

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 1. Short title. This Act may be cited as the  
5 Local Government Development Impact Fee Act.

6 Section 5. Purpose. The purpose of this Act is to  
7 create the authority for municipalities and counties to adopt  
8 and implement development impact fee ordinances and  
9 resolutions. The General Assembly recognizes that the  
10 imposition of these development impact fees is designed to  
11 supplement other funding sources so that the burden of  
12 financing the capital needs of new schools, parks, libraries,  
13 and public safety services can be allocated in a fair and  
14 equitable manner. It is the intent of the General Assembly  
15 to promote orderly economic growth throughout the State by  
16 assuring that new development bears its fair share of the  
17 cost of meeting the demand for capital improvements through  
18 the imposition of development impact fees. It is also the  
19 intent of the General Assembly to preserve the authority of  
20 elected local government officials to adopt and implement  
21 development impact fees while at the same time preventing the  
22 imposition of duplicate or unevenly applied development  
23 impact fees.

24 Section 10. Imposition of fees.

25 (a) A municipality within its boundaries or a county  
26 within unincorporated areas of the county may impose a  
27 development impact fee by ordinance, resolution, or  
28 development agreement to undertake capital improvements,  
29 including the acquisition of land. An impact fee payable by  
30 a developer may not exceed a proportionate share of the costs

1 incurred by a municipality, county, school district, park  
2 district, library, or fire protection district that are  
3 specifically and uniquely attributable to the new development  
4 made by the developer paying the fee. The municipality or  
5 county shall work with and include representatives of  
6 affected school districts, park districts, library districts,  
7 and fire protection districts in assessing development impact  
8 fees. In calculating the amount of an impact fee under this  
9 Act, the municipality or county must consider, without  
10 limitation, (i) the demand for the capital improvement  
11 generated by the development, (ii) the acreage required for  
12 the capital improvement, and (iii) the value of each acre of  
13 land.

14 (b) All development impact fees collected under this Act  
15 shall be deposited into interest bearing accounts designated  
16 solely for capital improvements for each unit of local  
17 government affected by the new development. The municipality  
18 or county shall be accountable to each of those units of  
19 local government for the expenditure of those moneys.

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.