



Sen. Ann Gillespie

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10200SB2298sam001

LRB102 17272 AWJ 33204 a

1 AMENDMENT TO SENATE BILL 2298

2 AMENDMENT NO. _____. Amend Senate Bill 2298 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing
5 Section 18-185 as follows:

6 (35 ILCS 200/18-185)

7 Sec. 18-185. Short title; definitions. This Division 5
8 may be cited as the Property Tax Extension Limitation Law. As
9 used in this Division 5:

10 "Consumer Price Index" means the Consumer Price Index for
11 All Urban Consumers for all items published by the United
12 States Department of Labor.

13 "Extension limitation" means (a) the lesser of 5% or the
14 percentage increase in the Consumer Price Index during the
15 12-month calendar year preceding the levy year or (b) the rate
16 of increase approved by voters under Section 18-205.

1 "Affected county" means a county of 3,000,000 or more
2 inhabitants or a county contiguous to a county of 3,000,000 or
3 more inhabitants.

4 "Taxing district" has the same meaning provided in Section
5 1-150, except as otherwise provided in this Section. For the
6 1991 through 1994 levy years only, "taxing district" includes
7 only each non-home rule taxing district having the majority of
8 its 1990 equalized assessed value within any county or
9 counties contiguous to a county with 3,000,000 or more
10 inhabitants. Beginning with the 1995 levy year, "taxing
11 district" includes only each non-home rule taxing district
12 subject to this Law before the 1995 levy year and each non-home
13 rule taxing district not subject to this Law before the 1995
14 levy year having the majority of its 1994 equalized assessed
15 value in an affected county or counties. Beginning with the
16 levy year in which this Law becomes applicable to a taxing
17 district as provided in Section 18-213, "taxing district" also
18 includes those taxing districts made subject to this Law as
19 provided in Section 18-213.

20 "Aggregate extension" for taxing districts to which this
21 Law applied before the 1995 levy year means the annual
22 corporate extension for the taxing district and those special
23 purpose extensions that are made annually for the taxing
24 district, excluding special purpose extensions: (a) made for
25 the taxing district to pay interest or principal on general
26 obligation bonds that were approved by referendum; (b) made

1 for any taxing district to pay interest or principal on
2 general obligation bonds issued before October 1, 1991; (c)
3 made for any taxing district to pay interest or principal on
4 bonds issued to refund or continue to refund those bonds
5 issued before October 1, 1991; (d) made for any taxing
6 district to pay interest or principal on bonds issued to
7 refund or continue to refund bonds issued after October 1,
8 1991 that were approved by referendum; (e) made for any taxing
9 district to pay interest or principal on revenue bonds issued
10 before October 1, 1991 for payment of which a property tax levy
11 or the full faith and credit of the unit of local government is
12 pledged; however, a tax for the payment of interest or
13 principal on those bonds shall be made only after the
14 governing body of the unit of local government finds that all
15 other sources for payment are insufficient to make those
16 payments; (f) made for payments under a building commission
17 lease when the lease payments are for the retirement of bonds
18 issued by the commission before October 1, 1991, to pay for the
19 building project; (g) made for payments due under installment
20 contracts entered into before October 1, 1991; (h) made for
21 payments of principal and interest on bonds issued under the
22 Metropolitan Water Reclamation District Act to finance
23 construction projects initiated before October 1, 1991; (i)
24 made for payments of principal and interest on limited bonds,
25 as defined in Section 3 of the Local Government Debt Reform
26 Act, in an amount not to exceed the debt service extension base

1 less the amount in items (b), (c), (e), and (h) of this
2 definition for non-referendum obligations, except obligations
3 initially issued pursuant to referendum; (j) made for payments
4 of principal and interest on bonds issued under Section 15 of
5 the Local Government Debt Reform Act; (k) made by a school
6 district that participates in the Special Education District
7 of Lake County, created by special education joint agreement
8 under Section 10-22.31 of the School Code, for payment of the
9 school district's share of the amounts required to be
10 contributed by the Special Education District of Lake County
11 to the Illinois Municipal Retirement Fund under Article 7 of
12 the Illinois Pension Code; the amount of any extension under
13 this item (k) shall be certified by the school district to the
14 county clerk; (l) made to fund expenses of providing joint
15 recreational programs for persons with disabilities under
16 Section 5-8 of the Park District Code or Section 11-95-14 of
17 the Illinois Municipal Code; (m) made for temporary relocation
18 loan repayment purposes pursuant to Sections 2-3.77 and
19 17-2.2d of the School Code; (n) made for payment of principal
20 and interest on any bonds issued under the authority of
21 Section 17-2.2d of the School Code; (o) made for contributions
22 to a firefighter's pension fund created under Article 4 of the
23 Illinois Pension Code, to the extent of the amount certified
24 under item (5) of Section 4-134 of the Illinois Pension Code;
25 and (p) made for road purposes in the first year after a
26 township assumes the rights, powers, duties, assets, property,

1 liabilities, obligations, and responsibilities of a road
2 district abolished under the provisions of Section 6-133 of
3 the Illinois Highway Code.

4 "Aggregate extension" for the taxing districts to which
5 this Law did not apply before the 1995 levy year (except taxing
6 districts subject to this Law in accordance with Section
7 18-213) means the annual corporate extension for the taxing
8 district and those special purpose extensions that are made
9 annually for the taxing district, excluding special purpose
10 extensions: (a) made for the taxing district to pay interest
11 or principal on general obligation bonds that were approved by
12 referendum; (b) made for any taxing district to pay interest
13 or principal on general obligation bonds issued before March
14 1, 1995; (c) made for any taxing district to pay interest or
15 principal on bonds issued to refund or continue to refund
16 those bonds issued before March 1, 1995; (d) made for any
17 taxing district to pay interest or principal on bonds issued
18 to refund or continue to refund bonds issued after March 1,
19 1995 that were approved by referendum; (e) made for any taxing
20 district to pay interest or principal on revenue bonds issued
21 before March 1, 1995 for payment of which a property tax levy
22 or the full faith and credit of the unit of local government is
23 pledged; however, a tax for the payment of interest or
24 principal on those bonds shall be made only after the
25 governing body of the unit of local government finds that all
26 other sources for payment are insufficient to make those

1 payments; (f) made for payments under a building commission
2 lease when the lease payments are for the retirement of bonds
3 issued by the commission before March 1, 1995 to pay for the
4 building project; (g) made for payments due under installment
5 contracts entered into before March 1, 1995; (h) made for
6 payments of principal and interest on bonds issued under the
7 Metropolitan Water Reclamation District Act to finance
8 construction projects initiated before October 1, 1991; (h-4)
9 made for stormwater management purposes by the Metropolitan
10 Water Reclamation District of Greater Chicago under Section 12
11 of the Metropolitan Water Reclamation District Act; (i) made
12 for payments of principal and interest on limited bonds, as
13 defined in Section 3 of the Local Government Debt Reform Act,
14 in an amount not to exceed the debt service extension base less
15 the amount in items (b), (c), and (e) of this definition for
16 non-referendum obligations, except obligations initially
17 issued pursuant to referendum and bonds described in
18 subsection (h) of this definition; (j) made for payments of
19 principal and interest on bonds issued under Section 15 of the
20 Local Government Debt Reform Act; (k) made for payments of
21 principal and interest on bonds authorized by Public Act
22 88-503 and issued under Section 20a of the Chicago Park
23 District Act for aquarium or museum projects and bonds issued
24 under Section 20a of the Chicago Park District Act for the
25 purpose of making contributions to the pension fund
26 established under Article 12 of the Illinois Pension Code; (l)

1 made for payments of principal and interest on bonds
2 authorized by Public Act 87-1191 or 93-601 and (i) issued
3 pursuant to Section 21.2 of the Cook County Forest Preserve
4 District Act, (ii) issued under Section 42 of the Cook County
5 Forest Preserve District Act for zoological park projects, or
6 (iii) issued under Section 44.1 of the Cook County Forest
7 Preserve District Act for botanical gardens projects; (m) made
8 pursuant to Section 34-53.5 of the School Code, whether levied
9 annually or not; (n) made to fund expenses of providing joint
10 recreational programs for persons with disabilities under
11 Section 5-8 of the Park District Code or Section 11-95-14 of
12 the Illinois Municipal Code; (o) made by the Chicago Park
13 District for recreational programs for persons with
14 disabilities under subsection (c) of Section 7.06 of the
15 Chicago Park District Act; (p) made for contributions to a
16 firefighter's pension fund created under Article 4 of the
17 Illinois Pension Code, to the extent of the amount certified
18 under item (5) of Section 4-134 of the Illinois Pension Code;
19 (q) made by Ford Heights School District 169 under Section
20 17-9.02 of the School Code; and (r) made for the purpose of
21 making employer contributions to the Public School Teachers'
22 Pension and Retirement Fund of Chicago under Section 34-53 of
23 the School Code.

24 "Aggregate extension" for all taxing districts to which
25 this Law applies in accordance with Section 18-213, except for
26 those taxing districts subject to paragraph (2) of subsection

1 (e) of Section 18-213, means the annual corporate extension
2 for the taxing district and those special purpose extensions
3 that are made annually for the taxing district, excluding
4 special purpose extensions: (a) made for the taxing district
5 to pay interest or principal on general obligation bonds that
6 were approved by referendum; (b) made for any taxing district
7 to pay interest or principal on general obligation bonds
8 issued before the date on which the referendum making this Law
9 applicable to the taxing district is held; (c) made for any
10 taxing district to pay interest or principal on bonds issued
11 to refund or continue to refund those bonds issued before the
12 date on which the referendum making this Law applicable to the
13 taxing district is held; (d) made for any taxing district to
14 pay interest or principal on bonds issued to refund or
15 continue to refund bonds issued after the date on which the
16 referendum making this Law applicable to the taxing district
17 is held if the bonds were approved by referendum after the date
18 on which the referendum making this Law applicable to the
19 taxing district is held; (e) made for any taxing district to
20 pay interest or principal on revenue bonds issued before the
21 date on which the referendum making this Law applicable to the
22 taxing district is held for payment of which a property tax
23 levy or the full faith and credit of the unit of local
24 government is pledged; however, a tax for the payment of
25 interest or principal on those bonds shall be made only after
26 the governing body of the unit of local government finds that

1 all other sources for payment are insufficient to make those
2 payments; (f) made for payments under a building commission
3 lease when the lease payments are for the retirement of bonds
4 issued by the commission before the date on which the
5 referendum making this Law applicable to the taxing district
6 is held to pay for the building project; (g) made for payments
7 due under installment contracts entered into before the date
8 on which the referendum making this Law applicable to the
9 taxing district is held; (h) made for payments of principal
10 and interest on limited bonds, as defined in Section 3 of the
11 Local Government Debt Reform Act, in an amount not to exceed
12 the debt service extension base less the amount in items (b),
13 (c), and (e) of this definition for non-referendum
14 obligations, except obligations initially issued pursuant to
15 referendum; (i) made for payments of principal and interest on
16 bonds issued under Section 15 of the Local Government Debt
17 Reform Act; (j) made for a qualified airport authority to pay
18 interest or principal on general obligation bonds issued for
19 the purpose of paying obligations due under, or financing
20 airport facilities required to be acquired, constructed,
21 installed or equipped pursuant to, contracts entered into
22 before March 1, 1996 (but not including any amendments to such
23 a contract taking effect on or after that date); (k) made to
24 fund expenses of providing joint recreational programs for
25 persons with disabilities under Section 5-8 of the Park
26 District Code or Section 11-95-14 of the Illinois Municipal

1 Code; (l) made for contributions to a firefighter's pension
2 fund created under Article 4 of the Illinois Pension Code, to
3 the extent of the amount certified under item (5) of Section
4 4-134 of the Illinois Pension Code; and (m) made for the taxing
5 district to pay interest or principal on general obligation
6 bonds issued pursuant to Section 19-3.10 of the School Code.

7 "Aggregate extension" for all taxing districts to which
8 this Law applies in accordance with paragraph (2) of
9 subsection (e) of Section 18-213 means the annual corporate
10 extension for the taxing district and those special purpose
11 extensions that are made annually for the taxing district,
12 excluding special purpose extensions: (a) made for the taxing
13 district to pay interest or principal on general obligation
14 bonds that were approved by referendum; (b) made for any
15 taxing district to pay interest or principal on general
16 obligation bonds issued before March 7, 1997 (the effective
17 date of Public Act 89-718); (c) made for any taxing district to
18 pay interest or principal on bonds issued to refund or
19 continue to refund those bonds issued before March 7, 1997
20 (the effective date of Public Act 89-718); (d) made for any
21 taxing district to pay interest or principal on bonds issued
22 to refund or continue to refund bonds issued after March 7,
23 1997 (the effective date of Public Act 89-718) if the bonds
24 were approved by referendum after March 7, 1997 (the effective
25 date of Public Act 89-718); (e) made for any taxing district to
26 pay interest or principal on revenue bonds issued before March

1 7, 1997 (the effective date of Public Act 89-718) for payment
2 of which a property tax levy or the full faith and credit of
3 the unit of local government is pledged; however, a tax for the
4 payment of interest or principal on those bonds shall be made
5 only after the governing body of the unit of local government
6 finds that all other sources for payment are insufficient to
7 make those payments; (f) made for payments under a building
8 commission lease when the lease payments are for the
9 retirement of bonds issued by the commission before March 7,
10 1997 (the effective date of Public Act 89-718) to pay for the
11 building project; (g) made for payments due under installment
12 contracts entered into before March 7, 1997 (the effective
13 date of Public Act 89-718); (h) made for payments of principal
14 and interest on limited bonds, as defined in Section 3 of the
15 Local Government Debt Reform Act, in an amount not to exceed
16 the debt service extension base less the amount in items (b),
17 (c), and (e) of this definition for non-referendum
18 obligations, except obligations initially issued pursuant to
19 referendum; (i) made for payments of principal and interest on
20 bonds issued under Section 15 of the Local Government Debt
21 Reform Act; (j) made for a qualified airport authority to pay
22 interest or principal on general obligation bonds issued for
23 the purpose of paying obligations due under, or financing
24 airport facilities required to be acquired, constructed,
25 installed or equipped pursuant to, contracts entered into
26 before March 1, 1996 (but not including any amendments to such

1 a contract taking effect on or after that date); (k) made to
2 fund expenses of providing joint recreational programs for
3 persons with disabilities under Section 5-8 of the Park
4 District Code or Section 11-95-14 of the Illinois Municipal
5 Code; and (l) made for contributions to a firefighter's
6 pension fund created under Article 4 of the Illinois Pension
7 Code, to the extent of the amount certified under item (5) of
8 Section 4-134 of the Illinois Pension Code.

9 "Debt service extension base" means an amount equal to
10 that portion of the extension for a taxing district for the
11 1994 levy year, or for those taxing districts subject to this
12 Law in accordance with Section 18-213, except for those
13 subject to paragraph (2) of subsection (e) of Section 18-213,
14 for the levy year in which the referendum making this Law
15 applicable to the taxing district is held, or for those taxing
16 districts subject to this Law in accordance with paragraph (2)
17 of subsection (e) of Section 18-213 for the 1996 levy year,
18 constituting an extension for payment of principal and
19 interest on bonds issued by the taxing district without
20 referendum, but not including excluded non-referendum bonds.
21 For park districts (i) that were first subject to this Law in
22 1991 or 1995 and (ii) whose extension for the 1994 levy year
23 for the payment of principal and interest on bonds issued by
24 the park district without referendum (but not including
25 excluded non-referendum bonds) was less than 51% of the amount
26 for the 1991 levy year constituting an extension for payment

1 of principal and interest on bonds issued by the park district
2 without referendum (but not including excluded non-referendum
3 bonds), "debt service extension base" means an amount equal to
4 that portion of the extension for the 1991 levy year
5 constituting an extension for payment of principal and
6 interest on bonds issued by the park district without
7 referendum (but not including excluded non-referendum bonds).
8 A debt service extension base established or increased at any
9 time pursuant to any provision of this Law, except Section
10 18-212, shall be increased each year commencing with the later
11 of (i) the 2009 levy year or (ii) the first levy year in which
12 this Law becomes applicable to the taxing district, by the
13 lesser of 5% or the percentage increase in the Consumer Price
14 Index during the 12-month calendar year preceding the levy
15 year. The debt service extension base may be established or
16 increased as provided under Section 18-212. "Excluded
17 non-referendum bonds" means (i) bonds authorized by Public Act
18 88-503 and issued under Section 20a of the Chicago Park
19 District Act for aquarium and museum projects; (ii) bonds
20 issued under Section 15 of the Local Government Debt Reform
21 Act; or (iii) refunding obligations issued to refund or to
22 continue to refund obligations initially issued pursuant to
23 referendum.

24 "Special purpose extensions" include, but are not limited
25 to, extensions for levies made on an annual basis for
26 unemployment and workers' compensation, self-insurance,

1 contributions to pension plans, and extensions made pursuant
2 to Section 6-601 of the Illinois Highway Code for a road
3 district's permanent road fund whether levied annually or not.
4 The extension for a special service area is not included in the
5 aggregate extension.

6 "Aggregate extension base" means, for levy years prior to
7 2022, the taxing district's last preceding aggregate extension
8 as adjusted under Sections 18-135, 18-215, 18-230, 18-206, and
9 18-233. For levy years 2022 and thereafter, "aggregate
10 extension base" means the greater of (A) the taxing district's
11 last preceding aggregate extension limit or (B) the taxing
12 district's last preceding aggregate extension, as adjusted
13 under Sections 18-135, 18-215, 18-230, and 18-206. An
14 adjustment under Section 18-135 shall be made for the 2007
15 levy year and all subsequent levy years whenever one or more
16 counties within which a taxing district is located (i) used
17 estimated valuations or rates when extending taxes in the
18 taxing district for the last preceding levy year that resulted
19 in the over or under extension of taxes, or (ii) increased or
20 decreased the tax extension for the last preceding levy year
21 as required by Section 18-135(c). Whenever an adjustment is
22 required under Section 18-135, the aggregate extension base of
23 the taxing district shall be equal to the amount that the
24 aggregate extension of the taxing district would have been for
25 the last preceding levy year if either or both (i) actual,
26 rather than estimated, valuations or rates had been used to

1 calculate the extension of taxes for the last levy year, or
2 (ii) the tax extension for the last preceding levy year had not
3 been adjusted as required by subsection (c) of Section 18-135.

4 Notwithstanding any other provision of law, for levy year
5 2012, the aggregate extension base for West Northfield School
6 District No. 31 in Cook County shall be \$12,654,592.

7 Notwithstanding any other provision of law, for levy year
8 2022, the aggregate extension base of a home equity assurance
9 program that levied at least \$1,000,000 in property taxes in
10 levy year 2019 or 2020 under the Home Equity Assurance Act
11 shall be the amount that the program's aggregate extension
12 base for levy year 2021 would have been if the program had
13 levied a property tax for levy year 2021.

14 "Levy year" has the same meaning as "year" under Section
15 1-155.

16 "Aggregate extension limit" means the district's last
17 preceding aggregate extension if the taxing district had
18 utilized the maximum limiting rate permitted without
19 referendum for each of the 5 immediately preceding levy years,
20 as adjusted under Section 18-135, 18-215, 18-230, and 18-206.

21 "New property" means (i) the assessed value, after final
22 board of review or board of appeals action, of new
23 improvements or additions to existing improvements on any
24 parcel of real property that increase the assessed value of
25 that real property during the levy year multiplied by the
26 equalization factor issued by the Department under Section

1 17-30, (ii) the assessed value, after final board of review or
2 board of appeals action, of real property not exempt from real
3 estate taxation, which real property was exempt from real
4 estate taxation for any portion of the immediately preceding
5 levy year, multiplied by the equalization factor issued by the
6 Department under Section 17-30, including the assessed value,
7 upon final stabilization of occupancy after new construction
8 is complete, of any real property located within the
9 boundaries of an otherwise or previously exempt military
10 reservation that is intended for residential use and owned by
11 or leased to a private corporation or other entity, (iii) in
12 counties that classify in accordance with Section 4 of Article
13 IX of the Illinois Constitution, an incentive property's
14 additional assessed value resulting from a scheduled increase
15 in the level of assessment as applied to the first year final
16 board of review market value, and (iv) any increase in
17 assessed value due to oil or gas production from an oil or gas
18 well required to be permitted under the Hydraulic Fracturing
19 Regulatory Act that was not produced in or accounted for
20 during the previous levy year. In addition, the county clerk
21 in a county containing a population of 3,000,000 or more shall
22 include in the 1997 recovered tax increment value for any
23 school district, any recovered tax increment value that was
24 applicable to the 1995 tax year calculations.

25 "Qualified airport authority" means an airport authority
26 organized under the Airport Authorities Act and located in a

1 county bordering on the State of Wisconsin and having a
2 population in excess of 200,000 and not greater than 500,000.

3 "Recovered tax increment value" means, except as otherwise
4 provided in this paragraph, the amount of the current year's
5 equalized assessed value, in the first year after a
6 municipality terminates the designation of an area as a
7 redevelopment project area previously established under the
8 Tax Increment Allocation Redevelopment Act in the Illinois
9 Municipal Code, previously established under the Industrial
10 Jobs Recovery Law in the Illinois Municipal Code, previously
11 established under the Economic Development Project Area Tax
12 Increment Act of 1995, or previously established under the
13 Economic Development Area Tax Increment Allocation Act, of
14 each taxable lot, block, tract, or parcel of real property in
15 the redevelopment project area over and above the initial
16 equalized assessed value of each property in the redevelopment
17 project area. For the taxes which are extended for the 1997
18 levy year, the recovered tax increment value for a non-home
19 rule taxing district that first became subject to this Law for
20 the 1995 levy year because a majority of its 1994 equalized
21 assessed value was in an affected county or counties shall be
22 increased if a municipality terminated the designation of an
23 area in 1993 as a redevelopment project area previously
24 established under the Tax Increment Allocation Redevelopment
25 Act in the Illinois Municipal Code, previously established
26 under the Industrial Jobs Recovery Law in the Illinois

1 Municipal Code, or previously established under the Economic
2 Development Area Tax Increment Allocation Act, by an amount
3 equal to the 1994 equalized assessed value of each taxable
4 lot, block, tract, or parcel of real property in the
5 redevelopment project area over and above the initial
6 equalized assessed value of each property in the redevelopment
7 project area. In the first year after a municipality removes a
8 taxable lot, block, tract, or parcel of real property from a
9 redevelopment project area established under the Tax Increment
10 Allocation Redevelopment Act in the Illinois Municipal Code,
11 the Industrial Jobs Recovery Law in the Illinois Municipal
12 Code, or the Economic Development Area Tax Increment
13 Allocation Act, "recovered tax increment value" means the
14 amount of the current year's equalized assessed value of each
15 taxable lot, block, tract, or parcel of real property removed
16 from the redevelopment project area over and above the initial
17 equalized assessed value of that real property before removal
18 from the redevelopment project area.

19 Except as otherwise provided in this Section, "limiting
20 rate" means a fraction the numerator of which is the last
21 preceding aggregate extension base times an amount equal to
22 one plus the extension limitation defined in this Section and
23 the denominator of which is the current year's equalized
24 assessed value of all real property in the territory under the
25 jurisdiction of the taxing district during the prior levy
26 year. For those taxing districts that reduced their aggregate

1 extension for the last preceding levy year, except for school
2 districts that reduced their extension for educational
3 purposes pursuant to Section 18-206, the highest aggregate
4 extension in any of the last 3 preceding levy years shall be
5 used for the purpose of computing the limiting rate. For levy
6 years prior to levy year 2022, the ~~The~~ denominator shall not
7 include new property or the recovered tax increment value. For
8 levy year 2022 and thereafter, the denominator shall not
9 include the recovered tax increment value but shall include
10 50% of the value of new property. If a new rate, a rate
11 decrease, or a limiting rate increase has been approved at an
12 election held after March 21, 2006, then (i) the otherwise
13 applicable limiting rate shall be increased by the amount of
14 the new rate or shall be reduced by the amount of the rate
15 decrease, as the case may be, or (ii) in the case of a limiting
16 rate increase, the limiting rate shall be equal to the rate set
17 forth in the proposition approved by the voters for each of the
18 years specified in the proposition, after which the limiting
19 rate of the taxing district shall be calculated as otherwise
20 provided. In the case of a taxing district that obtained
21 referendum approval for an increased limiting rate on March
22 20, 2012, the limiting rate for tax year 2012 shall be the rate
23 that generates the approximate total amount of taxes
24 extendable for that tax year, as set forth in the proposition
25 approved by the voters; this rate shall be the final rate
26 applied by the county clerk for the aggregate of all capped

1 funds of the district for tax year 2012.

2 (Source: P.A. 102-263, eff. 8-6-21; 102-311, eff. 8-6-21;
3 102-519, eff. 8-20-21; 102-558, eff. 8-20-21; revised
4 10-5-21.)

5 Section 10. The Illinois Municipal Code is amended by
6 changing Sections 11-74.4-3, 11-74.4-3.5, 11-74.4-5,
7 11-74.4-7, and 11-74.4-8 as follows:

8 (65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)

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

13 (a) For any redevelopment project area that has been
14 designated pursuant to this Section by an ordinance adopted
15 prior to the effective date of this amendatory Act of the 102nd
16 General Assembly November 1, 1999 (~~the effective date of~~
17 ~~Public Act 91-478~~), "blighted area" shall have the meaning set
18 forth in this Section prior to that date.

19 On and after the effective date of this amendatory Act of
20 the 102nd General Assembly November 1, 1999, "blighted area"
21 means any improved or vacant area within the boundaries of a
22 redevelopment project area located within the territorial
23 limits of the municipality where:

24 (1) If improved, industrial, commercial, and

1 residential buildings or improvements are detrimental to
2 the public safety, health, or welfare because of a
3 combination of 5 or more of the following factors, each of
4 which is (i) present, with that presence documented, to a
5 meaningful extent so that a municipality may reasonably
6 find that the factor is clearly present within the intent
7 of the Act and (ii) reasonably distributed throughout the
8 improved part of the redevelopment project area:

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

16 (B) Obsolescence. A state of functional, economic,
17 or physical obsolescence of buildings or improvements
18 that a documented analysis determines does not meet or
19 sustain current technological needs such as fiber
20 optic, broadband, Wi-Fi, or other critical utility
21 infrastructure ~~The condition or process of falling~~
22 ~~into disuse. Structures have become ill-suited for the~~
23 ~~original use.~~

24 (C) Deterioration. At least 25% of structures in
25 the redevelopment project area have major defects in
26 the secondary building components, including, but not

1 limited to, ~~With respect to buildings, defects~~
2 ~~including, but not limited to, major defects in the~~
3 ~~secondary building components such as~~ doors, windows,
4 porches, gutters and downspouts, and fascia. With
5 respect to surface improvements, that the condition of
6 roadways, alleys, curbs, gutters, sidewalks,
7 off-street parking, and surface storage areas evidence
8 deterioration, including, but not limited to, surface
9 cracking, crumbling, potholes, depressions, loose
10 paving material, and weeds protruding through paved
11 surfaces.

12 (D) Presence of structures below minimum code
13 standards. Over 25% of All structures ~~that~~ do not meet
14 the standards of ~~zoning,~~ subdivision, building, fire,
15 and other governmental codes applicable to property,
16 ~~but~~ not including housing and property maintenance
17 codes.

18 (E) Illegal use of individual structures. The use
19 of structures in violation of applicable federal,
20 State, or local laws, exclusive of those applicable to
21 the presence of structures below minimum code
22 standards.

23 (F) Excessive vacancies. At least 25% of buildings
24 are unoccupied by businesses or housing residents ~~The~~
25 ~~presence of buildings that are unoccupied or~~
26 ~~under utilized and that represent an adverse influence~~

1 ~~on the area because of the frequency, extent, or~~
2 ~~duration of the vacancies.~~

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

17 (H) Inadequate utilities. Underground and overhead
18 utilities such as storm sewers and storm drainage,
19 sanitary sewers, water lines, and gas, telephone, and
20 electrical services that are shown to be inadequate.
21 Inadequate utilities are those that are: (i) of
22 insufficient capacity to serve the uses in the
23 redevelopment project area, (ii) deteriorated,
24 antiquated, obsolete, or in disrepair, or (iii)
25 lacking within the redevelopment project area.

26 (I) Excessive land coverage and overcrowding of

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

20 (J) (Blank). ~~Deleterious land use or layout. The~~
21 ~~existence of incompatible land-use relationships,~~
22 ~~buildings occupied by inappropriate mixed uses, or~~
23 ~~uses considered to be noxious, offensive, or~~
24 ~~unsuitable for the surrounding area.~~

25 (K) Environmental clean-up. The proposed
26 redevelopment project area has incurred Illinois

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

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

24 (M) The total equalized assessed value of the
25 proposed redevelopment project area has declined for 3
26 of the last 5 calendar years prior to the year in which

1 the redevelopment project area is designated or is
2 increasing at an annual rate that is at least 25% less
3 than the balance of the municipality for 3 of the last
4 5 calendar years for which information is available or
5 is increasing at an annual rate that is less than the
6 Consumer Price Index for All Urban Consumers published
7 by the United States Department of Labor or successor
8 agency for 3 of the last 5 calendar years prior to the
9 year in which the redevelopment project area is
10 designated.

11 (N) Refusal by Developers. The municipality
12 provides more than one documented refusal of
13 developers to bid on property in the redevelopment
14 area within the previous 5 years.

15 (O) Over 25% of businesses have left the proposed
16 redevelopment project area or went bankrupt over the
17 past 10 years.

18 (2) If vacant, the sound growth of the redevelopment
19 project area is impaired by a combination of one ~~2~~ or more
20 of the following factors, each of which is (i) present,
21 with that presence documented, to a meaningful extent so
22 that a municipality may reasonably find that the factor is
23 clearly present within the intent of the Act and (ii)
24 reasonably distributed throughout the vacant part of the
25 redevelopment project area to which it pertains:

26 (A) (Blank). ~~Obsolete platting of vacant land that~~

1 ~~results in parcels of limited or narrow size or~~
2 ~~configurations of parcels of irregular size or shape~~
3 ~~that would be difficult to develop on a planned basis~~
4 ~~and in a manner compatible with contemporary standards~~
5 ~~and requirements, or platting that failed to create~~
6 ~~rights of ways for streets or alleys or that created~~
7 ~~inadequate right of way widths for streets, alleys, or~~
8 ~~other public rights of way or that omitted easements~~
9 ~~for public utilities.~~

10 (B) (Blank). ~~Diversity of ownership of parcels of~~
11 ~~vacant land sufficient in number to retard or impede~~
12 ~~the ability to assemble the land for development.~~

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

16 (D) (Blank). ~~Deterioration of structures or site~~
17 ~~improvements in neighboring areas adjacent to the~~
18 ~~vacant land.~~

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

1 the remediation costs constitute a material impediment
2 to the development or redevelopment of the
3 redevelopment project area.

4 (F) The total equalized assessed value of the
5 proposed redevelopment project area has declined for 3
6 of the last 5 calendar years prior to the year in which
7 the redevelopment project area is designated or is
8 increasing at an annual rate that is less than the
9 balance of the municipality for 3 of the last 5
10 calendar years for which information is available or
11 is increasing at an annual rate that is at least 25%
12 less than the Consumer Price Index for All Urban
13 Consumers published by the United States Department of
14 Labor or successor agency for 3 of the last 5 calendar
15 years prior to the year in which the redevelopment
16 project area is designated.

17 (3) If vacant, the sound growth of the redevelopment
18 project area is impaired by 2 ~~one~~ of the following factors
19 that (i) is present, with that presence documented, to a
20 meaningful extent so that a municipality may reasonably
21 find that the factor is clearly present within the intent
22 of the Act and (ii) is reasonably distributed throughout
23 the vacant part of the redevelopment project area to which
24 it pertains:

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

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

3 (C) The area, prior to its designation, is subject
4 to (i) chronic flooding that adversely impacts on real
5 property in the area as certified by a registered
6 professional engineer or appropriate regulatory agency
7 or (ii) surface water that discharges from all or a
8 part of the area and contributes to flooding within
9 the same watershed, but only if the redevelopment
10 project provides for facilities or improvements to
11 contribute to the alleviation of all or part of the
12 flooding.

13 (D) The area consists of an unused or illegal
14 disposal site containing earth, stone, building
15 debris, or similar materials that were removed from
16 construction, demolition, excavation, or dredge sites.

17 (E) Prior to November 1, 1999, the area is not less
18 than 50 nor more than 100 acres and 75% of which is
19 vacant (notwithstanding that the area has been used
20 for commercial agricultural purposes within 5 years
21 prior to the designation of the redevelopment project
22 area), and the area meets at least one of the factors
23 itemized in paragraph (1) of this subsection, the area
24 has been designated as a town or village center by
25 ordinance or comprehensive plan adopted prior to
26 January 1, 1982, and the area has not been developed

1 for that designated purpose.

2 (F) (Blank). ~~The area qualified as a blighted~~
3 ~~improved area immediately prior to becoming vacant,~~
4 ~~unless there has been substantial private investment~~
5 ~~in the immediately surrounding area.~~

6 (b) For any redevelopment project area that has been
7 designated pursuant to this Section by an ordinance adopted
8 prior to the effective date of this amendatory Act of the 102nd
9 General Assembly November 1, 1999 ~~(the effective date of~~
10 ~~Public Act 91-478)~~, "conservation area" shall have the meaning
11 set forth in this Section prior to that date.

12 On and after the effective date of this amendatory Act of
13 the 102nd General Assembly November 1, 1999, "conservation
14 area" means any improved area within the boundaries of a
15 redevelopment project area located within the territorial
16 limits of the municipality in which 50% or more of the
17 structures in the area have an age of 35 years or more. Such an
18 area is not yet a blighted area but because of a combination of
19 4 ~~3~~ or more of the following factors is detrimental to the
20 public safety, health, morals or welfare and such an area may
21 become a blighted area:

22 (1) (Blank). ~~Dilapidation. An advanced state of~~
23 ~~disrepair or neglect of necessary repairs to the primary~~
24 ~~structural components of buildings or improvements in such~~
25 ~~a combination that a documented building condition~~
26 ~~analysis determines that major repair is required or the~~

1 ~~defects are so serious and so extensive that the buildings~~
2 ~~must be removed.~~

3 (2) Obsolescence. A state of functional, economic, or
4 physical obsolescence of buildings or improvements that a
5 documented analysis determines does not meet or sustain
6 current technological needs such as fiber optic,
7 broadband, Wi-Fi, or other critical utility infrastructure
8 ~~The condition or process of falling into disuse.~~
9 ~~Structures have become ill-suited for the original use.~~

10 (3) Deterioration. At least 25% of structures in the
11 redevelopment project area have major defects in the
12 secondary building components, including but not limited
13 to, ~~With respect to buildings, defects including, but not~~
14 ~~limited to, major defects in the secondary building~~
15 ~~components such as~~ doors, windows, porches, gutters and
16 downspouts, and fascia. With respect to surface
17 improvements, that the condition of roadways, alleys,
18 curbs, gutters, sidewalks, off-street parking, and surface
19 storage areas evidence deterioration, including, but not
20 limited to, surface cracking, crumbling, potholes,
21 depressions, loose paving material, and weeds protruding
22 through paved surfaces.

23 (4) (Blank). ~~Presence of structures below minimum code~~
24 ~~standards. All structures that do not meet the standards~~
25 ~~of zoning, subdivision, building, fire, and other~~
26 ~~governmental codes applicable to property, but not~~

1 ~~including housing and property maintenance codes.~~

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

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

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

23 (8) Inadequate utilities. Underground and overhead
24 utilities such as storm sewers and storm drainage,
25 sanitary sewers, water lines, and gas, telephone, and
26 electrical services that are shown to be inadequate.

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

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

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

1 ~~considered to be noxious, offensive, or unsuitable for the~~
2 ~~surrounding area.~~

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

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

26 (13) The total equalized assessed value of the

1 proposed redevelopment project area has declined for 3 of
2 the last 5 calendar years for which information is
3 available or is increasing at an annual rate that is at
4 least 25% less than the balance of the municipality for 3
5 of the last 5 calendar years for which information is
6 available or is increasing at an annual rate that is less
7 than the Consumer Price Index for All Urban Consumers
8 published by the United States Department of Labor or
9 successor agency for 3 of the last 5 calendar years for
10 which information is available.

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

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

1 municipality by ordinance designates the redevelopment project
2 area, and which area includes both vacant land suitable for
3 use as an industrial park and a blighted area or conservation
4 area contiguous to such vacant land.

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

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

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

1 Service Occupation Tax Act by retailers and servicemen on
2 transactions at places located in a State Sales Tax Boundary
3 during the calendar year 1985.

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

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

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

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

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

1 before January 1, 1986, and the municipality entered into a
2 contract or issued bonds after January 1, 1986, but before
3 December 31, 1986, to finance redevelopment project costs
4 within a State Sales Tax Boundary, then the Net State Sales Tax
5 Increment means, for the fiscal years beginning July 1, 1990,
6 and July 1, 1991, 100% of the State Sales Tax Increment
7 annually generated within a State Sales Tax Boundary; and
8 notwithstanding any other provision of this Act, for those
9 fiscal years the Department of Revenue shall distribute to
10 those municipalities 100% of their Net State Sales Tax
11 Increment before any distribution to any other municipality
12 and regardless of whether or not those other municipalities
13 will receive 100% of their Net State Sales Tax Increment. For
14 Fiscal Year 1999, and every year thereafter until the year
15 2007, for any municipality that has not entered into a
16 contract or has not issued bonds prior to June 1, 1988 to
17 finance redevelopment project costs within a State Sales Tax
18 Boundary, the Net State Sales Tax Increment shall be
19 calculated as follows: By multiplying the Net State Sales Tax
20 Increment by 90% in the State Fiscal Year 1999; 80% in the
21 State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60%
22 in the State Fiscal Year 2002; 50% in the State Fiscal Year
23 2003; 40% in the State Fiscal Year 2004; 30% in the State
24 Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in
25 the State Fiscal Year 2007. No payment shall be made for State
26 Fiscal Year 2008 and thereafter.

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

1 Increment.

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

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

1 calculated as follows: By multiplying the Net State Utility
2 Tax Increment by 90% in the State Fiscal Year 1999; 80% in the
3 State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60%
4 in the State Fiscal Year 2002; 50% in the State Fiscal Year
5 2003; 40% in the State Fiscal Year 2004; 30% in the State
6 Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in
7 the State Fiscal Year 2007. No payment shall be made for the
8 State Fiscal Year 2008 and thereafter.

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

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

26 (m) "Payment in lieu of taxes" means those estimated tax

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

12 (n) "Redevelopment plan" means the comprehensive program
13 of the municipality for development or redevelopment intended
14 by the payment of redevelopment project costs to reduce or
15 eliminate those conditions the existence of which qualified
16 the redevelopment project area as a "blighted area" or
17 "conservation area" or combination thereof or "industrial park
18 conservation area," and thereby to enhance the tax bases of
19 the taxing districts which extend into the redevelopment
20 project area, provided that, with respect to redevelopment
21 project areas described in subsections (p-1) and (p-2),
22 "redevelopment plan" means the comprehensive program of the
23 affected municipality for the development of qualifying
24 transit facilities. On and after November 1, 1999 (the
25 effective date of Public Act 91-478), no redevelopment plan
26 may be approved or amended that includes the development of

1 vacant land (i) with a golf course and related clubhouse and
2 other facilities or (ii) designated by federal, State, county,
3 or municipal government as public land for outdoor
4 recreational activities or for nature preserves and used for
5 that purpose within 5 years prior to the adoption of the
6 redevelopment plan. For the purpose of this subsection,
7 "recreational activities" is limited to mean camping and
8 hunting. Each redevelopment plan shall set forth in writing
9 the program to be undertaken to accomplish the objectives and
10 shall include but not be limited to:

11 (A) an itemized list of estimated redevelopment
12 project costs;

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

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

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

26 (E) the nature and term of the obligations to be

1 issued;

2 (F) the most recent equalized assessed valuation of
3 the redevelopment project area;

4 (G) an estimate as to the equalized assessed valuation
5 after redevelopment and the general land uses to apply in
6 the redevelopment project area;

7 (H) a commitment to fair employment practices and an
8 affirmative action plan;

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

16 (J) if property is to be annexed to the municipality,
17 the plan shall include the terms of the annexation
18 agreement.

19 The provisions of items (B) and (C) of this subsection (n)
20 shall not apply to a municipality that before March 14, 1994
21 (the effective date of Public Act 88-537) had fixed, either by
22 its corporate authorities or by a commission designated under
23 subsection (k) of Section 11-74.4-4, a time and place for a
24 public hearing as required by subsection (a) of Section
25 11-74.4-5. No redevelopment plan shall be adopted unless a
26 municipality complies with all of the following requirements:

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

10 (1.5) The municipality receives written support for
11 the redevelopment plan from each member of the joint
12 review board. No submitted response from a member of the
13 joint review board, or a response providing no indication
14 of either support or objection, is considered an
15 indication of support. Written response from each member
16 of the joint review board must be sent to the municipality
17 within 60 days of notification.

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

1 that have been approved by the planning commission of the
2 municipality.

3 (2.5) The redevelopment plan establishes a process for
4 allocating funds from the special tax allocation fund for
5 redevelopment project costs that shall include the members
6 of the joint review board.

7 (3) The redevelopment plan establishes the estimated
8 dates of completion of the redevelopment project and
9 retirement of obligations issued to finance redevelopment
10 project costs. Those dates may not be later than the dates
11 set forth under Section 11-74.4-3.5.

12 A municipality may by municipal ordinance amend an
13 existing redevelopment plan to conform to this paragraph
14 (3) as amended by Public Act 91-478, which municipal
15 ordinance may be adopted without further hearing or notice
16 and without complying with the procedures provided in this
17 Act pertaining to an amendment to or the initial approval
18 of a redevelopment plan and project and designation of a
19 redevelopment project area.

20 (3.5) The municipality finds, in the case of an
21 industrial park conservation area, also that the
22 municipality is a labor surplus municipality and that the
23 implementation of the redevelopment plan will reduce
24 unemployment, create new jobs and by the provision of new
25 facilities enhance the tax base of the taxing districts
26 that extend into the redevelopment project area.

1 (4) If any incremental revenues are being utilized
2 under paragraph (1) or (2) of Section 11-74.4-8a ~~8(a)(1)~~
3 ~~or 8(a)(2)~~ of this Act in redevelopment project areas
4 approved by ordinance after January 1, 1986, the
5 municipality finds: (a) that the redevelopment project
6 area would not reasonably be developed without the use of
7 such incremental revenues, and (b) that such incremental
8 revenues will be exclusively utilized for the development
9 of the redevelopment project area.

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

1 separate feasibility report required by subsection (a) of
2 Section 11-74.4-5, a housing impact study.

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

16 Part II of the housing impact study shall identify the
17 inhabited residential units in the proposed redevelopment
18 project area that are to be or may be removed. If inhabited
19 residential units are to be removed, then the housing
20 impact study shall identify (i) the number and location of
21 those units that will or may be removed, (ii) the
22 municipality's plans for relocation assistance for those
23 residents in the proposed redevelopment project area whose
24 residences are to be removed, (iii) the availability of
25 replacement housing for those residents whose residences
26 are to be removed, and shall identify the type, location,

1 and cost of the housing, and (iv) the type and extent of
2 relocation assistance to be provided.

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

6 (7) On and after November 1, 1999, no redevelopment
7 plan shall be adopted, nor an existing plan amended, nor
8 shall residential housing that is occupied by households
9 of low-income and very low-income persons in currently
10 existing redevelopment project areas be removed after
11 November 1, 1999 unless the redevelopment plan provides,
12 with respect to inhabited housing units that are to be
13 removed for households of low-income and very low-income
14 persons, affordable housing and relocation assistance not
15 less than that which would be provided under the federal
16 Uniform Relocation Assistance and Real Property
17 Acquisition Policies Act of 1970 and the regulations under
18 that Act, including the eligibility criteria. Affordable
19 housing may be either existing or newly constructed
20 housing. For purposes of this paragraph (7), "low-income
21 households", "very low-income households", and "affordable
22 housing" have the meanings set forth in the Illinois
23 Affordable Housing Act. The municipality shall make a good
24 faith effort to ensure that this affordable housing is
25 located in or near the redevelopment project area within
26 the municipality.

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

8 (9) For redevelopment project areas designated prior
9 to November 1, 1999, the redevelopment plan may be amended
10 without further joint review board meeting or hearing,
11 provided that the municipality shall give notice of any
12 such changes by mail to each affected taxing district and
13 registrant on the interested party registry, to authorize
14 the municipality to expend tax increment revenues for
15 redevelopment project costs defined by paragraphs (5) and
16 (7.5), subparagraphs (E) and (F) of paragraph (11), and
17 paragraph (11.5) of subsection (q) of Section 11-74.4-3,
18 so long as the changes do not increase the total estimated
19 redevelopment project costs set out in the redevelopment
20 plan by more than 5% after adjustment for inflation from
21 the date the plan was adopted.

22 (10) For redevelopment project areas designated after
23 the effective date of this amendatory Act of the 102nd
24 General Assembly, the redevelopment plan may only be
25 amended with written support from each member of the joint
26 review board. No submitted response from a member of the

1 joint review board, or a response providing no indication
2 of either support or objection, is considered an
3 indication of support. Written response from each member
4 of the joint review board must be sent to the municipality
5 within 60 days of notification.

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

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

26 (p-1) Notwithstanding any provision of this Act to the

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

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

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

26 (1) Costs of studies, surveys, development of plans,

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

1 by the consultant or advisor;

2 (1.5) After July 1, 1999, annual administrative costs
3 shall not include general overhead or administrative costs
4 of the municipality that would still have been incurred by
5 the municipality if the municipality had not designated a
6 redevelopment project area or approved a redevelopment
7 plan;

8 (1.6) The cost of marketing sites within the
9 redevelopment project area to prospective businesses,
10 developers, and investors;

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

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

1 relating to Green Globes or LEED certified construction
2 elements or construction elements with an equivalent
3 certification;

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

1 maintenance, or repair of transit vehicles and is located
2 in a transit facility improvement area that has been
3 established pursuant to Section 11-74.4-3.3;

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

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

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

22 (7.5) For redevelopment project areas designated (or
23 redevelopment project areas amended to add or increase the
24 number of tax-increment-financing assisted housing units)
25 on or after November 1, 1999, an elementary, secondary, or
26 unit school district's increased costs attributable to

1 assisted housing units located within the redevelopment
2 project area for which the developer or redeveloper
3 receives financial assistance through an agreement with
4 the municipality or because the municipality incurs the
5 cost of necessary infrastructure improvements within the
6 boundaries of the assisted housing sites necessary for the
7 completion of that housing as authorized by this Act, and
8 which costs shall be paid by the municipality from the
9 Special Tax Allocation Fund when the tax increment revenue
10 is received as a result of the assisted housing units and
11 shall be calculated annually as follows:

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

1 any increase in general State aid as defined in
2 Section 18-8.05 of the School Code or evidence-based
3 funding as defined in Section 18-8.15 of the School
4 Code attributable to these added new students subject
5 to the following annual limitations:

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

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

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

24 (B) For alternate method districts, flat grant
25 districts, and foundation districts with a district
26 average 1995-96 Per Capita Tuition Charge equal to or

1 more than \$5,900, excluding any school district with a
2 population in excess of 1,000,000, by multiplying the
3 district's increase in attendance resulting from the
4 net increase in new students enrolled in that school
5 district who reside in housing units within the
6 redevelopment project area that have received
7 financial assistance through an agreement with the
8 municipality or because the municipality incurs the
9 cost of necessary infrastructure improvements within
10 the boundaries of the housing sites necessary for the
11 completion of that housing as authorized by this Act
12 since the designation of the redevelopment project
13 area by the most recently available per capita tuition
14 cost as defined in Section 10-20.12a of the School
15 Code less any increase in general state aid as defined
16 in Section 18-8.05 of the School Code or
17 evidence-based funding as defined in Section 18-8.15
18 of the School Code attributable to these added new
19 students subject to the following annual limitations:

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

25 (ii) for elementary school districts, no more
26 than 27% of the total amount of property tax

1 increment revenue produced by those housing units
2 that have received tax increment finance
3 assistance under this Act; and

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

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

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

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

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

26 Any school district seeking payment under this

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

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

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

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

1 library in the previous fiscal year. The municipality may
2 deduct from the amount that it must pay to a library
3 district under this paragraph any amount that it has
4 voluntarily paid to the library district from the tax
5 increment revenue. The amount paid to a library district
6 under this paragraph (7.7) shall be no more than 2% of the
7 amount produced by the assisted housing units and
8 deposited into the Special Tax Allocation Fund.

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

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

1 right to directly or indirectly set aside, modify, or
2 contest in any manner whatsoever the establishment of the
3 redevelopment project area or projects;

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

9 (9) Payment in lieu of taxes;

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

1 be available, itemized costs of the program and sources of
2 funds to pay for the same, and the term of the agreement.
3 Such costs include, specifically, the payment by community
4 college districts of costs pursuant to Sections 3-37,
5 3-38, 3-40 and 3-40.1 of the Public Community College Act
6 and by school districts of costs pursuant to Sections
7 10-22.20a and 10-23.3a of the School Code;

8 (11) Interest cost incurred by a redeveloper related
9 to the construction, renovation or rehabilitation of a
10 redevelopment project provided that:

11 (A) such costs are to be paid directly from the
12 special tax allocation fund established pursuant to
13 this Act;

14 (B) such payments in any one year may not exceed
15 30% of the annual interest costs incurred by the
16 redeveloper with regard to the redevelopment project
17 during that year;

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

23 (D) the total of such interest payments paid
24 pursuant to this Act may not exceed 30% of the total
25 (i) cost paid or incurred by the redeveloper for the
26 redevelopment project plus (ii) redevelopment project

1 costs excluding any property assembly costs and any
2 relocation costs incurred by a municipality pursuant
3 to this Act;

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

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

1 construction of that housing.

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

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

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

1 county, or regional median income are determined from time
2 to time by the United States Department of Housing and
3 Urban Development.

4 (12) Costs relating to the development of urban
5 agricultural areas under Division 15.2 of the Illinois
6 Municipal Code.

7 Unless explicitly stated herein the cost of construction
8 of new privately-owned buildings shall not be an eligible
9 redevelopment project cost.

10 After November 1, 1999 (the effective date of Public Act
11 91-478), none of the redevelopment project costs enumerated in
12 this subsection shall be eligible redevelopment project costs
13 if those costs would provide direct financial support to a
14 retail entity initiating operations in the redevelopment
15 project area while terminating operations at another Illinois
16 location within 10 miles of the redevelopment project area but
17 outside the boundaries of the redevelopment project area
18 municipality. For purposes of this paragraph, termination
19 means a closing of a retail operation that is directly related
20 to the opening of the same operation or like retail entity
21 owned or operated by more than 50% of the original ownership in
22 a redevelopment project area, but it does not mean closing an
23 operation for reasons beyond the control of the retail entity,
24 as documented by the retail entity, subject to a reasonable
25 finding by the municipality that the current location
26 contained inadequate space, had become economically obsolete,

1 or was no longer a viable location for the retailer or
2 serviceman.

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

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

24 (q-1) For redevelopment project areas created pursuant to
25 subsection (p-1), redevelopment project costs are limited to
26 those costs in paragraph (q) that are related to the existing

1 or proposed Regional Transportation Authority Suburban Transit
2 Access Route (STAR Line) station.

3 (q-2) For a transit facility improvement area established
4 prior to, on, or after the effective date of this amendatory
5 Act of the 102nd General Assembly: (i) "redevelopment project
6 costs" means those costs described in subsection (q) that are
7 related to the construction, reconstruction, rehabilitation,
8 remodeling, or repair of any existing or proposed transit
9 facility, whether that facility is located within or outside
10 the boundaries of a redevelopment project area established
11 within that transit facility improvement area (and, to the
12 extent a redevelopment project cost is described in subsection
13 (q) as incurred or estimated to be incurred with respect to a
14 redevelopment project area, then it shall apply with respect
15 to such transit facility improvement area); and (ii) the
16 provisions of Section 11-74.4-8 regarding tax increment
17 allocation financing for a redevelopment project area located
18 in a transit facility improvement area shall apply only to the
19 lots, blocks, tracts and parcels of real property that are
20 located within the boundaries of that redevelopment project
21 area and not to the lots, blocks, tracts, and parcels of real
22 property that are located outside the boundaries of that
23 redevelopment project area.

24 (r) "State Sales Tax Boundary" means the redevelopment
25 project area or the amended redevelopment project area
26 boundaries which are determined pursuant to subsection (9) of

1 Section 11-74.4-8a of this Act. The Department of Revenue
2 shall certify pursuant to subsection (9) of Section 11-74.4-8a
3 the appropriate boundaries eligible for the determination of
4 State Sales Tax Increment.

5 (s) "State Sales Tax Increment" means an amount equal to
6 the increase in the aggregate amount of taxes paid by
7 retailers and servicemen, other than retailers and servicemen
8 subject to the Public Utilities Act, on transactions at places
9 of business located within a State Sales Tax Boundary pursuant
10 to the Retailers' Occupation Tax Act, the Use Tax Act, the
11 Service Use Tax Act, and the Service Occupation Tax Act,
12 except such portion of such increase that is paid into the
13 State and Local Sales Tax Reform Fund, the Local Government
14 Distributive Fund, the Local Government Tax Fund and the
15 County and Mass Transit District Fund, for as long as State
16 participation exists, over and above the Initial Sales Tax
17 Amounts, Adjusted Initial Sales Tax Amounts or the Revised
18 Initial Sales Tax Amounts for such taxes as certified by the
19 Department of Revenue and paid under those Acts by retailers
20 and servicemen on transactions at places of business located
21 within the State Sales Tax Boundary during the base year which
22 shall be the calendar year immediately prior to the year in
23 which the municipality adopted tax increment allocation
24 financing, less 3.0% of such amounts generated under the
25 Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax
26 Act and the Service Occupation Tax Act, which sum shall be

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

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

17 (t) "Taxing districts" means counties, townships, cities
18 and incorporated towns and villages, school, road, park,
19 sanitary, mosquito abatement, forest preserve, public health,
20 fire protection, river conservancy, tuberculosis sanitarium
21 and any other municipal corporations or districts with the
22 power to levy taxes.

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

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

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

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

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

16 (Source: P.A. 102-627, eff. 8-27-21.)

17 (65 ILCS 5/11-74.4-3.5)

18 Sec. 11-74.4-3.5. Completion dates for redevelopment
19 projects.

20 (a) Unless otherwise stated in this Section, the estimated
21 dates of completion of the redevelopment project and
22 retirement of obligations issued to finance redevelopment
23 project costs (including refunding bonds under Section
24 11-74.4-7) may not be later than December 31 of the year in
25 which the payment to the municipal treasurer, as provided in

1 subsection (b) of Section 11-74.4-8 of this Act, is to be made
2 with respect to ad valorem taxes levied in the 23rd calendar
3 year after the year in which the ordinance approving the
4 redevelopment project area was adopted if the ordinance was
5 adopted on or after January 15, 1981.

6 (a-5) If the redevelopment project area is located within
7 a transit facility improvement area established pursuant to
8 Section 11-74.4-3, the estimated dates of completion of the
9 redevelopment project and retirement of obligations issued to
10 finance redevelopment project costs (including refunding bonds
11 under Section 11-74.4-7) may not be later than December 31 of
12 the year in which the payment to the municipal treasurer, as
13 provided in subsection (b) of Section 11-74.4-8 of this Act,
14 is to be made with respect to ad valorem taxes levied in the
15 35th calendar year after the year in which the ordinance
16 approving the redevelopment project area was adopted.

17 (a-7) A municipality may adopt tax increment financing for
18 a redevelopment project area located in a transit facility
19 improvement area that also includes real property located
20 within an existing redevelopment project area established
21 prior to August 12, 2016 (the effective date of Public Act
22 99-792). In such case: (i) the provisions of this Division
23 shall apply with respect to the previously established
24 redevelopment project area until the municipality adopts, as
25 required in accordance with applicable provisions of this
26 Division, an ordinance dissolving the special tax allocation

1 fund for such redevelopment project area and terminating the
2 designation of such redevelopment project area as a
3 redevelopment project area; and (ii) after the effective date
4 of the ordinance described in (i), the provisions of this
5 Division shall apply with respect to the subsequently
6 established redevelopment project area located in a transit
7 facility improvement area.

8 (b) The estimated dates of completion of the redevelopment
9 project and retirement of obligations issued to finance
10 redevelopment project costs (including refunding bonds under
11 Section 11-74.4-7) may not be later than December 31 of the
12 year in which the payment to the municipal treasurer as
13 provided in subsection (b) of Section 11-74.4-8 of this Act is
14 to be made with respect to ad valorem taxes levied in the 32nd
15 calendar year after the year in which the ordinance approving
16 the redevelopment project area was adopted if the ordinance
17 was adopted on September 9, 1999 by the Village of Downs.

18 The estimated dates of completion of the redevelopment
19 project and retirement of obligations issued to finance
20 redevelopment project costs (including refunding bonds under
21 Section 11-74.4-7) may not be later than December 31 of the
22 year in which the payment to the municipal treasurer as
23 provided in subsection (b) of Section 11-74.4-8 of this Act is
24 to be made with respect to ad valorem taxes levied in the 33rd
25 calendar year after the year in which the ordinance approving
26 the redevelopment project area was adopted if the ordinance

1 was adopted on May 20, 1985 by the Village of Wheeling.

2 The estimated dates of completion of the redevelopment
3 project and retirement of obligations issued to finance
4 redevelopment project costs (including refunding bonds under
5 Section 11-74.4-7) may not be later than December 31 of the
6 year in which the payment to the municipal treasurer as
7 provided in subsection (b) of Section 11-74.4-8 of this Act is
8 to be made with respect to ad valorem taxes levied in the 28th
9 calendar year after the year in which the ordinance approving
10 the redevelopment project area was adopted if the ordinance
11 was adopted on October 12, 1989 by the City of Lawrenceville.

12 (c) The estimated dates of completion of the redevelopment
13 project and retirement of obligations issued to finance
14 redevelopment project costs (including refunding bonds under
15 Section 11-74.4-7) may not be later than December 31 of the
16 year in which the payment to the municipal treasurer as
17 provided in subsection (b) of Section 11-74.4-8 of this Act is
18 to be made with respect to ad valorem taxes levied in the 35th
19 calendar year after the year in which the ordinance approving
20 the redevelopment project area was adopted:

21 (1) If the ordinance was adopted before January 15,
22 1981.

23 (2) If the ordinance was adopted in December 1983,
24 April 1984, July 1985, or December 1989.

25 (3) If the ordinance was adopted in December 1987 and
26 the redevelopment project is located within one mile of

1 Midway Airport.

2 (4) If the ordinance was adopted before January 1,
3 1987 by a municipality in Mason County.

4 (5) If the municipality is subject to the Local
5 Government Financial Planning and Supervision Act or the
6 Financially Distressed City Law.

7 (6) If the ordinance was adopted in December 1984 by
8 the Village of Rosemont.

9 (7) If the ordinance was adopted on December 31, 1986
10 by a municipality located in Clinton County for which at
11 least \$250,000 of tax increment bonds were authorized on
12 June 17, 1997, or if the ordinance was adopted on December
13 31, 1986 by a municipality with a population in 1990 of
14 less than 3,600 that is located in a county with a
15 population in 1990 of less than 34,000 and for which at
16 least \$250,000 of tax increment bonds were authorized on
17 June 17, 1997.

18 (8) If the ordinance was adopted on October 5, 1982 by
19 the City of Kankakee, or if the ordinance was adopted on
20 December 29, 1986 by East St. Louis.

21 (9) If the ordinance was adopted on November 12, 1991
22 by the Village of Sauget.

23 (10) If the ordinance was adopted on February 11, 1985
24 by the City of Rock Island.

25 (11) If the ordinance was adopted before December 18,
26 1986 by the City of Moline.

1 (12) If the ordinance was adopted in September 1988 by
2 Sauk Village.

3 (13) If the ordinance was adopted in October 1993 by
4 Sauk Village.

5 (14) If the ordinance was adopted on December 29, 1986
6 by the City of Galva.

7 (15) If the ordinance was adopted in March 1991 by the
8 City of Centreville.

9 (16) If the ordinance was adopted on January 23, 1991
10 by the City of East St. Louis.

11 (17) If the ordinance was adopted on December 22, 1986
12 by the City of Aledo.

13 (18) If the ordinance was adopted on February 5, 1990
14 by the City of Clinton.

15 (19) If the ordinance was adopted on September 6, 1994
16 by the City of Freeport.

17 (20) If the ordinance was adopted on December 22, 1986
18 by the City of Tuscola.

19 (21) If the ordinance was adopted on December 23, 1986
20 by the City of Sparta.

21 (22) If the ordinance was adopted on December 23, 1986
22 by the City of Beardstown.

23 (23) If the ordinance was adopted on April 27, 1981,
24 October 21, 1985, or December 30, 1986 by the City of
25 Belleville.

26 (24) If the ordinance was adopted on December 29, 1986

1 by the City of Collinsville.

2 (25) If the ordinance was adopted on September 14,
3 1994 by the City of Alton.

4 (26) If the ordinance was adopted on November 11, 1996
5 by the City of Lexington.

6 (27) If the ordinance was adopted on November 5, 1984
7 by the City of LeRoy.

8 (28) If the ordinance was adopted on April 3, 1991 or
9 June 3, 1992 by the City of Markham.

10 (29) If the ordinance was adopted on November 11, 1986
11 by the City of Pekin.

12 (30) If the ordinance was adopted on December 15, 1981
13 by the City of Champaign.

14 (31) If the ordinance was adopted on December 15, 1986
15 by the City of Urbana.

16 (32) If the ordinance was adopted on December 15, 1986
17 by the Village of Heyworth.

18 (33) If the ordinance was adopted on February 24, 1992
19 by the Village of Heyworth.

20 (34) If the ordinance was adopted on March 16, 1995 by
21 the Village of Heyworth.

22 (35) If the ordinance was adopted on December 23, 1986
23 by the Town of Cicero.

24 (36) If the ordinance was adopted on December 30, 1986
25 by the City of Effingham.

26 (37) If the ordinance was adopted on May 9, 1991 by the

1 Village of Tilton.

2 (38) If the ordinance was adopted on October 20, 1986
3 by the City of Elmhurst.

4 (39) If the ordinance was adopted on January 19, 1988
5 by the City of Waukegan.

6 (40) If the ordinance was adopted on September 21,
7 1998 by the City of Waukegan.

8 (41) If the ordinance was adopted on December 31, 1986
9 by the City of Sullivan.

10 (42) If the ordinance was adopted on December 23, 1991
11 by the City of Sullivan.

12 (43) If the ordinance was adopted on December 31, 1986
13 by the City of Oglesby.

14 (44) If the ordinance was adopted on July 28, 1987 by
15 the City of Marion.

16 (45) If the ordinance was adopted on April 23, 1990 by
17 the City of Marion.

18 (46) If the ordinance was adopted on August 20, 1985
19 by the Village of Mount Prospect.

20 (47) If the ordinance was adopted on February 2, 1998
21 by the Village of Woodhull.

22 (48) If the ordinance was adopted on April 20, 1993 by
23 the Village of Princeville.

24 (49) If the ordinance was adopted on July 1, 1986 by
25 the City of Granite City.

26 (50) If the ordinance was adopted on February 2, 1989

1 by the Village of Lombard.

2 (51) If the ordinance was adopted on December 29, 1986
3 by the Village of Gardner.

4 (52) If the ordinance was adopted on July 14, 1999 by
5 the Village of Paw Paw.

6 (53) If the ordinance was adopted on November 17, 1986
7 by the Village of Franklin Park.

8 (54) If the ordinance was adopted on November 20, 1989
9 by the Village of South Holland.

10 (55) If the ordinance was adopted on July 14, 1992 by
11 the Village of Riverdale.

12 (56) If the ordinance was adopted on December 29, 1986
13 by the City of Galesburg.

14 (57) If the ordinance was adopted on April 1, 1985 by
15 the City of Galesburg.

16 (58) If the ordinance was adopted on May 21, 1990 by
17 the City of West Chicago.

18 (59) If the ordinance was adopted on December 16, 1986
19 by the City of Oak Forest.

20 (60) If the ordinance was adopted in 1999 by the City
21 of Villa Grove.

22 (61) If the ordinance was adopted on January 13, 1987
23 by the Village of Mt. Zion.

24 (62) If the ordinance was adopted on December 30, 1986
25 by the Village of Manteno.

26 (63) If the ordinance was adopted on April 3, 1989 by

1 the City of Chicago Heights.

2 (64) If the ordinance was adopted on January 6, 1999
3 by the Village of Rosemont.

4 (65) If the ordinance was adopted on December 19, 2000
5 by the Village of Stone Park.

6 (66) If the ordinance was adopted on December 22, 1986
7 by the City of DeKalb.

8 (67) If the ordinance was adopted on December 2, 1986
9 by the City of Aurora.

10 (68) If the ordinance was adopted on December 31, 1986
11 by the Village of Milan.

12 (69) If the ordinance was adopted on September 8, 1994
13 by the City of West Frankfort.

14 (70) If the ordinance was adopted on December 23, 1986
15 by the Village of Libertyville.

16 (71) If the ordinance was adopted on December 22, 1986
17 by the Village of Hoffman Estates.

18 (72) If the ordinance was adopted on September 17,
19 1986 by the Village of Sherman.

20 (73) If the ordinance was adopted on December 16, 1986
21 by the City of Macomb.

22 (74) If the ordinance was adopted on June 11, 2002 by
23 the City of East Peoria to create the West Washington
24 Street TIF.

25 (75) If the ordinance was adopted on June 11, 2002 by
26 the City of East Peoria to create the Camp Street TIF.

1 (76) If the ordinance was adopted on August 7, 2000 by
2 the City of Des Plaines.

3 (77) If the ordinance was adopted on December 22, 1986
4 by the City of Washington to create the Washington Square
5 TIF #2.

6 (78) If the ordinance was adopted on December 29, 1986
7 by the City of Morris.

8 (79) If the ordinance was adopted on July 6, 1998 by
9 the Village of Steeleville.

10 (80) If the ordinance was adopted on December 29, 1986
11 by the City of Pontiac to create TIF I (the Main St TIF).

12 (81) If the ordinance was adopted on December 29, 1986
13 by the City of Pontiac to create TIF II (the Interstate
14 TIF).

15 (82) If the ordinance was adopted on November 6, 2002
16 by the City of Chicago to create the Madden/Wells TIF
17 District.

18 (83) If the ordinance was adopted on November 4, 1998
19 by the City of Chicago to create the Roosevelt/Racine TIF
20 District.

21 (84) If the ordinance was adopted on June 10, 1998 by
22 the City of Chicago to create the Stony Island
23 Commercial/Burnside Industrial Corridors TIF District.

24 (85) If the ordinance was adopted on November 29, 1989
25 by the City of Chicago to create the Englewood Mall TIF
26 District.

1 (86) If the ordinance was adopted on December 27, 1986
2 by the City of Mendota.

3 (87) If the ordinance was adopted on December 31, 1986
4 by the Village of Cahokia.

5 (88) If the ordinance was adopted on September 20,
6 1999 by the City of Belleville.

7 (89) If the ordinance was adopted on December 30, 1986
8 by the Village of Bellevue to create the Bellevue TIF
9 District 1.

10 (90) If the ordinance was adopted on December 13, 1993
11 by the Village of Crete.

12 (91) If the ordinance was adopted on February 12, 2001
13 by the Village of Crete.

14 (92) If the ordinance was adopted on April 23, 2001 by
15 the Village of Crete.

16 (93) If the ordinance was adopted on December 16, 1986
17 by the City of Champaign.

18 (94) If the ordinance was adopted on December 20, 1986
19 by the City of Charleston.

20 (95) If the ordinance was adopted on June 6, 1989 by
21 the Village of Romeoville.

22 (96) If the ordinance was adopted on October 14, 1993
23 and amended on August 2, 2010 by the City of Venice.

24 (97) If the ordinance was adopted on June 1, 1994 by
25 the City of Markham.

26 (98) If the ordinance was adopted on May 19, 1998 by

1 the Village of Bensenville.

2 (99) If the ordinance was adopted on November 12, 1987
3 by the City of Dixon.

4 (100) If the ordinance was adopted on December 20,
5 1988 by the Village of Lansing.

6 (101) If the ordinance was adopted on October 27, 1998
7 by the City of Moline.

8 (102) If the ordinance was adopted on May 21, 1991 by
9 the Village of Glenwood.

10 (103) If the ordinance was adopted on January 28, 1992
11 by the City of East Peoria.

12 (104) If the ordinance was adopted on December 14,
13 1998 by the City of Carlyle.

14 (105) If the ordinance was adopted on May 17, 2000, as
15 subsequently amended, by the City of Chicago to create the
16 Midwest Redevelopment TIF District.

17 (106) If the ordinance was adopted on September 13,
18 1989 by the City of Chicago to create the Michigan/Cermak
19 Area TIF District.

20 (107) If the ordinance was adopted on March 30, 1992
21 by the Village of Ohio.

22 (108) If the ordinance was adopted on July 6, 1998 by
23 the Village of Orangeville.

24 (109) If the ordinance was adopted on December 16,
25 1997 by the Village of Germantown.

26 (110) If the ordinance was adopted on April 28, 2003

1 by Gibson City.

2 (111) If the ordinance was adopted on December 18,
3 1990 by the Village of Washington Park, but only after the
4 Village of Washington Park becomes compliant with the
5 reporting requirements under subsection (d) of Section
6 11-74.4-5, and after the State Comptroller's certification
7 of such compliance.

8 (112) If the ordinance was adopted on February 28,
9 2000 by the City of Harvey.

10 (113) If the ordinance was adopted on January 11, 1991
11 by the City of Chicago to create the Read/Dunning TIF
12 District.

13 (114) If the ordinance was adopted on July 24, 1991 by
14 the City of Chicago to create the Sanitary and Ship Canal
15 TIF District.

16 (115) If the ordinance was adopted on December 4, 2007
17 by the City of Naperville.

18 (116) If the ordinance was adopted on July 1, 2002 by
19 the Village of Arlington Heights.

20 (117) If the ordinance was adopted on February 11,
21 1991 by the Village of Machesney Park.

22 (118) If the ordinance was adopted on December 29,
23 1993 by the City of Ottawa.

24 (119) If the ordinance was adopted on June 4, 1991 by
25 the Village of Lansing.

26 (120) If the ordinance was adopted on February 10,

1 2004 by the Village of Fox Lake.

2 (121) If the ordinance was adopted on December 22,
3 1992 by the City of Fairfield.

4 (122) If the ordinance was adopted on February 10,
5 1992 by the City of Mt. Sterling.

6 (123) If the ordinance was adopted on March 15, 2004
7 by the City of Batavia.

8 (124) If the ordinance was adopted on March 18, 2002
9 by the Village of Lake Zurich.

10 (125) If the ordinance was adopted on September 23,
11 1997 by the City of Granite City.

12 (126) If the ordinance was adopted on May 8, 2013 by
13 the Village of Rosemont to create the Higgins Road/River
14 Road TIF District No. 6.

15 (127) If the ordinance was adopted on November 22,
16 1993 by the City of Arcola.

17 (128) If the ordinance was adopted on September 7,
18 2004 by the City of Arcola.

19 (129) If the ordinance was adopted on November 29,
20 1999 by the City of Paris.

21 (130) If the ordinance was adopted on September 20,
22 1994 by the City of Ottawa to create the U.S. Route 6 East
23 Ottawa TIF.

24 (131) If the ordinance was adopted on May 2, 2002 by
25 the Village of Crestwood.

26 (132) If the ordinance was adopted on October 27, 1992

1 by the City of Blue Island.

2 (133) If the ordinance was adopted on December 23,
3 1993 by the City of Lacon.

4 (134) If the ordinance was adopted on May 4, 1998 by
5 the Village of Bradford.

6 (135) If the ordinance was adopted on June 11, 2002 by
7 the City of Oak Forest.

8 (136) If the ordinance was adopted on November 16,
9 1992 by the City of Pinckneyville.

10 (137) If the ordinance was adopted on March 1, 2001 by
11 the Village of South Jacksonville.

12 (138) If the ordinance was adopted on February 26,
13 1992 by the City of Chicago to create the Stockyards
14 Southeast Quadrant TIF District.

15 (139) If the ordinance was adopted on January 25, 1993
16 by the City of LaSalle.

17 (140) If the ordinance was adopted on December 23,
18 1997 by the Village of Dieterich.

19 (141) If the ordinance was adopted on February 10,
20 2016 by the Village of Rosemont to create the
21 Balmoral/Pearl TIF No. 8 Tax Increment Financing
22 Redevelopment Project Area.

23 (142) If the ordinance was adopted on June 11, 2002 by
24 the City of Oak Forest.

25 (143) If the ordinance was adopted on January 31, 1995
26 by the Village of Milledgeville.

1 (144) If the ordinance was adopted on February 5, 1996
2 by the Village of Pearl City.

3 (145) If the ordinance was adopted on December 21,
4 1994 by the City of Calumet City.

5 (146) If the ordinance was adopted on May 5, 2003 by
6 the Town of Normal.

7 (147) If the ordinance was adopted on June 2, 1998 by
8 the City of Litchfield.

9 (148) If the ordinance was adopted on October 23, 1995
10 by the City of Marion.

11 (149) If the ordinance was adopted on May 24, 2001 by
12 the Village of Hanover Park.

13 (150) If the ordinance was adopted on May 30, 1995 by
14 the Village of Dalzell.

15 (151) If the ordinance was adopted on April 15, 1997
16 by the City of Edwardsville.

17 (152) If the ordinance was adopted on September 5,
18 1995 by the City of Granite City.

19 (153) If the ordinance was adopted on June 21, 1999 by
20 the Village of Table Grove.

21 (154) If the ordinance was adopted on February 23,
22 1995 by the City of Springfield.

23 (155) If the ordinance was adopted on August 11, 1999
24 by the City of Monmouth.

25 (156) If the ordinance was adopted on December 26,
26 1995 by the Village of Posen.

1 (157) If the ordinance was adopted on July 1, 1995 by
2 the Village of Caseyville.

3 (158) If the ordinance was adopted on January 30, 1996
4 by the City of Madison.

5 (159) If the ordinance was adopted on February 2, 1996
6 by the Village of Hartford.

7 (160) If the ordinance was adopted on July 2, 1996 by
8 the Village of Manlius.

9 (161) If the ordinance was adopted on March 21, 2000
10 by the City of Hoopeston.

11 (162) If the ordinance was adopted on March 22, 2005
12 by the City of Hoopeston.

13 (163) If the ordinance was adopted on July 10, 1996 by
14 the City of Chicago to create the Goose Island TIF
15 District.

16 (164) If the ordinance was adopted on December 11,
17 1996 by the City of Chicago to create the Bryn
18 Mawr/Broadway TIF District.

19 (165) If the ordinance was adopted on December 31,
20 1995 by the City of Chicago to create the 95th/Western TIF
21 District.

22 (166) If the ordinance was adopted on October 7, 1998
23 by the City of Chicago to create the 71st and Stony Island
24 TIF District.

25 (167) If the ordinance was adopted on April 19, 1995
26 by the Village of North Utica.

1 (168) If the ordinance was adopted on April 22, 1996
2 by the City of LaSalle.

3 (169) If the ordinance was adopted on June 9, 2008 by
4 the City of Country Club Hills.

5 (170) If the ordinance was adopted on July 3, 1996 by
6 the Village of Phoenix.

7 (171) If the ordinance was adopted on May 19, 1997 by
8 the Village of Swansea.

9 (172) If the ordinance was adopted on August 13, 2001
10 by the Village of Saunemin.

11 (173) If the ordinance was adopted on January 10, 2005
12 by the Village of Romeoville.

13 (174) If the ordinance was adopted on January 28, 1997
14 by the City of Berwyn for the South Berwyn Corridor Tax
15 Increment Financing District.

16 (175) If the ordinance was adopted on January 28, 1997
17 by the City of Berwyn for the Roosevelt Road Tax Increment
18 Financing District.

19 (176) If the ordinance was adopted on May 3, 2001 by
20 the Village of Hanover Park for the Village Center Tax
21 Increment Financing Redevelopment Project Area (TIF # 3).

22 (177) If the ordinance was adopted on January 1, 1996
23 by the City of Savanna.

24 (178) If the ordinance was adopted on January 28, 2002
25 by the Village of Okawville.

26 (179) If the ordinance was adopted on October 4, 1999

1 by the City of Vandalia.

2 (180) If the ordinance was adopted on June 16, 2003 by
3 the City of Rushville.

4 (181) If the ordinance was adopted on December 7, 1998
5 by the City of Quincy for the Central Business District
6 West Tax Increment Redevelopment Project Area.

7 (182) If the ordinance was adopted on March 27, 1997
8 by the Village of Maywood approving the Roosevelt Road TIF
9 District.

10 (183) If the ordinance was adopted on March 27, 1997
11 by the Village of Maywood approving the Madison
12 Street/Fifth Avenue TIF District.

13 (184) If the ordinance was adopted on November 10,
14 1997 by the Village of Park Forest.

15 (185) If the ordinance was adopted on July 30, 1997 by
16 the City of Chicago to create the Near North TIF district.

17 (186) If the ordinance was adopted on December 1, 2000
18 by the Village of Mahomet.

19 (187) If the ordinance was adopted on June 16, 1999 by
20 the Village of Washburn.

21 (188) If the ordinance was adopted on August 19, 1998
22 by the Village of New Berlin.

23 (189) If the ordinance was adopted on February 5, 2002
24 by the City of Highwood.

25 (190) If the ordinance was adopted on June 1, 1997 by
26 the City of Flora.

1 (191) If the ordinance was adopted on August 17, 1999
2 by the City of Ottawa.

3 (192) If the ordinance was adopted on June 13, 2005 by
4 the City of Mount Carroll.

5 (193) If the ordinance was adopted on March 25, 2008
6 by the Village of Elizabeth.

7 (194) If the ordinance was adopted on February 22,
8 2000 by the City of Mount Pulaski.

9 (195) If the ordinance was adopted on November 21,
10 2000 by the City of Effingham.

11 (196) If the ordinance was adopted on January 28, 2003
12 by the City of Effingham.

13 (197) If the ordinance was adopted on February 4, 2008
14 by the City of Polo.

15 (198) If the ordinance was adopted on August 17, 2005
16 by the Village of Bellwood to create the Park Place TIF.

17 (199) If the ordinance was adopted on July 16, 2014 by
18 the Village of Bellwood to create the North-2014 TIF.

19 (200) If the ordinance was adopted on July 16, 2014 by
20 the Village of Bellwood to create the South-2014 TIF.

21 (201) If the ordinance was adopted on July 16, 2014 by
22 the Village of Bellwood to create the Central Metro-2014
23 TIF.

24 (202) If the ordinance was adopted on September 17,
25 2014 by the Village of Bellwood to create the Addison
26 Creek "A" (Southwest)-2014 TIF.

1 (203) If the ordinance was adopted on September 17,
2 2014 by the Village of Bellwood to create the Addison
3 Creek "B" (Northwest)-2014 TIF.

4 (204) If the ordinance was adopted on September 17,
5 2014 by the Village of Bellwood to create the Addison
6 Creek "C" (Northeast)-2014 TIF.

7 (205) If the ordinance was adopted on September 17,
8 2014 by the Village of Bellwood to create the Addison
9 Creek "D" (Southeast)-2014 TIF.

10 (206) If the ordinance was adopted on June 26, 2007 by
11 the City of Peoria.

12 (207) If the ordinance was adopted on October 28, 2008
13 by the City of Peoria.

14 (208) If the ordinance was adopted on April 4, 2000 by
15 the City of Joliet to create the Joliet City Center TIF
16 District.

17 (209) If the ordinance was adopted on July 8, 1998 by
18 the City of Chicago to create the 43rd/Cottage Grove TIF
19 district.

20 (210) If the ordinance was adopted on July 8, 1998 by
21 the City of Chicago to create the 79th Street Corridor TIF
22 district.

23 (211) If the ordinance was adopted on November 4, 1998
24 by the City of Chicago to create the Bronzeville TIF
25 district.

26 (212) If the ordinance was adopted on February 5, 1998

1 by the City of Chicago to create the Homan/Arthington TIF
2 district.

3 (213) If the ordinance was adopted on December 8, 1998
4 by the Village of Plainfield.

5 (214) If the ordinance was adopted on July 17, 2000 by
6 the Village of Homer.

7 (215) If the ordinance was adopted on December 27,
8 2006 by the City of Greenville.

9 (216) If the ordinance was adopted on June 10, 1998 by
10 the City of Chicago to create the Kinzie Industrial TIF
11 district.

12 (217) If the ordinance was adopted on December 2, 1998
13 by the City of Chicago to create the Northwest Industrial
14 TIF district.

15 (218) If the ordinance was adopted on June 10, 1998 by
16 the City of Chicago to create the Pilsen Industrial TIF
17 district.

18 (219) If the ordinance was adopted on January 14, 1997
19 by the City of Chicago to create the 35th/Halsted TIF
20 district.

21 (220) If the ordinance was adopted on June 9, 1999 by
22 the City of Chicago to create the Pulaski Corridor TIF
23 district.

24 (221) If the ordinance was adopted on December 16,
25 1997 by the City of Springfield to create the Enos Park
26 Neighborhood TIF District.

1 On or after the effective date of this amendatory Act of
2 the 102nd General Assembly, before the completion date may be
3 extended under this subsection to the 35th calendar year after
4 the year in which the ordinance approving the redevelopment
5 project area was adopted, the joint review board created under
6 subsection (b) of Section 11-74.4-5 shall convene and issue a
7 written report describing its decision whether or not to
8 extend the completion date of the redevelopment project area.
9 Each member of the joint review board must agree, with written
10 support, to the extension and length of the extension of the
11 completion date of the redevelopment project area. If the
12 joint review board does not file a report, it shall be presumed
13 that the taxing bodies approve the extension of the life of the
14 redevelopment project area. If both the municipality and the
15 joint review board elect to extend the completion date under
16 this subsection, the municipality shall give at least 30 days'
17 written notice to the taxing bodies before the adoption of the
18 ordinance approving the extension of the completion date. The
19 joint review board shall issue this report within 90 days
20 after receiving written notification of the municipality's
21 intent to extend the completion date of the redevelopment
22 project area. A member of the joint review board may not
23 unreasonably withhold support. If a taxing body believes
24 another taxing body is unreasonably withholding support, the
25 taxing body may send a written objection to the Department of
26 Revenue and the Department of Revenue shall decide whether the

1 taxing body withholding support is doing so unreasonably based
2 on the criteria set forth in Section 11-74.4-3. The Department
3 of Revenue shall provide the municipality written notice of
4 its decision as to whether the taxing body is unreasonably
5 withholding support within 90 days of receipt of the written
6 objection by the taxing body. If the Department of Revenue has
7 determined a taxing body unreasonably withheld support, then
8 the municipality shall not need the written support of that
9 taxing body to proceed under this subsection.

10 (d) For redevelopment project areas for which bonds were
11 issued before July 29, 1991, or for which contracts were
12 entered into before June 1, 1988, in connection with a
13 redevelopment project in the area within the State Sales Tax
14 Boundary, the estimated dates of completion of the
15 redevelopment project and retirement of obligations to finance
16 redevelopment project costs (including refunding bonds under
17 Section 11-74.4-7) may be extended by municipal ordinance to
18 December 31, 2013. The termination procedures of subsection
19 (b) of Section 11-74.4-8 are not required for these
20 redevelopment project areas in 2009 but are required in 2013.
21 The extension allowed by Public Act 87-1272 shall not apply to
22 real property tax increment allocation financing under Section
23 11-74.4-8.

24 (e) Those dates, for purposes of real property tax
25 increment allocation financing pursuant to Section 11-74.4-8
26 only, shall be not more than 35 years for redevelopment

1 project areas that were adopted on or after December 16, 1986
2 and for which at least \$8 million worth of municipal bonds were
3 authorized on or after December 19, 1989 but before January 1,
4 1990; provided that the municipality elects to extend the life
5 of the redevelopment project area to 35 years by the adoption
6 of an ordinance after at least 14 but not more than 30 days'
7 written notice to the taxing bodies, that would otherwise
8 constitute the joint review board for the redevelopment
9 project area, before the adoption of the ordinance.

10 (f) Those dates, for purposes of real property tax
11 increment allocation financing pursuant to Section 11-74.4-8
12 only, shall be not more than 35 years for redevelopment
13 project areas that were established on or after December 1,
14 1981 but before January 1, 1982 and for which at least
15 \$1,500,000 worth of tax increment revenue bonds were
16 authorized on or after September 30, 1990 but before July 1,
17 1991; provided that the municipality elects to extend the life
18 of the redevelopment project area to 35 years by the adoption
19 of an ordinance after at least 14 but not more than 30 days'
20 written notice to the taxing bodies, that would otherwise
21 constitute the joint review board for the redevelopment
22 project area, before the adoption of the ordinance.

23 (f-1) (Blank).

24 (f-2) (Blank).

25 (f-3) (Blank).

26 (f-5) Those dates, for purposes of real property tax

1 increment allocation financing pursuant to Section 11-74.4-8
2 only, shall be not more than 47 years for redevelopment
3 project areas listed in this subsection; provided that (i) the
4 municipality adopts an ordinance extending the life of the
5 redevelopment project area to 47 years and (ii) the
6 municipality provides notice to the taxing bodies that would
7 otherwise constitute the joint review board for the
8 redevelopment project area not more than 30 and not less than
9 14 days prior to the adoption of that ordinance:

10 (1) If the redevelopment project area was established
11 on December 29, 1981 by the City of Springfield.

12 (2) If the redevelopment project area was established
13 on December 29, 1986 by the City of Morris and that is
14 known as the Morris TIF District 1.

15 (3) If the redevelopment project area was established
16 on December 31, 1986 by the Village of Cahokia.

17 (4) If the redevelopment project area was established
18 on December 20, 1986 by the City of Charleston.

19 (5) If the redevelopment project area was established
20 on December 23, 1986 by the City of Beardstown.

21 (6) If the redevelopment project area was established
22 on December 23, 1986 by the Town of Cicero.

23 (7) If the redevelopment project area was established
24 on December 29, 1986 by the City of East St. Louis.

25 (8) If the redevelopment project area was established
26 on January 23, 1991 by the City of East St. Louis.

1 (9) If the redevelopment project area was established
2 on December 29, 1986 by the Village of Gardner.

3 (10) If the redevelopment project area was established
4 on June 11, 2002 by the City of East Peoria to create the
5 West Washington Street TIF.

6 (11) If the redevelopment project area was established
7 on December 22, 1986 by the City of Washington creating
8 the Washington Square TIF #2.

9 (12) If the redevelopment project area was established
10 on November 11, 1986 by the City of Pekin.

11 (13) If the redevelopment project area was established
12 on December 30, 1986 by the City of Belleville.

13 On or after the effective date of this amendatory Act of
14 the 102nd General Assembly, before the completion date may be
15 extended under this subsection to the 47th calendar year after
16 the year in which the ordinance approving the redevelopment
17 project area was adopted, the joint review board created under
18 subsection (b) of Section 11-74.4-5 shall convene and issue a
19 written report describing its decision whether or not to
20 extend the completion date of the redevelopment project area.
21 Each member of the joint review board must agree, with written
22 support, to the extension and length of the extension of the
23 completion date of the redevelopment project area. If the
24 joint review board does not file a report, it shall be presumed
25 that the taxing bodies approve the extension of the life of the
26 redevelopment project area. If both the municipality and the

1 joint review board elect to extend the completion date under
2 this subsection, the municipality shall give at least 30 days'
3 written notice to the taxing bodies before the adoption of the
4 ordinance approving the extension of the completion date. The
5 joint review board shall issue this report within 90 days
6 after receiving written notification of the municipality's
7 intent to extend the complete date of the redevelopment
8 project area. A member of the joint review board may not
9 unreasonably withhold support. If a taxing body believes
10 another taxing body is unreasonably withholding support, the
11 taxing body may send a written objection to the Department of
12 Revenue and the Department of Revenue shall decide whether the
13 taxing body withholding support is doing so unreasonably based
14 on the criteria set forth in Section 11-74.4-3. The Department
15 of Revenue shall provide the municipality written notice of
16 its decision as to whether the taxing body is unreasonably
17 withholding support within 90 days of receipt of the written
18 objection by the taxing body. If the Department of Revenue has
19 determined a taxing body unreasonably withheld support, then
20 the municipality shall not need the written support of that
21 taxing body to proceed under this subsection.

22 (g) In consolidating the material relating to completion
23 dates from Sections 11-74.4-3 and 11-74.4-7 into this Section,
24 it is not the intent of the General Assembly to make any
25 substantive change in the law, except for the extension of the
26 completion dates for the City of Aurora, the Village of Milan,

1 the City of West Frankfort, the Village of Libertyville, and
2 the Village of Hoffman Estates set forth under items (67),
3 (68), (69), (70), and (71) of subsection (c) of this Section.
4 (Source: P.A. 101-274, eff. 8-9-19; 101-618, eff. 12-20-19;
5 101-647, eff. 6-26-20; 101-662, eff. 4-2-21; 102-117, eff.
6 7-23-21; 102-424, eff. 8-20-21; 102-425, eff. 8-20-21;
7 102-446, eff. 8-20-21; 102-473, eff. 8-20-21; 102-627, eff.
8 8-27-21; 102-675, eff. 11-30-21.)

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

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

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

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

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

1 the place of registration and the operating hours of that
2 place. The municipality shall have adopted reasonable rules to
3 implement this registration process under Section 11-74.4-4.2.
4 The municipality shall provide notice of the availability of
5 the redevelopment plan and eligibility report, including how
6 to obtain this information, by mail within a reasonable time
7 after the adoption of the ordinance or resolution, to all
8 residential addresses that, after a good faith effort, the
9 municipality determines are located outside the proposed
10 redevelopment project area and within 750 feet of the
11 boundaries of the proposed redevelopment project area. This
12 requirement is subject to the limitation that in a
13 municipality with a population of over 100,000, if the total
14 number of residential addresses outside the proposed
15 redevelopment project area and within 750 feet of the
16 boundaries of the proposed redevelopment project area exceeds
17 750, the municipality shall be required to provide the notice
18 to only the 750 residential addresses that, after a good faith
19 effort, the municipality determines are outside the proposed
20 redevelopment project area and closest to the boundaries of
21 the proposed redevelopment project area. Notwithstanding the
22 foregoing, notice given after August 7, 2001 (the effective
23 date of Public Act 92-263) and before the effective date of
24 this amendatory Act of the 92nd General Assembly to
25 residential addresses within 750 feet of the boundaries of a
26 proposed redevelopment project area shall be deemed to have

1 been sufficiently given in compliance with this Act if given
2 only to residents outside the boundaries of the proposed
3 redevelopment project area. The notice shall also be provided
4 by the municipality, regardless of its population, to those
5 organizations and residents that have registered with the
6 municipality for that information in accordance with the
7 registration guidelines established by the municipality under
8 Section 11-74.4-4.2.

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

1 to a total of more than 10, shall be made only after the
2 municipality gives notice, receives written support from each
3 member of the ~~convenes~~ a joint review board convened under
4 subsection (b), and conducts a public hearing pursuant to the
5 procedures set forth in this Section and in Section 11-74.4-6
6 of this Act. No submitted response from a member of the joint
7 review board, or a response providing no indication of either
8 support or objection, is considered an indication of support.
9 Written response from each member of the joint review board
10 must be sent to the municipality within 60 days of
11 notification. Changes which do not (1) add additional parcels
12 of property to the proposed redevelopment project area, (2)
13 substantially affect the general land uses proposed in the
14 redevelopment plan, (3) substantially change the nature of or
15 extend the life of the redevelopment project, or (4) increase
16 the number of inhabited residential units to be displaced from
17 the redevelopment project area, as measured from the time of
18 creation of the redevelopment project area, to a total of more
19 than 10, may be made without further hearing, provided that
20 the municipality shall give notice of any such changes by mail
21 to each affected taxing district and registrant on the
22 interested parties registry, provided for under Section
23 11-74.4-4.2, and by publication in a newspaper of general
24 circulation within the affected taxing district. Such notice
25 by mail and by publication shall each occur not later than 10
26 days following the adoption by ordinance of such changes.

1 Hearings with regard to a redevelopment project area, project
2 or plan may be held simultaneously.

3 (b) Prior to holding a public hearing to approve or amend a
4 redevelopment plan or to designate or add additional parcels
5 of property to a redevelopment project area, the municipality
6 shall convene a joint review board. The board shall consist of
7 a representative selected by each community college district,
8 local elementary school district and high school district or
9 each local community unit school district, park district,
10 library district, township, fire protection district, and
11 county that will have the authority to directly levy taxes on
12 the property within the proposed redevelopment project area at
13 the time that the proposed redevelopment project area is
14 approved, a representative selected by the municipality and a
15 public member. The joint review board shall also include each
16 highway commissioner of a road district located in whole or in
17 part inside the proposed redevelopment project area. The
18 public member shall first be selected and then the board's
19 chairperson shall be selected by a majority of the board
20 members present and voting.

21 For redevelopment project areas with redevelopment plans
22 or proposed redevelopment plans that would result in the
23 displacement of residents from 10 or more inhabited
24 residential units or that include 75 or more inhabited
25 residential units, the public member shall be a person who
26 resides in the redevelopment project area. If, as determined

1 by the housing impact study provided for in paragraph (5) of
2 subsection (n) of Section 11-74.4-3, or if no housing impact
3 study is required then based on other reasonable data, the
4 majority of residential units are occupied by very low, low,
5 or moderate income households, as defined in Section 3 of the
6 Illinois Affordable Housing Act, the public member shall be a
7 person who resides in very low, low, or moderate income
8 housing within the redevelopment project area. Municipalities
9 with fewer than 15,000 residents shall not be required to
10 select a person who lives in very low, low, or moderate income
11 housing within the redevelopment project area, provided that
12 the redevelopment plan or project will not result in
13 displacement of residents from 10 or more inhabited units, and
14 the municipality so certifies in the plan. If no person
15 satisfying these requirements is available or if no qualified
16 person will serve as the public member, then the joint review
17 board is relieved of this paragraph's selection requirements
18 for the public member.

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

25 For redevelopment project areas approved prior to the
26 effective date of this amendatory Act of the 102nd General

1 Assembly, all ~~All~~ board members shall be appointed and the
2 first board meeting shall be held at least 14 days but not more
3 than 28 days after the mailing of notice by the municipality to
4 the taxing districts as required by Section 11-74.4-6(c).
5 Notwithstanding the preceding sentence, a municipality that
6 adopted either a public hearing resolution or a feasibility
7 resolution between July 1, 1999 and July 1, 2000 that called
8 for the meeting of the joint review board within 14 days of
9 notice of public hearing to affected taxing districts is
10 deemed to be in compliance with the notice, meeting, and
11 public hearing provisions of the Act. Such notice shall also
12 advise the taxing bodies represented on the joint review board
13 of the time and place of the first meeting of the board.
14 Additional meetings of the board shall be held upon the call of
15 any member. The municipality seeking designation of the
16 redevelopment project area shall provide administrative
17 support to the board.

18 The board shall review (i) the public record, planning
19 documents and proposed ordinances approving the redevelopment
20 plan and project and (ii) proposed amendments to the
21 redevelopment plan or additions of parcels of property to the
22 redevelopment project area to be adopted by the municipality.
23 As part of its deliberations, the board may hold additional
24 hearings on the proposal. A board's recommendation shall be an
25 advisory, non-binding recommendation. The recommendation shall
26 be adopted by a majority of those members present and voting.

1 The recommendations shall be submitted to the municipality
2 within 30 days after convening of the board. Failure of the
3 board to submit its report on a timely basis shall not be cause
4 to delay the public hearing or any other step in the process of
5 designating or amending the redevelopment project area but
6 shall be deemed to constitute approval by the joint review
7 board of the matters before it.

8 The board shall base its recommendation to approve or
9 disapprove the redevelopment plan and the designation of the
10 redevelopment project area or the amendment of the
11 redevelopment plan or addition of parcels of property to the
12 redevelopment project area on the basis of the redevelopment
13 project area and redevelopment plan satisfying the plan
14 requirements, the eligibility criteria defined in Section
15 11-74.4-3, and the objectives of this Act.

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

25 If the board recommends rejection of the matters before
26 it, the municipality will have 30 days within which to

1 resubmit the plan or amendment. During this period, the
2 municipality will meet and confer with the board and attempt
3 to resolve those issues set forth in the board's written
4 report that led to the rejection of the plan or amendment.

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

1 subject to the notice, public hearing, and joint review board
2 meeting requirements established for such changes by
3 subsection (a) of Section 11-74.4-5.

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

12 For redevelopment project areas approved on or after the
13 effective date of this amendatory Act of the 102nd General
14 Assembly, all members of the joint review board shall be
15 appointed and the first meeting shall be held prior to the
16 approval of the redevelopment plan. Each member of the joint
17 review board must approve of the redevelopment plan, as well
18 as any amendments to the redevelopment plan, for it to be
19 enacted by municipal ordinance. A member of the joint review
20 board may not unreasonably withhold support. If a taxing body
21 believes another taxing body is unreasonably withholding
22 support, the taxing body may send a written objection to the
23 Department of Revenue and the Department of Revenue shall
24 decide whether the taxing body withholding support is doing so
25 unreasonably based on the criteria set forth in Section
26 11-74.4-3. The Department of Revenue shall provide the

1 municipality written notice of its decision as to whether the
2 taxing body is unreasonably withholding support within 90 days
3 of receipt of the written objection by the taxing body. If the
4 Department of Revenue has determined a taxing body
5 unreasonably withheld support, then the municipality shall not
6 need the written support of that taxing body to proceed.

7 The joint review board shall review (i) the public record,
8 planning documents, and proposed ordinances approving the
9 redevelopment plan and project and (ii) proposed amendments to
10 the redevelopment plan or additions of parcels of property to
11 the redevelopment project area to be adopted by the
12 municipality. As part of its deliberations, the board may hold
13 additional hearings on the proposal.

14 The joint review board shall base its decision to approve
15 or disapprove the redevelopment plan and the designation of
16 the redevelopment project area, the amendment of the
17 redevelopment plan, or addition of parcels of property to the
18 redevelopment project area on the basis of the redevelopment
19 project area and redevelopment plan satisfying the plan
20 requirements, the eligibility criteria defined in Section
21 11-74.4-3, and the objectives of this Act.

22 The joint review board shall issue a written report
23 describing why the redevelopment plan and project area or the
24 amendment thereof meets or fails to meet one or more of the
25 objectives of this Act and both the plan requirements and the
26 eligibility criteria defined in Section 11-74.4-3. In the

1 event the board does not file a report it shall be presumed
2 that these taxing bodies find that the redevelopment project
3 area and redevelopment plan satisfy the objectives of this Act
4 and the plan requirements and eligibility criteria.

5 If the joint review board rejects the matters before it,
6 the municipality will have 30 days within which to resubmit
7 the plan or amendment to the board. During this period, the
8 municipality will meet and confer with the board to resolve
9 those issues set forth in the board's written report that led
10 to the rejection of the plan or amendment.

11 Notwithstanding the resubmission set forth above, the
12 municipality may commence the scheduled public hearing and
13 either adjourn the public hearing or continue the public
14 hearing until a date certain. Prior to continuing any public
15 hearing to a date certain, the municipality shall announce
16 during the public hearing the time, date, and location for the
17 reconvening of the public hearing. Any changes to the
18 redevelopment plan necessary to satisfy the issues set forth
19 in the joint review board report shall be the subject of a
20 public hearing before the hearing is adjourned if the changes
21 would (1) substantially affect the general land uses proposed
22 in the redevelopment plan, (2) substantially change the nature
23 of or extend the life of the redevelopment project, or (3)
24 increase the number of inhabited residential units to be
25 displaced from the redevelopment project area, as measured
26 from the time of creation of the redevelopment project area,

1 to a total of more than 10. Changes to the redevelopment plan
2 necessary to satisfy the issues set forth in the joint review
3 board report must receive written support by each member of
4 the joint review board. Any changes to the redevelopment plan
5 that would add additional parcels of property to the proposed
6 redevelopment project area shall be subject to the notice,
7 public hearing, and joint review board meeting requirements
8 established for such changes by subsection (a) of Section
9 11-74.4-5.

10 No submitted response from a member of the joint review
11 board, or a response providing no indication of either support
12 or objection to extending the completion date of the
13 redevelopment project area, is considered an indication of
14 support. Written response from each member of the joint review
15 board must be sent to the municipality within 60 days of
16 notification.

17 After the effective date of this amendatory Act of the
18 102nd General Assembly, a new redevelopment project area that
19 overlaps with any existing redevelopment project area or an
20 expansion of a redevelopment project area so that the expanded
21 area will overlap with any existing redevelopment project area
22 may not be approved.

23 (c) After a municipality has by ordinance approved a
24 redevelopment plan and designated a redevelopment project
25 area, the plan may be amended and additional properties may be
26 added to the redevelopment project area only as herein

1 provided. Amendments which (1) add additional parcels of
2 property to the proposed redevelopment project area, (2)
3 substantially affect the general land uses proposed in the
4 redevelopment plan, (3) substantially change the nature of the
5 redevelopment project, (4) increase the total estimated
6 redevelopment project costs set out in the redevelopment plan
7 by more than 5% after adjustment for inflation from the date
8 the plan was adopted, (5) add additional redevelopment project
9 costs to the itemized list of redevelopment project costs set
10 out in the redevelopment plan, or (6) increase the number of
11 inhabited residential units to be displaced from the
12 redevelopment project area, as measured from the time of
13 creation of the redevelopment project area, to a total of more
14 than 10, shall be made only after the municipality gives
15 notice, receives written support from each member of the
16 ~~convenes~~ a joint review board, and conducts a public hearing
17 pursuant to the procedures set forth in this Section and in
18 Section 11-74.4-6 of this Act. Changes which do not (1) add
19 additional parcels of property to the proposed redevelopment
20 project area, (2) substantially affect the general land uses
21 proposed in the redevelopment plan, (3) substantially change
22 the nature of the redevelopment project, (4) increase the
23 total estimated redevelopment project cost set out in the
24 redevelopment plan by more than 5% after adjustment for
25 inflation from the date the plan was adopted, (5) add
26 additional redevelopment project costs to the itemized list of

1 redevelopment project costs set out in the redevelopment plan,
2 or (6) increase the number of inhabited residential units to
3 be displaced from the redevelopment project area, as measured
4 from the time of creation of the redevelopment project area,
5 to a total of more than 10, may be made without further public
6 hearing and related notices and procedures but must be made
7 with written support from each member of the ~~including the~~
8 ~~convening of a~~ joint review board as set forth in Section
9 11-74.4-6 of this Act, provided that the municipality shall
10 give notice of any such changes by mail to each affected taxing
11 district and registrant on the interested parties registry,
12 provided for under Section 11-74.4-4.2, and by publication in
13 a newspaper of general circulation within the affected taxing
14 district. Such notice by mail and by publication shall each
15 occur not later than 10 days following the adoption by
16 ordinance of such changes. No submitted response from a member
17 of the joint review board, or a response providing no
18 indication of either support or objection, is considered an
19 indication of support. Written response from each member of
20 the joint review board must be sent to the municipality within
21 60 days of notification.

22 (d) After the effective date of this amendatory Act of the
23 91st General Assembly, a municipality shall submit in an
24 electronic format the following information for each
25 redevelopment project area (i) to the State Comptroller under
26 Section 8-8-3.5 of the Illinois Municipal Code, subject to any

1 extensions or exemptions provided at the Comptroller's
2 discretion under that Section, and (ii) to all taxing
3 districts overlapping the redevelopment project area no later
4 than 180 days after the close of each municipal fiscal year or
5 as soon thereafter as the audited financial statements become
6 available and, in any case, shall be submitted before the
7 annual meeting of the Joint Review Board to each of the taxing
8 districts that overlap the redevelopment project area:

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

12 (1.5) A list of the redevelopment project areas
13 administered by the municipality and, if applicable, the
14 date each redevelopment project area was designated or
15 terminated by the municipality.

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

19 (3) Certification of the Chief Executive Officer of
20 the municipality that the municipality has complied with
21 all of the requirements of this Act during the preceding
22 fiscal year.

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

25 (5) An analysis of the special tax allocation fund
26 which sets forth:

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

3 (B) all amounts deposited in the special tax
4 allocation fund by source;

5 (C) an itemized list of all expenditures from the
6 special tax allocation fund by category of permissible
7 redevelopment project cost; and

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

21 (6) A description of all property purchased by the
22 municipality within the redevelopment project area
23 including:

24 (A) Street address.

25 (B) Approximate size or description of property.

26 (C) Purchase price.

1 (D) Seller of property.

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

5 (A) Any project implemented in the preceding
6 fiscal year.

7 (B) A description of the redevelopment activities
8 undertaken.

9 (C) A description of any agreements entered into
10 by the municipality with regard to the disposition or
11 redevelopment of any property within the redevelopment
12 project area or the area within the State Sales Tax
13 Boundary.

14 (D) Additional information on the use of all funds
15 received under this Division and steps taken by the
16 municipality to achieve the objectives of the
17 redevelopment plan.

18 (E) Information regarding contracts that the
19 municipality's tax increment advisors or consultants
20 have entered into with entities or persons that have
21 received, or are receiving, payments financed by tax
22 increment revenues produced by the same redevelopment
23 project area.

24 (F) Any reports submitted to the municipality by
25 the joint review board.

26 (G) A review of public and, to the extent

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

12 (8) With regard to any obligations issued by the
13 municipality:

14 (A) copies of any official statements; and

15 (B) an analysis prepared by financial advisor or
16 underwriter, chosen by the municipality, setting forth
17 the: (i) nature and term of obligation; (ii) projected
18 debt service including required reserves and debt
19 coverage; and (iii) actual debt service.

20 (9) For special tax allocation funds that have
21 experienced cumulative deposits of incremental tax
22 revenues of \$100,000 or more, a certified audit report
23 reviewing compliance with this Act performed by an
24 independent public accountant certified and licensed by
25 the authority of the State of Illinois. The financial
26 portion of the audit must be conducted in accordance with

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

21 (10) A list of all intergovernmental agreements in
22 effect during the fiscal year to which the municipality is
23 a party and an accounting of any moneys transferred or
24 received by the municipality during that fiscal year
25 pursuant to those intergovernmental agreements.

26 In addition to information required to be reported under

1 this Section, for Fiscal Year 2022 and each fiscal year
2 thereafter, reporting municipalities shall also report to the
3 Comptroller annually in a manner and format prescribed by the
4 Comptroller: (1) the number of jobs, if any, projected to be
5 created for each redevelopment project area at the time of
6 approval of the redevelopment agreement; (2) the number of
7 jobs, if any, created as a result of the development to date
8 for that reporting period under the same guidelines and
9 assumptions as was used for the projections used at the time of
10 approval of the redevelopment agreement; (3) the amount of
11 increment projected to be created at the time of approval of
12 the redevelopment agreement for each redevelopment project
13 area; (4) the amount of increment created as a result of the
14 development to date for that reporting period using the same
15 assumptions as was used for the projections used at the time of
16 the approval of the redevelopment agreement; and (5) the
17 stated rate of return identified by the developer to the
18 municipality for each redevelopment project area, if any.
19 Stated rates of return required to be reported in item (5)
20 shall be independently verified by a third party chosen by the
21 municipality. Reporting municipalities shall also report to
22 the Comptroller a copy of the redevelopment plan each time the
23 redevelopment plan is enacted, amended, or extended in a
24 manner and format prescribed by the Comptroller. These
25 requirements shall only apply to redevelopment projects
26 beginning in or after Fiscal Year 2022.

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

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

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

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

20 (f) (Blank).

21 (g) In the event that a municipality has held a public
22 hearing under this Section prior to March 14, 1994 (the
23 effective date of Public Act 88-537), the requirements imposed
24 by Public Act 88-537 relating to the method of fixing the time
25 and place for public hearing, the materials and information
26 required to be made available for public inspection, and the

1 information required to be sent after adoption of an ordinance
2 or resolution fixing a time and place for public hearing shall
3 not be applicable.

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

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

1 evaluation or performance data. Within 30 days after the
2 municipality compiles the status report, the municipality must
3 hold at least one public hearing concerning the report. The
4 municipality must provide 20 days' public notice of the
5 hearing.

6 (j) Beginning in fiscal year 2011 and in each fiscal year
7 thereafter, a municipality must detail in its annual budget
8 (i) the revenues generated from redevelopment project areas by
9 source and (ii) the expenditures made by the municipality for
10 redevelopment project areas.

11 (Source: P.A. 102-127, eff. 7-23-21.)

12 (65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

13 Sec. 11-74.4-7. Obligations secured by the special tax
14 allocation fund set forth in Section 11-74.4-8 for the
15 redevelopment project area may be issued to provide for
16 redevelopment project costs. Such obligations, when so issued,
17 shall be retired in the manner provided in the ordinance
18 authorizing the issuance of such obligations by the receipts
19 of taxes levied as specified in Section 11-74.4-9 against the
20 taxable property included in the area, by revenues as
21 specified by Section 11-74.4-8a and other revenue designated
22 by the municipality. A municipality may in the ordinance
23 pledge all or any part of the funds in and to be deposited in
24 the special tax allocation fund created pursuant to Section
25 11-74.4-8 to the payment of the redevelopment project costs

1 and obligations. Any pledge of funds in the special tax
2 allocation fund shall provide for distribution to the taxing
3 districts and to the Illinois Department of Revenue of moneys
4 not required, pledged, earmarked, or otherwise designated for
5 payment and securing of the obligations and anticipated
6 redevelopment project costs and such excess funds shall be
7 calculated annually and deemed to be "surplus" funds. In the
8 event a municipality only applies or pledges a portion of the
9 funds in the special tax allocation fund for the payment or
10 securing of anticipated redevelopment project costs or of
11 obligations, any such funds remaining in the special tax
12 allocation fund after complying with the requirements of the
13 application or pledge, shall also be calculated annually and
14 deemed "surplus" funds. The joint review board created under
15 subsection (b) of Section 11-74.4-5 and the municipality shall
16 review all funds in the special tax allocation fund and shall
17 designate and approve surplus funds no later than 30 days
18 after the close of the municipality's fiscal year. The joint
19 review board and municipality shall issue a joint written
20 report describing why they designated certain funds surplus
21 funds and why other funds were not designated surplus funds
22 under the requirements of this paragraph. All surplus funds in
23 the special tax allocation fund shall be distributed annually
24 within 180 days after the close of the municipality's fiscal
25 year, but not before the joint written report is issued under
26 this paragraph, by being paid by the municipal treasurer to

1 the County Collector, to the Department of Revenue and to the
2 municipality in direct proportion to the tax incremental
3 revenue received as a result of an increase in the equalized
4 assessed value of property in the redevelopment project area,
5 tax incremental revenue received from the State and tax
6 incremental revenue received from the municipality, but not to
7 exceed as to each such source the total incremental revenue
8 received from that source. The County Collector shall
9 thereafter make distribution to the respective taxing
10 districts in the same manner and proportion as the most recent
11 distribution by the county collector to the affected districts
12 of real property taxes from real property in the redevelopment
13 project area.

14 Without limiting the foregoing in this Section, the
15 municipality may in addition to obligations secured by the
16 special tax allocation fund pledge for a period not greater
17 than the term of the obligations towards payment of such
18 obligations any part or any combination of the following: (a)
19 net revenues of all or part of any redevelopment project; (b)
20 taxes levied and collected on any or all property in the
21 municipality; (c) the full faith and credit of the
22 municipality; (d) a mortgage on part or all of the
23 redevelopment project; (d-5) repayment of bonds issued
24 pursuant to subsection (p-130) of Section 19-1 of the School
25 Code; or (e) any other taxes or anticipated receipts that the
26 municipality may lawfully pledge.

1 Such obligations may be issued in one or more series
2 bearing interest at such rate or rates as the corporate
3 authorities of the municipality shall determine by ordinance.
4 Such obligations shall bear such date or dates, mature at such
5 time or times not exceeding 20 years from their respective
6 dates, be in such denomination, carry such registration
7 privileges, be executed in such manner, be payable in such
8 medium of payment at such place or places, contain such
9 covenants, terms and conditions, and be subject to redemption
10 as such ordinance shall provide. Obligations issued pursuant
11 to this Act may be sold at public or private sale at such price
12 as shall be determined by the corporate authorities of the
13 municipalities. No referendum approval of the electors shall
14 be required as a condition to the issuance of obligations
15 pursuant to this Division except as provided in this Section.

16 In the event the municipality authorizes issuance of
17 obligations pursuant to the authority of this Division secured
18 by the full faith and credit of the municipality, which
19 obligations are other than obligations which may be issued
20 under home rule powers provided by Article VII, Section 6 of
21 the Illinois Constitution, or pledges taxes pursuant to (b) or
22 (c) of the second paragraph of this section, the ordinance
23 authorizing the issuance of such obligations or pledging such
24 taxes shall be published within 10 days after such ordinance
25 has been passed in one or more newspapers, with general
26 circulation within such municipality. The publication of the

1 ordinance shall be accompanied by a notice of (1) the specific
2 number of voters required to sign a petition requesting the
3 question of the issuance of such obligations or pledging taxes
4 to be submitted to the electors; (2) the time in which such
5 petition must be filed; and (3) the date of the prospective
6 referendum. The municipal clerk shall provide a petition form
7 to any individual requesting one.

8 If no petition is filed with the municipal clerk, as
9 hereinafter provided in this Section, within 30 days after the
10 publication of the ordinance, the ordinance shall be in
11 effect. But, if within that 30 day period a petition is filed
12 with the municipal clerk, signed by electors in the
13 municipality numbering 10% or more of the number of registered
14 voters in the municipality, asking that the question of
15 issuing obligations using full faith and credit of the
16 municipality as security for the cost of paying for
17 redevelopment project costs, or of pledging taxes for the
18 payment of such obligations, or both, be submitted to the
19 electors of the municipality, the corporate authorities of the
20 municipality shall call a special election in the manner
21 provided by law to vote upon that question, or, if a general,
22 State or municipal election is to be held within a period of
23 not less than 30 or more than 90 days from the date such
24 petition is filed, shall submit the question at the next
25 general, State or municipal election. If it appears upon the
26 canvass of the election by the corporate authorities that a

1 majority of electors voting upon the question voted in favor
2 thereof, the ordinance shall be in effect, but if a majority of
3 the electors voting upon the question are not in favor
4 thereof, the ordinance shall not take effect.

5 The ordinance authorizing the obligations may provide that
6 the obligations shall contain a recital that they are issued
7 pursuant to this Division, which recital shall be conclusive
8 evidence of their validity and of the regularity of their
9 issuance.

10 In the event the municipality authorizes issuance of
11 obligations pursuant to this Section secured by the full faith
12 and credit of the municipality, the ordinance authorizing the
13 obligations may provide for the levy and collection of a
14 direct annual tax upon all taxable property within the
15 municipality sufficient to pay the principal thereof and
16 interest thereon as it matures, which levy may be in addition
17 to and exclusive of the maximum of all other taxes authorized
18 to be levied by the municipality, which levy, however, shall
19 be abated to the extent that monies from other sources are
20 available for payment of the obligations and the municipality
21 certifies the amount of said monies available to the county
22 clerk.

23 A certified copy of such ordinance shall be filed with the
24 county clerk of each county in which any portion of the
25 municipality is situated, and shall constitute the authority
26 for the extension and collection of the taxes to be deposited

1 in the special tax allocation fund.

2 A municipality may also issue its obligations to refund in
3 whole or in part, obligations theretofore issued by such
4 municipality under the authority of this Act, whether at or
5 prior to maturity, provided however, that the last maturity of
6 the refunding obligations may not be later than the dates set
7 forth under Section 11-74.4-3.5.

8 In the event a municipality issues obligations under home
9 rule powers or other legislative authority the proceeds of
10 which are pledged to pay for redevelopment project costs, the
11 municipality may, if it has followed the procedures in
12 conformance with this division, retire said obligations from
13 funds in the special tax allocation fund in amounts and in such
14 manner as if such obligations had been issued pursuant to the
15 provisions of this division.

16 All obligations heretofore or hereafter issued pursuant to
17 this Act shall not be regarded as indebtedness of the
18 municipality issuing such obligations or any other taxing
19 district for the purpose of any limitation imposed by law.

20 (Source: P.A. 100-531, eff. 9-22-17.)

21 (65 ILCS 5/11-74.4-8) (from Ch. 24, par. 11-74.4-8)

22 Sec. 11-74.4-8. Tax increment allocation financing. A
23 municipality may not adopt tax increment financing in a
24 redevelopment project area after July 30, 1997 (the effective
25 date of Public Act 90-258) that will encompass an area that is

1 currently included in an enterprise zone created under the
2 Illinois Enterprise Zone Act unless that municipality,
3 pursuant to Section 5.4 of the Illinois Enterprise Zone Act,
4 amends the enterprise zone designating ordinance to limit the
5 eligibility for tax abatements as provided in Section 5.4.1 of
6 the Illinois Enterprise Zone Act. A municipality, at the time
7 a redevelopment project area is designated, may adopt tax
8 increment allocation financing by passing an ordinance
9 providing that the ad valorem taxes, if any, arising from the
10 levies upon taxable real property in such redevelopment
11 project area by taxing districts and tax rates determined in
12 the manner provided in paragraph (c) of Section 11-74.4-9 each
13 year after the effective date of the ordinance until
14 redevelopment project costs and all municipal obligations
15 financing redevelopment project costs incurred under this
16 Division have been paid shall be divided as follows, provided,
17 however, that with respect to any redevelopment project area
18 located within a transit facility improvement area established
19 pursuant to Section 11-74.4-3.3 in a municipality with a
20 population of 1,000,000 or more, ad valorem taxes, if any,
21 arising from the levies upon taxable real property in such
22 redevelopment project area shall be allocated as specifically
23 provided in this Section:

24 (a) That portion of taxes levied upon each taxable
25 lot, block, tract, or parcel of real property which is
26 attributable to the lower of the current equalized

1 assessed value or the initial equalized assessed value of
2 each such taxable lot, block, tract, or parcel of real
3 property in the redevelopment project area shall be
4 allocated to and when collected shall be paid by the
5 county collector to the respective affected taxing
6 districts in the manner required by law in the absence of
7 the adoption of tax increment allocation financing.

8 (b) Except from a tax levied by a township to retire
9 bonds issued to satisfy court-ordered damages, that
10 portion, if any, of such taxes which is attributable to
11 the increase in the current equalized assessed valuation
12 of each taxable lot, block, tract, or parcel of real
13 property in the redevelopment project area over and above
14 the initial equalized assessed value of each property in
15 the project area shall be allocated to and when collected
16 shall be paid to the municipal treasurer who shall deposit
17 said taxes into a special fund called the special tax
18 allocation fund of the municipality for the purpose of
19 paying redevelopment project costs and obligations
20 incurred in the payment thereof. In any county with a
21 population of 3,000,000 or more that has adopted a
22 procedure for collecting taxes that provides for one or
23 more of the installments of the taxes to be billed and
24 collected on an estimated basis, the municipal treasurer
25 shall be paid for deposit in the special tax allocation
26 fund of the municipality, from the taxes collected from

1 estimated bills issued for property in the redevelopment
2 project area, the difference between the amount actually
3 collected from each taxable lot, block, tract, or parcel
4 of real property within the redevelopment project area and
5 an amount determined by multiplying the rate at which
6 taxes were last extended against the taxable lot, block,
7 tract, or parcel of real property in the manner provided
8 in subsection (c) of Section 11-74.4-9 by the initial
9 equalized assessed value of the property divided by the
10 number of installments in which real estate taxes are
11 billed and collected within the county; provided that the
12 payments on or before December 31, 1999 to a municipal
13 treasurer shall be made only if each of the following
14 conditions are met:

15 (1) The total equalized assessed value of the
16 redevelopment project area as last determined was not
17 less than 175% of the total initial equalized assessed
18 value.

19 (2) Not more than 50% of the total equalized
20 assessed value of the redevelopment project area as
21 last determined is attributable to a piece of property
22 assigned a single real estate index number.

23 (3) The municipal clerk has certified to the
24 county clerk that the municipality has issued its
25 obligations to which there has been pledged the
26 incremental property taxes of the redevelopment

1 project area or taxes levied and collected on any or
2 all property in the municipality or the full faith and
3 credit of the municipality to pay or secure payment
4 for all or a portion of the redevelopment project
5 costs. The certification shall be filed annually no
6 later than September 1 for the estimated taxes to be
7 distributed in the following year; however, for the
8 year 1992 the certification shall be made at any time
9 on or before March 31, 1992.

10 (4) The municipality has not requested that the
11 total initial equalized assessed value of real
12 property be adjusted as provided in subsection (b) of
13 Section 11-74.4-9.

14 The conditions of paragraphs (1) through (4) do not
15 apply after December 31, 1999 to payments to a municipal
16 treasurer made by a county with 3,000,000 or more
17 inhabitants that has adopted an estimated billing
18 procedure for collecting taxes. If a county that has
19 adopted the estimated billing procedure makes an erroneous
20 overpayment of tax revenue to the municipal treasurer,
21 then the county may seek a refund of that overpayment. The
22 county shall send the municipal treasurer a notice of
23 liability for the overpayment on or before the mailing
24 date of the next real estate tax bill within the county.
25 The refund shall be limited to the amount of the
26 overpayment.

1 It is the intent of this Division that after July 29,
2 1988 (the effective date of Public Act 85-1142) a
3 municipality's own ad valorem tax arising from levies on
4 taxable real property be included in the determination of
5 incremental revenue in the manner provided in paragraph
6 (c) of Section 11-74.4-9. If the municipality does not
7 extend such a tax, it shall annually deposit in the
8 municipality's Special Tax Increment Fund an amount equal
9 to 10% of the total contributions to the fund from all
10 other taxing districts in that year. The annual 10%
11 deposit required by this paragraph shall be limited to the
12 actual amount of municipally produced incremental tax
13 revenues available to the municipality from taxpayers
14 located in the redevelopment project area in that year if:
15 (a) the plan for the area restricts the use of the property
16 primarily to industrial purposes, (b) the municipality
17 establishing the redevelopment project area is a home rule
18 community with a 1990 population of between 25,000 and
19 50,000, (c) the municipality is wholly located within a
20 county with a 1990 population of over 750,000 and (d) the
21 redevelopment project area was established by the
22 municipality prior to June 1, 1990. This payment shall be
23 in lieu of a contribution of ad valorem taxes on real
24 property. If no such payment is made, any redevelopment
25 project area of the municipality shall be dissolved.

26 If a municipality has adopted tax increment allocation

1 financing by ordinance and the County Clerk thereafter
2 certifies the "total initial equalized assessed value as
3 adjusted" of the taxable real property within such
4 redevelopment project area in the manner provided in
5 paragraph (b) of Section 11-74.4-9, each year after the
6 date of the certification of the total initial equalized
7 assessed value as adjusted until redevelopment project
8 costs and all municipal obligations financing
9 redevelopment project costs have been paid the ad valorem
10 taxes, if any, arising from the levies upon the taxable
11 real property in such redevelopment project area by taxing
12 districts and tax rates determined in the manner provided
13 in paragraph (c) of Section 11-74.4-9 shall be divided as
14 follows, provided, however, that with respect to any
15 redevelopment project area located within a transit
16 facility improvement area established pursuant to Section
17 11-74.4-3.3 in a municipality with a population of
18 1,000,000 or more, ad valorem taxes, if any, arising from
19 the levies upon the taxable real property in such
20 redevelopment project area shall be allocated as
21 specifically provided in this Section:

22 (1) That portion of the taxes levied upon each
23 taxable lot, block, tract, or parcel of real property
24 which is attributable to the lower of the current
25 equalized assessed value or "current equalized
26 assessed value as adjusted" or the initial equalized

1 assessed value of each such taxable lot, block, tract,
2 or parcel of real property existing at the time tax
3 increment financing was adopted, minus the total
4 current homestead exemptions under Article 15 of the
5 Property Tax Code in the redevelopment project area
6 shall be allocated to and when collected shall be paid
7 by the county collector to the respective affected
8 taxing districts in the manner required by law in the
9 absence of the adoption of tax increment allocation
10 financing.

11 (2) That portion, if any, of such taxes which is
12 attributable to the increase in the current equalized
13 assessed valuation of each taxable lot, block, tract,
14 or parcel of real property in the redevelopment
15 project area, over and above the initial equalized
16 assessed value of each property existing at the time
17 tax increment financing was adopted, minus the total
18 current homestead exemptions pertaining to each piece
19 of property provided by Article 15 of the Property Tax
20 Code in the redevelopment project area, shall be
21 allocated to and when collected shall be paid to the
22 municipal Treasurer, who shall deposit said taxes into
23 a special fund called the special tax allocation fund
24 of the municipality for the purpose of paying
25 redevelopment project costs and obligations incurred
26 in the payment thereof.

1 The municipality may pledge in the ordinance the funds
2 in and to be deposited in the special tax allocation fund
3 for the payment of such costs and obligations. No part of
4 the current equalized assessed valuation of each property
5 in the redevelopment project area attributable to any
6 increase above the total initial equalized assessed value,
7 or the total initial equalized assessed value as adjusted,
8 of such properties shall be used in calculating the
9 general State aid formula, provided for in Section 18-8 of
10 the School Code, or the evidence-based funding formula,
11 provided for in Section 18-8.15 of the School Code, until
12 such time as all redevelopment project costs have been
13 paid as provided for in this Section.

14 Whenever a municipality issues bonds for the purpose
15 of financing redevelopment project costs, such
16 municipality may provide by ordinance for the appointment
17 of a trustee, which may be any trust company within the
18 State, and for the establishment of such funds or accounts
19 to be maintained by such trustee as the municipality shall
20 deem necessary to provide for the security and payment of
21 the bonds. If such municipality provides for the
22 appointment of a trustee, such trustee shall be considered
23 the assignee of any payments assigned by the municipality
24 pursuant to such ordinance and this Section. Any amounts
25 paid to such trustee as assignee shall be deposited in the
26 funds or accounts established pursuant to such trust

1 agreement, and shall be held by such trustee in trust for
2 the benefit of the holders of the bonds, and such holders
3 shall have a lien on and a security interest in such funds
4 or accounts so long as the bonds remain outstanding and
5 unpaid. Upon retirement of the bonds, the trustee shall
6 pay over any excess amounts held to the municipality for
7 deposit in the special tax allocation fund.

8 When such redevelopment projects costs, including,
9 without limitation, all municipal obligations financing
10 redevelopment project costs incurred under this Division,
11 have been paid, all surplus funds then remaining in the
12 special tax allocation fund shall be distributed by being
13 paid by the municipal treasurer to the Department of
14 Revenue, the municipality and the county collector; first
15 to the Department of Revenue and the municipality in
16 direct proportion to the tax incremental revenue received
17 from the State and the municipality, but not to exceed the
18 total incremental revenue received from the State or the
19 municipality less any annual surplus distribution of
20 incremental revenue previously made; with any remaining
21 funds to be paid to the County Collector who shall
22 immediately thereafter pay said funds to the taxing
23 districts in the redevelopment project area in the same
24 manner and proportion as the most recent distribution by
25 the county collector to the affected districts of real
26 property taxes from real property in the redevelopment

1 project area.

2 Notwithstanding any other provision of law, no surplus
3 funds then remaining in the special tax allocation fund
4 may be transferred or paid to any other redevelopment
5 project area, except for any funds transferred or paid
6 pursuant to an ongoing agreement between municipalities
7 under subsection (p) of Section 11-74-4.

8 Upon the payment of all redevelopment project costs,
9 the retirement of obligations, the distribution of any
10 excess monies pursuant to this Section, and final closing
11 of the books and records of the redevelopment project
12 area, the municipality shall adopt an ordinance dissolving
13 the special tax allocation fund for the redevelopment
14 project area and terminating the designation of the
15 redevelopment project area as a redevelopment project
16 area. Title to real or personal property and public
17 improvements acquired by or for the municipality as a
18 result of the redevelopment project and plan shall vest in
19 the municipality when acquired and shall continue to be
20 held by the municipality after the redevelopment project
21 area has been terminated. Municipalities shall notify
22 affected taxing districts prior to November 1 if the
23 redevelopment project area is to be terminated by December
24 31 of that same year. If a municipality extends estimated
25 dates of completion of a redevelopment project and
26 retirement of obligations to finance a redevelopment

1 project, as allowed by Public Act 87-1272, that extension
2 shall not extend the property tax increment allocation
3 financing authorized by this Section. Thereafter the rates
4 of the taxing districts shall be extended and taxes
5 levied, collected and distributed in the manner applicable
6 in the absence of the adoption of tax increment allocation
7 financing.

8 If a municipality with a population of 1,000,000 or
9 more has adopted by ordinance tax increment allocation
10 financing for a redevelopment project area located in a
11 transit facility improvement area established pursuant to
12 Section 11-74.4-3.3, for each year after the effective
13 date of the ordinance until redevelopment project costs
14 and all municipal obligations financing redevelopment
15 project costs have been paid, the ad valorem taxes, if
16 any, arising from the levies upon the taxable real
17 property in that redevelopment project area by taxing
18 districts and tax rates determined in the manner provided
19 in paragraph (c) of Section 11-74.4-9 shall be divided as
20 follows:

21 (1) That portion of the taxes levied upon each
22 taxable lot, block, tract, or parcel of real property
23 which is attributable to the lower of (i) the current
24 equalized assessed value or "current equalized
25 assessed value as adjusted" or (ii) the initial
26 equalized assessed value of each such taxable lot,

1 block, tract, or parcel of real property existing at
2 the time tax increment financing was adopted, minus
3 the total current homestead exemptions under Article
4 15 of the Property Tax Code in the redevelopment
5 project area shall be allocated to and when collected
6 shall be paid by the county collector to the
7 respective affected taxing districts in the manner
8 required by law in the absence of the adoption of tax
9 increment allocation financing.

10 (2) That portion, if any, of such taxes which is
11 attributable to the increase in the current equalized
12 assessed valuation of each taxable lot, block, tract,
13 or parcel of real property in the redevelopment
14 project area, over and above the initial equalized
15 assessed value of each property existing at the time
16 tax increment financing was adopted, minus the total
17 current homestead exemptions pertaining to each piece
18 of property provided by Article 15 of the Property Tax
19 Code in the redevelopment project area, shall be
20 allocated to and when collected shall be paid by the
21 county collector as follows:

22 (A) First, that portion which would be payable
23 to a school district whose boundaries are
24 coterminous with such municipality in the absence
25 of the adoption of tax increment allocation
26 financing, shall be paid to such school district

1 in the manner required by law in the absence of the
2 adoption of tax increment allocation financing;
3 then

4 (B) 80% of the remaining portion shall be paid
5 to the municipal Treasurer, who shall deposit said
6 taxes into a special fund called the special tax
7 allocation fund of the municipality for the
8 purpose of paying redevelopment project costs and
9 obligations incurred in the payment thereof; and
10 then

11 (C) 20% of the remaining portion shall be paid
12 to the respective affected taxing districts, other
13 than the school district described in clause (a)
14 above, in the manner required by law in the
15 absence of the adoption of tax increment
16 allocation financing.

17 Nothing in this Section shall be construed as relieving
18 property in such redevelopment project areas from being
19 assessed as provided in the Property Tax Code or as relieving
20 owners of such property from paying a uniform rate of taxes, as
21 required by Section 4 of Article IX of the Illinois
22 Constitution.

23 (Source: P.A. 102-558, eff. 8-20-21.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law."