; 40% in the State Fiscal Year 2004; 30% in the State

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

4 Municipalities that issued bonds in connection with a
5 redevelopment project in a redevelopment project area within
6 the State Sales Tax Boundary prior to July 29, 1991, or that
7 entered into contracts in connection with a redevelopment
8 project in a redevelopment project area before June 1, 1988,
9 shall continue to receive their proportional share of the
10 Illinois Tax Increment Fund distribution until the date on
11 which the redevelopment project is completed or terminated.
12 If, however, a municipality that issued bonds in connection
13 with a redevelopment project in a redevelopment project area
14 within the State Sales Tax Boundary prior to July 29, 1991
15 retires the bonds prior to June 30, 2007 or a municipality that
16 entered into contracts in connection with a redevelopment
17 project in a redevelopment project area before June 1, 1988
18 completes the contracts prior to June 30, 2007, then so long as
19 the redevelopment project is not completed or is not
20 terminated, the Net State Sales Tax Increment shall be
21 calculated, beginning on the date on which the bonds are
22 retired or the contracts are completed, as follows: By
23 multiplying the Net State Sales Tax Increment by 60% in the
24 State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40%
25 in the State Fiscal Year 2004; 30% in the State Fiscal Year
26 2005; 20% in the State Fiscal Year 2006; and 10% in the State

1 Fiscal Year 2007. No payment shall be made for State Fiscal
2 Year 2008 and thereafter. Refunding of any bonds issued prior
3 to July 29, 1991, shall not alter the Net State Sales Tax
4 Increment.

5 (j) "State Utility Tax Increment Amount" means an amount
6 equal to the aggregate increase in State electric and gas tax
7 charges imposed on owners and tenants, other than residential
8 customers, of properties located within the redevelopment
9 project area under Section 9-222 of the Public Utilities Act,
10 over and above the aggregate of such charges as certified by
11 the Department of Revenue and paid by owners and tenants,
12 other than residential customers, of properties within the
13 redevelopment project area during the base year, which shall
14 be the calendar year immediately prior to the year of the
15 adoption of the ordinance authorizing tax increment allocation
16 financing.

17 (k) "Net State Utility Tax Increment" means the sum of the
18 following: (a) 80% of the first \$100,000 of State Utility Tax
19 Increment annually generated by a redevelopment project area;
20 (b) 60% of the amount in excess of \$100,000 but not exceeding
21 \$500,000 of the State Utility Tax Increment annually generated
22 by a redevelopment project area; and (c) 40% of all amounts in
23 excess of \$500,000 of State Utility Tax Increment annually
24 generated by a redevelopment project area. For the State
25 Fiscal Year 1999, and every year thereafter until the year
26 2007, for any municipality that has not entered into a

1 contract or has not issued bonds prior to June 1, 1988 to
2 finance redevelopment project costs within a redevelopment
3 project area, the Net State Utility Tax Increment shall be
4 calculated as follows: By multiplying the Net State Utility
5 Tax Increment by 90% in the State Fiscal Year 1999; 80% in the
6 State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60%
7 in the State Fiscal Year 2002; 50% in the State Fiscal Year
8 2003; 40% in the State Fiscal Year 2004; 30% in the State
9 Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in
10 the State Fiscal Year 2007. No payment shall be made for the
11 State Fiscal Year 2008 and thereafter.

12 Municipalities that issue bonds in connection with the
13 redevelopment project during the period from June 1, 1988
14 until 3 years after the effective date of this Amendatory Act
15 of 1988 shall receive the Net State Utility Tax Increment,
16 subject to appropriation, for 15 State Fiscal Years after the
17 issuance of such bonds. For the 16th through the 20th State
18 Fiscal Years after issuance of the bonds, the Net State
19 Utility Tax Increment shall be calculated as follows: By
20 multiplying the Net State Utility Tax Increment by 90% in year
21 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in
22 year 20. Refunding of any bonds issued prior to June 1, 1988,
23 shall not alter the revised Net State Utility Tax Increment
24 payments set forth above.

25 (1) "Obligations" mean bonds, loans, debentures, notes,
26 special certificates or other evidence of indebtedness issued

1 by the municipality to carry out a redevelopment project or to
2 refund outstanding obligations.

3 (m) "Payment in lieu of taxes" means those estimated tax
4 revenues from real property in a redevelopment project area
5 derived from real property that has been acquired by a
6 municipality which according to the redevelopment project or
7 plan is to be used for a private use which taxing districts
8 would have received had a municipality not acquired the real
9 property and adopted tax increment allocation financing and
10 which would result from levies made after the time of the
11 adoption of tax increment allocation financing to the time the
12 current equalized value of real property in the redevelopment
13 project area exceeds the total initial equalized value of real
14 property in said area.

15 (n) "Redevelopment plan" means the comprehensive program
16 of the municipality for development or redevelopment intended
17 by the payment of redevelopment project costs to reduce or
18 eliminate those conditions the existence of which qualified
19 the redevelopment project area as a "blighted area" or
20 "conservation area" or combination thereof or "industrial park
21 conservation area," and thereby to enhance the tax bases of
22 the taxing districts which extend into the redevelopment
23 project area, provided that, with respect to redevelopment
24 project areas described in subsections (p-1) and (p-2),
25 "redevelopment plan" means the comprehensive program of the
26 affected municipality for the development of qualifying

1 transit facilities. On and after November 1, 1999 (the
2 effective date of Public Act 91-478), no redevelopment plan
3 may be approved or amended that includes the development of
4 vacant land (i) with a golf course and related clubhouse and
5 other facilities or (ii) designated by federal, State, county,
6 or municipal government as public land for outdoor
7 recreational activities or for nature preserves and used for
8 that purpose within 5 years prior to the adoption of the
9 redevelopment plan. For the purpose of this subsection,
10 "recreational activities" is limited to mean camping and
11 hunting. Each redevelopment plan shall set forth in writing
12 the program to be undertaken to accomplish the objectives and
13 shall include but not be limited to:

14 (A) an itemized list of estimated redevelopment
15 project costs;

16 (B) evidence indicating that the redevelopment project
17 area on the whole has not been subject to growth and
18 development through investment by private enterprise,
19 provided that such evidence shall not be required for any
20 redevelopment project area located within a transit
21 facility improvement area established pursuant to Section
22 11-74.4-3.3;

23 (C) an assessment of any financial impact of the
24 redevelopment project area on or any increased demand for
25 services from any taxing district affected by the plan and
26 any program to address such financial impact or increased

1 demand;

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

3 (E) the nature and term of the obligations to be
4 issued;

5 (F) the most recent equalized assessed valuation of
6 the redevelopment project area;

7 (G) an estimate as to the equalized assessed valuation
8 after redevelopment and the general land uses to apply in
9 the redevelopment project area;

10 (H) a commitment to fair employment practices and an
11 affirmative action plan;

12 (I) if it concerns an industrial park conservation
13 area, the plan shall also include a general description of
14 any proposed developer, user and tenant of any property, a
15 description of the type, structure and general character
16 of the facilities to be developed, a description of the
17 type, class and number of new employees to be employed in
18 the operation of the facilities to be developed; and

19 (J) if property is to be annexed to the municipality,
20 the plan shall include the terms of the annexation
21 agreement.

22 The provisions of items (B) and (C) of this subsection (n)
23 shall not apply to a municipality that before March 14, 1994
24 (the effective date of Public Act 88-537) had fixed, either by
25 its corporate authorities or by a commission designated under
26 subsection (k) of Section 11-74.4-4, a time and place for a

1 public hearing as required by subsection (a) of Section
2 11-74.4-5. No redevelopment plan shall be adopted unless a
3 municipality complies with all of the following requirements:

4 (1) The municipality finds that the redevelopment
5 project area on the whole has not been subject to growth
6 and development through investment by private enterprise
7 and would not reasonably be anticipated to be developed
8 without the adoption of the redevelopment plan, provided,
9 however, that such a finding shall not be required with
10 respect to any redevelopment project area located within a
11 transit facility improvement area established pursuant to
12 Section 11-74.4-3.3.

13 (2) The municipality finds that the redevelopment plan
14 and project conform to the comprehensive plan for the
15 development of the municipality as a whole, or, for
16 municipalities with a population of 100,000 or more,
17 regardless of when the redevelopment plan and project was
18 adopted, the redevelopment plan and project either: (i)
19 conforms to the strategic economic development or
20 redevelopment plan issued by the designated planning
21 authority of the municipality, or (ii) includes land uses
22 that have been approved by the planning commission of the
23 municipality.

24 (3) The redevelopment plan establishes the estimated
25 dates of completion of the redevelopment project and
26 retirement of obligations issued to finance redevelopment

1 project costs. Those dates may not be later than the dates
2 set forth under Section 11-74.4-3.5.

3 A municipality may by municipal ordinance amend an
4 existing redevelopment plan to conform to this paragraph
5 (3) as amended by Public Act 91-478, which municipal
6 ordinance may be adopted without further hearing or notice
7 and without complying with the procedures provided in this
8 Act pertaining to an amendment to or the initial approval
9 of a redevelopment plan and project and designation of a
10 redevelopment project area.

11 (3.5) The municipality finds, in the case of an
12 industrial park conservation area, also that the
13 municipality is a labor surplus municipality and that the
14 implementation of the redevelopment plan will reduce
15 unemployment, create new jobs and by the provision of new
16 facilities enhance the tax base of the taxing districts
17 that extend into the redevelopment project area.

18 (4) If any incremental revenues are being utilized
19 under Section 8(a)(1) or 8(a)(2) of this Act in
20 redevelopment project areas approved by ordinance after
21 January 1, 1986, the municipality finds: (a) that the
22 redevelopment project area would not reasonably be
23 developed without the use of such incremental revenues,
24 and (b) that such incremental revenues will be exclusively
25 utilized for the development of the redevelopment project
26 area.

1 (5) If: (a) the redevelopment plan will not result in
2 displacement of residents from 10 or more inhabited
3 residential units, and the municipality certifies in the
4 plan that such displacement will not result from the plan;
5 or (b) the redevelopment plan is for a redevelopment
6 project area located within a transit facility improvement
7 area established pursuant to Section 11-74.4-3.3, and the
8 applicable project is subject to the process for
9 evaluation of environmental effects under the National
10 Environmental Policy Act of 1969, 42 U.S.C. 4321 et seq.,
11 then a housing impact study need not be performed. If,
12 however, the redevelopment plan would result in the
13 displacement of residents from 10 or more inhabited
14 residential units, or if the redevelopment project area
15 contains 75 or more inhabited residential units and no
16 certification is made, then the municipality shall
17 prepare, as part of the separate feasibility report
18 required by subsection (a) of Section 11-74.4-5, a housing
19 impact study.

20 Part I of the housing impact study shall include (i)
21 data as to whether the residential units are single family
22 or multi-family units, (ii) the number and type of rooms
23 within the units, if that information is available, (iii)
24 whether the units are inhabited or uninhabited, as
25 determined not less than 45 days before the date that the
26 ordinance or resolution required by subsection (a) of

1 Section 11-74.4-5 is passed, and (iv) data as to the
2 racial and ethnic composition of the residents in the
3 inhabited residential units. The data requirement as to
4 the racial and ethnic composition of the residents in the
5 inhabited residential units shall be deemed to be fully
6 satisfied by data from the most recent federal census.

7 Part II of the housing impact study shall identify the
8 inhabited residential units in the proposed redevelopment
9 project area that are to be or may be removed. If inhabited
10 residential units are to be removed, then the housing
11 impact study shall identify (i) the number and location of
12 those units that will or may be removed, (ii) the
13 municipality's plans for relocation assistance for those
14 residents in the proposed redevelopment project area whose
15 residences are to be removed, (iii) the availability of
16 replacement housing for those residents whose residences
17 are to be removed, and shall identify the type, location,
18 and cost of the housing, and (iv) the type and extent of
19 relocation assistance to be provided.

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

23 (7) On and after November 1, 1999, no redevelopment
24 plan shall be adopted, nor an existing plan amended, nor
25 shall residential housing that is occupied by households
26 of low-income and very low-income persons in currently

1 existing redevelopment project areas be removed after
2 November 1, 1999 unless the redevelopment plan provides,
3 with respect to inhabited housing units that are to be
4 removed for households of low-income and very low-income
5 persons, affordable housing and relocation assistance not
6 less than that which would be provided under the federal
7 Uniform Relocation Assistance and Real Property
8 Acquisition Policies Act of 1970 and the regulations under
9 that Act, including the eligibility criteria. Affordable
10 housing may be either existing or newly constructed
11 housing. For purposes of this paragraph (7), "low-income
12 households", "very low-income households", and "affordable
13 housing" have the meanings set forth in the Illinois
14 Affordable Housing Act. The municipality shall make a good
15 faith effort to ensure that this affordable housing is
16 located in or near the redevelopment project area within
17 the municipality.

18 (8) On and after November 1, 1999, if, after the
19 adoption of the redevelopment plan for the redevelopment
20 project area, any municipality desires to amend its
21 redevelopment plan to remove more inhabited residential
22 units than specified in its original redevelopment plan,
23 that change shall be made in accordance with the
24 procedures in subsection (c) of Section 11-74.4-5.

25 (9) For redevelopment project areas designated prior
26 to November 1, 1999, the redevelopment plan may be amended

1 without further joint review board meeting or hearing,
2 provided that the municipality shall give notice of any
3 such changes by mail to each affected taxing district and
4 registrant on the interested party registry, to authorize
5 the municipality to expend tax increment revenues for
6 redevelopment project costs defined by paragraphs (5) and
7 (7.5), subparagraphs (E) and (F) of paragraph (11), and
8 paragraph (11.5) of subsection (q) of Section 11-74.4-3,
9 so long as the changes do not increase the total estimated
10 redevelopment project costs set out in the redevelopment
11 plan by more than 5% after adjustment for inflation from
12 the date the plan was adopted.

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

26 (p) "Redevelopment project area" means an area designated

1 by the municipality, which is not less in the aggregate than 1
2 1/2 acres and in respect to which the municipality has made a
3 finding that there exist conditions which cause the area to be
4 classified as an industrial park conservation area or a
5 blighted area or a conservation area, or a combination of both
6 blighted areas and conservation areas.

7 (p-1) Notwithstanding any provision of this Act to the
8 contrary, on and after August 25, 2009 (the effective date of
9 Public Act 96-680), a redevelopment project area may include
10 areas within a one-half mile radius of an existing or proposed
11 Regional Transportation Authority Suburban Transit Access
12 Route (STAR Line) station without a finding that the area is
13 classified as an industrial park conservation area, a blighted
14 area, a conservation area, or a combination thereof, but only
15 if the municipality receives unanimous consent from the joint
16 review board created to review the proposed redevelopment
17 project area.

18 (p-2) Notwithstanding any provision of this Act to the
19 contrary, on and after the effective date of this amendatory
20 Act of the 99th General Assembly, a redevelopment project area
21 may include areas within a transit facility improvement area
22 that has been established pursuant to Section 11-74.4-3.3
23 without a finding that the area is classified as an industrial
24 park conservation area, a blighted area, a conservation area,
25 or any combination thereof.

26 (q) "Redevelopment project costs", except for

1 redevelopment project areas created pursuant to subsection
2 (p-1) or (p-2), means and includes the sum total of all
3 reasonable or necessary costs incurred or estimated to be
4 incurred, and any such costs incidental to a redevelopment
5 plan and a redevelopment project. Such costs include, without
6 limitation, the following:

7 (1) Costs of studies, surveys, development of plans,
8 and specifications, implementation and administration of
9 the redevelopment plan including but not limited to staff
10 and professional service costs for architectural,
11 engineering, legal, financial, planning or other services,
12 provided however that no charges for professional services
13 may be based on a percentage of the tax increment
14 collected; except that on and after November 1, 1999 (the
15 effective date of Public Act 91-478), no contracts for
16 professional services, excluding architectural and
17 engineering services, may be entered into if the terms of
18 the contract extend beyond a period of 3 years. In
19 addition, "redevelopment project costs" shall not include
20 lobbying expenses. After consultation with the
21 municipality, each tax increment consultant or advisor to
22 a municipality that plans to designate or has designated a
23 redevelopment project area shall inform the municipality
24 in writing of any contracts that the consultant or advisor
25 has entered into with entities or individuals that have
26 received, or are receiving, payments financed by tax

1 increment revenues produced by the redevelopment project
2 area with respect to which the consultant or advisor has
3 performed, or will be performing, service for the
4 municipality. This requirement shall be satisfied by the
5 consultant or advisor before the commencement of services
6 for the municipality and thereafter whenever any other
7 contracts with those individuals or entities are executed
8 by the consultant or advisor;

9 (1.5) After July 1, 1999, annual administrative costs
10 shall not include general overhead or administrative costs
11 of the municipality that would still have been incurred by
12 the municipality if the municipality had not designated a
13 redevelopment project area or approved a redevelopment
14 plan;

15 (1.6) The cost of marketing sites within the
16 redevelopment project area to prospective businesses,
17 developers, and investors;

18 (2) Property assembly costs, including but not limited
19 to acquisition of land and other property, real or
20 personal, or rights or interests therein, demolition of
21 buildings, site preparation, site improvements that serve
22 as an engineered barrier addressing ground level or below
23 ground environmental contamination, including, but not
24 limited to parking lots and other concrete or asphalt
25 barriers, and the clearing and grading of land;

26 (3) Costs of rehabilitation, reconstruction or repair

1 or remodeling of existing public or private buildings,
2 fixtures, and leasehold improvements; and the cost of
3 replacing an existing public building if pursuant to the
4 implementation of a redevelopment project the existing
5 public building is to be demolished to use the site for
6 private investment or devoted to a different use requiring
7 private investment; including any direct or indirect costs
8 relating to Green Globes or LEED certified construction
9 elements or construction elements with an equivalent
10 certification;

11 (4) Costs of the construction of public works or
12 improvements, including any direct or indirect costs
13 relating to Green Globes or LEED certified construction
14 elements or construction elements with an equivalent
15 certification, except that on and after November 1, 1999,
16 redevelopment project costs shall not include the cost of
17 constructing a new municipal public building principally
18 used to provide offices, storage space, or conference
19 facilities or vehicle storage, maintenance, or repair for
20 administrative, public safety, or public works personnel
21 and that is not intended to replace an existing public
22 building as provided under paragraph (3) of subsection (q)
23 of Section 11-74.4-3 unless either (i) the construction of
24 the new municipal building implements a redevelopment
25 project that was included in a redevelopment plan that was
26 adopted by the municipality prior to November 1, 1999,

1 (ii) the municipality makes a reasonable determination in
2 the redevelopment plan, supported by information that
3 provides the basis for that determination, that the new
4 municipal building is required to meet an increase in the
5 need for public safety purposes anticipated to result from
6 the implementation of the redevelopment plan, or (iii) the
7 new municipal public building is for the storage,
8 maintenance, or repair of transit vehicles and is located
9 in a transit facility improvement area that has been
10 established pursuant to Section 11-74.4-3.3;

11 (5) Costs of job training and retraining projects,
12 including the cost of "welfare to work" programs
13 implemented by businesses located within the redevelopment
14 project area;

15 (6) Financing costs, including but not limited to all
16 necessary and incidental expenses related to the issuance
17 of obligations and which may include payment of interest
18 on any obligations issued hereunder including interest
19 accruing during the estimated period of construction of
20 any redevelopment project for which such obligations are
21 issued and for not exceeding 36 months thereafter and
22 including reasonable reserves related thereto;

23 (7) To the extent the municipality by written
24 agreement accepts and approves the same, all or a portion
25 of a taxing district's capital costs resulting from the
26 redevelopment project necessarily incurred or to be

1 incurred within a taxing district in furtherance of the
2 objectives of the redevelopment plan and project;

3 (7.5) For redevelopment project areas designated (or
4 redevelopment project areas amended to add or increase the
5 number of tax-increment-financing assisted housing units)
6 on or after November 1, 1999, an elementary, secondary, or
7 unit school district's increased costs attributable to
8 assisted housing units located within the redevelopment
9 project area for which the developer or redeveloper
10 receives financial assistance through an agreement with
11 the municipality or because the municipality incurs the
12 cost of necessary infrastructure improvements within the
13 boundaries of the assisted housing sites necessary for the
14 completion of that housing as authorized by this Act, and
15 which costs shall be paid by the municipality from the
16 Special Tax Allocation Fund when the tax increment revenue
17 is received as a result of the assisted housing units and
18 shall be calculated annually as follows:

19 (A) for foundation districts, excluding any school
20 district in a municipality with a population in excess
21 of 1,000,000, by multiplying the district's increase
22 in attendance resulting from the net increase in new
23 students enrolled in that school district who reside
24 in housing units within the redevelopment project area
25 that have received financial assistance through an
26 agreement with the municipality or because the

1 municipality incurs the cost of necessary
2 infrastructure improvements within the boundaries of
3 the housing sites necessary for the completion of that
4 housing as authorized by this Act since the
5 designation of the redevelopment project area by the
6 most recently available per capita tuition cost as
7 defined in Section 10-20.12a of the School Code less
8 any increase in general State aid as defined in
9 Section 18-8.05 of the School Code or evidence-based
10 funding as defined in Section 18-8.15 of the School
11 Code attributable to these added new students subject
12 to the following annual limitations:

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

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

25 (iii) for secondary school districts with a
26 district average 1995-96 Per Capita Tuition Charge

1 of less than \$5,900, no more than 8% of the total
2 amount of property tax increment revenue produced
3 by those housing units that have received tax
4 increment finance assistance under this Act.

5 (B) For alternate method districts, flat grant
6 districts, and foundation districts with a district
7 average 1995-96 Per Capita Tuition Charge equal to or
8 more than \$5,900, excluding any school district with a
9 population in excess of 1,000,000, by multiplying the
10 district's increase in attendance resulting from the
11 net increase in new students enrolled in that school
12 district who reside in housing units within the
13 redevelopment project area that have received
14 financial assistance through an agreement with the
15 municipality or because the municipality incurs the
16 cost of necessary infrastructure improvements within
17 the boundaries of the housing sites necessary for the
18 completion of that housing as authorized by this Act
19 since the designation of the redevelopment project
20 area by the most recently available per capita tuition
21 cost as defined in Section 10-20.12a of the School
22 Code less any increase in general state aid as defined
23 in Section 18-8.05 of the School Code or
24 evidence-based funding as defined in Section 18-8.15
25 of the School Code attributable to these added new
26 students subject to the following annual limitations:

1 (i) for unit school districts, no more than
2 40% of the total amount of property tax increment
3 revenue produced by those housing units that have
4 received tax increment finance assistance under
5 this Act;

6 (ii) for elementary school districts, no more
7 than 27% of the total amount of property tax
8 increment revenue produced by those housing units
9 that have received tax increment finance
10 assistance under this Act; and

11 (iii) for secondary school districts, no more
12 than 13% of the total amount of property tax
13 increment revenue produced by those housing units
14 that have received tax increment finance
15 assistance under this Act.

16 (C) For any school district in a municipality with
17 a population in excess of 1,000,000, the following
18 restrictions shall apply to the reimbursement of
19 increased costs under this paragraph (7.5):

20 (i) no increased costs shall be reimbursed
21 unless the school district certifies that each of
22 the schools affected by the assisted housing
23 project is at or over its student capacity;

24 (ii) the amount reimbursable shall be reduced
25 by the value of any land donated to the school
26 district by the municipality or developer, and by

1 the value of any physical improvements made to the
2 schools by the municipality or developer; and

3 (iii) the amount reimbursed may not affect
4 amounts otherwise obligated by the terms of any
5 bonds, notes, or other funding instruments, or the
6 terms of any redevelopment agreement.

7 Any school district seeking payment under this
8 paragraph (7.5) shall, after July 1 and before
9 September 30 of each year, provide the municipality
10 with reasonable evidence to support its claim for
11 reimbursement before the municipality shall be
12 required to approve or make the payment to the school
13 district. If the school district fails to provide the
14 information during this period in any year, it shall
15 forfeit any claim to reimbursement for that year.
16 School districts may adopt a resolution waiving the
17 right to all or a portion of the reimbursement
18 otherwise required by this paragraph (7.5). By
19 acceptance of this reimbursement the school district
20 waives the right to directly or indirectly set aside,
21 modify, or contest in any manner the establishment of
22 the redevelopment project area or projects;

23 (7.7) For redevelopment project areas designated (or
24 redevelopment project areas amended to add or increase the
25 number of tax-increment-financing assisted housing units)
26 on or after January 1, 2005 (the effective date of Public

1 Act 93-961), a public library district's increased costs
2 attributable to assisted housing units located within the
3 redevelopment project area for which the developer or
4 redeveloper receives financial assistance through an
5 agreement with the municipality or because the
6 municipality incurs the cost of necessary infrastructure
7 improvements within the boundaries of the assisted housing
8 sites necessary for the completion of that housing as
9 authorized by this Act shall be paid to the library
10 district by the municipality from the Special Tax
11 Allocation Fund when the tax increment revenue is received
12 as a result of the assisted housing units. This paragraph
13 (7.7) applies only if (i) the library district is located
14 in a county that is subject to the Property Tax Extension
15 Limitation Law or (ii) the library district is not located
16 in a county that is subject to the Property Tax Extension
17 Limitation Law but the district is prohibited by any other
18 law from increasing its tax levy rate without a prior
19 voter referendum.

20 The amount paid to a library district under this
21 paragraph (7.7) shall be calculated by multiplying (i) the
22 net increase in the number of persons eligible to obtain a
23 library card in that district who reside in housing units
24 within the redevelopment project area that have received
25 financial assistance through an agreement with the
26 municipality or because the municipality incurs the cost

1 of necessary infrastructure improvements within the
2 boundaries of the housing sites necessary for the
3 completion of that housing as authorized by this Act since
4 the designation of the redevelopment project area by (ii)
5 the per-patron cost of providing library services so long
6 as it does not exceed \$120. The per-patron cost shall be
7 the Total Operating Expenditures Per Capita for the
8 library in the previous fiscal year. The municipality may
9 deduct from the amount that it must pay to a library
10 district under this paragraph any amount that it has
11 voluntarily paid to the library district from the tax
12 increment revenue. The amount paid to a library district
13 under this paragraph (7.7) shall be no more than 2% of the
14 amount produced by the assisted housing units and
15 deposited into the Special Tax Allocation Fund.

16 A library district is not eligible for any payment
17 under this paragraph (7.7) unless the library district has
18 experienced an increase in the number of patrons from the
19 municipality that created the tax-increment-financing
20 district since the designation of the redevelopment
21 project area.

22 Any library district seeking payment under this
23 paragraph (7.7) shall, after July 1 and before September
24 30 of each year, provide the municipality with convincing
25 evidence to support its claim for reimbursement before the
26 municipality shall be required to approve or make the

1 payment to the library district. If the library district
2 fails to provide the information during this period in any
3 year, it shall forfeit any claim to reimbursement for that
4 year. Library districts may adopt a resolution waiving the
5 right to all or a portion of the reimbursement otherwise
6 required by this paragraph (7.7). By acceptance of such
7 reimbursement, the library district shall forfeit any
8 right to directly or indirectly set aside, modify, or
9 contest in any manner whatsoever the establishment of the
10 redevelopment project area or projects;

11 (8) Relocation costs to the extent that a municipality
12 determines that relocation costs shall be paid or is
13 required to make payment of relocation costs by federal or
14 State law or in order to satisfy subparagraph (7) of
15 subsection (n);

16 (9) Payment in lieu of taxes;

17 (10) Costs of job training, retraining, advanced
18 vocational education or career education, including but
19 not limited to courses in occupational, semi-technical or
20 technical fields leading directly to employment, incurred
21 by one or more taxing districts, provided that such costs
22 (i) are related to the establishment and maintenance of
23 additional job training, advanced vocational education or
24 career education programs for persons employed or to be
25 employed by employers located in a redevelopment project
26 area; and (ii) when incurred by a taxing district or

1 taxing districts other than the municipality, are set
2 forth in a written agreement by or among the municipality
3 and the taxing district or taxing districts, which
4 agreement describes the program to be undertaken,
5 including but not limited to the number of employees to be
6 trained, a description of the training and services to be
7 provided, the number and type of positions available or to
8 be available, itemized costs of the program and sources of
9 funds to pay for the same, and the term of the agreement.
10 Such costs include, specifically, the payment by community
11 college districts of costs pursuant to Sections 3-37,
12 3-38, 3-40 and 3-40.1 of the Public Community College Act
13 and by school districts of costs pursuant to Sections
14 10-22.20a and 10-23.3a of the School Code;

15 (11) Interest cost incurred by a redeveloper related
16 to the construction, renovation or rehabilitation of a
17 redevelopment project provided that:

18 (A) such costs are to be paid directly from the
19 special tax allocation fund established pursuant to
20 this Act;

21 (B) such payments in any one year may not exceed
22 30% of the annual interest costs incurred by the
23 redeveloper with regard to the redevelopment project
24 during that year;

25 (C) if there are not sufficient funds available in
26 the special tax allocation fund to make the payment

1 pursuant to this paragraph (11) then the amounts so
2 due shall accrue and be payable when sufficient funds
3 are available in the special tax allocation fund;

4 (D) the total of such interest payments paid
5 pursuant to this Act may not exceed 30% of the total
6 (i) cost paid or incurred by the redeveloper for the
7 redevelopment project plus (ii) redevelopment project
8 costs excluding any property assembly costs and any
9 relocation costs incurred by a municipality pursuant
10 to this Act;

11 (E) the cost limits set forth in subparagraphs (B)
12 and (D) of paragraph (11) shall be modified for the
13 financing of rehabilitated or new housing units for
14 low-income households and very low-income households,
15 as defined in Section 3 of the Illinois Affordable
16 Housing Act. The percentage of 75% shall be
17 substituted for 30% in subparagraphs (B) and (D) of
18 paragraph (11); and

19 (F) instead of the eligible costs provided by
20 subparagraphs (B) and (D) of paragraph (11), as
21 modified by this subparagraph, and notwithstanding any
22 other provisions of this Act to the contrary, the
23 municipality may pay from tax increment revenues up to
24 50% of the cost of construction of new housing units to
25 be occupied by low-income households and very
26 low-income households as defined in Section 3 of the

1 Illinois Affordable Housing Act. The cost of
2 construction of those units may be derived from the
3 proceeds of bonds issued by the municipality under
4 this Act or other constitutional or statutory
5 authority or from other sources of municipal revenue
6 that may be reimbursed from tax increment revenues or
7 the proceeds of bonds issued to finance the
8 construction of that housing.

9 The eligible costs provided under this
10 subparagraph (F) of paragraph (11) shall be an
11 eligible cost for the construction, renovation, and
12 rehabilitation of all low and very low-income housing
13 units, as defined in Section 3 of the Illinois
14 Affordable Housing Act, within the redevelopment
15 project area. If the low and very low-income units are
16 part of a residential redevelopment project that
17 includes units not affordable to low and very
18 low-income households, only the low and very
19 low-income units shall be eligible for benefits under
20 this subparagraph (F) of paragraph (11). The standards
21 for maintaining the occupancy by low-income households
22 and very low-income households, as defined in Section
23 3 of the Illinois Affordable Housing Act, of those
24 units constructed with eligible costs made available
25 under the provisions of this subparagraph (F) of
26 paragraph (11) shall be established by guidelines

1 adopted by the municipality. The responsibility for
2 annually documenting the initial occupancy of the
3 units by low-income households and very low-income
4 households, as defined in Section 3 of the Illinois
5 Affordable Housing Act, shall be that of the then
6 current owner of the property. For ownership units,
7 the guidelines will provide, at a minimum, for a
8 reasonable recapture of funds, or other appropriate
9 methods designed to preserve the original
10 affordability of the ownership units. For rental
11 units, the guidelines will provide, at a minimum, for
12 the affordability of rent to low and very low-income
13 households. As units become available, they shall be
14 rented to income-eligible tenants. The municipality
15 may modify these guidelines from time to time; the
16 guidelines, however, shall be in effect for as long as
17 tax increment revenue is being used to pay for costs
18 associated with the units or for the retirement of
19 bonds issued to finance the units or for the life of
20 the redevelopment project area, whichever is later;

21 (11.5) If the redevelopment project area is located
22 within a municipality with a population of more than
23 100,000, the cost of day care services for children of
24 employees from low-income families working for businesses
25 located within the redevelopment project area and all or a
26 portion of the cost of operation of day care centers

1 established by redevelopment project area businesses to
2 serve employees from low-income families working in
3 businesses located in the redevelopment project area. For
4 the purposes of this paragraph, "low-income families"
5 means families whose annual income does not exceed 80% of
6 the municipal, county, or regional median income, adjusted
7 for family size, as the annual income and municipal,
8 county, or regional median income are determined from time
9 to time by the United States Department of Housing and
10 Urban Development.

11 (12) Costs relating to the development of urban
12 agricultural areas under Division 15.2 of the Illinois
13 Municipal Code.

14 Unless explicitly stated herein the cost of construction
15 of new privately-owned buildings shall not be an eligible
16 redevelopment project cost.

17 After November 1, 1999 (the effective date of Public Act
18 91-478), none of the redevelopment project costs enumerated in
19 this subsection shall be eligible redevelopment project costs
20 if those costs would provide direct financial support to a
21 retail entity initiating operations in the redevelopment
22 project area while terminating operations at another Illinois
23 location within 10 miles of the redevelopment project area but
24 outside the boundaries of the redevelopment project area
25 municipality. For purposes of this paragraph, termination
26 means a closing of a retail operation that is directly related

1 to the opening of the same operation or like retail entity
2 owned or operated by more than 50% of the original ownership in
3 a redevelopment project area, but it does not mean closing an
4 operation for reasons beyond the control of the retail entity,
5 as documented by the retail entity, subject to a reasonable
6 finding by the municipality that the current location
7 contained inadequate space, had become economically obsolete,
8 or was no longer a viable location for the retailer or
9 serviceman.

10 No cost shall be a redevelopment project cost in a
11 redevelopment project area if used to demolish, remove, or
12 substantially modify a historic resource, after August 26,
13 2008 (the effective date of Public Act 95-934), unless no
14 prudent and feasible alternative exists. "Historic resource"
15 for the purpose of this paragraph means (i) a place or
16 structure that is included or eligible for inclusion on the
17 National Register of Historic Places or (ii) a contributing
18 structure in a district on the National Register of Historic
19 Places. This paragraph does not apply to a place or structure
20 for which demolition, removal, or modification is subject to
21 review by the preservation agency of a Certified Local
22 Government designated as such by the National Park Service of
23 the United States Department of the Interior.

24 If a special service area has been established pursuant to
25 the Special Service Area Tax Act or Special Service Area Tax
26 Law, then any tax increment revenues derived from the tax

1 imposed pursuant to the Special Service Area Tax Act or
2 Special Service Area Tax Law may be used within the
3 redevelopment project area for the purposes permitted by that
4 Act or Law as well as the purposes permitted by this Act.

5 (q-1) For redevelopment project areas created pursuant to
6 subsection (p-1), redevelopment project costs are limited to
7 those costs in paragraph (q) that are related to the existing
8 or proposed Regional Transportation Authority Suburban Transit
9 Access Route (STAR Line) station.

10 (q-2) For a redevelopment project area located within a
11 transit facility improvement area established pursuant to
12 Section 11-74.4-3.3, redevelopment project costs means those
13 costs described in subsection (q) that are related to the
14 construction, reconstruction, rehabilitation, remodeling, or
15 repair of any existing or proposed transit facility.

16 (r) "State Sales Tax Boundary" means the redevelopment
17 project area or the amended redevelopment project area
18 boundaries which are determined pursuant to subsection (9) of
19 Section 11-74.4-8a of this Act. The Department of Revenue
20 shall certify pursuant to subsection (9) of Section 11-74.4-8a
21 the appropriate boundaries eligible for the determination of
22 State Sales Tax Increment.

23 (s) "State Sales Tax Increment" means an amount equal to
24 the increase in the aggregate amount of taxes paid by
25 retailers and servicemen, other than retailers and servicemen
26 subject to the Public Utilities Act, on transactions at places

1 of business located within a State Sales Tax Boundary pursuant
2 to the Retailers' Occupation Tax Act, the Use Tax Act, the
3 Service Use Tax Act, and the Service Occupation Tax Act,
4 except such portion of such increase that is paid into the
5 State and Local Sales Tax Reform Fund, the Local Government
6 Distributive Fund, the Local Government Tax Fund and the
7 County and Mass Transit District Fund, for as long as State
8 participation exists, over and above the Initial Sales Tax
9 Amounts, Adjusted Initial Sales Tax Amounts or the Revised
10 Initial Sales Tax Amounts for such taxes as certified by the
11 Department of Revenue and paid under those Acts by retailers
12 and servicemen on transactions at places of business located
13 within the State Sales Tax Boundary during the base year which
14 shall be the calendar year immediately prior to the year in
15 which the municipality adopted tax increment allocation
16 financing, less 3.0% of such amounts generated under the
17 Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax
18 Act and the Service Occupation Tax Act, which sum shall be
19 appropriated to the Department of Revenue to cover its costs
20 of administering and enforcing this Section. For purposes of
21 computing the aggregate amount of such taxes for base years
22 occurring prior to 1985, the Department of Revenue shall
23 compute the Initial Sales Tax Amount for such taxes and deduct
24 therefrom an amount equal to 4% of the aggregate amount of
25 taxes per year for each year the base year is prior to 1985,
26 but not to exceed a total deduction of 12%. The amount so

1 determined shall be known as the "Adjusted Initial Sales Tax
2 Amount". For purposes of determining the State Sales Tax
3 Increment the Department of Revenue shall for each period
4 subtract from the tax amounts received from retailers and
5 servicemen on transactions located in the State Sales Tax
6 Boundary, the certified Initial Sales Tax Amounts, Adjusted
7 Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts
8 for the Retailers' Occupation Tax Act, the Use Tax Act, the
9 Service Use Tax Act and the Service Occupation Tax Act. For the
10 State Fiscal Year 1989 this calculation shall be made by
11 utilizing the calendar year 1987 to determine the tax amounts
12 received. For the State Fiscal Year 1990, this calculation
13 shall be made by utilizing the period from January 1, 1988,
14 until September 30, 1988, to determine the tax amounts
15 received from retailers and servicemen, which shall have
16 deducted therefrom nine-twelfths of the certified Initial
17 Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the
18 Revised Initial Sales Tax Amounts as appropriate. For the
19 State Fiscal Year 1991, this calculation shall be made by
20 utilizing the period from October 1, 1988, until June 30,
21 1989, to determine the tax amounts received from retailers and
22 servicemen, which shall have deducted therefrom nine-twelfths
23 of the certified Initial State Sales Tax Amounts, Adjusted
24 Initial Sales Tax Amounts or the Revised Initial Sales Tax
25 Amounts as appropriate. For every State Fiscal Year
26 thereafter, the applicable period shall be the 12 months

1 beginning July 1 and ending on June 30, to determine the tax
2 amounts received which shall have deducted therefrom the
3 certified Initial Sales Tax Amounts, Adjusted Initial Sales
4 Tax Amounts or the Revised Initial Sales Tax Amounts.
5 Municipalities intending to receive a distribution of State
6 Sales Tax Increment must report a list of retailers to the
7 Department of Revenue by October 31, 1988 and by July 31, of
8 each year thereafter.

9 (t) "Taxing districts" means counties, townships, cities
10 and incorporated towns and villages, school, road, park,
11 sanitary, mosquito abatement, forest preserve, public health,
12 fire protection, river conservancy, tuberculosis sanitarium
13 and any other municipal corporations or districts with the
14 power to levy taxes.

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

19 (v) As used in subsection (a) of Section 11-74.4-3 of this
20 Act, "vacant land" means any parcel or combination of parcels
21 of real property without industrial, commercial, and
22 residential buildings which has not been used for commercial
23 agricultural purposes within 5 years prior to the designation
24 of the redevelopment project area, unless the parcel is
25 included in an industrial park conservation area or the parcel
26 has been subdivided; provided that if the parcel was part of a

1 larger tract that has been divided into 3 or more smaller
2 tracts that were accepted for recording during the period from
3 1950 to 1990, then the parcel shall be deemed to have been
4 subdivided, and all proceedings and actions of the
5 municipality taken in that connection with respect to any
6 previously approved or designated redevelopment project area
7 or amended redevelopment project area are hereby validated and
8 hereby declared to be legally sufficient for all purposes of
9 this Act. For purposes of this Section and only for land
10 subject to the subdivision requirements of the Plat Act, land
11 is subdivided when the original plat of the proposed
12 Redevelopment Project Area or relevant portion thereof has
13 been properly certified, acknowledged, approved, and recorded
14 or filed in accordance with the Plat Act and a preliminary
15 plat, if any, for any subsequent phases of the proposed
16 Redevelopment Project Area or relevant portion thereof has
17 been properly approved and filed in accordance with the
18 applicable ordinance of the municipality.

19 (w) "Annual Total Increment" means the sum of each
20 municipality's annual Net Sales Tax Increment and each
21 municipality's annual Net Utility Tax Increment. The ratio of
22 the Annual Total Increment of each municipality to the Annual
23 Total Increment for all municipalities, as most recently
24 calculated by the Department, shall determine the proportional
25 shares of the Illinois Tax Increment Fund to be distributed to
26 each municipality.

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

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

8 (Source: P.A. 99-792, eff. 8-12-16; 100-201, eff. 8-18-17;
9 100-465, eff. 8-31-17; 100-1133, eff. 1-1-19.)

10 (65 ILCS 5/11-74.4-3.7 new)

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

12 (a) Notwithstanding any other provision of law, a
13 municipality must reevaluate whether a redevelopment project
14 area designated as a blighted area is still a blighted area
15 every 10th calendar year after the year in which the ordinance
16 approving the redevelopment project area was adopted. In the
17 reevaluation process, the joint review board and municipality
18 shall evaluate if the redevelopment project area currently
19 meets the required number of factors to be designated a
20 blighted area. The joint review board and municipality may
21 determine that a redevelopment project area is still a
22 blighted area based upon the same factors or different factors
23 from when the redevelopment project area was originally
24 designated a blighted area. The joint review board and
25 municipality shall use the definition of "blighted area" in

1 effect on the date in which the ordinance approving the
2 redevelopment project area was adopted to evaluate whether or
3 not the redevelopment project area remains a blighted area.

4 (b) If the municipality finds that a redevelopment project
5 area remains a blighted area after the reevaluation process
6 under Section 11-74.4-5, the corporate authorities of the
7 municipality shall adopt an ordinance or resolution
8 redesignating the redevelopment project area as a blighted
9 area. If an ordinance or resolution is adopted under this
10 subsection, the completion dates for the redevelopment project
11 area shall remain the same as provided under Section
12 11-74.4-3.5 based upon the year in which the ordinance
13 originally approving the redevelopment project area was
14 adopted.

15 (c) If the municipality finds that a redevelopment project
16 area no longer meets the requirements to be a blighted area
17 after the reevaluation process under Section 11-74.4-5, the
18 corporate authorities of the municipality shall wind up the
19 redevelopment project area and terminate the designation of
20 the redevelopment project area by the process required under
21 this Act.

22 (65 ILCS 5/11-74.4-4) (from Ch. 24, par. 11-74.4-4)

23 Sec. 11-74.4-4. Municipal powers and duties; redevelopment
24 project areas. The changes made by this amendatory Act of the
25 91st General Assembly do not apply to a municipality that, (i)

1 before the effective date of this amendatory Act of the 91st
2 General Assembly, has adopted an ordinance or resolution
3 fixing a time and place for a public hearing under Section
4 11-74.4-5 or (ii) before July 1, 1999, has adopted an
5 ordinance or resolution providing for a feasibility study
6 under Section 11-74.4-4.1, but has not yet adopted an
7 ordinance approving redevelopment plans and redevelopment
8 projects or designating redevelopment project areas under this
9 Section, until after that municipality adopts an ordinance
10 approving redevelopment plans and redevelopment projects or
11 designating redevelopment project areas under this Section;
12 thereafter the changes made by this amendatory Act of the 91st
13 General Assembly apply to the same extent that they apply to
14 redevelopment plans and redevelopment projects that were
15 approved and redevelopment projects that were designated
16 before the effective date of this amendatory Act of the 91st
17 General Assembly.

18 A municipality may:

19 (a) By ordinance introduced in the governing body of
20 the municipality within 14 to 90 days from the completion
21 of the hearing specified in Section 11-74.4-5 approve
22 redevelopment plans and redevelopment projects, and
23 designate redevelopment project areas pursuant to notice
24 and hearing required by this Act. No redevelopment project
25 area shall be designated unless a plan and project are
26 approved prior to the designation of such area and such

1 area shall include only those contiguous parcels of real
2 property and improvements thereon substantially benefited
3 by the proposed redevelopment project improvements. Upon
4 adoption of the ordinances, the municipality shall
5 forthwith transmit to the county clerk of the county or
6 counties within which the redevelopment project area is
7 located a certified copy of the ordinances, a legal
8 description of the redevelopment project area, a map of
9 the redevelopment project area, identification of the year
10 that the county clerk shall use for determining the total
11 initial equalized assessed value of the redevelopment
12 project area consistent with subsection (a) of Section
13 11-74.4-9, and a list of the parcel or tax identification
14 number of each parcel of property included in the
15 redevelopment project area.

16 (b) Make and enter into all contracts with property
17 owners, developers, tenants, overlapping taxing bodies,
18 and others necessary or incidental to the implementation
19 and furtherance of its redevelopment plan and project.
20 Contract provisions concerning loan repayment obligations
21 in contracts entered into on or after the effective date
22 of this amendatory Act of the 93rd General Assembly shall
23 terminate no later than the last to occur of the estimated
24 dates of completion of the redevelopment project and
25 retirement of the obligations issued to finance
26 redevelopment project costs as required by item (3) of

1 subsection (n) of Section 11-74.4-3. Payments received
2 under contracts entered into by the municipality prior to
3 the effective date of this amendatory Act of the 93rd
4 General Assembly that are received after the redevelopment
5 project area has been terminated by municipal ordinance
6 shall be deposited into a special fund of the municipality
7 to be used for other community redevelopment needs within
8 the redevelopment project area.

9 (c) Within a redevelopment project area, acquire by
10 purchase, donation, lease or eminent domain; own, convey,
11 lease, mortgage or dispose of land and other property,
12 real or personal, or rights or interests therein, and
13 grant or acquire licenses, easements and options with
14 respect thereto, all in the manner and at such price the
15 municipality determines is reasonably necessary to achieve
16 the objectives of the redevelopment plan and project. No
17 conveyance, lease, mortgage, disposition of land or other
18 property owned by a municipality, or agreement relating to
19 the development of such municipal property shall be made
20 except upon the adoption of an ordinance by the corporate
21 authorities of the municipality. Furthermore, no
22 conveyance, lease, mortgage, or other disposition of land
23 owned by a municipality or agreement relating to the
24 development of such municipal property shall be made
25 without making public disclosure of the terms of the
26 disposition and all bids and proposals made in response to

1 the municipality's request. The procedures for obtaining
2 such bids and proposals shall provide reasonable
3 opportunity for any person to submit alternative proposals
4 or bids.

5 (d) Within a redevelopment project area, clear any
6 area by demolition or removal of any existing buildings
7 and structures.

8 (e) Within a redevelopment project area, renovate or
9 rehabilitate or construct any structure or building, as
10 permitted under this Act.

11 (f) Install, repair, construct, reconstruct or
12 relocate streets, utilities and site improvements
13 essential to the preparation of the redevelopment area for
14 use in accordance with a redevelopment plan.

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

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

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

25 (j) Incur project redevelopment costs and reimburse
26 developers who incur redevelopment project costs

1 authorized by a redevelopment agreement; provided,
2 however, that on and after the effective date of this
3 amendatory Act of the 91st General Assembly, no
4 municipality shall incur redevelopment project costs
5 (except for planning costs and any other eligible costs
6 authorized by municipal ordinance or resolution that are
7 subsequently included in the redevelopment plan for the
8 area and are incurred by the municipality after the
9 ordinance or resolution is adopted) that are not
10 consistent with the program for accomplishing the
11 objectives of the redevelopment plan as included in that
12 plan and approved by the municipality until the
13 municipality has amended the redevelopment plan as
14 provided elsewhere in this Act.

15 (k) Create a commission of not less than 5 or more than
16 15 persons to be appointed by the mayor or president of the
17 municipality with the consent of the majority of the
18 governing board of the municipality. Members of a
19 commission appointed after the effective date of this
20 amendatory Act of 1987 shall be appointed for initial
21 terms of 1, 2, 3, 4 and 5 years, respectively, in such
22 numbers as to provide that the terms of not more than 1/3
23 of all such members shall expire in any one year. Their
24 successors shall be appointed for a term of 5 years. The
25 commission, subject to approval of the corporate
26 authorities may exercise the powers enumerated in this

1 Section. The commission shall also have the power to hold
2 the public hearings required by this division and make
3 recommendations to the corporate authorities concerning
4 the adoption of redevelopment plans, redevelopment
5 projects and designation of redevelopment project areas.

6 (l) Make payment in lieu of taxes or a portion thereof
7 to taxing districts. If payments in lieu of taxes or a
8 portion thereof are made to taxing districts, those
9 payments shall be made to all districts within a project
10 redevelopment area on a basis which is proportional to the
11 current collections of revenue which each taxing district
12 receives from real property in the redevelopment project
13 area.

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

16 (n) If any member of the corporate authority, a member
17 of a commission established pursuant to Section
18 11-74.4-4(k) of this Act, or an employee or consultant of
19 the municipality involved in the planning and preparation
20 of a redevelopment plan, or project for a redevelopment
21 project area or proposed redevelopment project area, as
22 defined in Sections 11-74.4-3(i) through (k) of this Act,
23 owns or controls an interest, direct or indirect, in any
24 property included in any redevelopment area, or proposed
25 redevelopment area, he or she shall disclose the same in
26 writing to the clerk of the municipality, and shall also

1 so disclose the dates and terms and conditions of any
2 disposition of any such interest, which disclosures shall
3 be acknowledged by the corporate authorities and entered
4 upon the minute books of the corporate authorities. If an
5 individual holds such an interest then that individual
6 shall refrain from any further official involvement in
7 regard to such redevelopment plan, project or area, from
8 voting on any matter pertaining to such redevelopment
9 plan, project or area, or communicating with other members
10 concerning corporate authorities, commission or employees
11 concerning any matter pertaining to said redevelopment
12 plan, project or area. Furthermore, no such member or
13 employee shall acquire of any interest direct, or
14 indirect, in any property in a redevelopment area or
15 proposed redevelopment area after either (a) such
16 individual obtains knowledge of such plan, project or area
17 or (b) first public notice of such plan, project or area
18 pursuant to Section 11-74.4-6 of this Division, whichever
19 occurs first. For the purposes of this subsection, a
20 property interest acquired in a single parcel of property
21 by a member of the corporate authority, which property is
22 used exclusively as the member's primary residence, shall
23 not be deemed to constitute an interest in any property
24 included in a redevelopment area or proposed redevelopment
25 area that was established before December 31, 1989, but
26 the member must disclose the acquisition to the municipal

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

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

20 (p) Municipalities may jointly undertake and perform
21 redevelopment plans and projects and utilize the
22 provisions of the Act wherever they have contiguous
23 redevelopment project areas or they determine to adopt tax
24 increment financing with respect to a redevelopment
25 project area which includes contiguous real property
26 within the boundaries of the municipalities, and in doing

1 so, they may, by agreement between municipalities, issue
2 obligations, separately or jointly, and expend revenues
3 received under the Act for eligible expenses anywhere
4 within contiguous redevelopment project areas or as
5 otherwise permitted in the Act. With respect to
6 redevelopment project areas that are established within a
7 transit facility improvement area, the provisions of this
8 subsection apply only with respect to such redevelopment
9 project areas that are contiguous to each other.

10 Except for municipalities jointly undertaking and
11 performing redevelopment plans or otherwise utilizing the
12 provisions of this subsection on the effective date of
13 this amendatory Act of the 102nd General Assembly, a
14 municipality shall not utilize the provisions of this
15 subsection for any property that is more than one mile
16 from the border where the redevelopment project areas are
17 contiguous. A municipality utilizing this subsection on
18 the effective date of this amendatory Act of the 102nd
19 General Assembly shall conform to the requirements of this
20 paragraph as soon as is possible after the effective date
21 of this amendatory Act of the 102nd General Assembly.

22 (q) Utilize revenues, other than State sales tax
23 increment revenues, received under this Act from one
24 redevelopment project area for eligible costs in another
25 redevelopment project area that is:

26 (i) contiguous to the redevelopment project area

1 from which the revenues are received;

2 (ii) separated only by a public right of way from
3 the redevelopment project area from which the revenues
4 are received; or

5 (iii) separated only by forest preserve property
6 from the redevelopment project area from which the
7 revenues are received if the closest boundaries of the
8 redevelopment project areas that are separated by the
9 forest preserve property are less than one mile apart.

10 Utilize tax increment revenues for eligible costs that
11 are received from a redevelopment project area created
12 under the Industrial Jobs Recovery Law that is either
13 contiguous to, or is separated only by a public right of
14 way from, the redevelopment project area created under
15 this Act which initially receives these revenues. Utilize
16 revenues, other than State sales tax increment revenues,
17 by transferring or loaning such revenues to a
18 redevelopment project area created under the Industrial
19 Jobs Recovery Law that is either contiguous to, or
20 separated only by a public right of way from the
21 redevelopment project area that initially produced and
22 received those revenues; and, if the redevelopment project
23 area (i) was established before the effective date of this
24 amendatory Act of the 91st General Assembly and (ii) is
25 located within a municipality with a population of more
26 than 100,000, utilize revenues or proceeds of obligations

1 authorized by Section 11-74.4-7 of this Act, other than
2 use or occupation tax revenues, to pay for any
3 redevelopment project costs as defined by subsection (q)
4 of Section 11-74.4-3 to the extent that the redevelopment
5 project costs involve public property that is either
6 contiguous to, or separated only by a public right of way
7 from, a redevelopment project area whether or not
8 redevelopment project costs or the source of payment for
9 the costs are specifically set forth in the redevelopment
10 plan for the redevelopment project area.

11 Except for municipalities utilizing revenues under the
12 provisions of this subsection on the effective date of
13 this amendatory Act of the 102nd General Assembly, a
14 municipality shall not utilize revenue for any property
15 that is more than one mile from the border where the
16 redevelopment project areas are contiguous, separated by a
17 public right of way, or separated by forest preserve
18 property. A municipality utilizing revenues under the
19 provisions of this subsection on the effective date of
20 this amendatory Act of the 102nd General Assembly shall
21 conform to the requirements of this paragraph as soon as
22 is possible after the effective date of this amendatory
23 Act of the 102nd General Assembly.

24 (r) If no redevelopment project has been initiated in
25 a redevelopment project area within 7 years after the area
26 was designated by ordinance under subsection (a), the

1 municipality shall adopt an ordinance repealing the area's
2 designation as a redevelopment project area; provided,
3 however, that if an area received its designation more
4 than 3 years before the effective date of this amendatory
5 Act of 1994 and no redevelopment project has been
6 initiated within 4 years after the effective date of this
7 amendatory Act of 1994, the municipality shall adopt an
8 ordinance repealing its designation as a redevelopment
9 project area. Initiation of a redevelopment project shall
10 be evidenced by either a signed redevelopment agreement or
11 expenditures on eligible redevelopment project costs
12 associated with a redevelopment project.

13 Notwithstanding any other provision of this Section to
14 the contrary, with respect to a redevelopment project area
15 designated by an ordinance that was adopted on July 29,
16 1998 by the City of Chicago, the City of Chicago shall
17 adopt an ordinance repealing the area's designation as a
18 redevelopment project area if no redevelopment project has
19 been initiated in the redevelopment project area within 15
20 years after the designation of the area. The City of
21 Chicago may retroactively repeal any ordinance adopted by
22 the City of Chicago, pursuant to this subsection (r), that
23 repealed the designation of a redevelopment project area
24 designated by an ordinance that was adopted by the City of
25 Chicago on July 29, 1998. The City of Chicago has 90 days
26 after the effective date of this amendatory Act to repeal

1 the ordinance. The changes to this Section made by this
2 amendatory Act of the 96th General Assembly apply
3 retroactively to July 27, 2005.

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

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

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

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

1 Prior to the adoption of an ordinance proposing the
2 designation of a redevelopment project area, or approving a
3 redevelopment plan or redevelopment project, the municipality
4 by its corporate authorities, or as it may determine by any
5 commission designated under subsection (k) of Section
6 11-74.4-4 shall adopt an ordinance or resolution fixing a time
7 and place for public hearing. At least 10 days prior to the
8 adoption of the ordinance or resolution establishing the time
9 and place for the public hearing, the municipality shall make
10 available for public inspection a redevelopment plan or a
11 separate report that provides in reasonable detail the basis
12 for the eligibility of the redevelopment project area. The
13 report along with the name of a person to contact for further
14 information shall be sent within a reasonable time after the
15 adoption of such ordinance or resolution to the affected
16 taxing districts by certified mail. On and after the effective
17 date of this amendatory Act of the 91st General Assembly, the
18 municipality shall print in a newspaper of general circulation
19 within the municipality a notice that interested persons may
20 register with the municipality in order to receive information
21 on the proposed designation of a redevelopment project area or
22 the approval of a redevelopment plan. The notice shall state
23 the place of registration and the operating hours of that
24 place. The municipality shall have adopted reasonable rules to
25 implement this registration process under Section 11-74.4-4.2.
26 The municipality shall provide notice of the availability of

1 the redevelopment plan and eligibility report, including how
2 to obtain this information, by mail within a reasonable time
3 after the adoption of the ordinance or resolution, to all
4 residential addresses that, after a good faith effort, the
5 municipality determines are located outside the proposed
6 redevelopment project area and within 750 feet of the
7 boundaries of the proposed redevelopment project area. This
8 requirement is subject to the limitation that in a
9 municipality with a population of over 100,000, if the total
10 number of residential addresses outside the proposed
11 redevelopment project area and within 750 feet of the
12 boundaries of the proposed redevelopment project area exceeds
13 750, the municipality shall be required to provide the notice
14 to only the 750 residential addresses that, after a good faith
15 effort, the municipality determines are outside the proposed
16 redevelopment project area and closest to the boundaries of
17 the proposed redevelopment project area. Notwithstanding the
18 foregoing, notice given after August 7, 2001 (the effective
19 date of Public Act 92-263) and before the effective date of
20 this amendatory Act of the 92nd General Assembly to
21 residential addresses within 750 feet of the boundaries of a
22 proposed redevelopment project area shall be deemed to have
23 been sufficiently given in compliance with this Act if given
24 only to residents outside the boundaries of the proposed
25 redevelopment project area. The notice shall also be provided
26 by the municipality, regardless of its population, to those

1 organizations and residents that have registered with the
2 municipality for that information in accordance with the
3 registration guidelines established by the municipality under
4 Section 11-74.4-4.2.

5 At the public hearing any interested person or affected
6 taxing district may file with the municipal clerk written
7 objections to and may be heard orally in respect to any issues
8 embodied in the notice. The municipality shall hear all
9 protests and objections at the hearing and the hearing may be
10 adjourned to another date without further notice other than a
11 motion to be entered upon the minutes fixing the time and place
12 of the subsequent hearing. At the public hearing or at any time
13 prior to the adoption by the municipality of an ordinance
14 approving a redevelopment plan, the municipality may make
15 changes in the redevelopment plan. Changes which (1) add
16 additional parcels of property to the proposed redevelopment
17 project area, (2) substantially affect the general land uses
18 proposed in the redevelopment plan, (3) substantially change
19 the nature of or extend the life of the redevelopment project,
20 or (4) increase the number of inhabited residential units to
21 be displaced from the redevelopment project area, as measured
22 from the time of creation of the redevelopment project area,
23 to a total of more than 10, shall be made only after the
24 municipality gives notice, convenes a joint review board, and
25 conducts a public hearing pursuant to the procedures set forth
26 in this Section and in Section 11-74.4-6 of this Act. Changes

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

19 (b) Prior to holding a public hearing to approve or amend a
20 redevelopment plan, ~~or~~ to designate or add additional parcels
21 of property to a redevelopment project area, or to reevaluate
22 whether a redevelopment project area designed as a blighted
23 area is still a blighted area under Section 11-74.4-3.7, the
24 municipality shall convene a joint review board. The board
25 shall consist of a representative selected by each community
26 college district, local elementary school district and high

1 school district or each local community unit school district,
2 park district, library district, township, fire protection
3 district, and county that will have the authority to directly
4 levy taxes on the property within the proposed redevelopment
5 project area at the time that the proposed redevelopment
6 project area is approved, a representative selected by the
7 municipality and a public member. The public member shall
8 first be selected and then the board's chairperson shall be
9 selected by a majority of the board members present and
10 voting.

11 For redevelopment project areas with redevelopment plans
12 or proposed redevelopment plans that would result in the
13 displacement of residents from 10 or more inhabited
14 residential units or that include 75 or more inhabited
15 residential units, the public member shall be a person who
16 resides in the redevelopment project area. If, as determined
17 by the housing impact study provided for in paragraph (5) of
18 subsection (n) of Section 11-74.4-3, or if no housing impact
19 study is required then based on other reasonable data, the
20 majority of residential units are occupied by very low, low,
21 or moderate income households, as defined in Section 3 of the
22 Illinois Affordable Housing Act, the public member shall be a
23 person who resides in very low, low, or moderate income
24 housing within the redevelopment project area. Municipalities
25 with fewer than 15,000 residents shall not be required to
26 select a person who lives in very low, low, or moderate income

1 housing within the redevelopment project area, provided that
2 the redevelopment plan or project will not result in
3 displacement of residents from 10 or more inhabited units, and
4 the municipality so certifies in the plan. If no person
5 satisfying these requirements is available or if no qualified
6 person will serve as the public member, then the joint review
7 board is relieved of this paragraph's selection requirements
8 for the public member.

9 Within 90 days of the effective date of this amendatory
10 Act of the 91st General Assembly, each municipality that
11 designated a redevelopment project area for which it was not
12 required to convene a joint review board under this Section
13 shall convene a joint review board to perform the duties
14 specified under paragraph (e) of this Section.

15 All board members shall be appointed and the first board
16 meeting shall be held at least 14 days but not more than 28
17 days after the mailing of notice by the municipality to the
18 taxing districts as required by Section 11-74.4-6(c).
19 Notwithstanding the preceding sentence, a municipality that
20 adopted either a public hearing resolution or a feasibility
21 resolution between July 1, 1999 and July 1, 2000 that called
22 for the meeting of the joint review board within 14 days of
23 notice of public hearing to affected taxing districts is
24 deemed to be in compliance with the notice, meeting, and
25 public hearing provisions of the Act. Such notice shall also
26 advise the taxing bodies represented on the joint review board

1 of the time and place of the first meeting of the board.
2 Additional meetings of the board shall be held upon the call of
3 any member. The municipality seeking reevaluation or
4 designation of the redevelopment project area shall provide
5 administrative support to the board.

6 The board shall review (i) the public record, planning
7 documents and proposed ordinances approving the redevelopment
8 plan and project, ~~and~~ (ii) proposed amendments to the
9 redevelopment plan or additions of parcels of property to the
10 redevelopment project area to be adopted by the municipality,
11 and (iii) documents relating to the reevaluation of a
12 redemption project area under Section 11-74.4-3.7. As part
13 of its deliberations, the board may hold additional hearings
14 on the proposal. A board's recommendation shall be an
15 advisory, non-binding recommendation. The recommendation shall
16 be adopted by a majority of those members present and voting.
17 The recommendations shall be submitted to the municipality
18 within 30 days after convening of the board. Failure of the
19 board to submit its report on a timely basis shall not be cause
20 to delay the public hearing or any other step in the process of
21 designating or amending the redevelopment project area but
22 shall be deemed to constitute approval by the joint review
23 board of the matters before it.

24 The board shall base its recommendation to approve or
25 disapprove the redevelopment plan and the designation of the
26 redevelopment project area, ~~or~~ the amendment of the

1 redevelopment plan or addition of parcels of property to the
2 redevelopment project area, or the redesignation of a
3 redevelopment project area as a blighted area under Section
4 11-74.4-3.7 on the basis of the redevelopment project area and
5 redevelopment plan satisfying the plan requirements, the
6 eligibility criteria defined in Section 11-74.4-3, and the
7 objectives of this Act.

8 The board shall issue a written report describing why the
9 redevelopment plan and project area, or the amendment thereof,
10 or the redesignation of a redevelopment project area as a
11 blighted area under Section 11-74.4-3.7 meets or fails to meet
12 one or more of the objectives of this Act and both the plan
13 requirements and the eligibility criteria defined in Section
14 11-74.4-3. In the event the Board does not file a report it
15 shall be presumed that these taxing bodies find the
16 redevelopment project area and redevelopment plan satisfy the
17 objectives of this Act and the plan requirements and
18 eligibility criteria.

19 If the board recommends rejection of the matters before
20 it, the municipality will have 30 days within which to
21 resubmit the plan, ~~or~~ amendment, or reevaluation
22 documentation. During this period, the municipality will meet
23 and confer with the board and attempt to resolve those issues
24 set forth in the board's written report that led to the
25 rejection of the plan or amendment.

26 Notwithstanding the resubmission set forth above, the

1 municipality may commence the scheduled public hearing and
2 either adjourn the public hearing or continue the public
3 hearing until a date certain. Prior to continuing any public
4 hearing to a date certain, the municipality shall announce
5 during the public hearing the time, date, and location for the
6 reconvening of the public hearing. Any changes to the
7 redevelopment plan necessary to satisfy the issues set forth
8 in the joint review board report shall be the subject of a
9 public hearing before the hearing is adjourned if the changes
10 would (1) substantially affect the general land uses proposed
11 in the redevelopment plan, (2) substantially change the nature
12 of or extend the life of the redevelopment project, or (3)
13 increase the number of inhabited residential units to be
14 displaced from the redevelopment project area, as measured
15 from the time of creation of the redevelopment project area,
16 to a total of more than 10. Changes to the redevelopment plan
17 necessary to satisfy the issues set forth in the joint review
18 board report shall not require any further notice or convening
19 of a joint review board meeting, except that any changes to the
20 redevelopment plan that would add additional parcels of
21 property to the proposed redevelopment project area shall be
22 subject to the notice, public hearing, and joint review board
23 meeting requirements established for such changes by
24 subsection (a) of Section 11-74.4-5.

25 In the event that the municipality and the board are
26 unable to resolve these differences, or in the event that the

1 resubmitted plan or amendment is rejected by the board, the
2 municipality may proceed with the plan, ~~or~~ amendment, or
3 redesignation, but only upon a three-fifths vote of the
4 corporate authority responsible for approval of the plan, ~~or~~
5 amendment, or redesignation, excluding positions of members
6 that are vacant and those members that are ineligible to vote
7 because of conflicts of interest.

8 (c) After a municipality has by ordinance approved a
9 redevelopment plan and designated a redevelopment project
10 area, the plan may be amended and additional properties may be
11 added to the redevelopment project area only as herein
12 provided. Amendments which (1) add additional parcels of
13 property to the proposed redevelopment project area, (2)
14 substantially affect the general land uses proposed in the
15 redevelopment plan, (3) substantially change the nature of the
16 redevelopment project, (4) increase the total estimated
17 redevelopment project costs set out in the redevelopment plan
18 by more than 5% after adjustment for inflation from the date
19 the plan was adopted, (5) add additional redevelopment project
20 costs to the itemized list of redevelopment project costs set
21 out in the redevelopment plan, or (6) increase the number of
22 inhabited residential units to be displaced from the
23 redevelopment project area, as measured from the time of
24 creation of the redevelopment project area, to a total of more
25 than 10, shall be made only after the municipality gives
26 notice, convenes a joint review board, and conducts a public

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

26 (d) After the effective date of this amendatory Act of the

1 91st General Assembly, a municipality shall submit in an
2 electronic format the following information for each
3 redevelopment project area (i) to the State Comptroller under
4 Section 8-8-3.5 of the Illinois Municipal Code, subject to any
5 extensions or exemptions provided at the Comptroller's
6 discretion under that Section, and (ii) to all taxing
7 districts overlapping the redevelopment project area no later
8 than 180 days after the close of each municipal fiscal year or
9 as soon thereafter as the audited financial statements become
10 available and, in any case, shall be submitted before the
11 annual meeting of the Joint Review Board to each of the taxing
12 districts that overlap the redevelopment project area:

13 (1) Any amendments to the redevelopment plan, the
14 redevelopment project area, or the State Sales Tax
15 Boundary.

16 (1.5) A list of the redevelopment project areas
17 administered by the municipality and, if applicable, the
18 date each redevelopment project area was designated or
19 terminated by the municipality.

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

23 (3) Certification of the Chief Executive Officer of
24 the municipality that the municipality has complied with
25 all of the requirements of this Act during the preceding
26 fiscal year.

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

3 (5) An analysis of the special tax allocation fund
4 which sets forth:

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

7 (B) all amounts deposited in the special tax
8 allocation fund by source;

9 (C) an itemized list of all expenditures from the
10 special tax allocation fund by category of permissible
11 redevelopment project cost; and

12 (D) the balance in the special tax allocation fund
13 at the end of the fiscal year including a breakdown of
14 that balance by source and a breakdown of that balance
15 identifying any portion of the balance that is
16 required, pledged, earmarked, or otherwise designated
17 for payment of or securing of obligations and
18 anticipated redevelopment project costs. Any portion
19 of such ending balance that has not been identified or
20 is not identified as being required, pledged,
21 earmarked, or otherwise designated for payment of or
22 securing of obligations or anticipated redevelopment
23 projects costs shall be designated as surplus as set
24 forth in Section 11-74.4-7 hereof.

25 (6) A description of all property purchased by the
26 municipality within the redevelopment project area

1 including:

2 (A) Street address.

3 (B) Approximate size or description of property.

4 (C) Purchase price.

5 (D) Seller of property.

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

9 (A) Any project implemented in the preceding
10 fiscal year.

11 (B) A description of the redevelopment activities
12 undertaken.

13 (C) A description of any agreements entered into
14 by the municipality with regard to the disposition or
15 redevelopment of any property within the redevelopment
16 project area or the area within the State Sales Tax
17 Boundary.

18 (D) Additional information on the use of all funds
19 received under this Division and steps taken by the
20 municipality to achieve the objectives of the
21 redevelopment plan.

22 (E) Information regarding contracts that the
23 municipality's tax increment advisors or consultants
24 have entered into with entities or persons that have
25 received, or are receiving, payments financed by tax
26 increment revenues produced by the same redevelopment

1 project area.

2 (F) Any reports submitted to the municipality by
3 the joint review board.

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

16 (8) With regard to any obligations issued by the
17 municipality:

18 (A) copies of any official statements; and

19 (B) an analysis prepared by financial advisor or
20 underwriter setting forth: (i) nature and term of
21 obligation; and (ii) projected debt service including
22 required reserves and debt coverage.

23 (9) For special tax allocation funds that have
24 experienced cumulative deposits of incremental tax
25 revenues of \$100,000 or more, a certified audit report
26 reviewing compliance with this Act performed by an

1 independent public accountant certified and licensed by
2 the authority of the State of Illinois. The financial
3 portion of the audit must be conducted in accordance with
4 Standards for Audits of Governmental Organizations,
5 Programs, Activities, and Functions adopted by the
6 Comptroller General of the United States (1981), as
7 amended, or the standards specified by Section 8-8-5 of
8 the Illinois Municipal Auditing Law of the Illinois
9 Municipal Code. The audit report shall contain a letter
10 from the independent certified public accountant
11 indicating compliance or noncompliance with the
12 requirements of subsection (q) of Section 11-74.4-3. For
13 redevelopment plans or projects that would result in the
14 displacement of residents from 10 or more inhabited
15 residential units or that contain 75 or more inhabited
16 residential units, notice of the availability of the
17 information, including how to obtain the report, required
18 in this subsection shall also be sent by mail to all
19 residents or organizations that operate in the
20 municipality that register with the municipality for that
21 information according to registration procedures adopted
22 under Section 11-74.4-4.2. All municipalities are subject
23 to this provision.

24 (10) A list of all intergovernmental agreements in
25 effect during the fiscal year to which the municipality is
26 a party and an accounting of any moneys transferred or

1 received by the municipality during that fiscal year
2 pursuant to those intergovernmental agreements.

3 (d-1) Prior to the effective date of this amendatory Act
4 of the 91st General Assembly, municipalities with populations
5 of over 1,000,000 shall, after adoption of a redevelopment
6 plan or project, make available upon request to any taxing
7 district in which the redevelopment project area is located
8 the following information:

9 (1) Any amendments to the redevelopment plan, the
10 redevelopment project area, or the State Sales Tax
11 Boundary; and

12 (2) In connection with any redevelopment project area
13 for which the municipality has outstanding obligations
14 issued to provide for redevelopment project costs pursuant
15 to Section 11-74.4-7, audited financial statements of the
16 special tax allocation fund.

17 (e) The joint review board shall meet annually 180 days
18 after the close of the municipal fiscal year or as soon as the
19 redevelopment project audit for that fiscal year becomes
20 available to review the effectiveness and status of the
21 redevelopment project area up to that date.

22 (f) (Blank).

23 (g) In the event that a municipality has held a public
24 hearing under this Section prior to March 14, 1994 (the
25 effective date of Public Act 88-537), the requirements imposed
26 by Public Act 88-537 relating to the method of fixing the time

1 and place for public hearing, the materials and information
2 required to be made available for public inspection, and the
3 information required to be sent after adoption of an ordinance
4 or resolution fixing a time and place for public hearing shall
5 not be applicable.

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

15 (i) No later than 10 years after the corporate authorities
16 of a municipality adopt an ordinance to establish a
17 redevelopment project area, the municipality must compile a
18 status report concerning the redevelopment project area. The
19 status report must detail without limitation the following:
20 (i) the amount of revenue generated within the redevelopment
21 project area, (ii) any expenditures made by the municipality
22 for the redevelopment project area including without
23 limitation expenditures from the special tax allocation fund,
24 (iii) the status of planned activities, goals, and objectives
25 set forth in the redevelopment plan including details on new
26 or planned construction within the redevelopment project area,

1 (iv) the amount of private and public investment within the
2 redevelopment project area, and (v) any other relevant
3 evaluation or performance data. Within 30 days after the
4 municipality compiles the status report, the municipality must
5 hold at least one public hearing concerning the report. The
6 municipality must provide 20 days' public notice of the
7 hearing.

8 (j) Beginning in fiscal year 2011 and in each fiscal year
9 thereafter, a municipality must detail in its annual budget

10 (i) the revenues generated from redevelopment project areas by
11 source and (ii) the expenditures made by the municipality for
12 redevelopment project areas.

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