



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3106

Introduced 1/11/2022, by Sen. Laura M. Murphy

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-74.3-5

65 ILCS 5/11-74.4-4

65 ILCS 5/11-74.6-10

from Ch. 24, par. 11-74.4-4

Amends the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code. Provides that parcels are considered to be contiguous if they touch or join one another in a reasonably substantial sense. Provides that parcels are also considered to be contiguous if they meet the criteria for annexation under specified provisions of the Illinois Municipal Code. Provides the changes and declarative of existing law and are retroactive with regard to pending actions, except to any rights of a party subject to a final judgment entered pursuant to the September 23, 2021 opinion of the Illinois Supreme Court in Board of Education of Richland School District 88A v. City of Crest Hill, 2021 IL 126444. Effective immediately.

LRB102 21404 AWJ 30520 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by
5 changing Sections 11-74.3-5, 11-74.4-4, and 11-74.6-10 as
6 follows:

7 (65 ILCS 5/11-74.3-5)

8 Sec. 11-74.3-5. Definitions. The following terms as used
9 in this Law shall have the following meanings:

10 "Blighted area" means an area that is a blighted area
11 which, by reason of the predominance of defective,
12 non-existent, or inadequate street layout, unsanitary or
13 unsafe conditions, deterioration of site improvements,
14 improper subdivision or obsolete platting, or the existence of
15 conditions which endanger life or property by fire or other
16 causes, or any combination of those factors, retards the
17 provision of housing accommodations or constitutes an economic
18 or social liability, an economic underutilization of the area,
19 or a menace to the public health, safety, morals, or welfare.

20 "Business district" means a contiguous area which includes
21 only parcels of real property directly and substantially
22 benefited by the proposed business district plan. A business
23 district may, but need not be, a blighted area, but no

1 municipality shall be authorized to impose taxes pursuant to
2 subsection (10) or (11) of Section 11-74.3-3 in a business
3 district which has not been determined by ordinance to be a
4 blighted area under this Law. For purposes of this Division,
5 parcels are contiguous if they touch or join one another in a
6 reasonably substantial physical sense or if they meet the
7 criteria for annexation to a municipality under Section 7-1-1
8 of this Code. The changes made by this amendatory Act of the
9 102nd General Assembly, are declarative of existing law and
10 shall be applied retroactively when substantively applicable,
11 including all pending actions without regard to when the cause
12 of action accrued; however, this amendatory Act of the 102nd
13 General Assembly does not affect the rights of any party that
14 is subject to a final judgment entered pursuant to the
15 September 23,2021 opinion of the Illinois Supreme Court in
16 Board of Education of Richland School District 88A v. City of
17 Crest Hill, 2021 IL 126444.

18 "Business district plan" shall mean the written plan for
19 the development or redevelopment of a business district. Each
20 business district plan shall set forth in writing: (i) a
21 specific description of the boundaries of the proposed
22 business district, including a map illustrating the
23 boundaries; (ii) a general description of each project
24 proposed to be undertaken within the business district,
25 including a description of the approximate location of each
26 project and a description of any developer, user, or tenant of

1 any property to be located or improved within the proposed
2 business district; (iii) the name of the proposed business
3 district; (iv) the estimated business district project costs;
4 (v) the anticipated source of funds to pay business district
5 project costs; (vi) the anticipated type and terms of any
6 obligations to be issued; and (vii) the rate of any tax to be
7 imposed pursuant to subsection (10) or (11) of Section
8 11-74.3-3 and the period of time for which the tax shall be
9 imposed.

10 "Business district project costs" shall mean and include
11 the sum total of all costs incurred by a municipality, other
12 governmental entity, or nongovernmental person in connection
13 with a business district, in the furtherance of a business
14 district plan, including, without limitation, the following:

15 (1) costs of studies, surveys, development of plans
16 and specifications, implementation and administration of a
17 business district plan, and personnel and professional
18 service costs including architectural, engineering, legal,
19 marketing, financial, planning, or other professional
20 services, provided that no charges for professional
21 services may be based on a percentage of tax revenues
22 received by the municipality;

23 (2) property assembly costs, including but not limited
24 to, acquisition of land and other real or personal
25 property or rights or interests therein, and specifically
26 including payments to developers or other nongovernmental

1 persons as reimbursement for property assembly costs
2 incurred by that developer or other nongovernmental
3 person;

4 (3) site preparation costs, including but not limited
5 to clearance, demolition or removal of any existing
6 buildings, structures, fixtures, utilities, and
7 improvements and clearing and grading of land;

8 (4) costs of installation, repair, construction,
9 reconstruction, extension, or relocation of public
10 streets, public utilities, and other public site
11 improvements within or without the business district which
12 are essential to the preparation of the business district
13 for use in accordance with the business district plan, and
14 specifically including payments to developers or other
15 nongovernmental persons as reimbursement for site
16 preparation costs incurred by the developer or
17 nongovernmental person;

18 (5) costs of renovation, rehabilitation,
19 reconstruction, relocation, repair, or remodeling of any
20 existing buildings, improvements, and fixtures within the
21 business district, and specifically including payments to
22 developers or other nongovernmental persons as
23 reimbursement for costs incurred by those developers or
24 nongovernmental persons;

25 (6) costs of installation or construction within the
26 business district of buildings, structures, works,

1 streets, improvements, equipment, utilities, or fixtures,
2 and specifically including payments to developers or other
3 nongovernmental persons as reimbursements for such costs
4 incurred by such developer or nongovernmental person;

5 (7) financing costs, including but not limited to all
6 necessary and incidental expenses related to the issuance
7 of obligations, payment of any interest on any obligations
8 issued under this Law that accrues during the estimated
9 period of construction of any development or redevelopment
10 project for which those obligations are issued and for not
11 exceeding 36 months thereafter, and any reasonable
12 reserves related to the issuance of those obligations; and

13 (8) relocation costs to the extent that a municipality
14 determines that relocation costs shall be paid or is
15 required to make payment of relocation costs by federal or
16 State law.

17 "Business district tax allocation fund" means the special
18 fund to be established by a municipality for a business
19 district as provided in Section 11-74.3-6.

20 "Dissolution date" means the date on which the business
21 district tax allocation fund shall be dissolved. The
22 dissolution date shall be not later than 270 days following
23 payment to the municipality of the last distribution of taxes
24 as provided in Section 11-74.3-6.

25 (Source: P.A. 99-452, eff. 1-1-16.)

1 (65 ILCS 5/11-74.4-4) (from Ch. 24, par. 11-74.4-4)

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

22 A municipality may:

23 (a) By ordinance introduced in the governing body of
24 the municipality within 14 to 90 days from the completion
25 of the hearing specified in Section 11-74.4-5 approve
26 redevelopment plans and redevelopment projects, and

1 designate redevelopment project areas pursuant to notice
2 and hearing required by this Act. No redevelopment project
3 area shall be designated unless a plan and project are
4 approved prior to the designation of such area and such
5 area shall include only those contiguous parcels of real
6 property and improvements thereon substantially benefited
7 by the proposed redevelopment project improvements. Upon
8 adoption of the ordinances, the municipality shall
9 forthwith transmit to the county clerk of the county or
10 counties within which the redevelopment project area is
11 located a certified copy of the ordinances, a legal
12 description of the redevelopment project area, a map of
13 the redevelopment project area, identification of the year
14 that the county clerk shall use for determining the total
15 initial equalized assessed value of the redevelopment
16 project area consistent with subsection (a) of Section
17 11-74.4-9, and a list of the parcel or tax identification
18 number of each parcel of property included in the
19 redevelopment project area. For purposes of this Division,
20 parcels are contiguous if they touch or join one another
21 in a reasonably substantial physical sense or if they meet
22 the criteria for annexation to a municipality under
23 Section 7-1-1 of this Code.

24 The changes made by this amendatory Act of the 102nd
25 General Assembly, are declarative of existing law and
26 shall be applied retroactively when substantively

1 applicable, including all pending actions without regard
2 to when the cause of action accrued; however, this
3 amendatory Act of the 102nd General Assembly does not
4 affect the rights of any party that is subject to a final
5 judgment entered pursuant to the opinion of the September
6 23, 2021 Illinois Supreme Court in Board of Education of
7 Richland School District 88A v. City of Crest Hill, 2021
8 IL 126444.

9 (b) Make and enter into all contracts with property
10 owners, developers, tenants, overlapping taxing bodies,
11 and others necessary or incidental to the implementation
12 and furtherance of its redevelopment plan and project.
13 Contract provisions concerning loan repayment obligations
14 in contracts entered into on or after the effective date
15 of this amendatory Act of the 93rd General Assembly shall
16 terminate no later than the last to occur of the estimated
17 dates of completion of the redevelopment project and
18 retirement of the obligations issued to finance
19 redevelopment project costs as required by item (3) of
20 subsection (n) of Section 11-74.4-3. Payments received
21 under contracts entered into by the municipality prior to
22 the effective date of this amendatory Act of the 93rd
23 General Assembly that are received after the redevelopment
24 project area has been terminated by municipal ordinance
25 shall be deposited into a special fund of the municipality
26 to be used for other community redevelopment needs within

1 the redevelopment project area.

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

24 (d) Within a redevelopment project area, clear any
25 area by demolition or removal of any existing buildings
26 and structures.

1 (e) Within a redevelopment project area, renovate or
2 rehabilitate or construct any structure or building, as
3 permitted under this Act.

4 (f) Install, repair, construct, reconstruct or
5 relocate streets, utilities and site improvements
6 essential to the preparation of the redevelopment area for
7 use in accordance with a redevelopment plan.

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

12 (h) Accept grants, guarantees and donations of
13 property, labor, or other things of value from a public or
14 private source for use within a project redevelopment
15 area.

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

18 (j) Incur project redevelopment costs and reimburse
19 developers who incur redevelopment project costs
20 authorized by a redevelopment agreement; provided,
21 however, that on and after the effective date of this
22 amendatory Act of the 91st General Assembly, no
23 municipality shall incur redevelopment project costs
24 (except for planning costs and any other eligible costs
25 authorized by municipal ordinance or resolution that are
26 subsequently included in the redevelopment plan for the

1 area and are incurred by the municipality after the
2 ordinance or resolution is adopted) that are not
3 consistent with the program for accomplishing the
4 objectives of the redevelopment plan as included in that
5 plan and approved by the municipality until the
6 municipality has amended the redevelopment plan as
7 provided elsewhere in this Act.

8 (k) Create a commission of not less than 5 or more than
9 15 persons to be appointed by the mayor or president of the
10 municipality with the consent of the majority of the
11 governing board of the municipality. Members of a
12 commission appointed after the effective date of this
13 amendatory Act of 1987 shall be appointed for initial
14 terms of 1, 2, 3, 4 and 5 years, respectively, in such
15 numbers as to provide that the terms of not more than 1/3
16 of all such members shall expire in any one year. Their
17 successors shall be appointed for a term of 5 years. The
18 commission, subject to approval of the corporate
19 authorities may exercise the powers enumerated in this
20 Section. The commission shall also have the power to hold
21 the public hearings required by this division and make
22 recommendations to the corporate authorities concerning
23 the adoption of redevelopment plans, redevelopment
24 projects and designation of redevelopment project areas.

25 (l) Make payment in lieu of taxes or a portion thereof
26 to taxing districts. If payments in lieu of taxes or a

1 portion thereof are made to taxing districts, those
2 payments shall be made to all districts within a project
3 redevelopment area on a basis which is proportional to the
4 current collections of revenue which each taxing district
5 receives from real property in the redevelopment project
6 area.

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

9 (n) If any member of the corporate authority, a member
10 of a commission established pursuant to Section
11 11-74.4-4(k) of this Act, or an employee or consultant of
12 the municipality involved in the planning and preparation
13 of a redevelopment plan, or project for a redevelopment
14 project area or proposed redevelopment project area, as
15 defined in Sections 11-74.4-3(i) through (k) of this Act,
16 owns or controls an interest, direct or indirect, in any
17 property included in any redevelopment area, or proposed
18 redevelopment area, he or she shall disclose the same in
19 writing to the clerk of the municipality, and shall also
20 so disclose the dates and terms and conditions of any
21 disposition of any such interest, which disclosures shall
22 be acknowledged by the corporate authorities and entered
23 upon the minute books of the corporate authorities. If an
24 individual holds such an interest then that individual
25 shall refrain from any further official involvement in
26 regard to such redevelopment plan, project or area, from

1 voting on any matter pertaining to such redevelopment
2 plan, project or area, or communicating with other members
3 concerning corporate authorities, commission or employees
4 concerning any matter pertaining to said redevelopment
5 plan, project or area. Furthermore, no such member or
6 employee shall acquire of any interest direct, or
7 indirect, in any property in a redevelopment area or
8 proposed redevelopment area after either (a) such
9 individual obtains knowledge of such plan, project or area
10 or (b) first public notice of such plan, project or area
11 pursuant to Section 11-74.4-6 of this Division, whichever
12 occurs first. For the purposes of this subsection, a
13 property interest acquired in a single parcel of property
14 by a member of the corporate authority, which property is
15 used exclusively as the member's primary residence, shall
16 not be deemed to constitute an interest in any property
17 included in a redevelopment area or proposed redevelopment
18 area that was established before December 31, 1989, but
19 the member must disclose the acquisition to the municipal
20 clerk under the provisions of this subsection. A single
21 property interest acquired within one year after the
22 effective date of this amendatory Act of the 94th General
23 Assembly or 2 years after the effective date of this
24 amendatory Act of the 95th General Assembly by a member of
25 the corporate authority does not constitute an interest in
26 any property included in any redevelopment area or

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

20 (o) Create a Tax Increment Economic Development
21 Advisory Committee to be appointed by the Mayor or
22 President of the municipality with the consent of the
23 majority of the governing board of the municipality, the
24 members of which Committee shall be appointed for initial
25 terms of 1, 2, 3, 4 and 5 years respectively, in such
26 numbers as to provide that the terms of not more than 1/3

1 of all such members shall expire in any one year. Their
2 successors shall be appointed for a term of 5 years. The
3 Committee shall have none of the powers enumerated in this
4 Section. The Committee shall serve in an advisory capacity
5 only. The Committee may advise the governing Board of the
6 municipality and other municipal officials regarding
7 development issues and opportunities within the
8 redevelopment project area or the area within the State
9 Sales Tax Boundary. The Committee may also promote and
10 publicize development opportunities in the redevelopment
11 project area or the area within the State Sales Tax
12 Boundary.

13 (p) Municipalities may jointly undertake and perform
14 redevelopment plans and projects and utilize the
15 provisions of the Act wherever they have contiguous
16 redevelopment project areas or they determine to adopt tax
17 increment financing with respect to a redevelopment
18 project area which includes contiguous real property
19 within the boundaries of the municipalities, and in doing
20 so, they may, by agreement between municipalities, issue
21 obligations, separately or jointly, and expend revenues
22 received under the Act for eligible expenses anywhere
23 within contiguous redevelopment project areas or as
24 otherwise permitted in the Act. With respect to
25 redevelopment project areas that are established within a
26 transit facility improvement area, the provisions of this

1 subsection apply only with respect to such redevelopment
2 project areas that are contiguous to each other.

3 (q) Utilize revenues, other than State sales tax
4 increment revenues, received under this Act from one
5 redevelopment project area for eligible costs in another
6 redevelopment project area that is:

7 (i) contiguous to the redevelopment project area
8 from which the revenues are received;

9 (ii) separated only by a public right of way from
10 the redevelopment project area from which the revenues
11 are received; or

12 (iii) separated only by forest preserve property
13 from the redevelopment project area from which the
14 revenues are received if the closest boundaries of the
15 redevelopment project areas that are separated by the
16 forest preserve property are less than one mile apart.

17 Utilize tax increment revenues for eligible costs that
18 are received from a redevelopment project area created
19 under the Industrial Jobs Recovery Law that is either
20 contiguous to, or is separated only by a public right of
21 way from, the redevelopment project area created under
22 this Act which initially receives these revenues. Utilize
23 revenues, other than State sales tax increment revenues,
24 by transferring or loaning such revenues to a
25 redevelopment project area created under the Industrial
26 Jobs Recovery Law that is either contiguous to, or

1 separated only by a public right of way from the
2 redevelopment project area that initially produced and
3 received those revenues; and, if the redevelopment project
4 area (i) was established before the effective date of this
5 amendatory Act of the 91st General Assembly and (ii) is
6 located within a municipality with a population of more
7 than 100,000, utilize revenues or proceeds of obligations
8 authorized by Section 11-74.4-7 of this Act, other than
9 use or occupation tax revenues, to pay for any
10 redevelopment project costs as defined by subsection (q)
11 of Section 11-74.4-3 to the extent that the redevelopment
12 project costs involve public property that is either
13 contiguous to, or separated only by a public right of way
14 from, a redevelopment project area whether or not
15 redevelopment project costs or the source of payment for
16 the costs are specifically set forth in the redevelopment
17 plan for the redevelopment project area.

18 (r) If no redevelopment project has been initiated in
19 a redevelopment project area within 7 years after the area
20 was designated by ordinance under subsection (a), the
21 municipality shall adopt an ordinance repealing the area's
22 designation as a redevelopment project area; provided,
23 however, that if an area received its designation more
24 than 3 years before the effective date of this amendatory
25 Act of 1994 and no redevelopment project has been
26 initiated within 4 years after the effective date of this

1 amendatory Act of 1994, the municipality shall adopt an
2 ordinance repealing its designation as a redevelopment
3 project area. Initiation of a redevelopment project shall
4 be evidenced by either a signed redevelopment agreement or
5 expenditures on eligible redevelopment project costs
6 associated with a redevelopment project.

7 Notwithstanding any other provision of this Section to
8 the contrary, with respect to a redevelopment project area
9 designated by an ordinance that was adopted on July 29,
10 1998 by the City of Chicago, the City of Chicago shall
11 adopt an ordinance repealing the area's designation as a
12 redevelopment project area if no redevelopment project has
13 been initiated in the redevelopment project area within 15
14 years after the designation of the area. The City of
15 Chicago may retroactively repeal any ordinance adopted by
16 the City of Chicago, pursuant to this subsection (r), that
17 repealed the designation of a redevelopment project area
18 designated by an ordinance that was adopted by the City of
19 Chicago on July 29, 1998. The City of Chicago has 90 days
20 after the effective date of this amendatory Act to repeal
21 the ordinance. The changes to this Section made by this
22 amendatory Act of the 96th General Assembly apply
23 retroactively to July 27, 2005.

24 (s) The various powers and duties described in this
25 Section that apply to a redevelopment project area shall
26 also apply to a transit facility improvement area

1 established prior to, on, or after the effective date of
2 this amendatory Act of the 102nd General Assembly.

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

4 (65 ILCS 5/11-74.6-10)

5 Sec. 11-74.6-10. Definitions.

6 (a) "Environmentally contaminated area" means any improved
7 or vacant area within the boundaries of a redevelopment
8 project area located within the corporate limits of a
9 municipality when, (i) there has been a determination of
10 release or substantial threat of release of a hazardous
11 substance or pesticide, by the United States Environmental
12 Protection Agency or the Illinois Environmental Protection
13 Agency, or the Illinois Pollution Control Board, or any court,
14 or a release or substantial threat of release which is
15 addressed as part of the Pre-Notice Site Cleanup Program under
16 Section 22.2(m) of the Illinois Environmental Protection Act,
17 or a release or substantial threat of release of petroleum
18 under Section 22.12 of the Illinois Environmental Protection
19 Act, and (ii) which release or threat of release presents an
20 imminent and substantial danger to public health or welfare or
21 presents a significant threat to public health or the
22 environment, and (iii) which release or threat of release
23 would have a significant impact on the cost of redeveloping
24 the area.

25 (b) "Department" means the Department of Commerce and

1 Economic Opportunity.

2 (c) "Industrial park" means an area in a redevelopment
3 project area suitable for use by any manufacturing,
4 industrial, research, or transportation enterprise, of
5 facilities, including but not limited to factories, mills,
6 processing plants, assembly plants, packing plants,
7 fabricating plants, distribution centers, warehouses, repair
8 overhaul or service facilities, freight terminals, research
9 facilities, test facilities or railroad facilities. An
10 industrial park may contain space for commercial and other use
11 as long as the expected principal use of the park is industrial
12 and is reasonably expected to result in the creation of a
13 significant number of new permanent full time jobs. An
14 industrial park may also contain related operations and
15 facilities including, but not limited to, business and office
16 support services such as centralized computers,
17 telecommunications, publishing, accounting, photocopying and
18 similar activities and employee services such as child care,
19 health care, food service and similar activities. An
20 industrial park may also include demonstration projects,
21 prototype development, specialized training on developing
22 technology, and pure research in any field related or
23 adaptable to business and industry.

24 (d) "Research park" means an area in a redevelopment
25 project area suitable for development of a facility or complex
26 that includes research laboratories and related operations.

1 These related operations may include, but are not limited to,
2 business and office support services such as centralized
3 computers, telecommunications, publishing, accounting,
4 photocopying and similar activities, and employee services
5 such as child care, health care, food service and similar
6 activities. A research park may include demonstration
7 projects, prototype development, specialized training on
8 developing technology, and pure research in any field related
9 or adaptable to business and industry.

10 (e) "Industrial park conservation area" means an area
11 within the boundaries of a redevelopment project area located
12 within the corporate limits of a municipality or within 1 1/2
13 miles of the corporate limits of a municipality if the area is
14 to be annexed to the municipality, if the area is zoned as
15 industrial no later than the date on which the municipality by
16 ordinance designates the redevelopment project area, and if
17 the area includes improved or vacant land suitable for use as
18 an industrial park or a research park, or both. To be
19 designated as an industrial park conservation area, the area
20 shall also satisfy one of the following standards:

21 (1) Standard One: The municipality must be a labor
22 surplus municipality and the area must be served by
23 adequate public and or road transportation for access by
24 the unemployed and for the movement of goods or materials
25 and the redevelopment project area shall contain no more
26 than 2% of the most recently ascertained equalized

1 assessed value of all taxable real properties within the
2 corporate limits of the municipality after adjustment for
3 all annexations associated with the establishment of the
4 redevelopment project area or be located in the vicinity
5 of a waste disposal site or other waste facility. The
6 project plan shall include a plan for and shall establish
7 a marketing program to attract appropriate businesses to
8 the proposed industrial park conservation area and shall
9 include an adequate plan for financing and construction of
10 the necessary infrastructure. No redevelopment projects
11 may be authorized by the municipality under Standard One
12 of subsection (e) of this Section unless the project plan
13 also provides for an employment training project that
14 would prepare unemployed workers for work in the
15 industrial park conservation area, and the project has
16 been approved by official action of or is to be operated by
17 the local community college district, public school
18 district or state or locally designated private industry
19 council or successor agency, or

20 (2) Standard Two: The municipality must be a
21 substantial labor surplus municipality and the area must
22 be served by adequate public and or road transportation
23 for access by the unemployed and for the movement of goods
24 or materials and the redevelopment project area shall
25 contain no more than 2% of the most recently ascertained
26 equalized assessed value of all taxable real properties

1 within the corporate limits of the municipality after
2 adjustment for all annexations associated with the
3 establishment of the redevelopment project area. No
4 redevelopment projects may be authorized by the
5 municipality under Standard Two of subsection (e) of this
6 Section unless the project plan also provides for an
7 employment training project that would prepare unemployed
8 workers for work in the industrial park conservation area,
9 and the project has been approved by official action of or
10 is to be operated by the local community college district,
11 public school district or state or locally designated
12 private industry council or successor agency.

13 (f) "Vacant industrial buildings conservation area" means
14 an area containing one or more industrial buildings located
15 within the corporate limits of the municipality that has been
16 zoned industrial for at least 5 years before the designation
17 of that area as a redevelopment project area by the
18 municipality and is planned for reuse principally for
19 industrial purposes. For the area to be designated as a vacant
20 industrial buildings conservation area, the area shall also
21 satisfy one of the following standards:

22 (1) Standard One: The area shall consist of one or
23 more industrial buildings totaling at least 50,000 net
24 square feet of industrial space, with a majority of the
25 total area of all the buildings having been vacant for at
26 least 18 months; and (A) the area is located in a labor

1 surplus municipality or a substantial labor surplus
2 municipality, or (B) the equalized assessed value of the
3 properties within the area during the last 2 years is at
4 least 25% lower than the maximum equalized assessed value
5 of those properties during the immediately preceding 10
6 years.

7 (2) Standard Two: The area exclusively consists of
8 industrial buildings or a building complex operated by a
9 user or related users (A) that has within the immediately
10 preceding 5 years either (i) employed 200 or more
11 employees at that location, or (ii) if the area is located
12 in a municipality with a population of 12,000 or less,
13 employed more than 50 employees at that location and (B)
14 either is currently vacant, or the owner has: (i) directly
15 notified the municipality of the user's intention to
16 terminate operations at the facility or (ii) filed a
17 notice of closure under the Worker Adjustment and
18 Retraining Notification Act.

19 (g) "Labor surplus municipality" means a municipality in
20 which, during the 4 calendar years immediately preceding the
21 date the municipality by ordinance designates an industrial
22 park conservation area, the average unemployment rate was 1%
23 or more over the State average unemployment rate for that same
24 period of time as published in the United States Department of
25 Labor Bureau of Labor Statistics publication entitled "The
26 Employment Situation" or its successor publication. For the

1 purpose of this subsection (g), if unemployment rate
2 statistics for the municipality are not available, the
3 unemployment rate in the municipality shall be deemed to be:
4 (i) for a municipality that is not in an urban county, the same
5 as the unemployment rate in the principal county where the
6 municipality is located or (ii) for a municipality in an urban
7 county at that municipality's option, either the unemployment
8 rate certified for the municipality by the Department after
9 consultation with the Illinois Department of Labor or the
10 federal Bureau of Labor Statistics, or the unemployment rate
11 of the municipality as determined by the most recent federal
12 census if that census was not dated more than 5 years prior to
13 the date on which the determination is made.

14 (h) "Substantial labor surplus municipality" means a
15 municipality in which, during the 5 calendar years immediately
16 preceding the date the municipality by ordinance designates an
17 industrial park conservation area, the average unemployment
18 rate was 2% or more over the State average unemployment rate
19 for that same period of time as published in the United States
20 Department of Labor Statistics publication entitled "The
21 Employment Situation" or its successor publication. For the
22 purpose of this subsection (h), if unemployment rate
23 statistics for the municipality are not available, the
24 unemployment rate in the municipality shall be deemed to be:
25 (i) for a municipality that is not in an urban county, the same
26 as the unemployment rate in the principal county in which the

1 municipality is located; or (ii) for a municipality in an
2 urban county, at that municipality's option, either the
3 unemployment rate certified for the municipality by the
4 Department after consultation with the Illinois Department of
5 Labor or the federal Bureau of Labor Statistics, or the
6 unemployment rate of the municipality as determined by the
7 most recent federal census if that census was not dated more
8 than 5 years prior to the date on which the determination is
9 made.

10 (i) "Municipality" means a city, village or incorporated
11 town.

12 (j) "Obligations" means bonds, loans, debentures, notes,
13 special certificates or other evidence of indebtedness issued
14 by the municipality to carry out a redevelopment project or to
15 refund outstanding obligations.

16 (k) "Payment in lieu of taxes" means those estimated tax
17 revenues from real property in a redevelopment project area
18 derived from real property that has been acquired by a
19 municipality, which according to the redevelopment project or
20 plan are to be used for a private use, that taxing districts
21 would have received had a municipality not acquired the real
22 property and adopted tax increment allocation financing and
23 that would result from levies made after the time of the
24 adoption of tax increment allocation financing until the time
25 the current equalized assessed value of real property in the
26 redevelopment project area exceeds the total initial equalized

1 assessed value of real property in that area.

2 (1) "Redevelopment plan" means the comprehensive program
3 of the municipality for development or redevelopment intended
4 by the payment of redevelopment project costs to reduce or
5 eliminate the conditions that qualified the redevelopment
6 project area or redevelopment planning area, or both, as an
7 environmentally contaminated area or industrial park
8 conservation area, or vacant industrial buildings conservation
9 area, or combination thereof, and thereby to enhance the tax
10 bases of the taxing districts that extend into the
11 redevelopment project area or redevelopment planning area. On
12 and after the effective date of this amendatory Act of the 91st
13 General Assembly, no redevelopment plan may be approved or
14 amended to include the development of vacant land (i) with a
15 golf course and related clubhouse and other facilities or (ii)
16 designated by federal, State, county, or municipal government
17 as public land for outdoor recreational activities or for
18 nature preserves and used for that purpose within 5 years
19 prior to the adoption of the redevelopment plan. For the
20 purpose of this subsection, "recreational activities" is
21 limited to mean camping and hunting. Each redevelopment plan
22 must set forth in writing the bases for the municipal findings
23 required in this subsection, the program to be undertaken to
24 accomplish the objectives, including but not limited to: (1)
25 an itemized list of estimated redevelopment project costs, (2)
26 evidence indicating that the redevelopment project area or the

1 redevelopment planning area, or both, on the whole has not
2 been subject to growth and development through investment by
3 private enterprise, (3) (i) in the case of an environmentally
4 contaminated area, industrial park conservation area, or a
5 vacant industrial buildings conservation area classified under
6 either Standard One, or Standard Two of subsection (f) where
7 the building is currently vacant, evidence that implementation
8 of the redevelopment plan is reasonably expected to create a
9 significant number of permanent full time jobs, (ii) in the
10 case of a vacant industrial buildings conservation area
11 classified under Standard Two (B)(i) or (ii) of subsection
12 (f), evidence that implementation of the redevelopment plan is
13 reasonably expected to retain a significant number of existing
14 permanent full time jobs, and (iii) in the case of a
15 combination of an environmentally contaminated area,
16 industrial park conservation area, or vacant industrial
17 buildings conservation area, evidence that the standards
18 concerning the creation or retention of jobs for each area set
19 forth in (i) or (ii) above are met, (4) an assessment of the
20 financial impact of the redevelopment project area or the
21 redevelopment planning area, or both, on the overlapping
22 taxing bodies or any increased demand for services from any
23 taxing district affected by the plan and any program to
24 address such financial impact or increased demand, (5) the
25 sources of funds to pay costs, (6) the nature and term of the
26 obligations to be issued, (7) the most recent equalized

1 assessed valuation of the redevelopment project area or the
2 redevelopment planning area, or both, (8) an estimate of the
3 equalized assessed valuation after redevelopment and the
4 general land uses that are applied in the redevelopment
5 project area or the redevelopment planning area, or both, (9)
6 a commitment to fair employment practices and an affirmative
7 action plan, (10) if it includes an industrial park
8 conservation area, the following: (i) a general description of
9 any proposed developer, (ii) user and tenant of any property,
10 (iii) a description of the type, structure and general
11 character of the facilities to be developed, and (iv) a
12 description of the type, class and number of new employees to
13 be employed in the operation of the facilities to be
14 developed, (11) if it includes an environmentally contaminated
15 area, the following: either (i) a determination of release or
16 substantial threat of release of a hazardous substance or
17 pesticide or of petroleum by the United States Environmental
18 Protection Agency or the Illinois Environmental Protection
19 Agency, or the Illinois Pollution Control Board or any court;
20 or (ii) both an environmental audit report by a nationally
21 recognized independent environmental auditor having a
22 reputation for expertise in these matters and a copy of the
23 signed Review and Evaluation Services Agreement indicating
24 acceptance of the site by the Illinois Environmental
25 Protection Agency into the Pre-Notice Site Cleanup Program,
26 (12) if it includes a vacant industrial buildings conservation

1 area, the following: (i) a general description of any proposed
2 developer, (ii) user and tenant of any building or buildings,
3 (iii) a description of the type, structure and general
4 character of the building or buildings to be developed, and
5 (iv) a description of the type, class and number of new
6 employees to be employed or existing employees to be retained
7 in the operation of the building or buildings to be
8 redeveloped, and (13) if property is to be annexed to the
9 municipality, the terms of the annexation agreement.

10 No redevelopment plan shall be adopted by a municipality
11 without findings that:

12 (1) the redevelopment project area or redevelopment
13 planning area, or both, on the whole has not been subject
14 to growth and development through investment by private
15 enterprise and would not reasonably be anticipated to be
16 developed in accordance with public goals stated in the
17 redevelopment plan without the adoption of the
18 redevelopment plan;

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

1 land uses that have been approved by the planning
2 commission of the municipality;

3 (3) that the redevelopment plan is reasonably expected
4 to create or retain a significant number of permanent full
5 time jobs as set forth in paragraph (3) of subsection (1)
6 above;

7 (4) the estimated date of completion of the
8 redevelopment project and retirement of obligations
9 incurred to finance redevelopment project costs is not
10 later than December 31 of the year in which the payment to
11 the municipal treasurer as provided in subsection (b) of
12 Section 11-74.6-35 is to be made with respect to ad
13 valorem taxes levied in the twenty-third calendar year
14 after the year in which the ordinance approving the
15 redevelopment project area is adopted; a municipality may
16 by municipal ordinance amend an existing redevelopment
17 plan to conform to this paragraph (4) as amended by this
18 amendatory Act of the 91st General Assembly concerning
19 ordinances adopted on or after January 15, 1981, which
20 municipal ordinance may be adopted without further hearing
21 or notice and without complying with the procedures
22 provided in this Law pertaining to an amendment to or the
23 initial approval of a redevelopment plan and project and
24 designation of a redevelopment project area;

25 (5) in the case of an industrial park conservation
26 area, that the municipality is a labor surplus

1 municipality or a substantial labor surplus municipality
2 and that the implementation of the redevelopment plan is
3 reasonably expected to create a significant number of
4 permanent full time new jobs and, by the provision of new
5 facilities, significantly enhance the tax base of the
6 taxing districts that extend into the redevelopment
7 project area;

8 (6) in the case of an environmentally contaminated
9 area, that the area is subject to a release or substantial
10 threat of release of a hazardous substance, pesticide or
11 petroleum which presents an imminent and substantial
12 danger to public health or welfare or presents a
13 significant threat to public health or environment, that
14 such release or threat of release will have a significant
15 impact on the cost of redeveloping the area, that the
16 implementation of the redevelopment plan is reasonably
17 expected to result in the area being redeveloped, the tax
18 base of the affected taxing districts being significantly
19 enhanced thereby, and the creation of a significant number
20 of permanent full time jobs; and

21 (7) in the case of a vacant industrial buildings
22 conservation area, that the area is located within the
23 corporate limits of a municipality that has been zoned
24 industrial for at least 5 years before its designation as
25 a project redeveloped area, that it contains one or more
26 industrial buildings, and whether the area has been

1 designated under Standard One or Standard Two of
2 subsection (f) and the basis for that designation.

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

16 (n) "Redevelopment project area" means a contiguous area
17 designated by the municipality that is not less in the
18 aggregate than 1 1/2 acres, and for which the municipality has
19 made a finding that there exist conditions that cause the area
20 to be classified as an industrial park conservation area, a
21 vacant industrial building conservation area, an
22 environmentally contaminated area or a combination of these
23 types of areas. For purposes of this Division, parcels are
24 contiguous if they touch or join one another in a reasonably
25 substantial physical sense or if they meet the criteria for
26 annexation to a municipality under Section 7-1-1 of this Code.

1 The changes made by this amendatory Act of the 102nd
2 General Assembly, are declarative of existing law and shall be
3 applied retroactively when substantively applicable, including
4 all pending actions without regard to when the cause of action
5 accrued; however, this amendatory Act of the 102nd General
6 Assembly does not affect the rights of any party that is
7 subject to a final judgment entered pursuant to the opinion of
8 the September 23, 2021 Illinois Supreme Court in Board of
9 Education of Richland School District 88A v. City of Crest
10 Hill, 2021 IL 126444.

11 (o) "Redevelopment project costs" means the sum total of
12 all reasonable or necessary costs incurred or estimated to be
13 incurred by the municipality, and any of those costs
14 incidental to a redevelopment plan and a redevelopment
15 project. These costs include, without limitation, the
16 following:

17 (1) Costs of studies, surveys, development of plans,
18 and specifications, implementation and administration of
19 the redevelopment plan, staff and professional service
20 costs for architectural, engineering, legal, marketing,
21 financial, planning, or other services, but no charges for
22 professional services may be based on a percentage of the
23 tax increment collected; except that on and after the
24 effective date of this amendatory Act of the 91st General
25 Assembly, no contracts for professional services,
26 excluding architectural and engineering services, may be

1 entered into if the terms of the contract extend beyond a
2 period of 3 years. In addition, "redevelopment project
3 costs" shall not include lobbying expenses. After
4 consultation with the municipality, each tax increment
5 consultant or advisor to a municipality that plans to
6 designate or has designated a redevelopment project area
7 shall inform the municipality in writing of any contracts
8 that the consultant or advisor has entered into with
9 entities or individuals that have received, or are
10 receiving, payments financed by tax increment revenues
11 produced by the redevelopment project area with respect to
12 which the consultant or advisor has performed, or will be
13 performing, service for the municipality. This requirement
14 shall be satisfied by the consultant or advisor before the
15 commencement of services for the municipality and
16 thereafter whenever any other contracts with those
17 individuals or entities are executed by the consultant or
18 advisor;

19 (1.5) After July 1, 1999, annual administrative costs
20 shall not include general overhead or administrative costs
21 of the municipality that would still have been incurred by
22 the municipality if the municipality had not designated a
23 redevelopment project area or approved a redevelopment
24 plan;

25 (1.6) The cost of marketing sites within the
26 redevelopment project area to prospective businesses,

1 developers, and investors.

2 (2) Property assembly costs within a redevelopment
3 project area, including but not limited to acquisition of
4 land and other real or personal property or rights or
5 interests therein.

6 (3) Site preparation costs, including but not limited
7 to clearance of any area within a redevelopment project
8 area by demolition or removal of any existing buildings,
9 structures, fixtures, utilities and improvements and
10 clearing and grading; and including installation, repair,
11 construction, reconstruction, or relocation of public
12 streets, public utilities, and other public site
13 improvements within or without a redevelopment project
14 area which are essential to the preparation of the
15 redevelopment project area for use in accordance with a
16 redevelopment plan.

17 (4) Costs of renovation, rehabilitation,
18 reconstruction, relocation, repair or remodeling of any
19 existing public or private buildings, improvements, and
20 fixtures within a redevelopment project area; and the cost
21 of replacing an existing public building if pursuant to
22 the implementation of a redevelopment project the existing
23 public building is to be demolished to use the site for
24 private investment or devoted to a different use requiring
25 private investment.

26 (5) Costs of construction within a redevelopment

1 project area of public improvements, including but not
2 limited to, buildings, structures, works, utilities or
3 fixtures, except that on and after the effective date of
4 this amendatory Act of the 91st General Assembly,
5 redevelopment project costs shall not include the cost of
6 constructing a new municipal public building principally
7 used to provide offices, storage space, or conference
8 facilities or vehicle storage, maintenance, or repair for
9 administrative, public safety, or public works personnel
10 and that is not intended to replace an existing public
11 building as provided under paragraph (4) unless either (i)
12 the construction of the new municipal building implements
13 a redevelopment project that was included in a
14 redevelopment plan that was adopted by the municipality
15 prior to the effective date of this amendatory Act of the
16 91st General Assembly or (ii) the municipality makes a
17 reasonable determination in the redevelopment plan,
18 supported by information that provides the basis for that
19 determination, that the new municipal building is required
20 to meet an increase in the need for public safety purposes
21 anticipated to result from the implementation of the
22 redevelopment plan.

23 (6) Costs of eliminating or removing contaminants and
24 other impediments required by federal or State
25 environmental laws, rules, regulations, and guidelines,
26 orders or other requirements or those imposed by private

1 lending institutions as a condition for approval of their
2 financial support, debt or equity, for the redevelopment
3 projects, provided, however, that in the event (i) other
4 federal or State funds have been certified by an
5 administrative agency as adequate to pay these costs
6 during the 18 months after the adoption of the
7 redevelopment plan, or (ii) the municipality has been
8 reimbursed for such costs by persons legally responsible
9 for them, such federal, State, or private funds shall,
10 insofar as possible, be fully expended prior to the use of
11 any revenues deposited in the special tax allocation fund
12 of the municipality and any other such federal, State or
13 private funds received shall be deposited in the fund. The
14 municipality shall seek reimbursement of these costs from
15 persons legally responsible for these costs and the costs
16 of obtaining this reimbursement.

17 (7) Costs of job training and retraining projects.

18 (8) Financing costs, including but not limited to all
19 necessary and incidental expenses related to the issuance
20 of obligations and which may include payment of interest
21 on any obligations issued under this Act including
22 interest accruing during the estimated period of
23 construction of any redevelopment project for which the
24 obligations are issued and for not exceeding 36 months
25 thereafter and including reasonable reserves related to
26 those costs.

1 (9) All or a portion of a taxing district's capital
2 costs resulting from the redevelopment project necessarily
3 incurred or to be incurred in furtherance of the
4 objectives of the redevelopment plan and project, to the
5 extent the municipality by written agreement accepts and
6 approves those costs.

7 (10) Relocation costs to the extent that a
8 municipality determines that relocation costs shall be
9 paid or is required to make payment of relocation costs by
10 federal or State law.

11 (11) Payments in lieu of taxes.

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

1 the training and services to be provided, the number and
2 type of positions available or to be available, itemized
3 costs of the program and sources of funds to pay for the
4 same, and the term of the agreement. These costs include,
5 specifically, the payment by community college districts
6 of costs under Sections 3-37, 3-38, 3-40 and 3-40.1 of the
7 Public Community College Act and by school districts of
8 costs under Sections 10-22.20a and 10-23.3a of the School
9 Code.

10 (13) The interest costs incurred by redevelopers or
11 other nongovernmental persons in connection with a
12 redevelopment project, and specifically including payments
13 to redevelopers or other nongovernmental persons as
14 reimbursement for such costs incurred by such redeveloper
15 or other nongovernmental person, provided that:

16 (A) interest costs shall be paid or reimbursed by
17 a municipality only pursuant to the prior official
18 action of the municipality evidencing an intent to pay
19 or reimburse such interest costs;

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

24 (C) except as provided in subparagraph (E), the
25 aggregate amount of such costs paid or reimbursed by a
26 municipality shall not exceed 30% of the total (i)

1 costs paid or incurred by the redeveloper or other
2 nongovernmental person in that year plus (ii)
3 redevelopment project costs excluding any property
4 assembly costs and any relocation costs incurred by a
5 municipality pursuant to this Act;

6 (D) interest costs shall be paid or reimbursed by
7 a municipality solely from the special tax allocation
8 fund established pursuant to this Act and shall not be
9 paid or reimbursed from the proceeds of any
10 obligations issued by a municipality;

11 (E) if there are not sufficient funds available in
12 the special tax allocation fund in any year to make
13 such payment or reimbursement in full, any amount of
14 such interest cost remaining to be paid or reimbursed
15 by a municipality shall accrue and be payable when
16 funds are available in the special tax allocation fund
17 to make such payment.

18 (14) The costs of construction of new privately owned
19 buildings shall not be an eligible redevelopment project
20 cost.

21 If a special service area has been established under the
22 Special Service Area Tax Act, then any tax increment revenues
23 derived from the tax imposed thereunder to the Special Service
24 Area Tax Act may be used within the redevelopment project area
25 for the purposes permitted by that Act as well as the purposes
26 permitted by this Act.

1 (p) "Redevelopment Planning Area" means an area so
2 designated by a municipality after the municipality has
3 complied with all the findings and procedures required to
4 establish a redevelopment project area, including the
5 existence of conditions that qualify the area as an industrial
6 park conservation area, or an environmentally contaminated
7 area, or a vacant industrial buildings conservation area, or a
8 combination of these types of areas, and adopted a
9 redevelopment plan and project for the planning area and its
10 included redevelopment project areas. The area shall not be
11 designated as a redevelopment planning area for more than 5
12 years, or 10 years in the case of a redevelopment planning area
13 in the City of Rockford. At any time in the 5 years, or 10
14 years in the case of the City of Rockford, following that
15 designation of the redevelopment planning area, the
16 municipality may designate the redevelopment planning area, or
17 any portion of the redevelopment planning area, as a
18 redevelopment project area without making additional findings
19 or complying with additional procedures required for the
20 creation of a redevelopment project area. An amendment of a
21 redevelopment plan and project in accordance with the findings
22 and procedures of this Act after the designation of a
23 redevelopment planning area at any time within the 5 years
24 after the designation of the redevelopment planning area, or
25 10 years after the designation of the redevelopment planning
26 area in the City of Rockford, shall not require new

1 qualification of findings for the redevelopment project area
2 to be designated within the redevelopment planning area.

3 The terms "redevelopment plan", "redevelopment project",
4 and "redevelopment project area" have the definitions set out
5 in subsections (l), (m), and (n), respectively.

6 (q) "Taxing districts" means counties, townships,
7 municipalities, and school, road, park, sanitary, mosquito
8 abatement, forest preserve, public health, fire protection,
9 river conservancy, tuberculosis sanitarium and any other
10 municipal corporations or districts with the power to levy
11 taxes.

12 (r) "Taxing districts' capital costs" means those costs of
13 taxing districts for capital improvements that are found by
14 the municipal corporate authorities to be necessary and a
15 direct result of the redevelopment project.

16 (s) "Urban county" means a county with 240,000 or more
17 inhabitants.

18 (t) "Vacant area", as used in subsection (a) of this
19 Section, means any parcel or combination of parcels of real
20 property without industrial, commercial and residential
21 buildings that has not been used for commercial agricultural
22 purposes within 5 years before the designation of the
23 redevelopment project area, unless that parcel is included in
24 an industrial park conservation area.

25 (Source: P.A. 96-606, eff. 8-24-09.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.