



Sen. Linda Holmes

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LRB102 10411 KTG 23186 a

1 AMENDMENT TO SENATE BILL 154

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 154 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Affordable Housing Act is amended  
5 by changing Sections 3 and 10 and by adding Section 18 as  
6 follows:

7 (310 ILCS 65/3) (from Ch. 67 1/2, par. 1253)

8 Sec. 3. Definitions. As used in this Act:

9 (a) "Program" means the Illinois Affordable Housing  
10 Program.

11 (b) "Trust Fund" means the Illinois Affordable Housing  
12 Trust Fund.

13 (b-5) "Capital Fund" means the Illinois Affordable Housing  
14 Capital Fund.

15 (c) "Low-income household" means a single person, family  
16 or unrelated persons living together whose adjusted income is

1 more than 50%, but less than 80%, of the median income of the  
2 area of residence, adjusted for family size, as such adjusted  
3 income and median income for the area are determined from time  
4 to time by the United States Department of Housing and Urban  
5 Development for purposes of Section 8 of the United States  
6 Housing Act of 1937.

7 (d) "Very low-income household" means a single person,  
8 family or unrelated persons living together whose adjusted  
9 income is not more than 50% of the median income of the area of  
10 residence, adjusted for family size, as such adjusted income  
11 and median income for the area are determined from time to time  
12 by the United States Department of Housing and Urban  
13 Development for purposes of Section 8 of the United States  
14 Housing Act of 1937.

15 (e) "Affordable housing" means residential housing that,  
16 so long as the same is occupied by low-income households or  
17 very low-income households, requires payment of monthly  
18 housing costs, including utilities other than telephone, of no  
19 more than 30% of the maximum allowable income as stated for  
20 such households as defined in this Section.

21 (f) "Multi-family housing" means a building or buildings  
22 providing housing to 5 or more households.

23 (g) "Single-family housing" means a building containing  
24 one to 4 dwelling units, including a mobile home as defined in  
25 subsection (b) of Section 3 of the Mobile Home Landlord and  
26 Tenant Rights Act, as amended.

1           (h) "Community-based organization" means a not-for-profit  
2 entity whose governing body includes a majority of members who  
3 reside in the community served by the organization.

4           (i) "Advocacy organization" means a not-for-profit  
5 organization which conducts, in part or in whole, activities  
6 to influence public policy on behalf of low-income or very  
7 low-income households.

8           (j) "Program Administrator" means the Illinois Housing  
9 Development Authority.

10          (k) "Funding Agent" means the Illinois Department of  
11 Revenue.

12          (l) "Commission" means the Affordable Housing Advisory  
13 Commission.

14          (m) "Congregate housing" means a building or structure in  
15 which 2 or more households, inclusive, share common living  
16 areas and may share child care, cleaning, cooking and other  
17 household responsibilities.

18          (n) "Eligible applicant" means a proprietorship,  
19 partnership, for-profit corporation, not-for-profit  
20 corporation or unit of local government which seeks to use  
21 fund assets as provided in this Article.

22          (o) "Moderate income household" means a single person,  
23 family or unrelated persons living together whose adjusted  
24 income is more than 80% but less than 120% of the median income  
25 of the area of residence, adjusted for family size, as such  
26 adjusted income and median income for the area are determined

1 from time to time by the United States Department of Housing  
2 and Urban Development for purposes of Section 8 of the United  
3 States Housing Act of 1937.

4 (p) "Affordable Housing Program Trust Fund Bonds or Notes"  
5 means the bonds or notes issued by the Program Administrator  
6 under the Illinois Housing Development Act to further the  
7 purposes of this Act.

8 (q) "Trust Fund Moneys" means all moneys, deposits,  
9 revenues, income, interest, dividends, receipts, taxes,  
10 proceeds and other amounts or funds deposited or to be  
11 deposited in the Trust Fund pursuant to Section 5(b) of this  
12 Act and any proceeds, investments or increase thereof.

13 (r) "Program Escrow" means accounts, except those accounts  
14 relating to any Affordable Housing Program Trust Fund Bonds or  
15 Notes, designated by the Program Administrator, into which  
16 Trust Fund Moneys are deposited.

17 (s) "Common household pet" means a domesticated animal,  
18 such as a dog (canis lupus familiaris) or cat (felis catus)  
19 which is commonly kept in the home for pleasure rather than for  
20 commercial purposes.

21 (Source: P.A. 95-710, eff. 6-1-08.)

22 (310 ILCS 65/10) (from Ch. 67 1/2, par. 1260)

23 Sec. 10. Trust Fund restrictions and stipulations. (a) All  
24 housing financed and all assistance provided from the Trust  
25 Fund shall be available to all eligible persons regardless of

1 race, color, ancestry, unfavorable military discharge,  
2 familial status, marital status, national origin, religion,  
3 creed, sex, age, or disability.

4 (b) There shall be, on all assisted housing, a deed  
5 restriction, agreement, or other legal document which provides  
6 for the recapture of assistance upon terms and conditions to  
7 be specified in rules and regulations promulgated by the  
8 Program Administrator.

9 (c) Loans made by the Trust Fund may be at no interest or  
10 at below market interest rates, with or without security, and  
11 may include loans for predevelopment financing.

12 (d) Assistance may be provided for housing units for low  
13 and very low-income households within multi-family housing  
14 which is occupied partly by low and very low-income households  
15 and partly by households not qualifying as low or very  
16 low-income, subject to rules and regulations promulgated by  
17 the Program Administrator.

18 (e) Except to the extent provided in rules and regulations  
19 promulgated by the Program Administrator, no household shall  
20 be required to vacate or move from any assisted housing as a  
21 result of ceasing to qualify as a low or very low-income  
22 household under this Act.

23 (f) Rates not to exceed fair market rental may be charged  
24 to any person or household which occupies any single family  
25 housing or unit of multi-family housing for the period that  
26 person or household does not qualify as low or very

1 low-income.

2 (g) All housing assisted by the Trust Fund shall provide a  
3 residential antidisplacement and relocation assistance plan  
4 consistent with Section 507 of the federal Housing and  
5 Community Development Act of 1987.

6 (h) Multi-family housing assisted by the Trust Fund shall  
7 be prohibited from refusing to accept tenants for occupancy  
8 solely because the tenant receives governmental rental  
9 assistance.

10 (i) Trust Fund assisted multi-family housing is prohibited  
11 from evicting tenants without good cause.

12 (j) Assistance may be provided to housing whether or not  
13 such housing satisfies the definition of a "qualified  
14 residential rental project" set forth in Section 142 of the  
15 Internal Revenue Code of 1986, as amended.

16 (k) Housing assisted by the Trust Fund shall be required  
17 to meet energy efficiency standards which shall be established  
18 by the Program Administrator. Any review for affordability of  
19 assisted housing must include a review of energy costs.

20 (l) Manufactured housing which is manufactured entirely  
21 within the State shall be given priority over housing  
22 manufactured in whole or in part outside of the State.

23 (m) It is intended that Trust Fund monies not be used to  
24 supplant existing resources and that the Trust Fund shall be a  
25 funder of last resort.

26 (n) Prior to application of Trust Fund assets to provide

1 assistance to affordable housing under this Act, Trust Fund  
2 assets may be invested in mortgage participation certificates  
3 representing undivided interests in specified, first-lien  
4 conventional residential Illinois mortgages which are  
5 underwritten, insured, guaranteed or purchased by the Federal  
6 Home Loan Mortgage Corporation. Trust Fund assets may also be  
7 used in such investments as may be lawful for fiduciaries in  
8 this State or in such investments which shall reduce the risk  
9 associated with fluctuations in interest rates or market price  
10 of investments.

11 (o) A tenant of multifamily rental housing acquired,  
12 constructed, or rehabilitated with any money from the Trust  
13 Fund that was designated for affordable housing for low and  
14 very low-income families shall be allowed to keep at least 2  
15 common household pets regardless of breed, size, or weight  
16 within the tenant's residence in accordance with any  
17 applicable laws. This subsection does not apply to service  
18 animals or service animals in training or to any dog that has  
19 been deemed a dangerous or vicious dog as provided under the  
20 Animal Control Act.

21 (Source: P.A. 89-286, eff. 8-10-95.)

22 (310 ILCS 65/18 new)

23 Sec. 18. Pets in affordable housing projects.

24 (a) The enforcement of policies relating to keeping a pet  
25 within a residence may include:

1           (1) compliance with noise and sanitation standards;

2           (2) registration of the common household pet with the  
3           owner of the residential housing;

4           (3) restraint of the common household pet in common  
5           areas of the residential housing;

6           (4) timely removal of common household pet excrement;

7           (5) vaccination and sterilization requirements; and

8           (6) enforcement of violations of the policy.

9           (b) Notwithstanding any other law to the contrary, a  
10          housing provider shall not be liable for injuries caused by an  
11          owner's common household pet permitted on the housing  
12          provider's property, except in cases of willful and wanton  
13          misconduct.

14          (c) Nothing in this Section shall be construed to limit or  
15          otherwise affect other statutes or laws that require  
16          reasonable accommodations to be made for an individual with a  
17          disability who maintains an animal to provide assistance,  
18          service, or support.

19          Section 99. Effective date. This Act takes effect upon  
20          becoming law.".