

1 AMENDMENT TO HOUSE BILL 623

2 AMENDMENT NO. _____. Amend House Bill 623 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by adding
5 Section 18-181 as follows:

6 (35 ILCS 200/18-181 new)

7 Sec. 18-181. Abatement of neighborhood redevelopment
8 corporation property. The county clerk shall abate the
9 property taxes imposed on the property of a neighborhood
10 redevelopment corporation as provided in Section 15-5 of the
11 Neighborhood Redevelopment Corporation Law.

12 Section 10. The Neighborhood Redevelopment Corporation
13 Law is amended by changing Sections 3-11, 4, 15, and 17 and
14 by adding Section 15-5 as follows:

15 (315 ILCS 20/3-11) (from Ch. 67 1/2, par. 253-11)

16 Sec. 3-11. "Slum and Blight Areas" means those urban
17 districts in which the major portion of the housing is
18 detrimental to the health, safety, morality or welfare of the
19 occupants by reason of age, dilapidation, overcrowding,
20 faulty arrangement, lack of ventilation, light or sanitation

1 facilities, or any combination of these factors. In St. Clair
2 County, "slum and blighted area" also means any area of not
3 less in the aggregate than 2 acres located within the
4 territorial limits of a municipality where buildings or
5 improvements, by reason of dilapidation, obsolescence,
6 overcrowding, faulty arrangement or design, lack of
7 ventilation, light and sanitary facilities, excessive land
8 coverage, deleterious land use or layout or any combination
9 of these factors, are detrimental to the public safety,
10 health, morals, or welfare.

11 (Source: Laws 1947, p. 685.)

12 (315 ILCS 20/4) (from Ch. 67 1/2, par. 254)

13 Sec. 4. Creation and establishment of redevelopment
14 commissions.

15 (a) Any city, village or incorporated town shall have
16 the power to provide for the creation of a Redevelopment
17 Commission to supervise and regulate Neighborhood
18 Redevelopment Corporations organized pursuant to the
19 provisions of this Act to operate within the boundaries of
20 such city, village or incorporated town.

21 (1) Except as provided in subdivision (a)(2), such
22 Redevelopment Commission shall consist of not less than
23 three nor more than five members, one of which members
24 shall be designated as its chairman, to be appointed by
25 the mayor of the city, by and with the advice and consent
26 of the city council of the city, or by the president of
27 the village or incorporated town, as the case may be, by
28 and with the advice and consent of the board of trustees
29 of the village or incorporated town. Each member of the
30 Redevelopment Commission shall hold office for a term of
31 two years and until his successor shall be appointed and
32 qualified. Any vacancy in the membership of the
33 Redevelopment Commission occurring by reason of the

1 death, resignation, disqualification, inability or
2 refusal to act of any of the members thereof shall be
3 filled by appointment by the mayor or president, as the
4 case may be, by and with the advice and consent of the
5 city council of the city or board of trustees of the
6 village or incorporated town, as the case may be.

7 (2) In St. Clair County, the Redevelopment
8 Commission shall consist of either 5 or 7 appointed
9 members as determined by the mayor. The mayor and each
10 member of the city council may nominate a person to fill
11 each position on the Redevelopment Commission. The
12 president of the village or incorporated town, as the
13 case may be, and each member of the board of trustees of
14 the village or incorporated town may nominate a person to
15 fill each position on the Redevelopment Commission. Each
16 nominee must be a person of recognized ability and
17 experience in one or more of the following areas:
18 economic development; finance; banking; industrial
19 development; small business management; real estate
20 development; community development; venture finance;
21 organized labor; or civic, community, or neighborhood
22 organization. A nominated person shall be appointed to
23 the Redevelopment Commission only upon a majority vote of
24 the city council or the board of trustees of the village
25 or incorporated town, as the case may be. Only one person
26 may fill each open position on the Redevelopment
27 Commission. One of the appointed members shall be
28 designated as the chairman of the Redevelopment
29 Commission by a majority vote of the city council or the
30 board of trustees of the village or incorporated town, as
31 the case may be. Only one member may serve as chairman at
32 any given time.

33 The initial terms of members of the Redevelopment
34 Commission appointed under this subdivision (a)(2) shall

1 be as follows: for a Commission consisting of 5 members:
2 2 terms for 3 years, 2 terms for 2 years, and one term
3 for one year; for a Commission consisting of 7 members: 3
4 terms for 3 years, 3 terms for 2 years, and one term for
5 1 year. The length of the term of the first Commissioners
6 shall be determined by lots at their first meeting. The
7 initial terms of office of members who are to so hold
8 office shall continue until the July 1 that next follows
9 the expiration of the respective periods from the date of
10 the appointment of the member, and until his or her
11 successor is appointed and qualified.

12 Each subsequent Commissioner appointed under this
13 subdivision (a)(2) shall hold office for a term of for 4
14 years and until his or her successor is appointed and
15 qualified.

16 The unexpired term of any vacancy in the membership
17 of the Redevelopment Commission occurring by reason of
18 the death, resignation, disqualification, inability, or
19 refusal to act of any of the members thereof shall be
20 filled in the same manner as the vacated position was
21 filled.

22 In addition to the 5 or 7 appointed members, the
23 Director of Commerce and Economic Opportunity, or his or
24 her designee, and the Secretary of Transportation, or his
25 or her designee, shall serve as ex officio non-voting
26 members.

27 (b) No person holding stocks or Mortgages in any
28 Neighborhood Redevelopment Corporation, or who is in any
29 other manner directly or indirectly pecuniarily interested in
30 such Neighborhood Redevelopment Corporation, or in the
31 Development undertaken by it, shall be appointed as a member
32 of, or be employed by, that Redevelopment Commission to whose
33 supervision and regulation such Neighborhood Redevelopment
34 Corporation is subject. If any such member or employee shall

1 voluntarily become so interested his office or employment
2 shall ipso facto become vacant. If any such member or
3 employee becomes so interested otherwise than voluntarily he
4 shall within ninety days divest himself of such interest and
5 if he fails to do so his office or employment shall become
6 vacant.

7 (c) The Redevelopment Commission shall have power,
8 subject to the approval of the city council of the city, or
9 of the president and the board of trustees of the village or
10 incorporated town, as the case may be, to appoint a secretary
11 and from time to time to employ such accountants, engineers,
12 architects, experts, inspectors, clerks and other employees
13 and fix their compensation.

14 (d) Each member of the Redevelopment Commission shall
15 receive such salary as shall be fixed by the city council of
16 the city, or by the president and the board of trustees of
17 the village or incorporated town, as the case may be, and
18 said city council or president and board of trustees shall
19 have power to provide for the payment of the salaries of all
20 members and the expenses of the Redevelopment Commission.

21 (Source: Laws 1941, vol. 1, p. 431.)

22 (315 ILCS 20/15) (from Ch. 67 1/2, par. 265)

23 Sec. 15. Taxation of Neighborhood Redevelopment
24 Corporations.

25 Except as provided in Section 15-5, Neighborhood
26 Redevelopment Corporations organized under this Act,
27 notwithstanding their function in the Redevelopment of Slum
28 and Blight or Conservation Areas, shall be subject to the
29 same taxation, general and special, as to their assets,
30 tangible and intangible, and as to their capital stock, as is
31 imposed by law upon the assets and capital stock of private
32 corporations for profit organized pursuant to the laws of
33 this State.

1 (Source: Laws 1953, p. 1138.)

2 (315 ILCS 20/15-5 new)

3 Sec. 15-5. Property tax abatement; limitation.

4 (a) Once the requirements of this Section have been
5 complied with, except as otherwise provided in this Section,
6 the general real estate taxes imposed on the real property
7 located in St. Clair County of a neighborhood redevelopment
8 corporation or its immediate successor and acquired pursuant
9 to this Law shall be abated for a period not in excess of 10
10 years after the date upon which the corporation becomes owner
11 of that real property.

12 (b) General real estate taxes may be imposed and
13 collected, however, to the extent and in the amount as may be
14 imposed upon that real property during that period measured
15 solely by the amount of the assessed valuation of the land,
16 exclusive of improvements, acquired pursuant to this Law and
17 owned by the neighborhood redevelopment corporation or its
18 immediate successor, as was determined by the county,
19 township, or multi-township assessor, for real estate taxes
20 due and payable thereon during the calendar year preceding
21 the calendar year during which the corporation acquired title
22 to the real property. The assessed valuation shall not be
23 increased during that period so long as the real property is
24 owned by a neighborhood redevelopment corporation or its
25 immediate successor and used in accordance with a development
26 plan authorized by the Redevelopment Commission under this
27 Law.

28 (c) If, however, the real property was exempt from
29 general real estate taxes immediately prior to ownership by
30 any neighborhood redevelopment corporation, the county,
31 township, or multi-township assessor shall, upon acquisition
32 of title by the neighborhood redevelopment corporation,
33 promptly assess the land, exclusive of improvements, at a

1 valuation that conforms to but does not exceed the assessed
2 valuation made during the preceding calendar year of other
3 land, exclusive of improvements, that is adjacent or in the
4 same general neighborhood, and the amount of that assessed
5 valuation shall not be increased during the period set
6 pursuant to subsection (a) so long as the real property is
7 owned by a neighborhood redevelopment corporation or its
8 immediate successor and used in accordance with a development
9 plan authorized by the Redevelopment Commission.

10 (d) For the next ensuing period not in excess of 15
11 years, general real estate taxes upon that real property
12 shall be abated in an amount not to exceed 50% of the taxes
13 imposed by each taxing district so long as the real property
14 is owned by a neighborhood redevelopment corporation or its
15 immediate successor and used in accordance with an authorized
16 development plan.

17 (e) After a period totaling not more than 25 years, the
18 real property shall be subject to assessment and payment of
19 all real estate taxes, based on the full fair cash value of
20 the real property.

21 (f) The tax abatement authorized by this Section shall
22 not become effective unless the governing body of the city,
23 village, or incorporated town in which the property is
24 located does all of the following:

25 (1) Furnishes each taxing district whose boundaries
26 for real estate taxation purposes include any portion of
27 the real property to be affected by the tax abatement
28 with a written statement of the impact on real estate
29 taxes the tax abatement will have on those taxing
30 districts and written notice of the hearing to be held in
31 accordance with subdivision (f)(2). The written statement
32 and notice required by this subdivision (f)(1) shall be
33 furnished as provided by local ordinance before the
34 hearing and shall include, but need not be limited to, an

1 estimate of the amount of real estate tax revenues of
 2 each taxing district that will be affected by the
 3 proposed tax abatement, based on the estimated assessed
 4 valuation of the real property involved as the property
 5 would exist before and after it is redeveloped.

6 (2) Conducts a public hearing regarding the tax
 7 abatement. At the hearing all taxing districts described
 8 in subdivision (f)(1) have the right to be heard on the
 9 grant of any tax abatement.

10 (3) Enacts an ordinance that provides for expiration
 11 of the tax abatement. The ordinance shall provide for a
 12 duration of time within which the real property must be
 13 acquired and may allow for acquisition of property under
 14 the plan in phases.

15 (g) Notwithstanding any other provision of law to the
 16 contrary, payments in lieu of taxes may be imposed by
 17 contract between a city, village, or incorporated town and a
 18 neighborhood redevelopment corporation or its immediate
 19 successor that receives a tax abatement on property pursuant
 20 to this Section. The payments shall be made to the county
 21 collector of the county by December 31 of each year payments
 22 are due. The governing body of the city, village, or
 23 incorporated town shall furnish the collector with a copy of
 24 any such contract requiring payment in lieu of taxes. The
 25 collector shall allocate all revenues received from the
 26 payment in lieu of taxes among all taxing districts whose
 27 real estate tax revenues are affected by the abatement on the
 28 same pro rata basis and in the same manner as the real estate
 29 tax revenues received by each taxing district from that
 30 property in the year the payments are due.

31 (315 ILCS 20/17) (from Ch. 67 1/2, par. 267)

32 Sec. 17. Acquisition of property and construction subject
 33 to approval - Application for and issuance of certificates of

1 convenience and necessity). No Neighborhood Redevelopment
2 Corporation shall acquire title to any Real Property, or any
3 interest therein except by way of unexercised option, or
4 institute any Development without making written application
5 to the Redevelopment Commission for approval of the proposed
6 Development Plan in the manner hereinafter prescribed, and
7 without securing the certificate of convenience and necessity
8 to be issued by the Redevelopment Commission upon the
9 conditions hereinafter mentioned.

10 (1) The application of a Neighborhood Redevelopment
11 Corporation for approval of its proposed Development Plan
12 shall contain:

13 (a) The legal description of the proposed Development
14 Area and the description thereof by city blocks, street and
15 number, if any.

16 (b) A statement of the character of the estates in Real
17 Property to be acquired by the Neighborhood Redevelopment
18 Corporation.

19 (c) A statement showing the present use of the Real
20 Property in the proposed Development Area, the zoning
21 restrictions, if any, thereon, and the private restrictions,
22 if any, of record, and that no interest in Real Property in
23 the proposed Development Area is to be acquired because of
24 the race, color, creed, national origin or sex of any person
25 owning or claiming an interest in that Real Property.

26 (d) A statement of the existing buildings or
27 improvements in the Development Area, if any, which are to be
28 demolished.

29 (e) A statement of the existing buildings or
30 improvements, if any, in the Development Area which are not
31 to be immediately demolished and the approximate period of
32 time within which the demolition, if any, of each such
33 building or improvement is to take place.

34 (f) A statement of the proposed improvements, if any, of

1 each building, if any, not to be demolished immediately, and
2 any proposed repairs or alterations of such buildings.

3 (g) A statement of the type, number and character of
4 each new industrial, commercial, residential, public or other
5 building or improvement to be erected or made.

6 (h) A metes and bounds description of that portion of
7 the proposed Development Area to be devoted for a park,
8 playground or recreation center for the use of the
9 Development, the specific use to which such portion is to be
10 put and the manner in which it shall be improved.

11 (i) A statement of those portions, if any, of the
12 proposed Development Area (other than the portions to be
13 devoted for a park, playground or recreation center for the
14 use of the Development) to be left as open land area and the
15 manner in which such portions, if any, shall be maintained.

16 (j) A statement of recommended changes, if any, in the
17 zoning ordinances, necessary or desirable for the Development
18 and its protection against blighting influences.

19 (k) A statement of recommended changes, if any, in
20 streets or street levels and of recommended vacations, if
21 any, of streets, alleys, or other public spaces.

22 (l) A statement in detail of the estimated Development
23 Cost and of the proposed method of financing the Development,
24 sufficient to give assurance that the Neighborhood
25 Redevelopment Corporation will be able to complete and
26 operate the Development.

27 (m) An estimate of the periods of time within which,
28 after the approval of the Development Plan, the Neighborhood
29 Redevelopment Corporation will be able to initiate and to
30 complete its Development, excepting unexpected delays not
31 caused by it.

32 (n) A statement of the character, approximate number of
33 units, approximate rentals and approximate date of
34 availability of the proposed dwelling accommodations, if any,

1 to be furnished during construction and upon completion of
2 the Development.

3 (o) Such other statements or material as the applicant
4 Neighborhood Redevelopment Corporation deems relevant,
5 including recommendations for the Redevelopment of one or
6 more areas contiguous to the proposed Development Area.

7 (2) No certificate of convenience and necessity shall be
8 issued by the Redevelopment Commission upon application by a
9 Neighborhood Redevelopment Corporation except upon the
10 fulfillment of the following conditions:

11 (a) That the Neighborhood Redevelopment Corporation has
12 filed with the Redevelopment Commission a bond, in form and
13 with surety or sureties satisfactory to the Redevelopment
14 Commission, in the penal sum of ten per centum of the
15 estimated Development Cost as set out in the application of
16 the Neighborhood Redevelopment Corporation but in no event to
17 exceed \$10,000.00, payable to the city, village or
18 incorporated town creating the Redevelopment Commission, the
19 payment to be deposited in the general corporate fund of such
20 city, village or incorporated town, the bond to be
21 conditioned upon the initiation and completion of the
22 Development within the respective time limits, or authorized
23 extensions thereof, prescribed by the Redevelopment
24 Commission.

25 (b) That the Neighborhood Redevelopment Corporation has
26 agreed in writing to incorporate in its instruments of sale,
27 conveyance, transfer, lease or assignment such restrictions
28 as the Redevelopment Commission may by rule, pursuant to
29 paragraph 1 of Section 25 of this Act, impose as to the type
30 of construction, use, landscape and architectural design of
31 the Development.

32 (c) That the Neighborhood Redevelopment Corporation,
33 other than for or in a Conservation Area, has agreed in
34 writing to devote as a minimum ten per centum of the

1 Development Area for a park, playground or recreation center
2 for the use of the Development (the site or sites for which
3 shall be determined by the Redevelopment Commission), to
4 provide adequate financial arrangements for defraying the
5 upkeep thereof during its corporate existence, and to place
6 thereon, in the manner prescribed by subparagraph (b) of
7 paragraph 2 of this Section, such use restrictions as the
8 Development Commission may by rule impose; Provided, that in
9 determining the proportion of open land area required by any
10 zoning ordinance compared to the land area used for building
11 purposes, the portion so devoted for park, playground or
12 recreation center shall be counted as open land area.

13 (d) That the Neighborhood Redevelopment Corporation has
14 agreed in writing that in selling, leasing and managing all
15 Real Property subject to the plan there will be no
16 discrimination against any person on account of race, color,
17 creed, national origin or sex.

18 (e) That the Redevelopment Commission shall, after the
19 public hearing provided by paragraph 1 of Section 18 of this
20 Act, have made the determinations provided in paragraph 3 of
21 this Section 17, either originally or after the application
22 has been remanded upon judicial review.

23 (3) The Redevelopment Commission, before the issuance of
24 the certificate of convenience and necessity to a
25 Neighborhood Redevelopment Corporation, shall determine that:

26 (a) The Development Area is within an area which, under
27 the conditions existing at the time, is a Slum and Blight or
28 Conservation Area as defined by this Act and that no interest
29 in Real Property in the proposed Development Area is to be
30 acquired because of the race, color, creed, national origin
31 or sex of any person owning or claiming any interest in that
32 Real Property.

33 (b) The Redevelopment of the Development Area in
34 accordance with the Development Plan is designed to

1 effectuate the public purposes declared in Section 2 of this
2 Act.

3 (c) The Development Plan conforms to the zoning
4 ordinances, if any, applicable to the Development Area, and
5 further conforms to the official plan of the city, village or
6 incorporated town wherein the Development Area is located,
7 or, in the absence of such an official plan, to the plan, if
8 any, adopted by the Plan Commission, if any, of such city,
9 village or incorporated town as evidenced by a report on such
10 adopted plan prepared by such Plan Commission and on file
11 with the Redevelopment Commission.

12 (d) Public facilities, including, but not limited to,
13 fire and police protection, and recreation, are presently
14 adequate, or will be adequate at the time that the
15 Development is ready for use, to service the Development
16 Area.

17 (e) The execution of the Development Plan will not cause
18 undue hardship to the families, if any, occupying dwelling
19 accommodations in the Development Area, to such a degree as
20 to outweigh the public use defined in Section 2 of this Act
21 to be achieved through the Redevelopment of such Development
22 Area.

23 (f) The estimated Development Cost of the Development is
24 sufficient for the proposed Redevelopment.

25 (g) Other than in or for a Conservation Area, no
26 portion, greater by ten per centum in area, of the
27 Development Area is designed by the Development Plan for use
28 other than residential except in those instances wherein the
29 Plan Commission, if any, of the city, village or incorporated
30 town concerned, has filed with the Redevelopment Commission,
31 pursuant to paragraph 1 of Section 18 of this Act, an
32 advisory report recommending a greater portion by area than
33 ten per centum, in which instances, no portion, greater than
34 that so recommended, of the Development Area is designed by

1 the Development Plan for use other than residential.

2 (h) The conditions prescribed by paragraph 2 of this
3 Section have been fulfilled.

4 (4) No certificate of convenience and necessity shall be
5 issued by a Redevelopment Commission in St. Clair County
6 without the approval, by a majority vote, of the of the city
7 council or the board of trustees of the village or
8 incorporated town, as the case may be, in which the
9 Development Area is located.

10 (Source: P.A. 81-266.)".