



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4285

Introduced 1/30/2004, by Robin Kelly

SYNOPSIS AS INTRODUCED:

35 ILCS 10/5-25

Amends the Economic Development for a Growing Economy Tax Credit Act. Provides that the Business Investment Committee of the Illinois Economic Development Board, in its review of applications for tax credits under the Act, shall give favorable consideration to the following factors: (i) the investment is proposed in a location that is within a reasonable distance of affordable housing; (ii) the investment is proposed in a location that has an available workforce within a reasonable distance so that employees do not have long commutes to work; and (iii) the investment is proposed in a community that is experiencing slow growth. Effective immediately.

LRB093 16237 SJM 41871 b

1 AN ACT concerning economic development.

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

4 Section 5. The Economic Development for a Growing Economy
5 Tax Credit Act is amended by changing Section 5-25 as follows:

6 (35 ILCS 10/5-25)

7 Sec. 5-25. Review of Application.

8 (a) In addition to those duties granted under the Illinois
9 Economic Development Board Act, the Illinois Economic
10 Development Board shall form a Business Investment Committee
11 for the purpose of making recommendations for applications. At
12 the request of the Board, the Director of Commerce and Economic
13 Opportunity ~~Community Affairs~~ or his or her designee, the
14 Director of the Governor's Office of Management and Budget
15 ~~Bureau of the Budget~~ or his or her designee, the Director of
16 Revenue or his or her designee, the Director of Employment
17 Security or his or her designee, and an elected official of the
18 affected locality, such as the chair of the county board or the
19 mayor, may serve as members of the Committee to assist with its
20 analysis and deliberations.

21 (b) At the Department's request, the Committee shall
22 convene, make inquiries, and conduct studies in the manner and
23 by the methods as it deems desirable, review information with
24 respect to Applicants, and make recommendations for projects to
25 benefit the State. In making its recommendation that an
26 Applicant's application for Credit should or should not be
27 accepted, which shall occur within a reasonable time frame as
28 determined by the nature of the application, the Committee
29 shall determine that all the following conditions exist:

30 (1) The Applicant's project intends, as required by
31 subsection (b) of Section 5-20 to make the required
32 investment in the State and intends to hire the required

1 number of New Employees in Illinois as a result of that
2 project.

3 (2) The Applicant's project is economically sound and
4 will benefit the people of the State of Illinois by
5 increasing opportunities for employment and strengthen the
6 economy of Illinois.

7 (3) That, if not for the Credit, the project would not
8 occur in Illinois, which may be demonstrated by any means
9 including, but not limited to, evidence the Applicant has
10 multi-state location options and could reasonably and
11 efficiently locate outside of the State, or demonstration
12 that at least one other state is being considered for the
13 project, or evidence the receipt of the Credit is a major
14 factor in the Applicant's decision and that without the
15 Credit, the Applicant likely would not create new jobs in
16 Illinois, or demonstration that receiving the Credit is
17 essential to the Applicant's decision to create or retain
18 new jobs in the State.

19 (4) A cost differential is identified, using best
20 available data, in the projected costs for the Applicant's
21 project compared to the costs in the competing state,
22 including the impact of the competing state's incentive
23 programs. The competing state's incentive programs shall
24 include state, local, private, and federal funds
25 available.

26 (5) The political subdivisions affected by the project
27 have committed local incentives with respect to the
28 project, considering local ability to assist.

29 (6) Awarding the Credit will result in an overall
30 positive fiscal impact to the State, as certified by the
31 Committee using the best available data.

32 (7) The Credit is not prohibited by Section 5-35 of
33 this Act.

34 (c) In its review of applications, the Committee shall give
35 favorable consideration to the following factors:

36 (1) The investment is proposed in a location that is

1 within a reasonable distance of affordable housing.

2 (2) The investment is proposed in a location that has
3 an available workforce within a reasonable distance so that
4 employees do not have long commutes to work.

5 (3) The investment is proposed in a community that is
6 experiencing slow growth.

7 (Source: P.A. 91-476, eff. 8-11-99; revised 8-23-03.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.