



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1391

Introduced 2/6/2023, by Sen. Ann Gillespie

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-74.4-3	from Ch. 24, par. 11-74.4-3
65 ILCS 5/11-74.4-3.5	
65 ILCS 5/11-74.4-5	from Ch. 24, par. 11-74.4-5
65 ILCS 5/11-74.4-7	from Ch. 24, par. 11-74.4-7
65 ILCS 5/11-74.4-8	from Ch. 24, par. 11-74.4-8

Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Modifies factors used by a municipality to determine if an area is a blighted area or a conservation area to be included in the area of a redevelopment project area when establishing the area. Provides that a new redevelopment project area shall have a completion date no later than December 31st of the 20th year after the ordinance was adopted (rather than the 23rd year), and provides that the redevelopment project area may be extended, with the approval of each member of the joint project review board, only 2 additional years (rather than extended to the 35th year and extended again to the 47th year). Provides that a municipality may not approve redevelopment project areas or expansions of redevelopment project areas that overlap with an existing redevelopment project area. Provides that 10% of moneys deposited into the special tax allocation fund shall be transferred to the local chamber of commerce or chambers of commerce representing the redevelopment project area for the chamber or chambers of commerce to use for grants to businesses that employ fewer than 50 full-time employees if the business moves within the redevelopment project area. Provides that moneys transferred to a chamber of commerce not used or pledged within one year of transfer of the moneys shall be returned to the municipality and are designated surplus funds of the redevelopment project area. Adds nonvoting members to joint review boards. Provides that, if a school district or community college district does not approve of the creation of a redevelopment project area, then the portion of the taxes attributable to the increase in the current equalized assessed valuation which would be payable to the nonconsenting district shall be paid to that district. Effective immediately.

LRB103 29120 AWJ 55506 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 11-74.4-3, 11-74.4-3.5, 11-74.4-5,
6 11-74.4-7, and 11-74.4-8 as follows:

7 (65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)

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

12 (a) For any redevelopment project area that has been
13 designated pursuant to this Section by an ordinance adopted
14 prior to the effective date of this amendatory Act of the 103rd
15 General Assembly November 1, 1999 ~~(the effective date of~~
16 ~~Public Act 91-478)~~, "blighted area" shall have the meaning set
17 forth in this Section prior to that date.

18 On and after the effective date of this amendatory Act of
19 the 103rd General Assembly November 1, 1999, "blighted area"
20 means any improved or vacant area within the boundaries of a
21 redevelopment project area located within the territorial
22 limits of the municipality where:

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

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

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

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

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

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

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

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

23 (F) Excessive vacancies. At least 25% of buildings
24 have been unoccupied by businesses or housing
25 residents for at least one year ~~The presence of~~
26 ~~buildings that are unoccupied or under utilized and~~

1 ~~that represent an adverse influence on the area~~
2 ~~because of the frequency, extent, or duration of the~~
3 ~~vacancies.~~

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

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

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

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

26 (K) Environmental clean-up. The proposed

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

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

26 (M) The total equalized assessed value of the

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

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

17 (O) The proposed redevelopment project area has
18 experienced a net loss of 25% or more of businesses
19 over the past 10 years. For the purposes of this
20 subparagraph, "net loss" means a reduction in the
21 total number of businesses operating due to conditions
22 including, but not limited to, business closure,
23 bankruptcy, or migration out of the redevelopment
24 project area.

25 (2) If vacant, the sound growth of the redevelopment
26 project area is impaired by a combination of one ~~2~~ or more

1 of the following factors, each of which is (i) present,
2 with that presence documented, to a meaningful extent so
3 that a municipality may reasonably find that the factor is
4 clearly present within the intent of the Act and (ii)
5 reasonably distributed throughout the vacant part of the
6 redevelopment project area to which it pertains:

7 (A) (Blank). ~~Obsolete platting of vacant land that~~
8 ~~results in parcels of limited or narrow size or~~
9 ~~configurations of parcels of irregular size or shape~~
10 ~~that would be difficult to develop on a planned basis~~
11 ~~and in a manner compatible with contemporary standards~~
12 ~~and requirements, or platting that failed to create~~
13 ~~rights of ways for streets or alleys or that created~~
14 ~~inadequate right of way widths for streets, alleys, or~~
15 ~~other public rights of way or that omitted easements~~
16 ~~for public utilities.~~

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

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

23 (D) (Blank). ~~Deterioration of structures or site~~
24 ~~improvements in neighboring areas adjacent to the~~
25 ~~vacant land.~~

26 (E) The area has incurred Illinois Environmental

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

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

24 (3) If vacant, the sound growth of the redevelopment
25 project area is impaired by one of the following factors
26 that (i) is present, with that presence documented, to a

1 meaningful extent so that a municipality may reasonably
2 find that the factor is clearly present within the intent
3 of the Act and (ii) is reasonably distributed throughout
4 the vacant part of the redevelopment project area to which
5 it pertains:

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

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

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

20 (D) The area consists of an unused or illegal
21 disposal site containing earth, stone, building
22 debris, or similar materials that were removed from
23 construction, demolition, excavation, or dredge sites.

24 (E) Prior to November 1, 1999, the area is not less
25 than 50 nor more than 100 acres and 75% of which is
26 vacant (notwithstanding that the area has been used

1 for commercial agricultural purposes within 5 years
2 prior to the designation of the redevelopment project
3 area), and the area meets at least one of the factors
4 itemized in paragraph (1) of this subsection, the area
5 has been designated as a town or village center by
6 ordinance or comprehensive plan adopted prior to
7 January 1, 1982, and the area has not been developed
8 for that designated purpose.

9 (F) (Blank). ~~The area qualified as a blighted~~
10 ~~improved area immediately prior to becoming vacant,~~
11 ~~unless there has been substantial private investment~~
12 ~~in the immediately surrounding area.~~

13 (b) For any redevelopment project area that has been
14 designated pursuant to this Section by an ordinance adopted
15 prior to the effective date of this amendatory Act of the 103rd
16 General Assembly November 1, 1999 ~~(the effective date of~~
17 ~~Public Act 91-478)~~, "conservation area" shall have the meaning
18 set forth in this Section prior to that date.

19 On and after the effective date of this amendatory Act of
20 the 103rd General Assembly November 1, 1999, "conservation
21 area" means any improved area within the boundaries of a
22 redevelopment project area located within the territorial
23 limits of the municipality in which 50% or more of the
24 structures in the area have an age of 35 years or more. Such an
25 area is not yet a blighted area but because of a combination of
26 4 ~~3~~ or more of the following factors is detrimental to the

1 public safety, health, morals or welfare and such an area may
2 become a blighted area:

3 (1) (Blank). ~~Dilapidation. An advanced state of~~
4 ~~disrepair or neglect of necessary repairs to the primary~~
5 ~~structural components of buildings or improvements in such~~
6 ~~a combination that a documented building condition~~
7 ~~analysis determines that major repair is required or the~~
8 ~~defects are so serious and so extensive that the buildings~~
9 ~~must be removed.~~

10 (2) Obsolescence. A state of functional, economic, or
11 physical obsolescence of buildings or improvements that a
12 documented analysis determines does not meet or sustain
13 current technological needs such as fiber optic,
14 broadband, or other critical utility infrastructure ~~The~~
15 ~~condition or process of falling into disuse. Structures~~
16 ~~have become ill suited for the original use.~~

17 (3) Deterioration. At least 25% of structures in the
18 redevelopment project area have major defects in the
19 secondary building components, including, but not limited
20 to, ~~With respect to buildings, defects including, but not~~
21 ~~limited to, major defects in the secondary building~~
22 ~~components such as doors, windows, porches, gutters and~~
23 ~~downspouts, and fascia. With respect to surface~~
24 ~~improvements, that the condition of roadways, alleys,~~
25 ~~curbs, gutters, sidewalks, off-street parking, and surface~~
26 ~~storage areas evidence deterioration, including, but not~~

1 ~~limited to, surface cracking, crumbling, potholes,~~
2 ~~depressions, loose paving material, and weeds protruding~~
3 ~~through paved surfaces.~~

4 (4) Presence of structures below minimum code
5 standards. Over 25% of All structures ~~that~~ do not meet the
6 standards of ~~zoning,~~ subdivision, building, fire, and
7 other governmental codes applicable to property, ~~but~~ not
8 including housing and property maintenance codes.

9 (5) (Blank). ~~Illegal use of individual structures. The~~
10 ~~use of structures in violation of applicable federal,~~
11 ~~State, or local laws, exclusive of those applicable to the~~
12 ~~presence of structures below minimum code standards.~~

13 (6) Excessive vacancies. At least 25% of buildings
14 have been unoccupied by businesses or housing residents
15 for at least one year. ~~The presence of buildings that are~~
16 ~~unoccupied or under utilized and that represent an adverse~~
17 ~~influence on the area because of the frequency, extent, or~~
18 ~~duration of the vacancies.~~

19 (7) Lack of ventilation, light, or sanitary
20 facilities. The absence of adequate ventilation for light
21 or air circulation in spaces or rooms without windows, or
22 that require the removal of dust, odor, gas, smoke, or
23 other noxious airborne materials. Inadequate natural light
24 and ventilation means the absence or inadequacy of
25 skylights or windows for interior spaces or rooms and
26 improper window sizes and amounts by room area to window

1 area ratios. Inadequate sanitary facilities refers to the
2 absence or inadequacy of garbage storage and enclosure,
3 bathroom facilities, hot water and kitchens, and
4 structural inadequacies preventing ingress and egress to
5 and from all rooms and units within a building.

6 (8) Inadequate utilities. Underground and overhead
7 utilities such as storm sewers and storm drainage,
8 sanitary sewers, water lines, and gas, telephone, and
9 electrical services that are shown to be inadequate.
10 Inadequate utilities are those that are: (i) of
11 insufficient capacity to serve the uses in the
12 redevelopment project area, (ii) deteriorated, antiquated,
13 obsolete, or in disrepair, or (iii) lacking within the
14 redevelopment project area.

15 (9) Excessive land coverage and overcrowding of
16 structures and community facilities. The over-intensive
17 use of property and the crowding of buildings and
18 accessory facilities onto a site. Examples of problem
19 conditions warranting the designation of an area as one
20 exhibiting excessive land coverage are: the presence of
21 buildings either improperly situated on parcels or located
22 on parcels of inadequate size and shape in relation to
23 present-day standards of development for health and safety
24 and the presence of multiple buildings on a single parcel.
25 For there to be a finding of excessive land coverage,
26 these parcels must exhibit one or more of the following

1 conditions: insufficient provision for light and air
2 within or around buildings, increased threat of spread of
3 fire due to the close proximity of buildings, lack of
4 adequate or proper access to a public right-of-way, lack
5 of reasonably required off-street parking, or inadequate
6 provision for loading and service.

7 (10) (Blank). ~~Deleterious land use or layout. The~~
8 ~~existence of incompatible land use relationships,~~
9 ~~buildings occupied by inappropriate mixed uses, or uses~~
10 ~~considered to be noxious, offensive, or unsuitable for the~~
11 ~~surrounding area.~~

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

24 (12) The area has incurred Illinois Environmental
25 Protection Agency or United States Environmental
26 Protection Agency remediation costs for, or a study

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

9 (13) The total equalized assessed value of the
10 proposed redevelopment project area has declined for 6 ~~3~~
11 of the last 10 ~~5~~ calendar years for which information is
12 available ~~or is increasing at an annual rate that is less~~
13 ~~than the balance of the municipality for 3 of the last 5~~
14 ~~calendar years for which information is available or is~~
15 ~~increasing at an annual rate that is less than the~~
16 ~~Consumer Price Index for All Urban Consumers published by~~
17 ~~the United States Department of Labor or successor agency~~
18 ~~for 3 of the last 5 calendar years for which information is~~
19 ~~available.~~

20 (c) "Industrial park" means an area in a blighted or
21 conservation area suitable for use by any manufacturing,
22 industrial, research or transportation enterprise, of
23 facilities to include but not be limited to factories, mills,
24 processing plants, assembly plants, packing plants,
25 fabricating plants, industrial distribution centers,
26 warehouses, repair overhaul or service facilities, freight

1 terminals, research facilities, test facilities or railroad
2 facilities.

3 (d) "Industrial park conservation area" means an area
4 within the boundaries of a redevelopment project area located
5 within the territorial limits of a municipality that is a
6 labor surplus municipality or within 1 1/2 miles of the
7 territorial limits of a municipality that is a labor surplus
8 municipality if the area is annexed to the municipality; which
9 area is zoned as industrial no later than at the time the
10 municipality by ordinance designates the redevelopment project
11 area, and which area includes both vacant land suitable for
12 use as an industrial park and a blighted area or conservation
13 area contiguous to such vacant land.

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

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

6 (g) "Initial Sales Tax Amounts" means the amount of taxes
7 paid under the Retailers' Occupation Tax Act, Use Tax Act,
8 Service Use Tax Act, the Service Occupation Tax Act, the
9 Municipal Retailers' Occupation Tax Act, and the Municipal
10 Service Occupation Tax Act by retailers and servicemen on
11 transactions at places located in a State Sales Tax Boundary
12 during the calendar year 1985.

13 (g-1) "Revised Initial Sales Tax Amounts" means the amount
14 of taxes paid under the Retailers' Occupation Tax Act, Use Tax
15 Act, Service Use Tax Act, the Service Occupation Tax Act, the
16 Municipal Retailers' Occupation Tax Act, and the Municipal
17 Service Occupation Tax Act by retailers and servicemen on
18 transactions at places located within the State Sales Tax
19 Boundary revised pursuant to Section 11-74.4-8a(9) of this
20 Act.

21 (h) "Municipal Sales Tax Increment" means an amount equal
22 to the increase in the aggregate amount of taxes paid to a
23 municipality from the Local Government Tax Fund arising from
24 sales by retailers and servicemen within the redevelopment
25 project area or State Sales Tax Boundary, as the case may be,
26 for as long as the redevelopment project area or State Sales

1 Tax Boundary, as the case may be, exist over and above the
2 aggregate amount of taxes as certified by the Illinois
3 Department of Revenue and paid under the Municipal Retailers'
4 Occupation Tax Act and the Municipal Service Occupation Tax
5 Act by retailers and servicemen, on transactions at places of
6 business located in the redevelopment project area or State
7 Sales Tax Boundary, as the case may be, during the base year
8 which shall be the calendar year immediately prior to the year
9 in which the municipality adopted tax increment allocation
10 financing. For purposes of computing the aggregate amount of
11 such taxes for base years occurring prior to 1985, the
12 Department of Revenue shall determine the Initial Sales Tax
13 Amounts for such taxes and deduct therefrom an amount equal to
14 4% of the aggregate amount of taxes per year for each year the
15 base year is prior to 1985, but not to exceed a total deduction
16 of 12%. The amount so determined shall be known as the
17 "Adjusted Initial Sales Tax Amounts". For purposes of
18 determining the Municipal Sales Tax Increment, the Department
19 of Revenue shall for each period subtract from the amount paid
20 to the municipality from the Local Government Tax Fund arising
21 from sales by retailers and servicemen on transactions located
22 in the redevelopment project area or the State Sales Tax
23 Boundary, as the case may be, the certified Initial Sales Tax
24 Amounts, the Adjusted Initial Sales Tax Amounts or the Revised
25 Initial Sales Tax Amounts for the Municipal Retailers'
26 Occupation Tax Act and the Municipal Service Occupation Tax

1 Act. For the State Fiscal Year 1989, this calculation shall be
2 made by utilizing the calendar year 1987 to determine the tax
3 amounts received. For the State Fiscal Year 1990, this
4 calculation shall be made by utilizing the period from January
5 1, 1988, until September 30, 1988, to determine the tax
6 amounts received from retailers and servicemen pursuant to the
7 Municipal Retailers' Occupation Tax and the Municipal Service
8 Occupation Tax Act, which shall have deducted therefrom
9 nine-twelfths of the certified Initial Sales Tax Amounts, the
10 Adjusted Initial Sales Tax Amounts or the Revised Initial
11 Sales Tax Amounts as appropriate. For the State Fiscal Year
12 1991, this calculation shall be made by utilizing the period
13 from October 1, 1988, to June 30, 1989, to determine the tax
14 amounts received from retailers and servicemen pursuant to the
15 Municipal Retailers' Occupation Tax and the Municipal Service
16 Occupation Tax Act which shall have deducted therefrom
17 nine-twelfths of the certified Initial Sales Tax Amounts,
18 Adjusted Initial Sales Tax Amounts or the Revised Initial
19 Sales Tax Amounts as appropriate. For every State Fiscal Year
20 thereafter, the applicable period shall be the 12 months
21 beginning July 1 and ending June 30 to determine the tax
22 amounts received which shall have deducted therefrom the
23 certified Initial Sales Tax Amounts, the Adjusted Initial
24 Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as
25 the case may be.

26 (i) "Net State Sales Tax Increment" means the sum of the

1 following: (a) 80% of the first \$100,000 of State Sales Tax
2 Increment annually generated within a State Sales Tax
3 Boundary; (b) 60% of the amount in excess of \$100,000 but not
4 exceeding \$500,000 of State Sales Tax Increment annually
5 generated within a State Sales Tax Boundary; and (c) 40% of all
6 amounts in excess of \$500,000 of State Sales Tax Increment
7 annually generated within a State Sales Tax Boundary. If,
8 however, a municipality established a tax increment financing
9 district in a county with a population in excess of 3,000,000
10 before January 1, 1986, and the municipality entered into a
11 contract or issued bonds after January 1, 1986, but before
12 December 31, 1986, to finance redevelopment project costs
13 within a State Sales Tax Boundary, then the Net State Sales Tax
14 Increment means, for the fiscal years beginning July 1, 1990,
15 and July 1, 1991, 100% of the State Sales Tax Increment
16 annually generated within a State Sales Tax Boundary; and
17 notwithstanding any other provision of this Act, for those
18 fiscal years the Department of Revenue shall distribute to
19 those municipalities 100% of their Net State Sales Tax
20 Increment before any distribution to any other municipality
21 and regardless of whether or not those other municipalities
22 will receive 100% of their Net State Sales Tax Increment. For
23 Fiscal Year 1999, and every year thereafter until the year
24 2007, for any municipality that has not entered into a
25 contract or has not issued bonds prior to June 1, 1988 to
26 finance redevelopment project costs within a State Sales Tax

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

10 Municipalities that issued bonds in connection with a
11 redevelopment project in a redevelopment project area within
12 the State Sales Tax Boundary prior to July 29, 1991, or that
13 entered into contracts in connection with a redevelopment
14 project in a redevelopment project area before June 1, 1988,
15 shall continue to receive their proportional share of the
16 Illinois Tax Increment Fund distribution until the date on
17 which the redevelopment project is completed or terminated.
18 If, however, a municipality that issued bonds in connection
19 with a redevelopment project in a redevelopment project area
20 within the State Sales Tax Boundary prior to July 29, 1991
21 retires the bonds prior to June 30, 2007 or a municipality that
22 entered into contracts in connection with a redevelopment
23 project in a redevelopment project area before June 1, 1988
24 completes the contracts prior to June 30, 2007, then so long as
25 the redevelopment project is not completed or is not
26 terminated, the Net State Sales Tax Increment shall be

1 calculated, beginning on the date on which the bonds are
2 retired or the contracts are completed, as follows: By
3 multiplying the Net State Sales Tax Increment by 60% in the
4 State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40%
5 in the State Fiscal Year 2004; 30% in the State Fiscal Year
6 2005; 20% in the State Fiscal Year 2006; and 10% in the State
7 Fiscal Year 2007. No payment shall be made for State Fiscal
8 Year 2008 and thereafter. Refunding of any bonds issued prior
9 to July 29, 1991, shall not alter the Net State Sales Tax
10 Increment.

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

23 (k) "Net State Utility Tax Increment" means the sum of the
24 following: (a) 80% of the first \$100,000 of State Utility Tax
25 Increment annually generated by a redevelopment project area;
26 (b) 60% of the amount in excess of \$100,000 but not exceeding

1 \$500,000 of the State Utility Tax Increment annually generated
2 by a redevelopment project area; and (c) 40% of all amounts in
3 excess of \$500,000 of State Utility Tax Increment annually
4 generated by a redevelopment project area. For the State
5 Fiscal Year 1999, and every year thereafter until the year
6 2007, for any municipality that has not entered into a
7 contract or has not issued bonds prior to June 1, 1988 to
8 finance redevelopment project costs within a redevelopment
9 project area, the Net State Utility Tax Increment shall be
10 calculated as follows: By multiplying the Net State Utility
11 Tax Increment by 90% in the State Fiscal Year 1999; 80% in the
12 State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60%
13 in the State Fiscal Year 2002; 50% in the State Fiscal Year
14 2003; 40% in the State Fiscal Year 2004; 30% in the State
15 Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in
16 the State Fiscal Year 2007. No payment shall be made for the
17 State Fiscal Year 2008 and thereafter.

18 Municipalities that issue bonds in connection with the
19 redevelopment project during the period from June 1, 1988
20 until 3 years after the effective date of this Amendatory Act
21 of 1988 shall receive the Net State Utility Tax Increment,
22 subject to appropriation, for 15 State Fiscal Years after the
23 issuance of such bonds. For the 16th through the 20th State
24 Fiscal Years after issuance of the bonds, the Net State
25 Utility Tax Increment shall be calculated as follows: By
26 multiplying the Net State Utility Tax Increment by 90% in year

1 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in
2 year 20. Refunding of any bonds issued prior to June 1, 1988,
3 shall not alter the revised Net State Utility Tax Increment
4 payments set forth above.

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

9 (m) "Payment in lieu of taxes" means those estimated tax
10 revenues from real property in a redevelopment project area
11 derived from real property that has been acquired by a
12 municipality which according to the redevelopment project or
13 plan is to be used for a private use which taxing districts
14 would have received had a municipality not acquired the real
15 property and adopted tax increment allocation financing and
16 which would result from levies made after the time of the
17 adoption of tax increment allocation financing to the time the
18 current equalized value of real property in the redevelopment
19 project area exceeds the total initial equalized value of real
20 property in said area.

21 (n) "Redevelopment plan" means the comprehensive program
22 of the municipality for development or redevelopment intended
23 by the payment of redevelopment project costs to reduce or
24 eliminate those conditions the existence of which qualified
25 the redevelopment project area as a "blighted area" or
26 "conservation area" or combination thereof or "industrial park

1 conservation area," and thereby to enhance the tax bases of
2 the taxing districts which extend into the redevelopment
3 project area, provided that, with respect to redevelopment
4 project areas described in subsections (p-1) and (p-2),
5 "redevelopment plan" means the comprehensive program of the
6 affected municipality for the development of qualifying
7 transit facilities. On and after November 1, 1999 (the
8 effective date of Public Act 91-478), no redevelopment plan
9 may be approved or amended that includes the development of
10 vacant land (i) with a golf course and related clubhouse and
11 other facilities or (ii) designated by federal, State, county,
12 or municipal government as public land for outdoor
13 recreational activities or for nature preserves and used for
14 that purpose within 5 years prior to the adoption of the
15 redevelopment plan. For the purpose of this subsection,
16 "recreational activities" is limited to mean camping and
17 hunting. Each redevelopment plan shall set forth in writing
18 the program to be undertaken to accomplish the objectives and
19 shall include but not be limited to:

20 (A) an itemized list of estimated redevelopment
21 project costs;

22 (B) evidence indicating that the redevelopment project
23 area on the whole has not been subject to growth and
24 development through investment by private enterprise,
25 provided that such evidence shall not be required for any
26 redevelopment project area located within a transit

1 facility improvement area established pursuant to Section
2 11-74.4-3.3;

3 (C) an assessment of any financial impact of the
4 redevelopment project area on or any increased demand for
5 services from any taxing district affected by the plan and
6 any program to address such financial impact or increased
7 demand;

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

9 (E) the nature and term of the obligations to be
10 issued;

11 (F) the most recent equalized assessed valuation of
12 the redevelopment project area;

13 (G) an estimate as to the equalized assessed valuation
14 after redevelopment and the general land uses to apply in
15 the redevelopment project area;

16 (H) a commitment to fair employment practices and an
17 affirmative action plan;

18 (I) if it concerns an industrial park conservation
19 area, the plan shall also include a general description of
20 any proposed developer, user and tenant of any property, a
21 description of the type, structure and general character
22 of the facilities to be developed, a description of the
23 type, class and number of new employees to be employed in
24 the operation of the facilities to be developed; and

25 (J) if property is to be annexed to the municipality,
26 the plan shall include the terms of the annexation

1 agreement.

2 The provisions of items (B) and (C) of this subsection (n)
3 shall not apply to a municipality that before March 14, 1994
4 (the effective date of Public Act 88-537) had fixed, either by
5 its corporate authorities or by a commission designated under
6 subsection (k) of Section 11-74.4-4, a time and place for a
7 public hearing as required by subsection (a) of Section
8 11-74.4-5. No redevelopment plan shall be adopted unless a
9 municipality complies with all of the following requirements:

10 (1) The municipality finds that the redevelopment
11 project area on the whole has not been subject to growth
12 and development through investment by private enterprise
13 and would not reasonably be anticipated to be developed
14 without the adoption of the redevelopment plan, provided,
15 however, that such a finding shall not be required with
16 respect to any redevelopment project area located within a
17 transit facility improvement area established pursuant to
18 Section 11-74.4-3.3.

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

1 authority of the municipality, or (ii) includes land uses
2 that have been approved by the planning commission of the
3 municipality.

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

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

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

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

1 that extend into the redevelopment project area.

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

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

1 then the municipality shall prepare, as part of the
2 separate feasibility report required by subsection (a) of
3 Section 11-74.4-5, a housing impact study.

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

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

1 are to be removed, and shall identify the type, location,
2 and cost of the housing, and (iv) the type and extent of
3 relocation assistance to be provided.

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

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

1 the municipality.

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

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

23 (o) "Redevelopment project" means any public and private
24 development project in furtherance of the objectives of a
25 redevelopment plan. On and after November 1, 1999 (the
26 effective date of Public Act 91-478), no redevelopment plan

1 may be approved or amended that includes the development of
2 vacant land (i) with a golf course and related clubhouse and
3 other facilities or (ii) designated by federal, State, county,
4 or municipal government as public land for outdoor
5 recreational activities or for nature preserves and used for
6 that purpose within 5 years prior to the adoption of the
7 redevelopment plan. For the purpose of this subsection,
8 "recreational activities" is limited to mean camping and
9 hunting.

10 (p) "Redevelopment project area" means an area designated
11 by the municipality, which is not less in the aggregate than 1
12 1/2 acres and in respect to which the municipality has made a
13 finding that there exist conditions which cause the area to be
14 classified as an industrial park conservation area or a
15 blighted area or a conservation area, or a combination of both
16 blighted areas and conservation areas.

17 (p-1) Notwithstanding any provision of this Act to the
18 contrary, on and after August 25, 2009 (the effective date of
19 Public Act 96-680), a redevelopment project area may include
20 areas within a one-half mile radius of an existing or proposed
21 Regional Transportation Authority Suburban Transit Access
22 Route (STAR Line) station without a finding that the area is
23 classified as an industrial park conservation area, a blighted
24 area, a conservation area, or a combination thereof, but only
25 if the municipality receives unanimous consent from the joint
26 review board created to review the proposed redevelopment

1 project area.

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

10 (q) "Redevelopment project costs", except for
11 redevelopment project areas created pursuant to subsection
12 (p-1) or (p-2), means and includes the sum total of all
13 reasonable or necessary costs incurred or estimated to be
14 incurred, and any such costs incidental to a redevelopment
15 plan and a redevelopment project. Such costs include, without
16 limitation, the following:

17 (1) Costs of studies, surveys, development of plans,
18 and specifications, implementation and administration of
19 the redevelopment plan including but not limited to staff
20 and professional service costs for architectural,
21 engineering, legal, financial, planning or other services,
22 provided however that no charges for professional services
23 may be based on a percentage of the tax increment
24 collected; except that on and after November 1, 1999 (the
25 effective date of Public Act 91-478), no contracts for
26 professional services, excluding architectural and

1 engineering services, may be entered into if the terms of
2 the contract extend beyond a period of 3 years. In
3 addition, "redevelopment project costs" shall not include
4 lobbying expenses. After consultation with the
5 municipality, each tax increment consultant or advisor to
6 a municipality that plans to designate or has designated a
7 redevelopment project area shall inform the municipality
8 in writing of any contracts that the consultant or advisor
9 has entered into with entities or individuals that have
10 received, or are receiving, payments financed by tax
11 increment revenues produced by the redevelopment project
12 area with respect to which the consultant or advisor has
13 performed, or will be performing, service for the
14 municipality. This requirement shall be satisfied by the
15 consultant or advisor before the commencement of services
16 for the municipality and thereafter whenever any other
17 contracts with those individuals or entities are executed
18 by the consultant or 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, including but not limited
3 to acquisition of land and other property, real or
4 personal, or rights or interests therein, demolition of
5 buildings, site preparation, site improvements that serve
6 as an engineered barrier addressing ground level or below
7 ground environmental contamination, including, but not
8 limited to parking lots and other concrete or asphalt
9 barriers, and the clearing and grading of land;

10 (3) Costs of rehabilitation, reconstruction or repair
11 or remodeling of existing public or private buildings,
12 fixtures, and leasehold improvements; and the cost of
13 replacing an existing public building if pursuant to the
14 implementation of a redevelopment project the existing
15 public building is to be demolished to use the site for
16 private investment or devoted to a different use requiring
17 private investment; including any direct or indirect costs
18 relating to Green Globes or LEED certified construction
19 elements or construction elements with an equivalent
20 certification;

21 (4) Costs of the construction of public works or
22 improvements, including any direct or indirect costs
23 relating to Green Globes or LEED certified construction
24 elements or construction elements with an equivalent
25 certification, except that on and after November 1, 1999,
26 redevelopment project costs shall not include the cost of

1 constructing a new municipal public building principally
2 used to provide offices, storage space, or conference
3 facilities or vehicle storage, maintenance, or repair for
4 administrative, public safety, or public works personnel
5 and that is not intended to replace an existing public
6 building as provided under paragraph (3) of subsection (q)
7 of Section 11-74.4-3 unless either (i) the construction of
8 the new municipal building implements a redevelopment
9 project that was included in a redevelopment plan that was
10 adopted by the municipality prior to November 1, 1999,
11 (ii) the municipality makes a reasonable determination in
12 the redevelopment plan, supported by information that
13 provides the basis for that determination, that the new
14 municipal building is required to meet an increase in the
15 need for public safety purposes anticipated to result from
16 the implementation of the redevelopment plan, or (iii) the
17 new municipal public building is for the storage,
18 maintenance, or repair of transit vehicles and is located
19 in a transit facility improvement area that has been
20 established pursuant to Section 11-74.4-3.3;

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

25 (5.5) Grants to businesses as provided in subsection
26 (b) of Section 11-74.4-8.

1 (6) Financing costs, including but not limited to all
2 necessary and incidental expenses related to the issuance
3 of obligations and which may include payment of interest
4 on any obligations issued hereunder including interest
5 accruing during the estimated period of construction of
6 any redevelopment project for which such obligations are
7 issued and for not exceeding 36 months thereafter and
8 including reasonable reserves related thereto;

9 (7) To the extent the municipality by written
10 agreement accepts and approves the same, all or a portion
11 of a taxing district's capital costs resulting from the
12 redevelopment project necessarily incurred or to be
13 incurred within a taxing district in furtherance of the
14 objectives of the redevelopment plan and project;

15 (7.5) For redevelopment project areas designated (or
16 redevelopment project areas amended to add or increase the
17 number of tax-increment-financing assisted housing units)
18 on or after November 1, 1999, an elementary, secondary, or
19 unit school district's increased costs attributable to
20 assisted housing units located within the redevelopment
21 project area for which the developer or redeveloper
22 receives financial assistance through an agreement with
23 the municipality or because the municipality incurs the
24 cost of necessary infrastructure improvements within the
25 boundaries of the assisted housing sites necessary for the
26 completion of that housing as authorized by this Act, and

1 which costs shall be paid by the municipality from the
2 Special Tax Allocation Fund when the tax increment revenue
3 is received as a result of the assisted housing units and
4 shall be calculated annually as follows:

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

25 (i) for unit school districts with a district
26 average 1995-96 Per Capita Tuition Charge of less

1 than \$5,900, no more than 25% of the total amount
2 of property tax increment revenue produced by
3 those housing units that have received tax
4 increment finance assistance under this Act;

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

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

17 (B) For alternate method districts, flat grant
18 districts, and foundation districts with a district
19 average 1995-96 Per Capita Tuition Charge equal to or
20 more than \$5,900, excluding any school district with a
21 population in excess of 1,000,000, by multiplying the
22 district's increase in attendance resulting from the
23 net increase in new students enrolled in that school
24 district who reside in housing units within the
25 redevelopment project area that have received
26 financial assistance through an agreement with the

1 municipality or because the municipality incurs the
2 cost of necessary infrastructure improvements within
3 the boundaries of the housing sites necessary for the
4 completion of that housing as authorized by this Act
5 since the designation of the redevelopment project
6 area by the most recently available per capita tuition
7 cost as defined in Section 10-20.12a of the School
8 Code less any increase in general state aid as defined
9 in Section 18-8.05 of the School Code or
10 evidence-based funding as defined in Section 18-8.15
11 of the School Code attributable to these added new
12 students subject to the following annual limitations:

13 (i) for unit school districts, no more than
14 40% of the total amount of property tax increment
15 revenue produced by those housing units that have
16 received tax increment finance assistance under
17 this Act;

18 (ii) for elementary school districts, no more
19 than 27% of the total amount of property tax
20 increment revenue produced by those housing units
21 that have received tax increment finance
22 assistance under this Act; and

23 (iii) for secondary school districts, no more
24 than 13% of the total amount of property tax
25 increment revenue produced by those housing units
26 that have received tax increment finance

1 assistance under this Act.

2 (C) For any school district in a municipality with
3 a population in excess of 1,000,000, the following
4 restrictions shall apply to the reimbursement of
5 increased costs under this paragraph (7.5):

6 (i) no increased costs shall be reimbursed
7 unless the school district certifies that each of
8 the schools affected by the assisted housing
9 project is at or over its student capacity;

10 (ii) the amount reimbursable shall be reduced
11 by the value of any land donated to the school
12 district by the municipality or developer, and by
13 the value of any physical improvements made to the
14 schools by the municipality or developer; and

15 (iii) the amount reimbursed may not affect
16 amounts otherwise obligated by the terms of any
17 bonds, notes, or other funding instruments, or the
18 terms of any redevelopment agreement.

19 Any school district seeking payment under this
20 paragraph (7.5) shall, after July 1 and before
21 September 30 of each year, provide the municipality
22 with reasonable evidence to support its claim for
23 reimbursement before the municipality shall be
24 required to approve or make the payment to the school
25 district. If the school district fails to provide the
26 information during this period in any year, it shall

1 forfeit any claim to reimbursement for that year.
2 School districts may adopt a resolution waiving the
3 right to all or a portion of the reimbursement
4 otherwise required by this paragraph (7.5). By
5 acceptance of this reimbursement the school district
6 waives the right to directly or indirectly set aside,
7 modify, or contest in any manner the establishment of
8 the redevelopment project area or projects;

9 (7.7) For redevelopment project areas designated (or
10 redevelopment project areas amended to add or increase the
11 number of tax-increment-financing assisted housing units)
12 on or after January 1, 2005 (the effective date of Public
13 Act 93-961), a public library district's increased costs
14 attributable to assisted housing units located within the
15 redevelopment project area for which the developer or
16 redeveloper receives financial assistance through an
17 agreement with the municipality or because the
18 municipality incurs the cost of necessary infrastructure
19 improvements within the boundaries of the assisted housing
20 sites necessary for the completion of that housing as
21 authorized by this Act shall be paid to the library
22 district by the municipality from the Special Tax
23 Allocation Fund when the tax increment revenue is received
24 as a result of the assisted housing units. This paragraph
25 (7.7) applies only if (i) the library district is located
26 in a county that is subject to the Property Tax Extension

1 Limitation Law or (ii) the library district is not located
2 in a county that is subject to the Property Tax Extension
3 Limitation Law but the district is prohibited by any other
4 law from increasing its tax levy rate without a prior
5 voter referendum.

6 The amount paid to a library district under this
7 paragraph (7.7) shall be calculated by multiplying (i) the
8 net increase in the number of persons eligible to obtain a
9 library card in that district who reside in housing units
10 within the redevelopment project area that have received
11 financial assistance through an agreement with the
12 municipality or because the municipality incurs the cost
13 of necessary infrastructure improvements within the
14 boundaries of the housing sites necessary for the
15 completion of that housing as authorized by this Act since
16 the designation of the redevelopment project area by (ii)
17 the per-patron cost of providing library services so long
18 as it does not exceed \$120. The per-patron cost shall be
19 the Total Operating Expenditures Per Capita for the
20 library in the previous fiscal year. The municipality may
21 deduct from the amount that it must pay to a library
22 district under this paragraph any amount that it has
23 voluntarily paid to the library district from the tax
24 increment revenue. The amount paid to a library district
25 under this paragraph (7.7) shall be no more than 2% of the
26 amount produced by the assisted housing units and

1 deposited into the Special Tax Allocation Fund.

2 A library district is not eligible for any payment
3 under this paragraph (7.7) unless the library district has
4 experienced an increase in the number of patrons from the
5 municipality that created the tax-increment-financing
6 district since the designation of the redevelopment
7 project area.

8 Any library district seeking payment under this
9 paragraph (7.7) shall, after July 1 and before September
10 30 of each year, provide the municipality with convincing
11 evidence to support its claim for reimbursement before the
12 municipality shall be required to approve or make the
13 payment to the library district. If the library district
14 fails to provide the information during this period in any
15 year, it shall forfeit any claim to reimbursement for that
16 year. Library districts may adopt a resolution waiving the
17 right to all or a portion of the reimbursement otherwise
18 required by this paragraph (7.7). By acceptance of such
19 reimbursement, the library district shall forfeit any
20 right to directly or indirectly set aside, modify, or
21 contest in any manner whatsoever the establishment of the
22 redevelopment project area or projects;

23 (8) Relocation costs to the extent that a municipality
24 determines that relocation costs shall be paid or is
25 required to make payment of relocation costs by federal or
26 State law or in order to satisfy subparagraph (7) of

1 subsection (n);

2 (9) Payment in lieu of taxes;

3 (10) Costs of job training, retraining, advanced
4 vocational education or career education, including but
5 not limited to courses in occupational, semi-technical or
6 technical fields leading directly to employment, incurred
7 by one or more taxing districts, provided that such costs
8 (i) are related to the establishment and maintenance of
9 additional job training, advanced vocational education or
10 career education programs for persons employed or to be
11 employed by employers located in a redevelopment project
12 area; and (ii) when incurred by a taxing district or
13 taxing districts other than the municipality, are set
14 forth in a written agreement by or among the municipality
15 and the taxing district or taxing districts, which
16 agreement describes the program to be undertaken,
17 including but not limited to the number of employees to be
18 trained, a description of the training and services to be
19 provided, the number and type of positions available or to
20 be available, itemized costs of the program and sources of
21 funds to pay for the same, and the term of the agreement.
22 Such costs include, specifically, the payment by community
23 college districts of costs pursuant to Sections 3-37,
24 3-38, 3-40 and 3-40.1 of the Public Community College Act
25 and by school districts of costs pursuant to Sections
26 10-22.20a and 10-23.3a of the School Code;

1 (11) Interest cost incurred by a redeveloper related
2 to the construction, renovation or rehabilitation of a
3 redevelopment project provided that:

4 (A) such costs are to be paid directly from the
5 special tax allocation fund established pursuant to
6 this Act;

7 (B) such payments in any one year may not exceed
8 30% of the annual interest costs incurred by the
9 redeveloper with regard to the redevelopment project
10 during that year;

11 (C) if there are not sufficient funds available in
12 the special tax allocation fund to make the payment
13 pursuant to this paragraph (11) then the amounts so
14 due shall accrue and be payable when sufficient funds
15 are available in the special tax allocation fund;

16 (D) the total of such interest payments paid
17 pursuant to this Act may not exceed 30% of the total
18 (i) cost paid or incurred by the redeveloper for the
19 redevelopment project plus (ii) redevelopment project
20 costs excluding any property assembly costs and any
21 relocation costs incurred by a municipality pursuant
22 to this Act;

23 (E) the cost limits set forth in subparagraphs (B)
24 and (D) of paragraph (11) shall be modified for the
25 financing of rehabilitated or new housing units for
26 low-income households and very low-income households,

1 as defined in Section 3 of the Illinois Affordable
2 Housing Act. The percentage of 75% shall be
3 substituted for 30% in subparagraphs (B) and (D) of
4 paragraph (11); and

5 (F) instead of the eligible costs provided by
6 subparagraphs (B) and (D) of paragraph (11), as
7 modified by this subparagraph, and notwithstanding any
8 other provisions of this Act to the contrary, the
9 municipality may pay from tax increment revenues up to
10 50% of the cost of construction of new housing units to
11 be occupied by low-income households and very
12 low-income households as defined in Section 3 of the
13 Illinois Affordable Housing Act. The cost of
14 construction of those units may be derived from the
15 proceeds of bonds issued by the municipality under
16 this Act or other constitutional or statutory
17 authority or from other sources of municipal revenue
18 that may be reimbursed from tax increment revenues or
19 the proceeds of bonds issued to finance the
20 construction of that housing.

21 The eligible costs provided under this
22 subparagraph (F) of paragraph (11) shall be an
23 eligible cost for the construction, renovation, and
24 rehabilitation of all low and very low-income housing
25 units, as defined in Section 3 of the Illinois
26 Affordable Housing Act, within the redevelopment

1 project area. If the low and very low-income units are
2 part of a residential redevelopment project that
3 includes units not affordable to low and very
4 low-income households, only the low and very
5 low-income units shall be eligible for benefits under
6 this subparagraph (F) of paragraph (11). The standards
7 for maintaining the occupancy by low-income households
8 and very low-income households, as defined in Section
9 3 of the Illinois Affordable Housing Act, of those
10 units constructed with eligible costs made available
11 under the provisions of this subparagraph (F) of
12 paragraph (11) shall be established by guidelines
13 adopted by the municipality. The responsibility for
14 annually documenting the initial occupancy of the
15 units by low-income households and very low-income
16 households, as defined in Section 3 of the Illinois
17 Affordable Housing Act, shall be that of the then
18 current owner of the property. For ownership units,
19 the guidelines will provide, at a minimum, for a
20 reasonable recapture of funds, or other appropriate
21 methods designed to preserve the original
22 affordability of the ownership units. For rental
23 units, the guidelines will provide, at a minimum, for
24 the affordability of rent to low and very low-income
25 households. As units become available, they shall be
26 rented to income-eligible tenants. The municipality

1 may modify these guidelines from time to time; the
2 guidelines, however, shall be in effect for as long as
3 tax increment revenue is being used to pay for costs
4 associated with the units or for the retirement of
5 bonds issued to finance the units or for the life of
6 the redevelopment project area, whichever is later;

7 (11.5) If the redevelopment project area is located
8 within a municipality with a population of more than
9 100,000, the cost of day care services for children of
10 employees from low-income families working for businesses
11 located within the redevelopment project area and all or a
12 portion of the cost of operation of day care centers
13 established by redevelopment project area businesses to
14 serve employees from low-income families working in
15 businesses located in the redevelopment project area. For
16 the purposes of this paragraph, "low-income families"
17 means families whose annual income does not exceed 80% of
18 the municipal, county, or regional median income, adjusted
19 for family size, as the annual income and municipal,
20 county, or regional median income are determined from time
21 to time by the United States Department of Housing and
22 Urban Development.

23 (12) Costs relating to the development of urban
24 agricultural areas under Division 15.2 of the Illinois
25 Municipal Code.

26 Unless explicitly stated herein the cost of construction

1 of new privately-owned buildings shall not be an eligible
2 redevelopment project cost.

3 After November 1, 1999 (the effective date of Public Act
4 91-478), none of the redevelopment project costs enumerated in
5 this subsection shall be eligible redevelopment project costs
6 if those costs would provide direct financial support to a
7 retail entity initiating operations in the redevelopment
8 project area while terminating operations at another Illinois
9 location within 10 miles of the redevelopment project area but
10 outside the boundaries of the redevelopment project area
11 municipality. For purposes of this paragraph, termination
12 means a closing of a retail operation that is directly related
13 to the opening of the same operation or like retail entity
14 owned or operated by more than 50% of the original ownership in
15 a redevelopment project area, but it does not mean closing an
16 operation for reasons beyond the control of the retail entity,
17 as documented by the retail entity, subject to a reasonable
18 finding by the municipality that the current location
19 contained inadequate space, had become economically obsolete,
20 or was no longer a viable location for the retailer or
21 serviceman.

22 No cost shall be a redevelopment project cost in a
23 redevelopment project area if used to demolish, remove, or
24 substantially modify a historic resource, after August 26,
25 2008 (the effective date of Public Act 95-934), unless no
26 prudent and feasible alternative exists. "Historic resource"

1 for the purpose of this paragraph means (i) a place or
2 structure that is included or eligible for inclusion on the
3 National Register of Historic Places or (ii) a contributing
4 structure in a district on the National Register of Historic
5 Places. This paragraph does not apply to a place or structure
6 for which demolition, removal, or modification is subject to
7 review by the preservation agency of a Certified Local
8 Government designated as such by the National Park Service of
9 the United States Department of the Interior.

10 If a special service area has been established pursuant to
11 the Special Service Area Tax Act or Special Service Area Tax
12 Law, then any tax increment revenues derived from the tax
13 imposed pursuant to the Special Service Area Tax Act or
14 Special Service Area Tax Law may be used within the
15 redevelopment project area for the purposes permitted by that
16 Act or Law as well as the purposes permitted by this Act.

17 (q-1) For redevelopment project areas created pursuant to
18 subsection (p-1), redevelopment project costs are limited to
19 those costs in paragraph (q) that are related to the existing
20 or proposed Regional Transportation Authority Suburban Transit
21 Access Route (STAR Line) station.

22 (q-2) For a transit facility improvement area established
23 prior to, on, or after the effective date of this amendatory
24 Act of the 102nd General Assembly: (i) "redevelopment project
25 costs" means those costs described in subsection (q) that are
26 related to the construction, reconstruction, rehabilitation,

1 remodeling, or repair of any existing or proposed transit
2 facility, whether that facility is located within or outside
3 the boundaries of a redevelopment project area established
4 within that transit facility improvement area (and, to the
5 extent a redevelopment project cost is described in subsection
6 (q) as incurred or estimated to be incurred with respect to a
7 redevelopment project area, then it shall apply with respect
8 to such transit facility improvement area); and (ii) the
9 provisions of Section 11-74.4-8 regarding tax increment
10 allocation financing for a redevelopment project area located
11 in a transit facility improvement area shall apply only to the
12 lots, blocks, tracts and parcels of real property that are
13 located within the boundaries of that redevelopment project
14 area and not to the lots, blocks, tracts, and parcels of real
15 property that are located outside the boundaries of that
16 redevelopment project area.

17 (r) "State Sales Tax Boundary" means the redevelopment
18 project area or the amended redevelopment project area
19 boundaries which are determined pursuant to subsection (9) of
20 Section 11-74.4-8a of this Act. The Department of Revenue
21 shall certify pursuant to subsection (9) of Section 11-74.4-8a
22 the appropriate boundaries eligible for the determination of
23 State Sales Tax Increment.

24 (s) "State Sales Tax Increment" means an amount equal to
25 the increase in the aggregate amount of taxes paid by
26 retailers and servicemen, other than retailers and servicemen

1 subject to the Public Utilities Act, on transactions at places
2 of business located within a State Sales Tax Boundary pursuant
3 to the Retailers' Occupation Tax Act, the Use Tax Act, the
4 Service Use Tax Act, and the Service Occupation Tax Act,
5 except such portion of such increase that is paid into the
6 State and Local Sales Tax Reform Fund, the Local Government
7 Distributive Fund, the Local Government Tax Fund and the
8 County and Mass Transit District Fund, for as long as State
9 participation exists, over and above the Initial Sales Tax
10 Amounts, Adjusted Initial Sales Tax Amounts or the Revised
11 Initial Sales Tax Amounts for such taxes as certified by the
12 Department of Revenue and paid under those Acts by retailers
13 and servicemen on transactions at places of business located
14 within the State Sales Tax Boundary during the base year which
15 shall be the calendar year immediately prior to the year in
16 which the municipality adopted tax increment allocation
17 financing, less 3.0% of such amounts generated under the
18 Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax
19 Act and the Service Occupation Tax Act, which sum shall be
20 appropriated to the Department of Revenue to cover its costs
21 of administering and enforcing this Section. For purposes of
22 computing the aggregate amount of such taxes for base years
23 occurring prior to 1985, the Department of Revenue shall
24 compute the Initial Sales Tax Amount for such taxes and deduct
25 therefrom an amount equal to 4% of the aggregate amount of
26 taxes per year for each year the base year is prior to 1985,

1 but not to exceed a total deduction of 12%. The amount so
2 determined shall be known as the "Adjusted Initial Sales Tax
3 Amount". For purposes of determining the State Sales Tax
4 Increment the Department of Revenue shall for each period
5 subtract from the tax amounts received from retailers and
6 servicemen on transactions located in the State Sales Tax
7 Boundary, the certified Initial Sales Tax Amounts, Adjusted
8 Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts
9 for the Retailers' Occupation Tax Act, the Use Tax Act, the
10 Service Use Tax Act and the Service Occupation Tax Act. For the
11 State Fiscal Year 1989 this calculation shall be made by
12 utilizing the calendar year 1987 to determine the tax amounts
13 received. For the State Fiscal Year 1990, this calculation
14 shall be made by utilizing the period from January 1, 1988,
15 until September 30, 1988, to determine the tax amounts
16 received from retailers and servicemen, which shall have
17 deducted therefrom nine-twelfths of the certified Initial
18 Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the
19 Revised Initial Sales Tax Amounts as appropriate. For the
20 State Fiscal Year 1991, this calculation shall be made by
21 utilizing the period from October 1, 1988, until June 30,
22 1989, to determine the tax amounts received from retailers and
23 servicemen, which shall have deducted therefrom nine-twelfths
24 of the certified Initial State Sales Tax Amounts, Adjusted
25 Initial Sales Tax Amounts or the Revised Initial Sales Tax
26 Amounts as appropriate. For every State Fiscal Year

1 thereafter, the applicable period shall be the 12 months
2 beginning July 1 and ending on June 30, to determine the tax
3 amounts received which shall have deducted therefrom the
4 certified Initial Sales Tax Amounts, Adjusted Initial Sales
5 Tax Amounts or the Revised Initial Sales Tax Amounts.
6 Municipalities intending to receive a distribution of State
7 Sales Tax Increment must report a list of retailers to the
8 Department of Revenue by October 31, 1988 and by July 31, of
9 each year thereafter.

10 (t) "Taxing districts" means counties, townships, cities
11 and incorporated towns and villages, school, road, park,
12 sanitary, mosquito abatement, forest preserve, public health,
13 fire protection, river conservancy, tuberculosis sanitarium
14 and any other municipal corporations or districts with the
15 power to levy taxes.

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

20 (v) As used in subsection (a) of Section 11-74.4-3 of this
21 Act, "vacant land" means any parcel or combination of parcels
22 of real property without industrial, commercial, and
23 residential buildings which has not been used for commercial
24 agricultural purposes within 5 years prior to the designation
25 of the redevelopment project area, unless the parcel is
26 included in an industrial park conservation area or the parcel

1 has been subdivided; provided that if the parcel was part of a
2 larger tract that has been divided into 3 or more smaller
3 tracts that were accepted for recording during the period from
4 1950 to 1990, then the parcel shall be deemed to have been
5 subdivided, and all proceedings and actions of the
6 municipality taken in that connection with respect to any
7 previously approved or designated redevelopment project area
8 or amended redevelopment project area are hereby validated and
9 hereby declared to be legally sufficient for all purposes of
10 this Act. For purposes of this Section and only for land
11 subject to the subdivision requirements of the Plat Act, land
12 is subdivided when the original plat of the proposed
13 Redevelopment Project Area or relevant portion thereof has
14 been properly certified, acknowledged, approved, and recorded
15 or filed in accordance with the Plat Act and a preliminary
16 plat, if any, for any subsequent phases of the proposed
17 Redevelopment Project Area or relevant portion thereof has
18 been properly approved and filed in accordance with the
19 applicable ordinance of the municipality.

20 (w) "Annual Total Increment" means the sum of each
21 municipality's annual Net Sales Tax Increment and each
22 municipality's annual Net Utility Tax Increment. The ratio of
23 the Annual Total Increment of each municipality to the Annual
24 Total Increment for all municipalities, as most recently
25 calculated by the Department, shall determine the proportional
26 shares of the Illinois Tax Increment Fund to be distributed to

1 each municipality.

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

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

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

10 (65 ILCS 5/11-74.4-3.5)

11 Sec. 11-74.4-3.5. Completion dates for redevelopment
12 projects.

13 (a) Unless otherwise stated in this Section, the estimated
14 dates of completion of the redevelopment project and
15 retirement of obligations issued to finance redevelopment
16 project costs (including refunding bonds under Section
17 11-74.4-7) may not be later than December 31 of the year in
18 which the payment to the municipal treasurer, as provided in
19 subsection (b) of Section 11-74.4-8 of this Act, is to be made
20 with respect to ad valorem taxes levied in the 23rd calendar
21 year after the year in which the ordinance approving the
22 redevelopment project area was adopted if the ordinance was
23 adopted on or after January 15, 1981 and until June 30, 2023.

24 (a-3) Unless otherwise stated in this Section, the
25 estimated dates of completion of the redevelopment project and

1 retirement of obligations issued to finance redevelopment
2 project costs (including refunding bonds under Section
3 11-74.4-7) may not be later than December 31 of the year in
4 which the payment to the municipal treasurer, as provided in
5 subsection (b) of Section 11-74.4-8 of this Act, is to be made
6 with respect to ad valorem taxes levied in the 20th calendar
7 year after the year in which the ordinance approving the
8 redevelopment project area was adopted if the ordinance was
9 adopted on or after July 1, 2023.

10 (a-5) If the redevelopment project area is located within
11 a transit facility improvement area established pursuant to
12 Section 11-74.4-3, the estimated dates of completion of the
13 redevelopment project and retirement of obligations issued to
14 finance redevelopment project costs (including refunding bonds
15 under Section 11-74.4-7) may not be later than December 31 of
16 the year in which the payment to the municipal treasurer, as
17 provided in subsection (b) of Section 11-74.4-8 of this Act,
18 is to be made with respect to ad valorem taxes levied in the
19 35th calendar year after the year in which the ordinance
20 approving the redevelopment project area was adopted.

21 (a-7) A municipality may adopt tax increment financing for
22 a redevelopment project area located in a transit facility
23 improvement area that also includes real property located
24 within an existing redevelopment project area established
25 prior to August 12, 2016 (the effective date of Public Act
26 99-792). In such case: (i) the provisions of this Division

1 shall apply with respect to the previously established
2 redevelopment project area until the municipality adopts, as
3 required in accordance with applicable provisions of this
4 Division, an ordinance dissolving the special tax allocation
5 fund for such redevelopment project area and terminating the
6 designation of such redevelopment project area as a
7 redevelopment project area; and (ii) after the effective date
8 of the ordinance described in (i), the provisions of this
9 Division shall apply with respect to the subsequently
10 established redevelopment project area located in a transit
11 facility improvement area.

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

22 The estimated dates of completion of the redevelopment
23 project and retirement of obligations issued to finance
24 redevelopment project costs (including refunding bonds under
25 Section 11-74.4-7) may not be later than December 31 of the
26 year in which the payment to the municipal treasurer as

1 provided in subsection (b) of Section 11-74.4-8 of this Act is
2 to be made with respect to ad valorem taxes levied in the 33rd
3 calendar year after the year in which the ordinance approving
4 the redevelopment project area was adopted if the ordinance
5 was adopted on May 20, 1985 by the Village of Wheeling.

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

16 (c) The estimated dates of completion of the redevelopment
17 project and retirement of obligations issued to finance
18 redevelopment project costs (including refunding bonds under
19 Section 11-74.4-7) may not be later than December 31 of the
20 year in which the payment to the municipal treasurer as
21 provided in subsection (b) of Section 11-74.4-8 of this Act is
22 to be made with respect to ad valorem taxes levied (i) in the
23 35th calendar year after the year in which the ordinance
24 approving the redevelopment project area was adopted if a
25 reference to that ordinance is added to this Section on or
26 before June 30, 2023 and (ii) in the 22nd calendar year after

1 the year in which the ordinance approving the redevelopment
2 project area was adopted if a reference to that ordinance is
3 added to this Section on or after July 1, 2023:

4 (1) If the ordinance was adopted before January 15,
5 1981.

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

8 (3) If the ordinance was adopted in December 1987 and
9 the redevelopment project is located within one mile of
10 Midway Airport.

11 (4) If the ordinance was adopted before January 1,
12 1987 by a municipality in Mason County.

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

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

18 (7) If the ordinance was adopted on December 31, 1986
19 by a municipality located in Clinton County for which at
20 least \$250,000 of tax increment bonds were authorized on
21 June 17, 1997, or if the ordinance was adopted on December
22 31, 1986 by a municipality with a population in 1990 of
23 less than 3,600 that is located in a county with a
24 population in 1990 of less than 34,000 and for which at
25 least \$250,000 of tax increment bonds were authorized on
26 June 17, 1997.

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

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

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

8 (11) If the ordinance was adopted before December 18,
9 1986 by the City of Moline.

10 (12) If the ordinance was adopted in September 1988 by
11 Sauk Village.

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

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

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

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

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

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

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

26 (20) If the ordinance was adopted on December 22, 1986

1 by the City of Tuscola.

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

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

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

9 (24) If the ordinance was adopted on December 29, 1986
10 by the City of Collinsville.

11 (25) If the ordinance was adopted on September 14,
12 1994 by the City of Alton.

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

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

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

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

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

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

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

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

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

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

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

9 (37) If the ordinance was adopted on May 9, 1991 by the
10 Village of Tilton.

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

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

15 (40) If the ordinance was adopted on September 21,
16 1998 by the City of Waukegan.

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

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

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

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

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

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

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

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

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

9 (50) If the ordinance was adopted on February 2, 1989
10 by the Village of Lombard.

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

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

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

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

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

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

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

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

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

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

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

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

9 (63) If the ordinance was adopted on April 3, 1989 by
10 the City of Chicago Heights.

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

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

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

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

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

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

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

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

1 (72) If the ordinance was adopted on September 17,
2 1986 by the Village of Sherman.

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

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

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

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

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

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

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

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

21 (81) If the ordinance was adopted on December 29, 1986
22 by the City of Pontiac to create TIF II (the Interstate
23 TIF).

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

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

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

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

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

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

14 (88) If the ordinance was adopted on September 20,
15 1999 by the City of Belleville.

16 (89) If the ordinance was adopted on December 30, 1986
17 by the Village of Bellevue to create the Bellevue TIF
18 District 1.

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

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

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

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

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

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

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

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

9 (98) If the ordinance was adopted on May 19, 1998 by
10 the Village of Bensenville.

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

13 (100) If the ordinance was adopted on December 20,
14 1988 by the Village of Lansing.

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

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

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

21 (104) If the ordinance was adopted on December 14,
22 1998 by the City of Carlyle.

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

26 (106) If the ordinance was adopted on September 13,

1 1989 by the City of Chicago to create the Michigan/Cermak
2 Area TIF District.

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

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

7 (109) If the ordinance was adopted on December 16,
8 1997 by the Village of Germantown.

9 (110) If the ordinance was adopted on April 28, 2003
10 by Gibson City.

11 (111) If the ordinance was adopted on December 18,
12 1990 by the Village of Washington Park, but only after the
13 Village of Washington Park becomes compliant with the
14 reporting requirements under subsection (d) of Section
15 11-74.4-5, and after the State Comptroller's certification
16 of such compliance.

17 (112) If the ordinance was adopted on February 28,
18 2000 by the City of Harvey.

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

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

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

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

3 (117) If the ordinance was adopted on February 11,
4 1991 by the Village of Machesney Park.

5 (118) If the ordinance was adopted on December 29,
6 1993 by the City of Ottawa.

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

9 (120) If the ordinance was adopted on February 10,
10 2004 by the Village of Fox Lake.

11 (121) If the ordinance was adopted on December 22,
12 1992 by the City of Fairfield.

13 (122) If the ordinance was adopted on February 10,
14 1992 by the City of Mt. Sterling.

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

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

19 (125) If the ordinance was adopted on September 23,
20 1997 by the City of Granite City.

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

24 (127) If the ordinance was adopted on November 22,
25 1993 by the City of Arcola.

26 (128) If the ordinance was adopted on September 7,

1 2004 by the City of Arcola.

2 (129) If the ordinance was adopted on November 29,
3 1999 by the City of Paris.

4 (130) If the ordinance was adopted on September 20,
5 1994 by the City of Ottawa to create the U.S. Route 6 East
6 Ottawa TIF.

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

9 (132) If the ordinance was adopted on October 27, 1992
10 by the City of Blue Island.

11 (133) If the ordinance was adopted on December 23,
12 1993 by the City of Lacon.

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

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

17 (136) If the ordinance was adopted on November 16,
18 1992 by the City of Pinckneyville.

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

21 (138) If the ordinance was adopted on February 26,
22 1992 by the City of Chicago to create the Stockyards
23 Southeast Quadrant TIF District.

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

26 (140) If the ordinance was adopted on December 23,

1 1997 by the Village of Dieterich.

2 (141) If the ordinance was adopted on February 10,
3 2016 by the Village of Rosemont to create the
4 Balmoral/Pearl TIF No. 8 Tax Increment Financing
5 Redevelopment Project Area.

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

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

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

12 (145) If the ordinance was adopted on December 21,
13 1994 by the City of Calumet City.

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

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

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

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

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

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

26 (152) If the ordinance was adopted on September 5,

1 1995 by the City of Granite City.

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

4 (154) If the ordinance was adopted on February 23,
5 1995 by the City of Springfield.

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

8 (156) If the ordinance was adopted on December 26,
9 1995 by the Village of Posen.

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

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

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

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

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

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

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

25 (164) If the ordinance was adopted on December 11,
26 1996 by the City of Chicago to create the Bryn

1 Mawr/Broadway TIF District.

2 (165) If the ordinance was adopted on December 31,
3 1995 by the City of Chicago to create the 95th/Western TIF
4 District.

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

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

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

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

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

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

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

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

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

25 (175) If the ordinance was adopted on January 28, 1997
26 by the City of Berwyn for the Roosevelt Road Tax Increment

1 Financing District.

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

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

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

9 (179) If the ordinance was adopted on October 4, 1999
10 by the City of Vandalia.

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

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

16 (182) If the ordinance was adopted on March 27, 1997
17 by the Village of Maywood approving the Roosevelt Road TIF
18 District.

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

22 (184) If the ordinance was adopted on November 10,
23 1997 by the Village of Park Forest.

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

26 (186) If the ordinance was adopted on December 1, 2000

1 by the Village of Mahomet.

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

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

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

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

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

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

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

16 (194) If the ordinance was adopted on February 22,
17 2000 by the City of Mount Pulaski.

18 (195) If the ordinance was adopted on November 21,
19 2000 by the City of Effingham.

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

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

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

26 (199) If the ordinance was adopted on July 16, 2014 by

1 the Village of Bellwood to create the North-2014 TIF.

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

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

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

10 (203) If the ordinance was adopted on September 17,
11 2014 by the Village of Bellwood to create the Addison
12 Creek "B" (Northwest)-2014 TIF.

13 (204) If the ordinance was adopted on September 17,
14 2014 by the Village of Bellwood to create the Addison
15 Creek "C" (Northeast)-2014 TIF.

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

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

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

23 (208) If the ordinance was adopted on April 4, 2000 by
24 the City of Joliet to create the Joliet City Center TIF
25 District.

26 (209) If the ordinance was adopted on July 8, 1998 by

1 the City of Chicago to create the 43rd/Cottage Grove TIF
2 district.

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

6 (211) If the ordinance was adopted on November 4, 1998
7 by the City of Chicago to create the Bronzeville TIF
8 district.

9 (212) If the ordinance was adopted on February 5, 1998
10 by the City of Chicago to create the Homan/Arthington TIF
11 district.

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

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

16 (215) If the ordinance was adopted on December 27,
17 2006 by the City of Greenville.

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

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

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

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

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

7 (221) If the ordinance was adopted on December 16,
8 1997 by the City of Springfield to create the Enos Park
9 Neighborhood TIF District.

10 (222) If the ordinance was adopted on February 5, 1998
11 by the City of Chicago to create the Roosevelt/Cicero
12 redevelopment project area.

13 (223) If the ordinance was adopted on February 5, 1998
14 by the City of Chicago to create the Western/Ogden
15 redevelopment project area.

16 (224) If the ordinance was adopted on July 21, 1999 by
17 the City of Chicago to create the 24th/Michigan Avenue
18 redevelopment project area.

19 (225) If the ordinance was adopted on January 20, 1999
20 by the City of Chicago to create the Woodlawn
21 redevelopment project area.

22 (226) If the ordinance was adopted on July 7, 1999 by
23 the City of Chicago to create the Clark/Montrose
24 redevelopment project area.

25 (227) If the ordinance was adopted on November 4, 2003
26 by the City of Madison to create the Rivers Edge

1 redevelopment project area.

2 (228) If the ordinance was adopted on August 12, 2003
3 by the City of Madison to create the Caine Street
4 redevelopment project area.

5 (229) If the ordinance was adopted on March 7, 2000 by
6 the City of Madison to create the East Madison TIF.

7 (230) If the ordinance was adopted on August 3, 2001
8 by the Village of Aviston.

9 (231) If the ordinance was adopted on August 22, 2011
10 by the Village of Warren.

11 (232) If the ordinance was adopted on April 8, 1999 by
12 the City of Farmer City.

13 (233) If the ordinance was adopted on August 4, 1999
14 by the Village of Fairmont City.

15 (234) If the ordinance was adopted on October 2, 1999
16 by the Village of Fairmont City.

17 (235) If the ordinance was adopted December 16, 1999
18 by the City of Springfield.

19 (236) If the ordinance was adopted on December 13,
20 1999 by the Village of Palatine to create the Village of
21 Palatine Downtown Area TIF District.

22 (237) If the ordinance was adopted on September 29,
23 1999 by the City of Chicago to create the 111th/Kedzie
24 redevelopment project area.

25 (238) If the ordinance was adopted on November 12,
26 1998 by the City of Chicago to create the Canal/Congress

1 redevelopment project area.

2 (239) If the ordinance was adopted on July 7, 1999 by
3 the City of Chicago to create the Galewood/Armitage
4 Industrial redevelopment project area.

5 (240) If the ordinance was adopted on September 29,
6 1999 by the City of Chicago to create the Madison/Austin
7 Corridor redevelopment project area.

8 (241) If the ordinance was adopted on April 12, 2000
9 by the City of Chicago to create the South Chicago
10 redevelopment project area.

11 (242) If the ordinance was adopted on January 9, 2002
12 by the Village of Elkhart.

13 (243) If the ordinance was adopted on May 23, 2000 by
14 the City of Robinson to create the West Robinson
15 Industrial redevelopment project area.

16 (244) If the ordinance was adopted on October 9, 2001
17 by the City of Robinson to create the Downtown Robinson
18 redevelopment project area.

19 (245) If the ordinance was adopted on September 19,
20 2000 by the Village of Valmeyer.

21 (246) If the ordinance was adopted on April 15, 2002
22 by the City of McHenry to create the Downtown TIF
23 district.

24 On or after the effective date of this amendatory Act of
25 the 103rd General Assembly, before the completion date may be
26 extended under this subsection to the 22nd calendar year after

1 the year in which the ordinance approving the redevelopment
2 project area was adopted, the joint review board created under
3 subsection (b) of Section 11-74.4-5 shall convene and issue a
4 written report describing its decision whether or not to
5 extend the completion date of the redevelopment project area.
6 Each member of the joint review board must agree, with written
7 support, to the extension and length of the extension of the
8 completion date of the redevelopment project area. If the
9 joint review board does not file a report, it shall be presumed
10 that the taxing bodies approve the extension of the life of the
11 redevelopment project area. If both the municipality and the
12 joint review board elect to extend the completion date under
13 this subsection, the municipality shall give at least 30 days'
14 written notice to the taxing bodies before the adoption of the
15 ordinance approving the extension of the completion date. The
16 joint review board shall issue this report within 90 days
17 after receiving written notification of the municipality's
18 intent to extend the completion date of the redevelopment
19 project area.

20 (d) For redevelopment project areas for which bonds were
21 issued before July 29, 1991, or for which contracts were
22 entered into before June 1, 1988, in connection with a
23 redevelopment project in the area within the State Sales Tax
24 Boundary, the estimated dates of completion of the
25 redevelopment project and retirement of obligations to finance
26 redevelopment project costs (including refunding bonds under

1 Section 11-74.4-7) may be extended by municipal ordinance to
2 December 31, 2013. The termination procedures of subsection
3 (b) of Section 11-74.4-8 are not required for these
4 redevelopment project areas in 2009 but are required in 2013.
5 The extension allowed by Public Act 87-1272 shall not apply to
6 real property tax increment allocation financing under Section
7 11-74.4-8.

8 (e) Those dates, for purposes of real property tax
9 increment allocation financing pursuant to Section 11-74.4-8
10 only, shall be not more than 35 years for redevelopment
11 project areas that were adopted on or after December 16, 1986
12 and for which at least \$8 million worth of municipal bonds were
13 authorized on or after December 19, 1989 but before January 1,
14 1990; provided that the municipality elects to extend the life
15 of the redevelopment project area to 35 years by the adoption
16 of an ordinance after at least 14 but not more than 30 days'
17 written notice to the taxing bodies, that would otherwise
18 constitute the joint review board for the redevelopment
19 project area, before the adoption of the ordinance.

20 (f) Those dates, for purposes of real property tax
21 increment allocation financing pursuant to Section 11-74.4-8
22 only, shall be not more than 35 years for redevelopment
23 project areas that were established on or after December 1,
24 1981 but before January 1, 1982 and for which at least
25 \$1,500,000 worth of tax increment revenue bonds were
26 authorized on or after September 30, 1990 but before July 1,

1 1991; provided that the municipality elects to extend the life
2 of the redevelopment project area to 35 years by the adoption
3 of an ordinance after at least 14 but not more than 30 days'
4 written notice to the taxing bodies, that would otherwise
5 constitute the joint review board for the redevelopment
6 project area, before the adoption of the ordinance.

7 (f-1) (Blank).

8 (f-2) (Blank).

9 (f-3) (Blank).

10 (f-5) Those dates, for purposes of real property tax
11 increment allocation financing pursuant to Section 11-74.4-8
12 only, shall be not more than 47 years for redevelopment
13 project areas listed in this subsection; provided that (i) the
14 municipality adopts an ordinance on or before June 30, 2023
15 extending the life of the redevelopment project area to 47
16 years and (ii) the municipality provides notice to the taxing
17 bodies that would otherwise constitute the joint review board
18 for the redevelopment project area not more than 30 and not
19 less than 14 days prior to the adoption of that ordinance:

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (14) If the ordinance was adopted on April 3, 1989 by
24 the City of Chicago Heights.

25 (15) If the redevelopment project area was established
26 on December 29, 1986 by the City of Pontiac to create TIF I

1 (the Main St TIF).

2 (16) If the redevelopment project area was established
3 on December 29, 1986 by the City of Pontiac to create TIF
4 II (the Interstate TIF).

5 (g) In consolidating the material relating to completion
6 dates from Sections 11-74.4-3 and 11-74.4-7 into this Section,
7 it is not the intent of the General Assembly to make any
8 substantive change in the law, except for the extension of the
9 completion dates for the City of Aurora, the Village of Milan,
10 the City of West Frankfort, the Village of Libertyville, and
11 the Village of Hoffman Estates set forth under items (67),
12 (68), (69), (70), and (71) of subsection (c) of this Section.
13 (Source: P.A. 101-274, eff. 8-9-19; 101-618, eff. 12-20-19;
14 101-647, eff. 6-26-20; 101-662, eff. 4-2-21; 102-117, eff.
15 7-23-21; 102-424, eff. 8-20-21; 102-425, eff. 8-20-21;
16 102-446, eff. 8-20-21; 102-473, eff. 8-20-21; 102-627, eff.
17 8-27-21; 102-675, eff. 11-30-21; 102-745, eff. 5-6-22;
18 102-818, eff. 5-13-22; 102-1113, eff. 12-21-22.)

19 (65 ILCS 5/11-74.4-5) (from Ch. 24, par. 11-74.4-5)

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

21 (a) The changes made by this amendatory Act of the 91st
22 General Assembly do not apply to a municipality that, (i)
23 before the effective date of this amendatory Act of the 91st
24 General Assembly, has adopted an ordinance or resolution
25 fixing a time and place for a public hearing under this Section

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

15 Prior to the adoption of an ordinance proposing the
16 designation of a redevelopment project area, or approving a
17 redevelopment plan or redevelopment project, the municipality
18 by its corporate authorities, or as it may determine by any
19 commission designated under subsection (k) of Section
20 11-74.4-4 shall adopt an ordinance or resolution fixing a time
21 and place for public hearing. At least 10 days prior to the
22 adoption of the ordinance or resolution establishing the time
23 and place for the public hearing, the municipality shall make
24 available for public inspection a redevelopment plan or a
25 separate report that provides in reasonable detail the basis
26 for the eligibility of the redevelopment project area. The

1 report along with the name of a person to contact for further
2 information shall be sent within a reasonable time after the
3 adoption of such ordinance or resolution to the affected
4 taxing districts by certified mail. On and after the effective
5 date of this amendatory Act of the 91st General Assembly, the
6 municipality shall print in a newspaper of general circulation
7 within the municipality a notice that interested persons may
8 register with the municipality in order to receive information
9 on the proposed designation of a redevelopment project area or
10 the approval of a redevelopment plan. The notice shall state
11 the place of registration and the operating hours of that
12 place. The municipality shall have adopted reasonable rules to
13 implement this registration process under Section 11-74.4-4.2.
14 The municipality shall provide notice of the availability of
15 the redevelopment plan and eligibility report, including how
16 to obtain this information, by mail within a reasonable time
17 after the adoption of the ordinance or resolution, to all
18 residential addresses that, after a good faith effort, the
19 municipality determines are located outside the proposed
20 redevelopment project area and within 750 feet of the
21 boundaries of the proposed redevelopment project area. This
22 requirement is subject to the limitation that in a
23 municipality with a population of over 100,000, if the total
24 number of residential addresses outside the proposed
25 redevelopment project area and within 750 feet of the
26 boundaries of the proposed redevelopment project area exceeds

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

19 At the public hearing any interested person or affected
20 taxing district may file with the municipal clerk written
21 objections to and may be heard orally in respect to any issues
22 embodied in the notice. The municipality shall hear all
23 protests and objections at the hearing and the hearing may be
24 adjourned to another date without further notice other than a
25 motion to be entered upon the minutes fixing the time and place
26 of the subsequent hearing. At the public hearing or at any time

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

1 publication in a newspaper of general circulation within the
2 affected taxing district. Such notice by mail and by
3 publication shall each occur not later than 10 days following
4 the adoption by ordinance of such changes. Hearings with
5 regard to a redevelopment project area, project or plan may be
6 held simultaneously.

7 (b) Prior to holding a public hearing to approve or amend a
8 redevelopment plan or to designate or add additional parcels
9 of property to a redevelopment project area, the municipality
10 shall convene a joint review board. The board shall consist of
11 a representative selected by each community college district,
12 local elementary school district and high school district or
13 each local community unit school district, park district,
14 library district, township, fire protection district, and
15 county that will have the authority to directly levy taxes on
16 the property within the proposed redevelopment project area at
17 the time that the proposed redevelopment project area is
18 approved, a representative selected by the municipality and a
19 public member. The joint review board shall also include as
20 nonvoting members of the board (i) a representative from a
21 nonprofit organization that provides business resources and
22 support to businesses, appointed by the mayor or president of
23 the municipality, and (ii) each township highway commissioner
24 of a road district located in whole or in part inside the
25 proposed redevelopment project area. The public member shall
26 first be selected and then the board's chairperson shall be

1 selected by a majority of the board members present and
2 voting.

3 For redevelopment project areas with redevelopment plans
4 or proposed redevelopment plans that would result in the
5 displacement of residents from 10 or more inhabited
6 residential units or that include 75 or more inhabited
7 residential units, the public member shall be a person who
8 resides in the redevelopment project area. If, as determined
9 by the housing impact study provided for in paragraph (5) of
10 subsection (n) of Section 11-74.4-3, or if no housing impact
11 study is required then based on other reasonable data, the
12 majority of residential units are occupied by very low, low,
13 or moderate income households, as defined in Section 3 of the
14 Illinois Affordable Housing Act, the public member shall be a
15 person who resides in very low, low, or moderate income
16 housing within the redevelopment project area. Municipalities
17 with fewer than 15,000 residents shall not be required to
18 select a person who lives in very low, low, or moderate income
19 housing within the redevelopment project area, provided that
20 the redevelopment plan or project will not result in
21 displacement of residents from 10 or more inhabited units, and
22 the municipality so certifies in the plan. If no person
23 satisfying these requirements is available or if no qualified
24 person will serve as the public member, then the joint review
25 board is relieved of this paragraph's selection requirements
26 for the public member.

1 Within 90 days of the effective date of this amendatory
2 Act of the 91st General Assembly, each municipality that
3 designated a redevelopment project area for which it was not
4 required to convene a joint review board under this Section
5 shall convene a joint review board to perform the duties
6 specified under paragraph (e) of this Section.

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

24 The board shall review (i) the public record, planning
25 documents and proposed ordinances approving the redevelopment
26 plan and project and (ii) proposed amendments to the

1 redevelopment plan or additions of parcels of property to the
2 redevelopment project area to be adopted by the municipality.
3 As part of its deliberations, the board may hold additional
4 hearings on the proposal. A board's recommendation shall be an
5 advisory, non-binding recommendation. The recommendation shall
6 be adopted by a majority of those members present and voting.
7 The recommendations shall be submitted to the municipality
8 within 30 days after convening of the board. Failure of the
9 board to submit its report on a timely basis shall not be cause
10 to delay the public hearing or any other step in the process of
11 designating or amending the redevelopment project area but
12 shall be deemed to constitute approval by the joint review
13 board of the matters before it.

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

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

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

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

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

1 to a total of more than 10. Changes to the redevelopment plan
2 necessary to satisfy the issues set forth in the joint review
3 board report shall not require any further notice or convening
4 of a joint review board meeting, except that any changes to the
5 redevelopment plan that would add additional parcels of
6 property to the proposed redevelopment project area shall be
7 subject to the notice, public hearing, and joint review board
8 meeting requirements established for such changes by
9 subsection (a) of Section 11-74.4-5.

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

18 After the effective date of this amendatory Act of the
19 103rd General Assembly, a municipality may not approve a new
20 redevelopment project area that overlaps with an existing
21 redevelopment project area or an expansion of a redevelopment
22 project area so that the expanded area will overlap with an
23 existing redevelopment project area.

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

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

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

16 (d) After the effective date of this amendatory Act of the
17 91st General Assembly, a municipality shall submit in an
18 electronic format the following information for each
19 redevelopment project area (i) to the State Comptroller under
20 Section 8-8-3.5 of the Illinois Municipal Code, subject to any
21 extensions or exemptions provided at the Comptroller's
22 discretion under that Section, and (ii) to all taxing
23 districts overlapping the redevelopment project area no later
24 than 180 days after the close of each municipal fiscal year or
25 as soon thereafter as the audited financial statements become
26 available and, in any case, shall be submitted before the

1 annual meeting of the Joint Review Board to each of the taxing
2 districts that overlap the redevelopment project area:

3 (1) Any amendments to the redevelopment plan, the
4 redevelopment project area, or the State Sales Tax
5 Boundary.

6 (1.5) A list of the redevelopment project areas
7 administered by the municipality and, if applicable, the
8 date each redevelopment project area was designated or
9 terminated by the municipality.

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

13 (3) Certification of the Chief Executive Officer of
14 the municipality that the municipality has complied with
15 all of the requirements of this Act during the preceding
16 fiscal year.

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

19 (5) An analysis of the special tax allocation fund
20 which sets forth:

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

23 (B) all amounts deposited in the special tax
24 allocation fund by source;

25 (C) an itemized list of all expenditures from the
26 special tax allocation fund by category of permissible

1 redevelopment project cost; and

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

15 (6) A description of all property purchased by the
16 municipality within the redevelopment project area
17 including:

18 (A) Street address.

19 (B) Approximate size or description of property.

20 (C) Purchase price.

21 (D) Seller of property.

22 (7) A statement setting forth all activities
23 undertaken in furtherance of the objectives of the
24 redevelopment plan, including:

25 (A) Any project implemented in the preceding
26 fiscal year.

1 (B) A description of the redevelopment activities
2 undertaken.

3 (C) A description of any agreements entered into
4 by the municipality with regard to the disposition or
5 redevelopment of any property within the redevelopment
6 project area or the area within the State Sales Tax
7 Boundary.

8 (D) Additional information on the use of all funds
9 received under this Division and steps taken by the
10 municipality to achieve the objectives of the
11 redevelopment plan.

12 (E) Information regarding contracts that the
13 municipality's tax increment advisors or consultants
14 have entered into with entities or persons that have
15 received, or are receiving, payments financed by tax
16 increment revenues produced by the same redevelopment
17 project area.

18 (F) Any reports submitted to the municipality by
19 the joint review board.

20 (G) A review of public and, to the extent
21 possible, private investment actually undertaken to
22 date after the effective date of this amendatory Act
23 of the 91st General Assembly and estimated to be
24 undertaken during the following year. This review
25 shall, on a project-by-project basis, set forth the
26 estimated amounts of public and private investment

1 incurred after the effective date of this amendatory
2 Act of the 91st General Assembly and provide the ratio
3 of private investment to public investment to the date
4 of the report and as estimated to the completion of the
5 redevelopment project.

6 (8) With regard to any obligations issued by the
7 municipality:

8 (A) copies of any official statements; and

9 (B) an analysis prepared by financial advisor or
10 underwriter, chosen by the municipality, setting forth
11 the: (i) nature and term of obligation; (ii) projected
12 debt service including required reserves and debt
13 coverage; and (iii) actual debt service.

14 (9) For special tax allocation funds that have
15 experienced cumulative deposits of incremental tax
16 revenues of \$100,000 or more, a certified audit report
17 reviewing compliance with this Act performed by an
18 independent public accountant certified and licensed by
19 the authority of the State of Illinois. The financial
20 portion of the audit must be conducted in accordance with
21 Standards for Audits of Governmental Organizations,
22 Programs, Activities, and Functions adopted by the
23 Comptroller General of the United States (1981), as
24 amended, or the standards specified by Section 8-8-5 of
25 the Illinois Municipal Auditing Law of the Illinois
26 Municipal Code. The audit report shall contain a letter

1 from the independent certified public accountant
2 indicating compliance or noncompliance with the
3 requirements of subsection (q) of Section 11-74.4-3. For
4 redevelopment plans or projects that would result in the
5 displacement of residents from 10 or more inhabited
6 residential units or that contain 75 or more inhabited
7 residential units, notice of the availability of the
8 information, including how to obtain the report, required
9 in this subsection shall also be sent by mail to all
10 residents or organizations that operate in the
11 municipality that register with the municipality for that
12 information according to registration procedures adopted
13 under Section 11-74.4-4.2. All municipalities are subject
14 to this provision.

15 (10) A list of all intergovernmental agreements in
16 effect during the fiscal year to which the municipality is
17 a party and an accounting of any moneys transferred or
18 received by the municipality during that fiscal year
19 pursuant to those intergovernmental agreements.

20 In addition to information required to be reported under
21 this Section, for Fiscal Year 2022 and each fiscal year
22 thereafter, reporting municipalities shall also report to the
23 Comptroller annually in a manner and format prescribed by the
24 Comptroller: (1) the number of jobs, if any, projected to be
25 created for each redevelopment project area at the time of
26 approval of the redevelopment agreement; (2) the number of

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

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

1 (1) Any amendments to the redevelopment plan, the
2 redevelopment project area, or the State Sales Tax
3 Boundary; and

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

9 (e) The joint review board shall meet annually 180 days
10 after the close of the municipal fiscal year or as soon as the
11 redevelopment project audit for that fiscal year becomes
12 available to review the effectiveness and status of the
13 redevelopment project area up to that date.

14 (f) (Blank).

15 (g) In the event that a municipality has held a public
16 hearing under this Section prior to March 14, 1994 (the
17 effective date of Public Act 88-537), the requirements imposed
18 by Public Act 88-537 relating to the method of fixing the time
19 and place for public hearing, the materials and information
20 required to be made available for public inspection, and the
21 information required to be sent after adoption of an ordinance
22 or resolution fixing a time and place for public hearing shall
23 not be applicable.

24 (h) On and after the effective date of this amendatory Act
25 of the 96th General Assembly, the State Comptroller must post
26 on the State Comptroller's official website the information

1 submitted by a municipality pursuant to subsection (d) of this
2 Section. The information must be posted no later than 45 days
3 after the State Comptroller receives the information from the
4 municipality. The State Comptroller must also post a list of
5 the municipalities not in compliance with the reporting
6 requirements set forth in subsection (d) of this Section.

7 (i) No later than 10 years after the corporate authorities
8 of a municipality adopt an ordinance to establish a
9 redevelopment project area, the municipality must compile a
10 status report concerning the redevelopment project area. The
11 status report must detail without limitation the following:

12 (i) the amount of revenue generated within the redevelopment
13 project area, (ii) any expenditures made by the municipality
14 for the redevelopment project area including without
15 limitation expenditures from the special tax allocation fund,
16 (iii) the status of planned activities, goals, and objectives
17 set forth in the redevelopment plan including details on new
18 or planned construction within the redevelopment project area,
19 (iv) the amount of private and public investment within the
20 redevelopment project area, and (v) any other relevant
21 evaluation or performance data. Within 30 days after the
22 municipality compiles the status report, the municipality must
23 hold at least one public hearing concerning the report. The
24 municipality must provide 20 days' public notice of the
25 hearing.

26 (j) Beginning in fiscal year 2011 and in each fiscal year

1 thereafter, a municipality must detail in its annual budget
2 (i) the revenues generated from redevelopment project areas by
3 source and (ii) the expenditures made by the municipality for
4 redevelopment project areas.

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

6 (65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

7 Sec. 11-74.4-7. Obligations secured by the special tax
8 allocation fund set forth in Section 11-74.4-8 for the
9 redevelopment project area may be issued to provide for
10 redevelopment project costs. Such obligations, when so issued,
11 shall be retired in the manner provided in the ordinance
12 authorizing the issuance of such obligations by the receipts
13 of taxes levied as specified in Section 11-74.4-9 against the
14 taxable property included in the area, by revenues as
15 specified by Section 11-74.4-8a and other revenue designated
16 by the municipality. Except for the moneys designated for a
17 chamber of commerce under subsection (b) of Section 11-74.4-8,
18 a ~~A~~ municipality may in the ordinance pledge all or any part of
19 the funds in and to be deposited in the special tax allocation
20 fund created pursuant to Section 11-74.4-8 to the payment of
21 the redevelopment project costs and obligations. Any pledge of
22 funds in the special tax allocation fund shall provide for
23 distribution to the taxing districts and to the Illinois
24 Department of Revenue of moneys not required, pledged,
25 earmarked, or otherwise designated for payment, including

1 unused and unpledged moneys returned to a municipality by a
2 chamber of commerce under subsection (b) of Section 11-74.4-8,
3 and securing of the obligations and anticipated redevelopment
4 project costs and such excess funds shall be calculated
5 annually and deemed to be "surplus" funds. In the event a
6 municipality only applies or pledges a portion of the funds in
7 the special tax allocation fund for the payment or securing of
8 anticipated redevelopment project costs or of obligations, any
9 such funds remaining in the special tax allocation fund after
10 complying with the requirements of the application or pledge,
11 shall also be calculated annually and deemed "surplus" funds.
12 All surplus funds in the special tax allocation fund shall be
13 distributed annually within 180 days after the close of the
14 municipality's fiscal year by being paid by the municipal
15 treasurer to the County Collector, to the Department of
16 Revenue and to the municipality in direct proportion to the
17 tax incremental revenue received as a result of an increase in
18 the equalized assessed value of property in the redevelopment
19 project area, tax incremental revenue received from the State
20 and tax incremental revenue received from the municipality,
21 but not to exceed as to each such source the total incremental
22 revenue received from that source. The County Collector shall
23 thereafter make distribution to the respective taxing
24 districts in the same manner and proportion as the most recent
25 distribution by the county collector to the affected districts
26 of real property taxes from real property in the redevelopment

1 project area.

2 Without limiting the foregoing in this Section, the
3 municipality may in addition to obligations secured by the
4 special tax allocation fund pledge for a period not greater
5 than the term of the obligations towards payment of such
6 obligations any part or any combination of the following: (a)
7 net revenues of all or part of any redevelopment project; (b)
8 taxes levied and collected on any or all property in the
9 municipality; (c) the full faith and credit of the
10 municipality; (d) a mortgage on part or all of the
11 redevelopment project; (d-5) repayment of bonds issued
12 pursuant to subsection (p-130) of Section 19-1 of the School
13 Code; or (e) any other taxes or anticipated receipts that the
14 municipality may lawfully pledge.

15 Such obligations may be issued in one or more series
16 bearing interest at such rate or rates as the corporate
17 authorities of the municipality shall determine by ordinance.
18 Such obligations shall bear such date or dates, mature at such
19 time or times not exceeding 20 years from their respective
20 dates, be in such denomination, carry such registration
21 privileges, be executed in such manner, be payable in such
22 medium of payment at such place or places, contain such
23 covenants, terms and conditions, and be subject to redemption
24 as such ordinance shall provide. Obligations issued pursuant
25 to this Act may be sold at public or private sale at such price
26 as shall be determined by the corporate authorities of the

1 municipalities. No referendum approval of the electors shall
2 be required as a condition to the issuance of obligations
3 pursuant to this Division except as provided in this Section.

4 In the event the municipality authorizes issuance of
5 obligations pursuant to the authority of this Division secured
6 by the full faith and credit of the municipality, which
7 obligations are other than obligations which may be issued
8 under home rule powers provided by Article VII, Section 6 of
9 the Illinois Constitution, or pledges taxes pursuant to (b) or
10 (c) of the second paragraph of this section, the ordinance
11 authorizing the issuance of such obligations or pledging such
12 taxes shall be published within 10 days after such ordinance
13 has been passed in one or more newspapers, with general
14 circulation within such municipality. The publication of the
15 ordinance shall be accompanied by a notice of (1) the specific
16 number of voters required to sign a petition requesting the
17 question of the issuance of such obligations or pledging taxes
18 to be submitted to the electors; (2) the time in which such
19 petition must be filed; and (3) the date of the prospective
20 referendum. The municipal clerk shall provide a petition form
21 to any individual requesting one.

22 If no petition is filed with the municipal clerk, as
23 hereinafter provided in this Section, within 30 days after the
24 publication of the ordinance, the ordinance shall be in
25 effect. But, if within that 30 day period a petition is filed
26 with the municipal clerk, signed by electors in the

1 municipality numbering 10% or more of the number of registered
2 voters in the municipality, asking that the question of
3 issuing obligations using full faith and credit of the
4 municipality as security for the cost of paying for
5 redevelopment project costs, or of pledging taxes for the
6 payment of such obligations, or both, be submitted to the
7 electors of the municipality, the corporate authorities of the
8 municipality shall call a special election in the manner
9 provided by law to vote upon that question, or, if a general,
10 State or municipal election is to be held within a period of
11 not less than 30 or more than 90 days from the date such
12 petition is filed, shall submit the question at the next
13 general, State or municipal election. If it appears upon the
14 canvass of the election by the corporate authorities that a
15 majority of electors voting upon the question voted in favor
16 thereof, the ordinance shall be in effect, but if a majority of
17 the electors voting upon the question are not in favor
18 thereof, the ordinance shall not take effect.

19 The ordinance authorizing the obligations may provide that
20 the obligations shall contain a recital that they are issued
21 pursuant to this Division, which recital shall be conclusive
22 evidence of their validity and of the regularity of their
23 issuance.

24 In the event the municipality authorizes issuance of
25 obligations pursuant to this Section secured by the full faith
26 and credit of the municipality, the ordinance authorizing the

1 obligations may provide for the levy and collection of a
2 direct annual tax upon all taxable property within the
3 municipality sufficient to pay the principal thereof and
4 interest thereon as it matures, which levy may be in addition
5 to and exclusive of the maximum of all other taxes authorized
6 to be levied by the municipality, which levy, however, shall
7 be abated to the extent that monies from other sources are
8 available for payment of the obligations and the municipality
9 certifies the amount of said monies available to the county
10 clerk.

11 A certified copy of such ordinance shall be filed with the
12 county clerk of each county in which any portion of the
13 municipality is situated, and shall constitute the authority
14 for the extension and collection of the taxes to be deposited
15 in the special tax allocation fund.

16 A municipality may also issue its obligations to refund in
17 whole or in part, obligations theretofore issued by such
18 municipality under the authority of this Act, whether at or
19 prior to maturity, provided however, that the last maturity of
20 the refunding obligations may not be later than the dates set
21 forth under Section 11-74.4-3.5.

22 In the event a municipality issues obligations under home
23 rule powers or other legislative authority the proceeds of
24 which are pledged to pay for redevelopment project costs, the
25 municipality may, if it has followed the procedures in
26 conformance with this division, retire said obligations from

1 funds in the special tax allocation fund in amounts and in such
2 manner as if such obligations had been issued pursuant to the
3 provisions of this division.

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

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

9 (65 ILCS 5/11-74.4-8) (from Ch. 24, par. 11-74.4-8)

10 Sec. 11-74.4-8. Tax increment allocation financing. A
11 municipality may not adopt tax increment financing in a
12 redevelopment project area after July 30, 1997 (the effective
13 date of Public Act 90-258) that will encompass an area that is
14 currently included in an enterprise zone created under the
15 Illinois Enterprise Zone Act unless that municipality,
16 pursuant to Section 5.4 of the Illinois Enterprise Zone Act,
17 amends the enterprise zone designating ordinance to limit the
18 eligibility for tax abatements as provided in Section 5.4.1 of
19 the Illinois Enterprise Zone Act. A municipality, at the time
20 a redevelopment project area is designated, may adopt tax
21 increment allocation financing by passing an ordinance
22 providing that the ad valorem taxes, if any, arising from the
23 levies upon taxable real property in such redevelopment
24 project area by taxing districts and tax rates determined in
25 the manner provided in paragraph (c) of Section 11-74.4-9 each

1 year after the effective date of the ordinance until
2 redevelopment project costs and all municipal obligations
3 financing redevelopment project costs incurred under this
4 Division have been paid shall be divided as follows, provided,
5 however, that with respect to any redevelopment project area
6 located within a transit facility improvement area established
7 pursuant to Section 11-74.4-3.3 in a municipality with a
8 population of 1,000,000 or more, ad valorem taxes, if any,
9 arising from the levies upon taxable real property in such
10 redevelopment project area shall be allocated as specifically
11 provided in this Section:

12 (a) That portion of taxes levied upon each taxable
13 lot, block, tract, or parcel of real property which is
14 attributable to the lower of the current equalized
15 assessed value or the initial equalized assessed value of
16 each such taxable lot, block, tract, or parcel of real
17 property in the redevelopment project area shall be
18 allocated to and when collected shall be paid by the
19 county collector to the respective affected taxing
20 districts in the manner required by law in the absence of
21 the adoption of tax increment allocation financing.

22 (b) Except from a tax levied by a township to retire
23 bonds issued to satisfy court-ordered damages and except
24 as otherwise provided in this Section, that portion, if
25 any, of such taxes which is attributable to the increase
26 in the current equalized assessed valuation of each

1 taxable lot, block, tract, or parcel of real property in
2 the redevelopment project area over and above the initial
3 equalized assessed value of each property in the project
4 area shall be allocated to and when collected shall be
5 paid to the municipal treasurer who shall deposit said
6 taxes into a special fund called the special tax
7 allocation fund of the municipality. The moneys deposited
8 into the special tax allocation fund shall be used as
9 follows: (1) 90% of the moneys deposited shall be used for
10 the purpose of paying redevelopment project costs and
11 obligations incurred in the payment thereof; and (2) 10%
12 of the moneys deposited shall be transferred, by the
13 municipal treasurer, to the local chamber of commerce or
14 chambers of commerce representing the redevelopment
15 project area no later than 30 days after each deposit to
16 the tax allocation fund. Before any moneys are transferred
17 to a chamber of commerce, the municipality must enter into
18 a contract with the chamber of commerce under which the
19 chamber of commerce promises to (i) use the moneys
20 transferred to it for grants to businesses that employee
21 fewer than 50 full-time employees if the business moves
22 into the redevelopment project area and (ii) return to the
23 municipality any moneys that are not granted or pledged to
24 a business described in subparagraph (i) within one year
25 of receipt of the moneys.

26 In any county with a population of 3,000,000 or more

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

20 (1) The total equalized assessed value of the
21 redevelopment project area as last determined was not
22 less than 175% of the total initial equalized assessed
23 value.

24 (2) Not more than 50% of the total equalized
25 assessed value of the redevelopment project area as
26 last determined is attributable to a piece of property

1 assigned a single real estate index number.

2 (3) The municipal clerk has certified to the
3 county clerk that the municipality has issued its
4 obligations to which there has been pledged the
5 incremental property taxes of the redevelopment
6 project area or taxes levied and collected on any or
7 all property in the municipality or the full faith and
8 credit of the municipality to pay or secure payment
9 for all or a portion of the redevelopment project
10 costs. The certification shall be filed annually no
11 later than September 1 for the estimated taxes to be
12 distributed in the following year; however, for the
13 year 1992 the certification shall be made at any time
14 on or before March 31, 1992.

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

19 The conditions of paragraphs (1) through (4) do not
20 apply after December 31, 1999 to payments to a municipal
21 treasurer made by a county with 3,000,000 or more
22 inhabitants that has adopted an estimated billing
23 procedure for collecting taxes. If a county that has
24 adopted the estimated billing procedure makes an erroneous
25 overpayment of tax revenue to the municipal treasurer,
26 then the county may seek a refund of that overpayment. The

1 county shall send the municipal treasurer a notice of
2 liability for the overpayment on or before the mailing
3 date of the next real estate tax bill within the county.
4 The refund shall be limited to the amount of the
5 overpayment.

6 It is the intent of this Division that after July 29,
7 1988 (the effective date of Public Act 85-1142) a
8 municipality's own ad valorem tax arising from levies on
9 taxable real property be included in the determination of
10 incremental revenue in the manner provided in paragraph
11 (c) of Section 11-74.4-9. If the municipality does not
12 extend such a tax, it shall annually deposit in the
13 municipality's Special Tax Increment Fund an amount equal
14 to 10% of the total contributions to the fund from all
15 other taxing districts in that year. The annual 10%
16 deposit required by this paragraph shall be limited to the
17 actual amount of municipally produced incremental tax
18 revenues available to the municipality from taxpayers
19 located in the redevelopment project area in that year if:
20 (a) the plan for the area restricts the use of the property
21 primarily to industrial purposes, (b) the municipality
22 establishing the redevelopment project area is a home rule
23 community with a 1990 population of between 25,000 and
24 50,000, (c) the municipality is wholly located within a
25 county with a 1990 population of over 750,000 and (d) the
26 redevelopment project area was established by the

1 municipality prior to June 1, 1990. This payment shall be
2 in lieu of a contribution of ad valorem taxes on real
3 property. If no such payment is made, any redevelopment
4 project area of the municipality shall be dissolved.

5 If a municipality has adopted tax increment allocation
6 financing by ordinance and the County Clerk thereafter
7 certifies the "total initial equalized assessed value as
8 adjusted" of the taxable real property within such
9 redevelopment project area in the manner provided in
10 paragraph (b) of Section 11-74.4-9, each year after the
11 date of the certification of the total initial equalized
12 assessed value as adjusted until redevelopment project
13 costs and all municipal obligations financing
14 redevelopment project costs have been paid the ad valorem
15 taxes, if any, arising from the levies upon the taxable
16 real property in such redevelopment project area by taxing
17 districts and tax rates determined in the manner provided
18 in paragraph (c) of Section 11-74.4-9 shall be divided as
19 follows, provided, however, that with respect to any
20 redevelopment project area located within a transit
21 facility improvement area established pursuant to Section
22 11-74.4-3.3 in a municipality with a population of
23 1,000,000 or more, ad valorem taxes, if any, arising from
24 the levies upon the taxable real property in such
25 redevelopment project area shall be allocated as
26 specifically provided in this Section:

1 (1) That portion of the taxes levied upon each
2 taxable lot, block, tract, or parcel of real property
3 which is attributable to the lower of the current
4 equalized assessed value or "current equalized
5 assessed value as adjusted" or the initial equalized
6 assessed value of each such taxable lot, block, tract,
7 or parcel of real property existing at the time tax
8 increment financing was adopted, minus the total
9 current homestead exemptions under Article 15 of the
10 Property Tax Code in the redevelopment project area,
11 shall be allocated to and when collected shall be paid
12 by the county collector to the respective affected
13 taxing districts in the manner required by law in the
14 absence of the adoption of tax increment allocation
15 financing.

16 (1.5) If a taxing district that is a school
17 district or community college district has not
18 provided written support to the county collector in
19 favor of adoption of the redevelopment project area,
20 that portion, if any, of such taxes which is
21 attributable to the increase in the current equalized
22 assessed valuation of each taxable lot, block, tract,
23 or parcel of real property in the redevelopment
24 project area, over and above the initial equalized
25 assessed value of each property existing at the time
26 tax increment financing was adopted, minus the total

1 current homestead exemptions pertaining to each piece
2 of property provided by Article 15 of the Property Tax
3 Code in the redevelopment project area, shall be
4 allocated to and when collected shall be paid by the
5 county collector to the school district or community
6 college district, as applicable, in the manner
7 required by law in the absence of the adoption of tax
8 increment allocation financing.

9 (2) Except as provided in paragraph (1.5), that
10 ~~That~~ portion, if any, of such taxes which is
11 attributable to the increase in the current equalized
12 assessed valuation of each taxable lot, block, tract,
13 or parcel of real property in the redevelopment
14 project area, over and above the initial equalized
15 assessed value of each property existing at the time
16 tax increment financing was adopted, minus the total
17 current homestead exemptions pertaining to each piece
18 of property provided by Article 15 of the Property Tax
19 Code in the redevelopment project area, shall be
20 allocated to and when collected shall be paid to the
21 municipal Treasurer, who shall deposit said taxes into
22 a special fund called the special tax allocation fund
23 of the municipality for the purpose of paying
24 redevelopment project costs and obligations incurred
25 in the payment thereof.

26 The municipality may pledge in the ordinance the funds

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

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

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

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

1 Notwithstanding any other provision of law, no surplus
2 funds then remaining in the special tax allocation fund
3 may be transferred or paid to any other redevelopment
4 project area, except for any funds transferred or paid
5 pursuant to an ongoing agreement between municipalities
6 under subsection (p) of Section 11-74.4-4.

7 Upon the payment of all redevelopment project costs,
8 the retirement of obligations, the distribution of any
9 excess monies pursuant to this Section, and final closing
10 of the books and records of the redevelopment project
11 area, the municipality shall adopt an ordinance dissolving
12 the special tax allocation fund for the redevelopment
13 project area and terminating the designation of the
14 redevelopment project area as a redevelopment project
15 area. Title to real or personal property and public
16 improvements acquired by or for the municipality as a
17 result of the redevelopment project and plan shall vest in
18 the municipality when acquired and shall continue to be
19 held by the municipality after the redevelopment project
20 area has been terminated. Municipalities shall notify
21 affected taxing districts prior to November 1 if the
22 redevelopment project area is to be terminated by December
23 31 of that same year. If a municipality extends estimated
24 dates of completion of a redevelopment project and
25 retirement of obligations to finance a redevelopment
26 project, as allowed by Public Act 87-1272, that extension

1 shall not extend the property tax increment allocation
2 financing authorized by this Section. Thereafter the rates
3 of the taxing districts shall be extended and taxes
4 levied, collected and distributed in the manner applicable
5 in the absence of the adoption of tax increment allocation
6 financing.

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

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

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

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

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

1 adoption of tax increment allocation financing;

2 ~~then~~

3 (A-5) Second, if a taxing district that is a
4 school district that is not coterminous with such
5 municipality or a community college district has
6 not provided written support to the county
7 collector in favor of adoption of the
8 redevelopment project area, then that portion
9 which would be payable to the community college
10 district or school district, as applicable, in the
11 absence of the adoption of tax increment
12 allocation financing, shall be paid to the school
13 district or community college district in the
14 manner required by law in the absence of the
15 adoption of tax increment allocation financing;
16 then

17 (B) 80% of the remaining portion shall be paid
18 to the municipal Treasurer, who shall deposit said
19 taxes into a special fund called the special tax
20 allocation fund of the municipality for the
21 purpose of paying redevelopment project costs and
22 obligations incurred in the payment thereof; and
23 then

24 (C) 20% of the remaining portion shall be paid
25 to the respective affected taxing districts, other
26 than the school district described in clause (a)

1 above, in the manner required by law in the
2 absence of the adoption of tax increment
3 allocation financing.

4 Nothing in this Section shall be construed as relieving
5 property in such redevelopment project areas from being
6 assessed as provided in the Property Tax Code or as relieving
7 owners of such property from paying a uniform rate of taxes, as
8 required by Section 4 of Article IX of the Illinois
9 Constitution.

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

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.