



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4995

Introduced 2/8/2024, by Rep. Jeff Keicher

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-74.4-5

from Ch. 24, par. 11-74.4-5

65 ILCS 5/11-74.4-6

from Ch. 24, par. 11-74.4-6

Amends the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code. Provides that, before an ordinance may be adopted approving a redevelopment project area, the redevelopment project area must be approved by referendum of the voters of the affected taxing districts. Includes requirements for the ordinance or resolution proposing the redevelopment project area, for submission of and language for the referendum, and approval of the referendum when a majority of the voters in each of the affected taxing districts approve the referendum. Modifies notice requirements for the public meeting, and requires the notification of all voters of the affected taxing districts. Requires notice by publication, mailing, and on the website of the municipality (rather than by publication and mailing), and modifies the timing in which notices must be sent. Requires that a notice also must contain a copy of the proposed ordinance designating the redevelopment project area, a list of all taxes levied by each of the taxing districts that constitute the joint review board, a statement of the projected impact that the redevelopment project area will have on those taxing district, and the proposed referendum language. Makes other changes. Effective immediately.

LRB103 37672 AWJ 67799 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 11-74.4-5 and 11-74.4-6 as follows:

6 (65 ILCS 5/11-74.4-5) (from Ch. 24, par. 11-74.4-5)

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

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

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

4 Prior to the adoption of an ordinance proposing the
5 designation of a redevelopment project area, or approving a
6 redevelopment plan or redevelopment project, the municipality
7 by its corporate authorities, or as it may determine by any
8 commission designated under subsection (k) of Section
9 11-74.4-4 shall adopt an ordinance or resolution fixing a time
10 and place for public hearing. The ordinance or resolution
11 fixing the time and place for a public hearing shall also
12 initiate the submission of a referendum to approve the
13 designation of the redevelopment project area under subsection
14 (a-5), and the ordinance or resolution must be adopted no less
15 than 79 days before the regularly scheduled election at which
16 the referendum will be held. At least 10 days prior to the
17 adoption of the ordinance or resolution establishing the time
18 and place for the public hearing, the municipality shall make
19 available for public inspection a redevelopment plan or a
20 separate report that provides in reasonable detail the basis
21 for the eligibility of the redevelopment project area. The
22 report along with the name of a person to contact for further
23 information shall be sent within a reasonable time after the
24 adoption of such ordinance or resolution to the affected
25 taxing districts by certified mail. On and after the effective
26 date of this amendatory Act of the 91st General Assembly, the

1 municipality shall print in a newspaper of general circulation
2 within the municipality a notice that interested persons may
3 register with the municipality in order to receive information
4 on the proposed designation of a redevelopment project area or
5 the approval of a redevelopment plan. The notice shall state
6 the place of registration and the operating hours of that
7 place. The municipality shall have adopted reasonable rules to
8 implement this registration process under Section 11-74.4-4.2.
9 The municipality shall provide notice of the availability of
10 the redevelopment plan and eligibility report, including how
11 to obtain this information, by mail within a reasonable time
12 after the adoption of the ordinance or resolution, to all
13 residential addresses that, after a good faith effort, the
14 municipality determines are located outside the proposed
15 redevelopment project area and within 750 feet of the
16 boundaries of the proposed redevelopment project area. This
17 requirement is subject to the limitation that in a
18 municipality with a population of over 100,000, if the total
19 number of residential addresses outside the proposed
20 redevelopment project area and within 750 feet of the
21 boundaries of the proposed redevelopment project area exceeds
22 750, the municipality shall be required to provide the notice
23 to only the 750 residential addresses that, after a good faith
24 effort, the municipality determines are outside the proposed
25 redevelopment project area and closest to the boundaries of
26 the proposed redevelopment project area. Notwithstanding the

1 foregoing, notice given after August 7, 2001 (the effective
2 date of Public Act 92-263) and before the effective date of
3 this amendatory Act of the 92nd General Assembly to
4 residential addresses within 750 feet of the boundaries of a
5 proposed redevelopment project area shall be deemed to have
6 been sufficiently given in compliance with this Act if given
7 only to residents outside the boundaries of the proposed
8 redevelopment project area. The notice shall also be provided
9 by the municipality, regardless of its population, to those
10 organizations and residents that have registered with the
11 municipality for that information in accordance with the
12 registration guidelines established by the municipality under
13 Section 11-74.4-4.2.

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

1 proposed in the redevelopment plan, (3) substantially change
2 the nature of or extend the life of the redevelopment project,
3 or (4) increase the number of inhabited residential units to
4 be displaced from the redevelopment project area, as measured
5 from the time of creation of the redevelopment project area,
6 to a total of more than 10, shall be made only after the
7 municipality gives notice, convenes a joint review board, and
8 conducts a public hearing pursuant to the procedures set forth
9 in this Section and in Section 11-74.4-6 of this Act. Changes
10 which do not (1) add additional parcels of property to the
11 proposed redevelopment project area, (2) substantially affect
12 the general land uses proposed in the redevelopment plan, (3)
13 substantially change the nature of or extend the life of the
14 redevelopment project, or (4) increase the number of inhabited
15 residential units to be displaced from the redevelopment
16 project area, as measured from the time of creation of the
17 redevelopment project area, to a total of more than 10, may be
18 made without further hearing, provided that the municipality
19 shall give notice of any such changes by mail to each affected
20 taxing district and registrant on the interested parties
21 registry, provided for under Section 11-74.4-4.2, and by
22 publication in a newspaper of general circulation within the
23 affected taxing district. Such notice by mail and by
24 publication shall each occur not later than 10 days following
25 the adoption by ordinance of such changes. Hearings with
26 regard to a redevelopment project area, project or plan may be

1 held simultaneously.

2 (a-5) After adoption of an ordinance or resolution fixing
3 the time and place for a public hearing under subsection (a),
4 the city clerk shall certify the question of approving the
5 designation of the redevelopment project for submission to the
6 voters of all of the taxing districts that constitute the
7 joint review board under subsection (b) to the appropriate
8 election authority. Prior to the adoption of the ordinance
9 designating the redevelopment project area, the voters of all
10 of the taxing districts that constitute the joint review board
11 must first approve the referendum to designate the
12 redevelopment project area. The referendum shall be
13 substantially in the following form:

14 -----

15 Shall (name of the municipality)
16 establish a redevelopment project
17 area within (general description of
18 the redevelopment project area) for
19 (the purposes of the redevelopment
20 project area)?

21 -----

22 The votes shall be recorded as "Yes" or "No". The
23 referendum is approved when a majority of the voters in each of
24 the affected taxing districts approve the referendum.

25 (b) Prior to holding a public hearing to approve or amend a
26 redevelopment plan or to designate or add additional parcels

1 of property to a redevelopment project area, the municipality
2 shall convene a joint review board. The board shall consist of
3 a representative selected by each community college district,
4 local elementary school district and high school district or
5 each local community unit school district, park district,
6 library district, township, fire protection district, and
7 county that will have the authority to directly levy taxes on
8 the property within the proposed redevelopment project area at
9 the time that the proposed redevelopment project area is
10 approved, a representative selected by the municipality and a
11 public member. The public member shall first be selected and
12 then the board's chairperson shall be selected by a majority
13 of the board members present and voting.

14 For redevelopment project areas with redevelopment plans
15 or proposed redevelopment plans that would result in the
16 displacement of residents from 10 or more inhabited
17 residential units or that include 75 or more inhabited
18 residential units, the public member shall be a person who
19 resides in the redevelopment project area. If, as determined
20 by the housing impact study provided for in paragraph (5) of
21 subsection (n) of Section 11-74.4-3, or if no housing impact
22 study is required then based on other reasonable data, the
23 majority of residential units are occupied by very low, low,
24 or moderate income households, as defined in Section 3 of the
25 Illinois Affordable Housing Act, the public member shall be a
26 person who resides in very low, low, or moderate income

1 housing within the redevelopment project area. Municipalities
2 with fewer than 15,000 residents shall not be required to
3 select a person who lives in very low, low, or moderate income
4 housing within the redevelopment project area, provided that
5 the redevelopment plan or project will not result in
6 displacement of residents from 10 or more inhabited units, and
7 the municipality so certifies in the plan. If no person
8 satisfying these requirements is available or if no qualified
9 person will serve as the public member, then the joint review
10 board is relieved of this paragraph's selection requirements
11 for the public member.

12 Within 90 days of the effective date of this amendatory
13 Act of the 91st General Assembly, each municipality that
14 designated a redevelopment project area for which it was not
15 required to convene a joint review board under this Section
16 shall convene a joint review board to perform the duties
17 specified under paragraph (e) of this Section.

18 All board members shall be appointed and the first board
19 meeting shall be held at least 14 days but not more than 28
20 days after the mailing of notice by the municipality to the
21 taxing districts as required by Section 11-74.4-6(c).
22 Notwithstanding the preceding sentence, a municipality that
23 adopted either a public hearing resolution or a feasibility
24 resolution between July 1, 1999 and July 1, 2000 that called
25 for the meeting of the joint review board within 14 days of
26 notice of public hearing to affected taxing districts is

1 deemed to be in compliance with the notice, meeting, and
2 public hearing provisions of the Act. Such notice shall also
3 advise the taxing bodies represented on the joint review board
4 of the time and place of the first meeting of the board.
5 Additional meetings of the board shall be held upon the call of
6 any member. The municipality seeking designation of the
7 redevelopment project area shall provide administrative
8 support to the board.

9 The board shall review (i) the public record, planning
10 documents and proposed ordinances approving the redevelopment
11 plan and project and (ii) proposed amendments to the
12 redevelopment plan or additions of parcels of property to the
13 redevelopment project area to be adopted by the municipality.
14 As part of its deliberations, the board may hold additional
15 hearings on the proposal. A board's recommendation shall be an
16 advisory, non-binding recommendation. The recommendation shall
17 be adopted by a majority of those members present and voting.
18 The recommendations shall be submitted to the municipality
19 within 30 days after convening of the board. Failure of the
20 board to submit its report on a timely basis shall not be cause
21 to delay the public hearing or any other step in the process of
22 designating or amending the redevelopment project area but
23 shall be deemed to constitute approval by the joint review
24 board of the matters before it.

25 The board shall base its recommendation to approve or
26 disapprove the redevelopment plan and the designation of the

1 redevelopment project area or the amendment of the
2 redevelopment plan or addition of parcels of property to the
3 redevelopment project area on the basis of the redevelopment
4 project area and redevelopment plan satisfying the plan
5 requirements, the eligibility criteria defined in Section
6 11-74.4-3, and the objectives of this Act.

7 The board shall issue a written report describing why the
8 redevelopment plan and project area or the amendment thereof
9 meets or fails to meet one or more of the objectives of this
10 Act and both the plan requirements and the eligibility
11 criteria defined in Section 11-74.4-3. In the event the Board
12 does not file a report it shall be presumed that these taxing
13 bodies find the redevelopment project area and redevelopment
14 plan satisfy the objectives of this Act and the plan
15 requirements and eligibility criteria.

16 If the board recommends rejection of the matters before
17 it, the municipality will have 30 days within which to
18 resubmit the plan or amendment. During this period, the
19 municipality will meet and confer with the board and attempt
20 to resolve those issues set forth in the board's written
21 report that led to the rejection of the plan or amendment.

22 Notwithstanding the resubmission set forth above, the
23 municipality may commence the scheduled public hearing and
24 either adjourn the public hearing or continue the public
25 hearing until a date certain. Prior to continuing any public
26 hearing to a date certain, the municipality shall announce

1 during the public hearing the time, date, and location for the
2 reconvening of the public hearing. Any changes to the
3 redevelopment plan necessary to satisfy the issues set forth
4 in the joint review board report shall be the subject of a
5 public hearing before the hearing is adjourned if the changes
6 would (1) substantially affect the general land uses proposed
7 in the redevelopment plan, (2) substantially change the nature
8 of or extend the life of the redevelopment project, or (3)
9 increase the number of inhabited residential units to be
10 displaced from the redevelopment project area, as measured
11 from the time of creation of the redevelopment project area,
12 to a total of more than 10. Changes to the redevelopment plan
13 necessary to satisfy the issues set forth in the joint review
14 board report shall not require any further notice or convening
15 of a joint review board meeting, except that any changes to the
16 redevelopment plan that would add additional parcels of
17 property to the proposed redevelopment project area shall be
18 subject to the notice, public hearing, and joint review board
19 meeting requirements established for such changes by
20 subsection (a) of Section 11-74.4-5.

21 In the event that the municipality and the board are
22 unable to resolve these differences, or in the event that the
23 resubmitted plan or amendment is rejected by the board, the
24 municipality may proceed with the plan or amendment, but only
25 upon a three-fifths vote of the corporate authority
26 responsible for approval of the plan or amendment, excluding

1 positions of members that are vacant and those members that
2 are ineligible to vote because of conflicts of interest.

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

1 substantially change the nature of the redevelopment project,
2 (4) increase the total estimated redevelopment project cost
3 set out in the redevelopment plan by more than 5% after
4 adjustment for inflation from the date the plan was adopted,
5 (5) add additional redevelopment project costs to the itemized
6 list of redevelopment project costs set out in the
7 redevelopment plan, or (6) increase the number of inhabited
8 residential units to be displaced from the redevelopment
9 project area, as measured from the time of creation of the
10 redevelopment project area, to a total of more than 10, may be
11 made without further public hearing and related notices and
12 procedures including the convening of a joint review board as
13 set forth in Section 11-74.4-6 of this Act, provided that the
14 municipality shall give notice of any such changes by mail to
15 each affected taxing district and registrant on the interested
16 parties registry, provided for under Section 11-74.4-4.2, and
17 by publication in a newspaper of general circulation within
18 the affected taxing district. Such notice by mail and by
19 publication shall each occur not later than 10 days following
20 the adoption by ordinance of such changes.

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

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

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

11 (1.5) A list of the redevelopment project areas
12 administered by the municipality and, if applicable, the
13 date each redevelopment project area was designated or
14 terminated by the municipality.

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

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

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

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

26 (A) the balance in the special tax allocation fund

1 at the beginning of the fiscal year;

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

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

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

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

23 (A) Street address.

24 (B) Approximate size or description of property.

25 (C) Purchase price.

26 (D) Seller of property.

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

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

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

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

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

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

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

25 (G) A review of public and, to the extent
26 possible, private investment actually undertaken to

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

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

13 (A) copies of any official statements; and

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

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

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

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

25 In addition to information required to be reported under
26 this Section, for Fiscal Year 2022 and each fiscal year

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

26 (d-1) Prior to the effective date of this amendatory Act

1 of the 91st General Assembly, municipalities with populations
2 of over 1,000,000 shall, after adoption of a redevelopment
3 plan or project, make available upon request to any taxing
4 district in which the redevelopment project area is located
5 the following information:

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

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

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

19 (f) (Blank).

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

1 or resolution fixing a time and place for public hearing shall
2 not be applicable.

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

12 (i) No later than 10 years after the corporate authorities
13 of a municipality adopt an ordinance to establish a
14 redevelopment project area, the municipality must compile a
15 status report concerning the redevelopment project area. The
16 status report must detail without limitation the following:
17 (i) the amount of revenue generated within the redevelopment
18 project area, (ii) any expenditures made by the municipality
19 for the redevelopment project area including without
20 limitation expenditures from the special tax allocation fund,
21 (iii) the status of planned activities, goals, and objectives
22 set forth in the redevelopment plan including details on new
23 or planned construction within the redevelopment project area,
24 (iv) the amount of private and public investment within the
25 redevelopment project area, and (v) any other relevant
26 evaluation or performance data. Within 30 days after the

1 municipality compiles the status report, the municipality must
2 hold at least one public hearing concerning the report. The
3 municipality must provide 20 days' public notice of the
4 hearing.

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

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

11 (65 ILCS 5/11-74.4-6) (from Ch. 24, par. 11-74.4-6)

12 Sec. 11-74.4-6. (a) Except as provided herein, notice of
13 the public hearing shall be given by publication and mailing;
14 provided, however, that no notice by mailing shall be required
15 under this subsection (a) with respect to any redevelopment
16 project area located within a transit facility improvement
17 area established pursuant to Section 11-74.4-3.3. Notice by
18 publication shall be given by publication at least twice, the
19 first publication to be not more than 30 nor less than 10 days
20 prior to the hearing in a newspaper of general circulation
21 within the taxing districts having property in the proposed
22 redevelopment project area. Notice by mailing shall be given
23 by depositing such notice in the United States mails by
24 certified mail addressed to the person or persons in whose
25 name the general taxes for the last preceding year were paid on

1 each lot, block, tract, or parcel of land lying within the
2 project redevelopment area. Said notice shall be mailed not
3 less than 10 days prior to the date set for the public hearing.
4 In the event taxes for the last preceding year were not paid,
5 the notice shall also be sent to the persons last listed on the
6 tax rolls within the preceding 3 years as the owners of such
7 property. For redevelopment project areas with redevelopment
8 plans or proposed redevelopment plans that would require
9 removal of 10 or more inhabited residential units or that
10 contain 75 or more inhabited residential units, the
11 municipality shall make a good faith effort to notify by mail
12 all residents of the redevelopment project area. At a minimum,
13 the municipality shall mail a notice to each residential
14 address located within the redevelopment project area. The
15 municipality shall endeavor to ensure that all such notices
16 are effectively communicated and shall include (in addition to
17 notice in English) notice in the predominant language other
18 than English when appropriate.

19 (a-5) For a public hearing for adoption of an ordinance
20 designating a redevelopment project area under subsection (a)
21 of Section 11-74.4-5, notice of the public hearing shall be
22 given by publication and mailing, but no notice by mailing is
23 required under this subsection with respect to a redevelopment
24 project area located within a transit facility improvement
25 area established pursuant to Section 11-74.4-3.3. Notice by
26 publication shall be given by publication at least twice, the

1 first publication to be not more than 30 nor less than 10 days
2 prior to the hearing if the hearing is before the date of the
3 referendum or not more than 30 nor less than 10 days prior to
4 the date of the election in which the referendum to approve the
5 designation of the redevelopment project area if the date of
6 the referendum is before the hearing date. Notice by
7 publication must be in a newspaper of general circulation
8 within the taxing districts having property in the proposed
9 redevelopment project area. Notice by publication of the
10 public hearing shall also be given by publication on the main
11 page of the municipality's website, if it has a website, at
12 least 30 days prior to the date of the election in which the
13 referendum to approve the designation of the redevelopment
14 project area. Notice by mailing shall be given by depositing
15 the notice in the United States mails by certified mail
16 addressed to every registered voter residing within the taxing
17 districts that constitute the joint review board under
18 subsection (b) of Section 11-74.4-5. The mailed notice shall
19 be mailed not less than 10 days prior to the date set for the
20 public hearing. The municipality shall endeavor to ensure that
21 all of the notice under this subsection are effectively
22 communicated and shall include (in addition to notice in
23 English) notice in the predominant language other than English
24 when appropriate.

25 (b) Except as otherwise provided in this subsection, the
26 ~~The~~ notices issued pursuant to this Section shall include the

1 following:

2 (1) The time and place of public hearing.

3 (2) The boundaries of the proposed redevelopment
4 project area by legal description and by street location
5 where possible.

6 (3) A notification that all interested persons will be
7 given an opportunity to be heard at the public hearing.

8 (4) A description of the redevelopment plan or
9 redevelopment project for the proposed redevelopment
10 project area if a plan or project is the subject matter of
11 the hearing.

12 (5) A copy of the proposed ordinance designating the
13 redevelopment project area.

14 (6) A list of all taxes levied by each of the taxing
15 districts that constitute the joint review board under
16 subsection (b) of Section 11-74.4-5, and a statement of
17 the projected impact that the redevelopment project area
18 will have on those taxing district.

19 (7) The proposed referendum language.

20 (8) ~~(5)~~ Such other matters as the municipality may
21 deem appropriate.

22 Paragraphs (5), (6), and (7) only apply to notices under
23 subsection (a-1).

24 (c) Not less than 45 days prior to the date set for
25 hearing, the municipality shall give notice by mail as
26 provided in subsection (a) to all taxing districts of which

1 taxable property is included in the redevelopment project
2 area, project or plan and to the Department of Commerce and
3 Economic Opportunity, and in addition to the other
4 requirements under subsection (b) the notice shall include an
5 invitation to the Department of Commerce and Economic
6 Opportunity and each taxing district to submit comments to the
7 municipality concerning the subject matter of the hearing
8 prior to the date of hearing.

9 (d) In the event that any municipality has by ordinance
10 adopted tax increment financing prior to 1987, and has
11 complied with the notice requirements of this Section, except
12 that the notice has not included the requirements of
13 subsection (b), paragraphs (2), (3) and (4), and within 90
14 days of December 16, 1991 (the effective date of Public Act
15 87-813), that municipality passes an ordinance which contains
16 findings that: (1) all taxing districts prior to the time of
17 the hearing required by Section 11-74.4-5 were furnished with
18 copies of a map incorporated into the redevelopment plan and
19 project substantially showing the legal boundaries of the
20 redevelopment project area; (2) the redevelopment plan and
21 project, or a draft thereof, contained a map substantially
22 showing the legal boundaries of the redevelopment project area
23 and was available to the public at the time of the hearing; and
24 (3) since the adoption of any form of tax increment financing
25 authorized by this Act, and prior to June 1, 1991, no objection
26 or challenge has been made in writing to the municipality in

1 respect to the notices required by this Section, then the
2 municipality shall be deemed to have met the notice
3 requirements of this Act and all actions of the municipality
4 taken in connection with such notices as were given are hereby
5 validated and hereby declared to be legally sufficient for all
6 purposes of this Act.

7 (e) If a municipality desires to propose a redevelopment
8 plan for a redevelopment project area that would result in the
9 displacement of residents from 10 or more inhabited
10 residential units or for a redevelopment project area that
11 contains 75 or more inhabited residential units, the
12 municipality shall hold a public meeting before the mailing of
13 the notices of public hearing as provided in subsection (c) of
14 this Section. However, such a meeting shall be required for
15 any redevelopment plan for a redevelopment project area
16 located within a transit facility improvement area established
17 pursuant to Section 11-74.4-3.3 if the applicable project is
18 subject to the process for evaluation of environmental effects
19 under the National Environmental Policy Act of 1969, 42 U.S.C.
20 4321 et seq. The meeting shall be for the purpose of enabling
21 the municipality to advise the public, taxing districts having
22 real property in the redevelopment project area, taxpayers who
23 own property in the proposed redevelopment project area, and
24 residents in the area as to the municipality's possible intent
25 to prepare a redevelopment plan and designate a redevelopment
26 project area and to receive public comment. The time and place

1 for the meeting shall be set by the head of the municipality's
2 Department of Planning or other department official designated
3 by the mayor or city or village manager without the necessity
4 of a resolution or ordinance of the municipality and may be
5 held by a member of the staff of the Department of Planning of
6 the municipality or by any other person, body, or commission
7 designated by the corporate authorities. The meeting shall be
8 held at least 14 business days before the mailing of the notice
9 of public hearing provided for in subsection (c) of this
10 Section.

11 Notice of the public meeting shall be given by mail.
12 Notice by mail shall be not less than 15 days before the date
13 of the meeting and shall be sent by certified mail to all
14 taxing districts having real property in the proposed
15 redevelopment project area and to all entities requesting that
16 information that have registered with a person and department
17 designated by the municipality in accordance with registration
18 guidelines established by the municipality pursuant to Section
19 11-74.4-4.2. The municipality shall make a good faith effort
20 to notify all residents and the last known persons who paid
21 property taxes on real estate in a redevelopment project area.
22 This requirement shall be deemed to be satisfied if the
23 municipality mails, by regular mail, a notice to each
24 residential address and the person or persons in whose name
25 property taxes were paid on real property for the last
26 preceding year located within the redevelopment project area.

1 Notice shall be in languages other than English when
2 appropriate. The notices issued under this subsection shall
3 include the following:

4 (1) The time and place of the meeting.

5 (2) The boundaries of the area to be studied for
6 possible designation as a redevelopment project area by
7 street and location.

8 (3) The purpose or purposes of establishing a
9 redevelopment project area.

10 (4) A brief description of tax increment financing.

11 (5) The name, telephone number, and address of the
12 person who can be contacted for additional information
13 about the proposed redevelopment project area and who
14 should receive all comments and suggestions regarding the
15 development of the area to be studied.

16 (6) Notification that all interested persons will be
17 given an opportunity to be heard at the public meeting.

18 (7) Such other matters as the municipality deems
19 appropriate.

20 At the public meeting, any interested person or
21 representative of an affected taxing district may be heard
22 orally and may file, with the person conducting the meeting,
23 statements that pertain to the subject matter of the meeting.

24 (Source: P.A. 99-792, eff. 8-12-16; 100-201, eff. 8-18-17.)

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