



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4009

Introduced 3/4/2021, by Rep. Anthony DeLuca

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-184.15 new

55 ILCS 5/5-1111.5 new

65 ILCS 5/11-39-5 new

805 ILCS 5/15.10

from Ch. 32, par. 15.10

805 ILCS 180/50-10

Amends the Property Tax Code. Provides that any taxing district shall abate its taxes on property that (i) contains a grocery store or supermarket that is owned by a minority person, a woman, or a person with a disability and offers fresh produce for sale at retail but does not sell alcohol and (ii) is located in an area that qualified as a food desert in the taxable year immediately preceding the taxable year in which the grocery store or supermarket first conducted business at that location. Defines terms "food desert", "minority person", "woman", and "person with a disability". Amends the Counties Code and the Illinois Municipal Code. Provides that counties and municipalities shall waive all fees associated with building permits issued for property that has been granted an abatement under those provisions. Amends the Business Corporation Act of 1983 and the Limited Liability Company Act to waive fees for filing an annual report.

LRB102 09968 HLH 15286 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning revenue.

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 adding
5 Section 18-184.15 as follows:

6 (35 ILCS 200/18-184.15 new)

7 Sec. 18-184.15. Grocery store abatement. Each taxing
8 district shall, for a period of 10 taxable years after the
9 property is certified as eligible property or until the first
10 taxable year in which the property is no longer used in a
11 manner that would qualify it for an abatement under this
12 Section, whichever occurs first, order the county clerk to
13 abate its taxes on property that (i) contains a grocery store
14 or supermarket that is owned by a minority person, a woman, or
15 a person with a disability and offers fresh produce for sale at
16 retail but does not sell alcohol and (ii) is located in an area
17 that qualified as a food desert in the taxable year
18 immediately preceding the taxable year in which the grocery
19 store or supermarket first conducted business at that
20 location. The owner of property that is eligible for an
21 abatement under this Section shall apply each year to the
22 Department of Commerce and Economic Opportunity for
23 certification as a business that is eligible for an abatement

1 under this Section. Application shall be made in the form and
2 manner prescribed by the Department of Commerce and Economic
3 Opportunity by rule.

4 For the purposes of this Section:

5 "Food desert" means a census tract in the State in
6 which (i) the poverty rate is 20% or greater, or the median
7 family income is at or below 80% of the area median family
8 income, and (ii) at least 33% of the census tract's
9 population lives more than one mile from a supermarket or
10 grocery store in the case of a census tract located in a
11 Metropolitan Statistical Area, or more than 10 miles from
12 a supermarket or grocery store in the case of a census
13 tract located outside of a Metropolitan Statistical Area.

14 "Minority person", "woman", and "person with a
15 disability" have the meanings given to those terms in
16 Section 2 of the Business Enterprise for Minorities,
17 Women, and Persons with Disabilities Act.

18 Section 10. The Counties Code is amended by adding Section
19 5-1111.5 as follows:

20 (55 ILCS 5/5-1111.5 new)

21 Sec. 5-1111.5. Building permit fee waiver. The county
22 board shall waive all fees associated with building permits
23 issued for the initial construction of a grocery store that
24 qualifies for an abatement under Section 18-184.15 of the

1 Property Tax Code.

2 Section 15. The Illinois Municipal Code is amended by
3 adding Section 11-39-5 as follows:

4 (65 ILCS 5/11-39-5 new)

5 Sec. 11-39-5. Building permit fee waiver. The corporate
6 authorities of the municipality shall waive all fees
7 associated with building permits issued for the initial
8 construction of a grocery store that qualifies for an
9 abatement under Section 18-184.15 of the Property Tax Code.

10 Section 20. The Business Corporation Act of 1983 is
11 amended by changing Section 15.10 as follows:

12 (805 ILCS 5/15.10) (from Ch. 32, par. 15.10)

13 Sec. 15.10. Fees for filing documents. The Secretary of
14 State shall charge and collect for:

15 (a) Filing articles of incorporation, \$150.

16 (b) Filing articles of amendment, \$50, unless the
17 amendment is a restatement of the articles of incorporation,
18 in which case the fee shall be \$150.

19 (c) Filing articles of merger or consolidation, \$100, but
20 if the merger or consolidation involves more than 2
21 corporations, \$50 for each additional corporation.

22 (d) Filing articles of share exchange, \$100.

1 (e) Filing articles of dissolution, \$5.

2 (f) Filing application to reserve a corporate name, \$25.

3 (g) Filing a notice of transfer of a reserved corporate
4 name, \$25.

5 (h) Filing statement of change of address of registered
6 office or change of registered agent, or both, \$25.

7 (i) Filing statement of the establishment of a series of
8 shares, \$25.

9 (j) Filing an application of a foreign corporation for
10 authority to transact business in this State, \$150.

11 (k) Filing an application of a foreign corporation for
12 amended authority to transact business in this State, \$25.

13 (l) Filing a copy of amendment to the articles of
14 incorporation of a foreign corporation holding authority to
15 transact business in this State, \$50, unless the amendment is
16 a restatement of the articles of incorporation, in which case
17 the fee shall be \$150.

18 (m) Filing a copy of articles of merger of a foreign
19 corporation holding a certificate of authority to transact
20 business in this State, \$100, but if the merger involves more
21 than 2 corporations, \$50 for each additional corporation.

22 (n) Filing an application for withdrawal and final report
23 or a copy of articles of dissolution of a foreign corporation,
24 \$25.

25 (o) Filing an annual report, interim annual report, or
26 final transition annual report of a domestic or foreign

1 corporation, \$75. No fee shall be imposed under this
2 paragraph (o) for a domestic or foreign corporation that
3 operates a grocery store or supermarket that: (i) is owned by a
4 minority person, a woman, or a person with a disability; (ii)
5 offers fresh produce for sale at retail but does not sell
6 alcohol; and (iii) is located in an area that qualified as a
7 food desert, as defined in Section 18-184.15 of the Property
8 Tax Code.

9 (p) Filing an application for reinstatement of a domestic
10 or a foreign corporation, \$200.

11 (q) Filing an application for use of an assumed corporate
12 name, \$150 for each year or part thereof ending in 0 or 5, \$120
13 for each year or part thereof ending in 1 or 6, \$90 for each
14 year or part thereof ending in 2 or 7, \$60 for each year or
15 part thereof ending in 3 or 8, \$30 for each year or part
16 thereof ending in 4 or 9, between the date of filing the
17 application and the date of the renewal of the assumed
18 corporate name; and a renewal fee for each assumed corporate
19 name, \$150.

20 (r) To change an assumed corporate name for the period
21 remaining until the renewal date of the original assumed name,
22 \$25.

23 (s) Filing an application for cancellation of an assumed
24 corporate name, \$5.

25 (t) Filing an application to register the corporate name
26 of a foreign corporation, \$50; and an annual renewal fee for

1 the registered name, \$50.

2 (u) Filing an application for cancellation of a registered
3 name of a foreign corporation, \$25.

4 (v) Filing a statement of correction, \$50.

5 (w) Filing a petition for refund or adjustment, \$5.

6 (x) Filing a statement of election of an extended filing
7 month, \$25.

8 (y) Filing any other statement or report, \$5.

9 (Source: P.A. 95-331, eff. 8-21-07.)

10 Section 25. The Limited Liability Company Act is amended
11 by changing Section 50-10 as follows:

12 (805 ILCS 180/50-10)

13 Sec. 50-10. Fees.

14 (a) The Secretary of State shall charge and collect in
15 accordance with the provisions of this Act and rules
16 promulgated under its authority all of the following:

17 (1) Fees for filing documents.

18 (2) Miscellaneous charges.

19 (3) Fees for the sale of lists of filings and for
20 copies of any documents.

21 (b) The Secretary of State shall charge and collect for
22 all of the following:

23 (1) Filing articles of organization (domestic),
24 application for admission (foreign), and restated articles

1 of organization (domestic), \$150. Notwithstanding the
2 foregoing, the fee for filing articles of organization
3 (domestic), application for admission (foreign), and
4 restated articles of organization (domestic) in connection
5 with a limited liability company with a series or the
6 ability to establish a series pursuant to Section 37-40 of
7 this Act is \$400.

8 (2) Filing amendments (domestic or foreign), \$50.

9 (3) Filing a statement of termination or application
10 for withdrawal, \$5.

11 (4) Filing an application to reserve a name, \$25.

12 (5) Filing a notice of cancellation of a reserved
13 name, \$5.

14 (6) Filing a notice of a transfer of a reserved name,
15 \$25.

16 (7) Registration of a name, \$50.

17 (8) Renewal of registration of a name, \$50.

18 (9) Filing an application for use of an assumed name
19 under Section 1-20 of this Act, \$150 for each year or part
20 thereof ending in 0 or 5, \$120 for each year or part
21 thereof ending in 1 or 6, \$90 for each year or part thereof
22 ending in 2 or 7, \$60 for each year or part thereof ending
23 in 3 or 8, \$30 for each year or part thereof ending in 4 or
24 9, and a renewal for each assumed name, \$150.

25 (9.5) Filing an application for change of an assumed
26 name, \$25.

1 (10) Filing an application for cancellation of an
2 assumed name, \$5.

3 (11) Filing an annual report of a limited liability
4 company or foreign limited liability company, \$75, if
5 filed as required by this Act, plus a penalty if
6 delinquent. Notwithstanding the foregoing, the fee for
7 filing an annual report of a limited liability company or
8 foreign limited liability company is \$75 plus \$50 for each
9 series for which a certificate of designation has been
10 filed pursuant to Section 37-40 of this Act and is in
11 effect on the last day of the third month preceding the
12 company's anniversary month, plus a penalty if delinquent.
13 No fee shall be be imposed under this paragraph (11) for a
14 limited liability company that operates a grocery store or
15 supermarket that: (i) is owned by a minority person, a
16 woman, or a person with a disability; (ii) offers fresh
17 produce for sale at retail but does not sell alcohol; and
18 (iii) is located in an area that qualified as a food
19 desert, as defined in Section 18-184.15 of the Property
20 Tax Code.

21 (12) Filing an application for reinstatement of a
22 limited liability company or foreign limited liability
23 company, \$200.

24 (13) Filing articles of merger, \$100 plus \$50 for each
25 party to the merger in excess of the first 2 parties.

26 (14) (Blank).

1 (15) Filing a statement of change of address of
2 registered office or change of registered agent, or both,
3 or filing a statement of correction, \$25.

4 (16) Filing a petition for refund, \$5.

5 (17) Filing a certificate of designation of a limited
6 liability company with a series pursuant to Section 37-40
7 of this Act, \$50.

8 (18) (Blank).

9 (19) Filing, amending, or cancelling a statement of
10 authority, \$50.

11 (20) Filing, amending, or cancelling a statement of
12 denial, \$10.

13 (21) Filing any other document, \$5.

14 (c) The Secretary of State shall charge and collect all of
15 the following:

16 (1) For furnishing a copy or certified copy of any
17 document, instrument, or paper relating to a limited
18 liability company or foreign limited liability company, or
19 for a certificate, \$25.

20 (2) For the transfer of information by computer
21 process media to any purchaser, fees established by rule.

22 (Source: P.A. 100-561, eff. 7-1-18; 100-571, eff. 12-20-17;
23 101-81, eff. 7-12-19; 101-578, eff. 8-26-19.)