



Sen. Ann Gillespie

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10200SB2304sam001

LRB102 11469 HLH 24847 a

1 AMENDMENT TO SENATE BILL 2304

2 AMENDMENT NO. _____. Amend Senate Bill 2304 on page 1,
3 line 8, by deleting "or rehabilitation"; and

4 on page 2, line 2, by deleting "and"; and

5 on page 2, immediately below line 2, by inserting the
6 following:

7 "(2) except as defined in subparagraphs (E), (F), and
8 (G) of paragraph (5) of subsection (c) of this Section,
9 prior to the newly constructed residential real property
10 located in a low affordability community being put in
11 service, the owner of the residential real property
12 commits that, for a period of 30 years after the newly
13 constructed residential real property are put in service,
14 at least 20% of the multifamily building's units will have
15 rents as defined in this Section that are at or below
16 maximum rents and are occupied by households with

1 household incomes at or below maximum income limits; and;

2 and

3 on page 2, line 3, by replacing "(2)" with "(3)"; and

4 on page 2, line 4, by replacing "(d)" with "(c)"; and

5 on page 2, by deleting lines 5 through 21; and

6 on page 2, line 22, by replacing "(c)" with "(b)"; and

7 on page 2, line 23, by replacing "(b)" with "(a)"; and

8 on page 2, line 26, by replacing "or improvements are" with

9 "is"; and

10 on page 3, line 7, by replacing "or improvements are" with

11 "is"; and

12 on page 3, line 14, by replacing "or improvements are" with

13 "is"; and

14 on page 3, line 21, by replacing "or improvements are" with

15 "is"; and

16 on page 4, lines 3 and 4, by replacing "or improvements are"

1 with "is"; and

2 on page 4, line 10, by replacing "(d)" with "(c)"; and

3 on page 4, lines 23 and 24, by deleting "or qualifying
4 rehabilitation"; and

5 on page 5, line 3, by deleting "or rehabilitation"; and

6 on page 6, line 18, by replacing "(d)" with "(c)"; and

7 on page 6, line 21, by replacing "paragraph (1) of subsection
8 (d)" with "subparagraphs (A), (B), (C), (F), (G), (H), (I),
9 (J), and (K) of paragraph (1) of this subsection (c)"; and

10 on page 6, line 25, by deleting "(3)"; and

11 on page 7, line 1, by replacing "(f)" with "(c)"; and

12 on page 8, line 17, by replacing "subparagraph (B) of
13 paragraph (4) of subsection (d)" with "subparagraphs (A), (B),
14 (C), (F), (G), (H), (I), (J), and (K) of paragraph (1) of this
15 subsection (c)"; and

16 on page 8, line 20, by replacing "(c)" with "(b)"; and

1 on page 9, line 2, by deleting "or qualifying rehabilitation";
2 and

3 on page 9, lines 13 and 14, by deleting "or qualifying
4 rehabilitation"; and

5 on page 9, line 19, by deleting "or qualifying
6 rehabilitation"; and

7 on page 10, lines 20 and 21, by deleting "or substantial
8 rehabilitation"; and

9 on page 11, lines 11 and 12, by replacing "subparagraph (1) of
10 subsection (c)" with "paragraph (1) of subsection (b)"; and

11 on page 11, line 16, by replacing "(e)" with "(d)"; and

12 on page 11, immediately below line 18, by inserting the
13 following:

14 "Assessed value for the residential real property in the
15 base year" means the value in effect at the end of the taxable
16 year prior to the latter of: (1) the date of initial
17 application; or (2) the date in which 20% of the total number
18 of units in the property are occupied by eligible tenants
19 paying eligible rent under this Section."; and

1 by deleting everything from line 8 on page 14 through line 6 on
2 page 21; and

3 on page 21, line 8, by replacing "Section 25" with "Sections
4 15, 25, and 50"; and

5 on page 21, immediately below line 9, by inserting the
6 following:

7 "(310 ILCS 67/15)

8 Sec. 15. Definitions. As used in this Act:

9 "Affordable housing" means housing that has a value or
10 cost or rental amount that is within the means of a household
11 that may occupy moderate-income or low-income housing. In the
12 case of owner-occupied dwelling units, housing that is
13 affordable means housing in which mortgage, amortization,
14 taxes, insurance, and condominium or association fees, if any,
15 constitute no more than 30% of the gross annual household
16 income for a household of the size that may occupy the unit. In
17 the case of dwelling units for rent, housing that is
18 affordable means housing for which the rent, any required
19 parking, maintenance, landlord-imposed fees, and utilities
20 constitute no more than 30% of the gross annual household
21 income for a household of the size that may occupy the unit.

22 "Affordable housing developer" means a nonprofit entity,
23 limited equity cooperative or public agency, or private

1 individual, firm, corporation, or other entity seeking to
2 build an affordable housing development.

3 "Affordable housing development" means (i) any housing
4 that is subsidized by the federal or State government or (ii)
5 any housing in which at least 20% of the dwelling units are
6 subject to covenants or restrictions that require that the
7 dwelling units be sold or rented at prices that preserve them
8 as affordable housing for a period of at least 15 years, in the
9 case of owner-occupied housing, and at least 30 years, in the
10 case of rental housing.

11 "Approving authority" means the governing body of the
12 county or municipality.

13 "Area median household income" means the median household
14 income adjusted for family size for applicable income limit
15 areas as determined annually by the federal Department of
16 Housing and Urban Development under Section 8 of the United
17 States Housing Act of 1937.

18 "Community land trust" means a private, not-for-profit
19 corporation organized exclusively for charitable, cultural,
20 and other purposes and created to acquire and own land for the
21 benefit of the local government, including the creation and
22 preservation of affordable housing.

23 "Development" means any building, construction,
24 renovation, or excavation or any material change in any
25 structure or land, or change in the use of such structure or
26 land, that results in a net increase in the number of dwelling

1 units in a structure or on a parcel of land by more than one
2 dwelling unit.

3 "Exempt local government" means any local government in
4 which at least 10% of its total year-round housing units are
5 affordable, as determined by the Illinois Housing Development
6 Authority pursuant to Section 20 of this Act; or any
7 municipality under 1,000 population.

8 "Household" means the person or persons occupying a
9 dwelling unit.

10 "Housing trust fund" means a separate fund, either within
11 a local government or between local governments pursuant to
12 intergovernmental agreement, established solely for the
13 purposes authorized in subsection (d) of Section 25,
14 including, without limitation, the holding and disbursing of
15 financial resources to address the affordable housing needs of
16 individuals or households that may occupy low-income or
17 moderate-income housing.

18 "Local government" means a county or municipality.

19 "Low-income housing" means housing that is affordable,
20 according to the federal Department of Housing and Urban
21 Development, for either home ownership or rental, and that is
22 occupied, reserved, or marketed for occupancy by households
23 with a gross household income that does not exceed 50% of the
24 area median household income.

25 "Moderate-income housing" means housing that is
26 affordable, according to the federal Department of Housing and

1 Urban Development, for either home ownership or rental, and
2 that is occupied, reserved, or marketed for occupancy by
3 households with a gross household income that is greater than
4 50% but does not exceed 80% of the area median household
5 income.

6 "Non-appealable local government requirements" means all
7 essential requirements that protect the public health and
8 safety, including any local building, electrical, fire, or
9 plumbing code requirements or those requirements that are
10 critical to the protection or preservation of the environment.
11 (Source: P.A. 98-287, eff. 8-9-13.); and

12 on page 26, immediately below line 26, by inserting the
13 following:

14 "(310 ILCS 67/50)

15 Sec. 50. Housing Appeals Board.

16 (a) Prior to January 1, 2008, a Housing Appeals Board
17 shall be created consisting of 7 members appointed by the
18 Governor as follows:

19 (1) a retired circuit judge or retired appellate
20 judge, who shall act as chairperson;

21 (2) a zoning board of appeals member;

22 (3) a planning board member;

23 (4) a mayor or municipal council or board member;

24 (5) a county board member;

1 (6) an affordable housing developer; and

2 (7) an affordable housing advocate.

3 In addition, the Chairman of the Illinois Housing
4 Development Authority, ex officio, shall serve as a non-voting
5 member. No more than 4 of the appointed members may be from the
6 same political party. Appointments under items (2), (3), and
7 (4) shall be from local governments that are not exempt under
8 this Act.

9 (b) Initial terms of 4 members designated by the Governor
10 shall be for 2 years. Initial terms of 3 members designated by
11 the Governor shall be for one year. Thereafter, members shall
12 be appointed for terms of 2 years. After a member's term
13 expires, the member shall continue to serve until a successor
14 is appointed. There shall be no limit to the number of terms an
15 appointee may serve. A member shall receive no compensation
16 for his or her services, but shall be reimbursed by the State
17 for all reasonable expenses actually and necessarily incurred
18 in the performance of his or her official duties. The board
19 shall hear all petitions for review filed under this Act and
20 shall conduct all hearings in accordance with the rules and
21 regulations established by the chairperson. The Illinois
22 Housing Development Authority shall provide space and clerical
23 and other assistance that the Board may require.

24 (c) (Blank).

25 (d) Any vacancies in the Housing Appeals Board shall be
26 filled within 90 days of the vacancy.

1 (Source: P.A. 98-287, eff. 8-9-13.)".