

1 AN ACT concerning taxes.

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 and 11-74.4-7 as follows:

6 (65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)

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

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

16 On and after November 1, 1999, "blighted area" means any
17 improved or vacant area within the boundaries of a
18 redevelopment project area located within the territorial
19 limits of the municipality where:

20 (1) If improved, industrial, commercial, and
21 residential buildings or improvements are detrimental to
22 the public safety, health, or welfare because of a
23 combination of 5 or more of the following factors, each
24 of which is (i) present, with that presence documented,
25 to a meaningful extent so that a municipality may
26 reasonably find that the factor is clearly present within
27 the intent of the Act and (ii) reasonably distributed
28 throughout the improved part of the redevelopment project
29 area:

30 (A) Dilapidation. An advanced state of
31 disrepair or neglect of necessary repairs to the

1 primary structural components of buildings or
2 improvements in such a combination that a documented
3 building condition analysis determines that major
4 repair is required or the defects are so serious and
5 so extensive that the buildings must be removed.

6 (B) Obsolescence. The condition or process of
7 falling into disuse. Structures have become
8 ill-suited for the original use.

9 (C) Deterioration. With respect to buildings,
10 defects including, but not limited to, major defects
11 in the secondary building components such as doors,
12 windows, porches, gutters and downspouts, and
13 fascia. With respect to surface improvements, that
14 the condition of roadways, alleys, curbs, gutters,
15 sidewalks, off-street parking, and surface storage
16 areas evidence deterioration, including, but not
17 limited to, surface cracking, crumbling, potholes,
18 depressions, loose paving material, and weeds
19 protruding through paved surfaces.

20 (D) Presence of structures below minimum code
21 standards. All structures that do not meet the
22 standards of zoning, subdivision, building, fire,
23 and other governmental codes applicable to property,
24 but not including housing and property maintenance
25 codes.

26 (E) Illegal use of individual structures. The
27 use of structures in violation of applicable
28 federal, State, or local laws, exclusive of those
29 applicable to the presence of structures below
30 minimum code standards.

31 (F) Excessive vacancies. The presence of
32 buildings that are unoccupied or under-utilized and
33 that represent an adverse influence on the area
34 because of the frequency, extent, or duration of the

1 vacancies.

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

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

27 (I) Excessive land coverage and overcrowding
28 of structures and community facilities. The
29 over-intensive use of property and the crowding of
30 buildings and accessory facilities onto a site.
31 Examples of problem conditions warranting the
32 designation of an area as one exhibiting excessive
33 land coverage are: (i) the presence of buildings
34 either improperly situated on parcels or located on

1 parcels of inadequate size and shape in relation to
2 present-day standards of development for health and
3 safety and (ii) the presence of multiple buildings
4 on a single parcel. For there to be a finding of
5 excessive land coverage, these parcels must exhibit
6 one or more of the following conditions:
7 insufficient provision for light and air within or
8 around buildings, increased threat of spread of fire
9 due to the close proximity of buildings, lack of
10 adequate or proper access to a public right-of-way,
11 lack of reasonably required off-street parking, or
12 inadequate provision for loading and service.

13 (J) Deleterious land use or layout. The
14 existence of incompatible land-use relationships,
15 buildings occupied by inappropriate mixed-uses, or
16 uses considered to be noxious, offensive, or
17 unsuitable for the surrounding area.

18 (K) Environmental clean-up. The proposed
19 redevelopment project area has incurred Illinois
20 Environmental Protection Agency or United States
21 Environmental Protection Agency remediation costs
22 for, or a study conducted by an independent
23 consultant recognized as having expertise in
24 environmental remediation has determined a need for,
25 the clean-up of hazardous waste, hazardous
26 substances, or underground storage tanks required by
27 State or federal law, provided that the remediation
28 costs constitute a material impediment to the
29 development or redevelopment of the redevelopment
30 project area.

31 (L) Lack of community planning. The proposed
32 redevelopment project area was developed prior to or
33 without the benefit or guidance of a community plan.
34 This means that the development occurred prior to

1 the adoption by the municipality of a comprehensive
 2 or other community plan or that the plan was not
 3 followed at the time of the area's development.
 4 This factor must be documented by evidence of
 5 adverse or incompatible land-use relationships,
 6 inadequate street layout, improper subdivision,
 7 parcels of inadequate shape and size to meet
 8 contemporary development standards, or other
 9 evidence demonstrating an absence of effective
 10 community planning.

11 (M) The total equalized assessed value of the
 12 proposed redevelopment project area has declined for
 13 3 of the last 5 calendar years prior to the year in
 14 which the redevelopment project area is designated
 15 or is increasing at an annual rate that is less than
 16 the 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 less than
 19 the Consumer Price Index for All Urban Consumers
 20 published by the United States Department of Labor
 21 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 (2) If vacant, the sound growth of the
 25 redevelopment project area is impaired by a combination
 26 of 2 or more of the following factors, each of which is
 27 (i) present, with that presence documented, to a
 28 meaningful extent so that a municipality may reasonably
 29 find that the factor is clearly present within the intent
 30 of the Act and (ii) reasonably distributed throughout the
 31 vacant part of the redevelopment project area to which it
 32 pertains:

33 (A) Obsolete platting of vacant land that
 34 results in parcels of limited or narrow size or

1 configurations of parcels of irregular size or shape
2 that would be difficult to develop on a planned
3 basis and in a manner compatible with contemporary
4 standards and requirements, or platting that failed
5 to create rights-of-ways for streets or alleys or
6 that created inadequate right-of-way widths for
7 streets, alleys, or other public rights-of-way or
8 that omitted easements for public utilities.

9 (B) Diversity of ownership of parcels of
10 vacant land sufficient in number to retard or impede
11 the ability to assemble the land for development.

12 (C) Tax and special assessment delinquencies
13 exist or the property has been the subject of tax
14 sales under the Property Tax Code within the last 5
15 years.

16 (D) Deterioration of structures or site
17 improvements in neighboring areas adjacent to the
18 vacant land.

19 (E) The area has incurred Illinois
20 Environmental Protection Agency or United States
21 Environmental Protection Agency remediation costs
22 for, or a study conducted by an independent
23 consultant recognized as having expertise in
24 environmental remediation has determined a need for,
25 the clean-up of hazardous waste, hazardous
26 substances, or underground storage tanks required by
27 State or federal law, provided that the remediation
28 costs constitute a material impediment to the
29 development or redevelopment of the redevelopment
30 project area.

31 (F) The total equalized assessed value of the
32 proposed redevelopment project area has declined for
33 3 of the last 5 calendar years prior to the year in
34 which the redevelopment project area is designated

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

10 (3) If vacant, the sound growth of the
 11 redevelopment project area is impaired by one of the
 12 following factors that (i) is present, with that presence
 13 documented, to a meaningful extent so that a municipality
 14 may reasonably find that the factor is clearly present
 15 within the intent of the Act and (ii) is reasonably
 16 distributed throughout the vacant part of the
 17 redevelopment project area to which it pertains:

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

20 (B) The area consists of unused railyards,
 21 rail tracks, or railroad rights-of-way.

22 (C) The area, prior to its designation, is
 23 subject to chronic flooding that adversely impacts
 24 on real property in the area as certified by a
 25 registered professional engineer or appropriate
 26 regulatory agency.

27 (D) The area consists of an unused or illegal
 28 disposal site containing earth, stone, building
 29 debris, or similar materials that were removed from
 30 construction, demolition, excavation, or dredge
 31 sites.

32 (E) Prior to November 1, 1999, the area is not
 33 less than 50 nor more than 100 acres and 75% of
 34 which is vacant (notwithstanding that the area has

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

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

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

19 On and after November 1, 1999, "conservation area" means
20 any improved area within the boundaries of a redevelopment
21 project area located within the territorial limits of the
22 municipality in which 50% or more of the structures in the
23 area have an age of 35 years or more. Such an area is not
24 yet a blighted area but because of a combination of 3 or more
25 of the following factors is detrimental to the public safety,
26 health, morals or welfare and such an area may become a
27 blighted area:

28 (1) Dilapidation. An advanced state of disrepair
29 or neglect of necessary repairs to the primary structural
30 components of buildings or improvements in such a
31 combination that a documented building condition analysis
32 determines that major repair is required or the defects
33 are so serious and so extensive that the buildings must
34 be removed.

1 (2) Obsolescence. The condition or process of
2 falling into disuse. Structures have become ill-suited
3 for the original use.

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

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

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

23 (6) Excessive vacancies. The presence of buildings
24 that are unoccupied or under-utilized and that represent
25 an adverse influence on the area because of the
26 frequency, extent, or duration of the vacancies.

27 (7) Lack of ventilation, light, or sanitary
28 facilities. The absence of adequate ventilation for
29 light or air circulation in spaces or rooms without
30 windows, or that require the removal of dust, odor, gas,
31 smoke, or other noxious airborne materials. Inadequate
32 natural light and ventilation means the absence or
33 inadequacy of skylights or windows for interior spaces or
34 rooms and improper window sizes and amounts by room area

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

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

16 (9) Excessive land coverage and overcrowding of
17 structures and community facilities. The over-intensive
18 use of property and the crowding of buildings and
19 accessory facilities onto a site. Examples of problem
20 conditions warranting the designation of an area as one
21 exhibiting excessive land coverage are: the presence of
22 buildings either improperly situated on parcels or
23 located on parcels of inadequate size and shape in
24 relation to present-day standards of development for
25 health and safety and the presence of multiple buildings
26 on a single parcel. For there to be a finding of
27 excessive land coverage, these parcels must exhibit one
28 or more of the following conditions: insufficient
29 provision for light and air within or around buildings,
30 increased threat of spread of fire due to the close
31 proximity of buildings, lack of adequate or proper access
32 to a public right-of-way, lack of reasonably required
33 off-street parking, or inadequate provision for loading
34 and service.

1 (10) Deleterious land use or layout. The existence
2 of incompatible land-use relationships, buildings
3 occupied by inappropriate mixed-uses, or uses considered
4 to be noxious, offensive, or unsuitable for the
5 surrounding area.

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

18 (12) The area has incurred Illinois Environmental
19 Protection Agency or United States Environmental
20 Protection Agency remediation costs for, or a study
21 conducted by an independent consultant recognized as
22 having expertise in environmental remediation has
23 determined a need for, the clean-up of hazardous waste,
24 hazardous substances, or underground storage tanks
25 required by State or federal law, provided that the
26 remediation costs constitute a material impediment to the
27 development or redevelopment of the redevelopment project
28 area.

29 (13) The total equalized assessed value of the
30 proposed redevelopment project area has declined for 3 of
31 the last 5 calendar years for which information is
32 available or is increasing at an annual rate that is less
33 than the balance of the municipality for 3 of the last 5
34 calendar years for which information is available or is

1 increasing at an annual rate that is less than the
2 Consumer Price Index for All Urban Consumers published by
3 the United States Department of Labor or successor agency
4 for 3 of the last 5 calendar years for which information
5 is available.

6 (c) "Industrial park" means an area in a blighted or
7 conservation area suitable for use by any manufacturing,
8 industrial, research or transportation enterprise, of
9 facilities to include but not be limited to factories, mills,
10 processing plants, assembly plants, packing plants,
11 fabricating plants, industrial distribution centers,
12 warehouses, repair overhaul or service facilities, freight
13 terminals, research facilities, test facilities or railroad
14 facilities.

15 (d) "Industrial park conservation area" means an area
16 within the boundaries of a redevelopment project area located
17 within the territorial limits of a municipality that is a
18 labor surplus municipality or within 1 1/2 miles of the
19 territorial limits of a municipality that is a labor surplus
20 municipality if the area is annexed to the municipality;
21 which area is zoned as industrial no later than at the time
22 the municipality by ordinance designates the redevelopment
23 project area, and which area includes both vacant land
24 suitable for use as an industrial park and a blighted area or
25 conservation area contiguous to such vacant land.

26 (e) "Labor surplus municipality" means a municipality in
27 which, at any time during the 6 months before the
28 municipality by ordinance designates an industrial park
29 conservation area, the unemployment rate was over 6% and was
30 also 100% or more of the national average unemployment rate
31 for that same time as published in the United States
32 Department of Labor Bureau of Labor Statistics publication
33 entitled "The Employment Situation" or its successor
34 publication. For the purpose of this subsection, if

1 unemployment rate statistics for the municipality are not
2 available, the unemployment rate in the municipality shall be
3 deemed to be the same as the unemployment rate in the
4 principal county in which the municipality is located.

5 (f) "Municipality" shall mean a city, village or
6 incorporated town.

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

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

22 (h) "Municipal Sales Tax Increment" means an amount
23 equal to the increase in the aggregate amount of taxes paid
24 to a municipality from the Local Government Tax Fund arising
25 from sales by retailers and servicemen within the
26 redevelopment project area or State Sales Tax Boundary, as
27 the case may be, for as long as the redevelopment project
28 area or State Sales Tax Boundary, as the case may be, exist
29 over and above the aggregate amount of taxes as certified by
30 the Illinois Department of Revenue and paid under the
31 Municipal Retailers' Occupation Tax Act and the Municipal
32 Service Occupation Tax Act by retailers and servicemen, on
33 transactions at places of business located in the
34 redevelopment project area or State Sales Tax Boundary, as

1 the case may be, during the base year which shall be the
2 calendar year immediately prior to the year in which the
3 municipality adopted tax increment allocation financing. For
4 purposes of computing the aggregate amount of such taxes for
5 base years occurring prior to 1985, the Department of Revenue
6 shall determine the Initial Sales Tax Amounts for such taxes
7 and deduct therefrom an amount equal to 4% of the aggregate
8 amount of taxes per year for each year the base year is prior
9 to 1985, but not to exceed a total deduction of 12%. The
10 amount so determined shall be known as the "Adjusted Initial
11 Sales Tax Amounts". For purposes of determining the
12 Municipal Sales Tax Increment, the Department of Revenue
13 shall for each period subtract from the amount paid to the
14 municipality from the Local Government Tax Fund arising from
15 sales by retailers and servicemen on transactions located in
16 the redevelopment project area or the State Sales Tax
17 Boundary, as the case may be, the certified Initial Sales Tax
18 Amounts, the Adjusted Initial Sales Tax Amounts or the
19 Revised Initial Sales Tax Amounts for the Municipal
20 Retailers' Occupation Tax Act and the Municipal Service
21 Occupation Tax Act. For the State Fiscal Year 1989, this
22 calculation shall be made by utilizing the calendar year 1987
23 to determine the tax amounts received. For the State Fiscal
24 Year 1990, this calculation shall be made by utilizing the
25 period from January 1, 1988, until September 30, 1988, to
26 determine the tax amounts received from retailers and
27 servicemen pursuant to the Municipal Retailers' Occupation
28 Tax and the Municipal Service Occupation Tax Act, which shall
29 have deducted therefrom nine-twelfths of the certified
30 Initial Sales Tax Amounts, the Adjusted Initial Sales Tax
31 Amounts or the Revised Initial Sales Tax Amounts as
32 appropriate. For the State Fiscal Year 1991, this calculation
33 shall be made by utilizing the period from October 1, 1988,
34 to June 30, 1989, to determine the tax amounts received from

1 retailers and servicemen pursuant to the Municipal Retailers'
2 Occupation Tax and the Municipal Service Occupation Tax Act
3 which shall have deducted therefrom nine-twelfths of the
4 certified Initial Sales Tax Amounts, Adjusted Initial Sales
5 Tax Amounts or the Revised Initial Sales Tax Amounts as
6 appropriate. For every State Fiscal Year thereafter, the
7 applicable period shall be the 12 months beginning July 1 and
8 ending June 30 to determine the tax amounts received which
9 shall have deducted therefrom the certified Initial Sales Tax
10 Amounts, the Adjusted Initial Sales Tax Amounts or the
11 Revised Initial Sales Tax Amounts, as the case may be.

12 (i) "Net State Sales Tax Increment" means the sum of the
13 following: (a) 80% of the first \$100,000 of State Sales Tax
14 Increment annually generated within a State Sales Tax
15 Boundary; (b) 60% of the amount in excess of \$100,000 but not
16 exceeding \$500,000 of State Sales Tax Increment annually
17 generated within a State Sales Tax Boundary; and (c) 40% of
18 all amounts in excess of \$500,000 of State Sales Tax
19 Increment annually generated within a State Sales Tax
20 Boundary. If, however, a municipality established a tax
21 increment financing district in a county with a population in
22 excess of 3,000,000 before January 1, 1986, and the
23 municipality entered into a contract or issued bonds after
24 January 1, 1986, but before December 31, 1986, to finance
25 redevelopment project costs within a State Sales Tax
26 Boundary, then the Net State Sales Tax Increment means, for
27 the fiscal years beginning July 1, 1990, and July 1, 1991,
28 100% of the State Sales Tax Increment annually generated
29 within a State Sales Tax Boundary; and notwithstanding any
30 other provision of this Act, for those fiscal years the
31 Department of Revenue shall distribute to those
32 municipalities 100% of their Net State Sales Tax Increment
33 before any distribution to any other municipality and
34 regardless of whether or not those other municipalities will

1 receive 100% of their Net State Sales Tax Increment. For
2 Fiscal Year 1999, and every year thereafter until the year
3 2007, for any municipality that has not entered into a
4 contract or has not issued bonds prior to June 1, 1988 to
5 finance redevelopment project costs within a State Sales Tax
6 Boundary, the Net State Sales Tax Increment shall be
7 calculated as follows: By multiplying the Net State Sales Tax
8 Increment by 90% in the State Fiscal Year 1999; 80% in the
9 State Fiscal Year 2000; 70% in the State Fiscal Year 2001;
10 60% in the State Fiscal Year 2002; 50% in the State Fiscal
11 Year 2003; 40% in the State Fiscal Year 2004; 30% in the
12 State Fiscal Year 2005; 20% in the State Fiscal Year 2006;
13 and 10% in the State Fiscal Year 2007. No payment shall be
14 made for State Fiscal Year 2008 and thereafter.

15 Municipalities that issued bonds in connection with a
16 redevelopment project in a redevelopment project area within
17 the State Sales Tax Boundary prior to July 29, 1991, or that
18 entered into contracts in connection with a redevelopment
19 project in a redevelopment project area before June 1, 1988,
20 shall continue to receive their proportional share of the
21 Illinois Tax Increment Fund distribution until the date on
22 which the redevelopment project is completed or terminated.
23 If, however, a municipality that issued bonds in connection
24 with a redevelopment project in a redevelopment project area
25 within the State Sales Tax Boundary prior to July 29, 1991
26 retires the bonds prior to June 30, 2007 or a municipality
27 that entered into contracts in connection with a
28 redevelopment project in a redevelopment project area before
29 June 1, 1988 completes the contracts prior to June 30, 2007,
30 then so long as the redevelopment project is not completed or
31 is not terminated, the Net State Sales Tax Increment shall be
32 calculated, beginning on the date on which the bonds are
33 retired or the contracts are completed, as follows: By
34 multiplying the Net State Sales Tax Increment by 60% in the

1 State Fiscal Year 2002; 50% in the State Fiscal Year 2003;
2 40% in the State Fiscal Year 2004; 30% in the State Fiscal
3 Year 2005; 20% in the State Fiscal Year 2006; and 10% in the
4 State Fiscal Year 2007. No payment shall be made for State
5 Fiscal Year 2008 and thereafter. Refunding of any bonds
6 issued prior to July 29, 1991, shall not alter the Net State
7 Sales Tax Increment.

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

20 (k) "Net State Utility Tax Increment" means the sum of
21 the following: (a) 80% of the first \$100,000 of State Utility
22 Tax Increment annually generated by a redevelopment project
23 area; (b) 60% of the amount in excess of \$100,000 but not
24 exceeding \$500,000 of the State Utility Tax Increment
25 annually generated by a redevelopment project area; and (c)
26 40% of all amounts in excess of \$500,000 of State Utility Tax
27 Increment annually generated by a redevelopment project area.
28 For the State Fiscal Year 1999, and every year thereafter
29 until the year 2007, for any municipality that has not
30 entered into a contract or has not issued bonds prior to June
31 1, 1988 to finance redevelopment project costs within a
32 redevelopment project area, the Net State Utility Tax
33 Increment shall be calculated as follows: By multiplying the
34 Net State Utility Tax Increment by 90% in the State Fiscal

1 Year 1999; 80% in the State Fiscal Year 2000; 70% in the
 2 State Fiscal Year 2001; 60% in the State Fiscal Year 2002;
 3 50% in the State Fiscal Year 2003; 40% in the State Fiscal
 4 Year 2004; 30% in the State Fiscal Year 2005; 20% in the
 5 State Fiscal Year 2006; and 10% in the State Fiscal Year
 6 2007. No payment shall be made for the State Fiscal Year 2008
 7 and thereafter.

8 Municipalities that issue bonds in connection with the
 9 redevelopment project during the period from June 1, 1988
 10 until 3 years after the effective date of this Amendatory Act
 11 of 1988 shall receive the Net State Utility Tax Increment,
 12 subject to appropriation, for 15 State Fiscal Years after the
 13 issuance of such bonds. For the 16th through the 20th State
 14 Fiscal Years after issuance of the bonds, the Net State
 15 Utility Tax Increment shall be calculated as follows: By
 16 multiplying the Net State Utility Tax Increment by 90% in
 17 year 16; 80% in year 17; 70% in year 18; 60% in year 19; and
 18 50% in year 20. Refunding of any bonds issued prior to June
 19 1, 1988, shall not alter the revised Net State Utility Tax
 20 Increment payments set forth above.

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

25 (m) "Payment in lieu of taxes" means those estimated tax
 26 revenues from real property in a redevelopment project area
 27 derived from real property that has been acquired by a
 28 municipality which according to the redevelopment project or
 29 plan is to be used for a private use which taxing districts
 30 would have received had a municipality not acquired the real
 31 property and adopted tax increment allocation financing and
 32 which would result from levies made after the time of the
 33 adoption of tax increment allocation financing to the time
 34 the current equalized value of real property in the

1 redevelopment project area exceeds the total initial
2 equalized value of real property in said area.

3 (n) "Redevelopment plan" means the comprehensive program
4 of the municipality for development or redevelopment intended
5 by the payment of redevelopment project costs to reduce or
6 eliminate those conditions the existence of which qualified
7 the redevelopment project area as a "blighted area" or
8 "conservation area" or combination thereof or "industrial
9 park conservation area," and thereby to enhance the tax bases
10 of the taxing districts which extend into the redevelopment
11 project area. On and after November 1, 1999 (the effective
12 date of Public Act 91-478), no redevelopment plan may be
13 approved or amended that includes the development of vacant
14 land (i) with a golf course and related clubhouse and other
15 facilities or (ii) designated by federal, State, county, or
16 municipal government as public land for outdoor recreational
17 activities or for nature preserves and used for that purpose
18 within 5 years prior to the adoption of the redevelopment
19 plan. For the purpose of this subsection, "recreational
20 activities" is limited to mean camping and hunting. Each
21 redevelopment plan shall set forth in writing the program to
22 be undertaken to accomplish the objectives and shall include
23 but not be limited to:

24 (A) an itemized list of estimated redevelopment
25 project costs;

26 (B) evidence indicating that the redevelopment
27 project area on the whole has not been subject to growth
28 and development through investment by private enterprise;

29 (C) an assessment of any financial impact of the
30 redevelopment project area on or any increased demand for
31 services from any taxing district affected by the plan
32 and any program to address such financial impact or
33 increased demand;

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

1 (E) the nature and term of the obligations to be
2 issued;

3 (F) the most recent equalized assessed valuation of
4 the redevelopment project area;

5 (G) an estimate as to the equalized assessed
6 valuation after redevelopment and the general land uses
7 to apply in the redevelopment project area;

8 (H) a commitment to fair employment practices and
9 an affirmative action plan;

10 (I) if it concerns an industrial park conservation
11 area, the plan shall also include a general description
12 of any proposed developer, user and tenant of any
13 property, a description of the type, structure and
14 general character of the facilities to be developed, a
15 description of the type, class and number of new
16 employees to be employed in the operation of the
17 facilities to be developed; and

18 (J) if property is to be annexed to the
19 municipality, the plan shall include the terms of the
20 annexation agreement.

21 The provisions of items (B) and (C) of this subsection
22 (n) shall not apply to a municipality that before March 14,
23 1994 (the effective date of Public Act 88-537) had fixed,
24 either by its corporate authorities or by a commission
25 designated under subsection (k) of Section 11-74.4-4, a time
26 and place for a public hearing as required by subsection (a)
27 of Section 11-74.4-5. No redevelopment plan shall be adopted
28 unless a municipality complies with all of the following
29 requirements:

30 (1) The municipality finds that the redevelopment
31 project area on the whole has not been subject to growth
32 and development through investment by private enterprise
33 and would not reasonably be anticipated to be developed
34 without the adoption of the redevelopment plan.

1 (2) The municipality finds that the redevelopment
 2 plan and project conform to the comprehensive plan for
 3 the development of the municipality as a whole, or, for
 4 municipalities with a population of 100,000 or more,
 5 regardless of when the redevelopment plan and project was
 6 adopted, the redevelopment plan and project either: (i)
 7 conforms to the strategic economic development or
 8 redevelopment plan issued by the designated planning
 9 authority of the municipality, or (ii) includes land uses
 10 that have been approved by the planning commission of the
 11 municipality.

12 (3) The redevelopment plan establishes the
 13 estimated dates of completion of the redevelopment
 14 project and retirement of obligations issued to finance
 15 redevelopment project costs. Those dates shall not be
 16 later than December 31 of the year in which the payment
 17 to the municipal treasurer as provided in subsection (b)
 18 of Section 11-74.4-8 of this Act is to be made with
 19 respect to ad valorem taxes levied in the twenty-third
 20 calendar year after the year in which the ordinance
 21 approving the redevelopment project area is adopted if
 22 the ordinance was adopted on or after January 15, 1981,
 23 and not later than December 31 of the year in which the
 24 payment to the municipal treasurer as provided in
 25 subsection (b) of Section 11-74.4-8 of this Act is to be
 26 made with respect to ad valorem taxes levied in the
 27 thirty-fifth calendar year after the year in which the
 28 ordinance approving the redevelopment project area is
 29 adopted:

30 (A) if the ordinance was adopted before
 31 January 15, 1981, or

32 (B) if the ordinance was adopted in December
 33 1983, April 1984, July 1985, or December 1989, or

34 (C) if the ordinance was adopted in December

1 1987 and the redevelopment project is located within
2 one mile of Midway Airport, or

3 (D) if the ordinance was adopted before
4 January 1, 1987 by a municipality in Mason County,
5 or

6 (E) if the municipality is subject to the
7 Local Government Financial Planning and Supervision
8 Act or the Financially Distressed City Law, or

9 (F) if the ordinance was adopted in December
10 1984 by the Village of Rosemont, or

11 (G) if the ordinance was adopted on December
12 31, 1986 by a municipality located in Clinton County
13 for which at least \$250,000 of tax increment bonds
14 were authorized on June 17, 1997, or if the
15 ordinance was adopted on December 31, 1986 by a
16 municipality with a population in 1990 of less than
17 3,600 that is located in a county with a population
18 in 1990 of less than 34,000 and for which at least
19 \$250,000 of tax increment bonds were authorized on
20 June 17, 1997, or

21 (H) if the ordinance was adopted on October 5,
22 1982 by the City of Kankakee, or if the ordinance
23 was adopted on December 29, 1986 by East St. Louis,
24 or

25 (I) if the ordinance was adopted on November
26 12, 1991 by the Village of Sauget, or

27 (J) if the ordinance was adopted on February
28 11, 1985 by the City of Rock Island, or

29 (K) if the ordinance was adopted before
30 December 18, 1986 by the City of Moline, or

31 (L) if the ordinance was adopted in September
32 1988 by Sauk Village, or

33 (M) if the ordinance was adopted in October
34 1993 by Sauk Village, or

1 (N) if the ordinance was adopted on December
2 29, 1986 by the City of Galva, or

3 (O) if the ordinance was adopted in March 1991
4 by the City of Centreville, or

5 (P) if the ordinance was adopted on January
6 23, 1991 by the City of East St. Louis, or

7 (Q) if the ordinance was adopted on December
8 22, 1986 by the City of Aledo, or

9 (R) if the ordinance was adopted on February
10 5, 1990 by the City of Clinton, or

11 (S) if the ordinance was adopted on September
12 6, 1994 by the City of Freeport, or

13 (T) if the ordinance was adopted on December
14 22, 1986 by the City of Tuscola, or

15 (U) if the ordinance was adopted on December
16 23, 1986 by the City of Sparta, or

17 (V) if the ordinance was adopted on December
18 23, 1986 by the City of Beardstown, or

19 (W) if the ordinance was adopted on April 27,
20 1981, October 21, 1985, or December 30, 1986 by the
21 City of Belleville, or

22 (X) if the ordinance was adopted on September
23 14, 1994 by the City of Alton.

24 However, for redevelopment project areas for which
25 bonds were issued before July 29, 1991, or for which
26 contracts were entered into before June 1, 1988, in
27 connection with a redevelopment project in the area
28 within the State Sales Tax Boundary, the estimated dates
29 of completion of the redevelopment project and retirement
30 of obligations to finance redevelopment project costs may
31 be extended by municipal ordinance to December 31, 2013.
32 The extension allowed by this amendatory Act of 1993
33 shall not apply to real property tax increment allocation
34 financing under Section 11-74.4-8.

1 A municipality may by municipal ordinance amend an
2 existing redevelopment plan to conform to this paragraph
3 (3) as amended by Public Act 91-478, which municipal
4 ordinance may be adopted without further hearing or
5 notice and without complying with the procedures provided
6 in this Act pertaining to an amendment to or the initial
7 approval of a redevelopment plan and project and
8 designation of a redevelopment project area.

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

22 Those dates, for purposes of real property tax
23 increment allocation financing pursuant to Section
24 11-74.4-8 only, shall be not more than 35 years for
25 redevelopment project areas that were established on or
26 after December 1, 1981 but before January 1, 1982 and for
27 which at least \$1,500,000 worth of tax increment revenue
28 bonds were authorized on or after September 30, 1990 but
29 before July 1, 1991; provided that the municipality
30 elects to extend the life of the redevelopment project
31 area to 35 years by the adoption of an ordinance after at
32 least 14 but not more than 30 days' written notice to the
33 taxing bodies, that would otherwise constitute the joint
34 review board for the redevelopment project area, before

1 the adoption of the ordinance.

2 (3.5) The municipality finds, in the case of an
3 industrial park conservation area, also that the
4 municipality is a labor surplus municipality and that the
5 implementation of the redevelopment plan will reduce
6 unemployment, create new jobs and by the provision of new
7 facilities enhance the tax base of the taxing districts
8 that extend into the redevelopment project area.

9 (4) If any incremental revenues are being utilized
10 under Section 8(a)(1) or 8(a)(2) of this Act in
11 redevelopment project areas approved by ordinance after
12 January 1, 1986, the municipality finds: (a) that the
13 redevelopment project area would not reasonably be
14 developed without the use of such incremental revenues,
15 and (b) that such incremental revenues will be
16 exclusively utilized for the development of the
17 redevelopment project area.

18 (5) If the redevelopment plan will not result in
19 displacement of residents from 10 or more inhabited
20 residential units, and the municipality certifies in the
21 plan that such displacement will not result from the
22 plan, a housing impact study need not be performed. If,
23 however, the redevelopment plan would result in the
24 displacement of residents from 10 or more inhabited
25 residential units, or if the redevelopment project area
26 contains 75 or more inhabited residential units and no
27 certification is made, then the municipality shall
28 prepare, as part of the separate feasibility report
29 required by subsection (a) of Section 11-74.4-5, a
30 housing impact study.

31 Part I of the housing impact study shall include (i)
32 data as to whether the residential units are single
33 family or multi-family units, (ii) the number and type of
34 rooms within the units, if that information is available,

1 (iii) whether the units are inhabited or uninhabited, as
2 determined not less than 45 days before the date that the
3 ordinance or resolution required by subsection (a) of
4 Section 11-74.4-5 is passed, and (iv) data as to the
5 racial and ethnic composition of the residents in the
6 inhabited residential units. The data requirement as to
7 the racial and ethnic composition of the residents in the
8 inhabited residential units shall be deemed to be fully
9 satisfied by data from the most recent federal census.

10 Part II of the housing impact study shall identify
11 the inhabited residential units in the proposed
12 redevelopment project area that are to be or may be
13 removed. If inhabited residential units are to be
14 removed, then the housing impact study shall identify (i)
15 the number and location of those units that will or may
16 be removed, (ii) the municipality's plans for relocation
17 assistance for those residents in the proposed
18 redevelopment project area whose residences are to be
19 removed, (iii) the availability of replacement housing
20 for those residents whose residences are to be removed,
21 and shall identify the type, location, and cost of the
22 housing, and (iv) the type and extent of relocation
23 assistance to be provided.

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

28 (7) On and after November 1, 1999, no redevelopment
29 plan shall be adopted, nor an existing plan amended, nor
30 shall residential housing that is occupied by households
31 of low-income and very low-income persons in currently
32 existing redevelopment project areas be removed after
33 November 1, 1999 unless the redevelopment plan provides,
34 with respect to inhabited housing units that are to be

1 removed for households of low-income and very low-income
2 persons, affordable housing and relocation assistance not
3 less than that which would be provided under the federal
4 Uniform Relocation Assistance and Real Property
5 Acquisition Policies Act of 1970 and the regulations
6 under that Act, including the eligibility criteria.
7 Affordable housing may be either existing or newly
8 constructed housing. For purposes of this paragraph (7),
9 "low-income households", "very low-income households",
10 and "affordable housing" have the meanings set forth in
11 the Illinois Affordable Housing Act. The municipality
12 shall make a good faith effort to ensure that this
13 affordable housing is located in or near the
14 redevelopment project area within the municipality.

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

22 (9) For redevelopment project areas designated
23 prior to November 1, 1999, the redevelopment plan may be
24 amended without further joint review board meeting or
25 hearing, provided that the municipality shall give notice
26 of any such changes by mail to each affected taxing
27 district and registrant on the interested party registry,
28 to authorize the municipality to expend tax increment
29 revenues for redevelopment project costs defined by
30 paragraphs (5) and (7.5), subparagraphs (E) and (F) of
31 paragraph (11), and paragraph (11.5) of subsection (q) of
32 Section 11-74.4-3, so long as the changes do not increase
33 the total estimated redevelopment project costs set out
34 in the redevelopment plan by more than 5% after

1 adjustment for inflation from the date the plan was
2 adopted.

3 (o) "Redevelopment project" means any public and private
4 development project in furtherance of the objectives of a
5 redevelopment plan. On and after November 1, 1999 (the
6 effective date of Public Act 91-478), no redevelopment plan
7 may be approved or amended that includes the development of
8 vacant land (i) with a golf course and related clubhouse and
9 other facilities or (ii) designated by federal, State,
10 county, or municipal government as public land for outdoor
11 recreational activities or for nature preserves and used for
12 that purpose within 5 years prior to the adoption of the
13 redevelopment plan. For the purpose of this subsection,
14 "recreational activities" is limited to mean camping and
15 hunting.

16 (p) "Redevelopment project area" means an area
17 designated by the municipality, which is not less in the
18 aggregate than 1 1/2 acres and in respect to which the
19 municipality has made a finding that there exist conditions
20 which cause the area to be classified as an industrial park
21 conservation area or a blighted area or a conservation area,
22 or a combination of both blighted areas and conservation
23 areas.

24 (q) "Redevelopment project costs" mean and include the
25 sum total of all reasonable or necessary costs incurred or
26 estimated to be incurred, and any such costs incidental to a
27 redevelopment plan and a redevelopment project. Such costs
28 include, without limitation, the following:

29 (1) Costs of studies, surveys, development of
30 plans, and specifications, implementation and
31 administration of the redevelopment plan including but
32 not limited to staff and professional service costs for
33 architectural, engineering, legal, financial, planning or
34 other services, provided however that no charges for

1 professional services may be based on a percentage of the
2 tax increment collected; except that on and after
3 November 1, 1999 (the effective date of Public Act
4 91-478), no contracts for professional services,
5 excluding architectural and engineering services, may be
6 entered into if the terms of the contract extend beyond a
7 period of 3 years. In addition, "redevelopment project
8 costs" shall not include lobbying expenses. After
9 consultation with the municipality, each tax increment
10 consultant or advisor to a municipality that plans to
11 designate or has designated a redevelopment project area
12 shall inform the municipality in writing of any contracts
13 that the consultant or advisor has entered into with
14 entities or individuals that have received, or are
15 receiving, payments financed by tax increment revenues
16 produced by the redevelopment project area with respect
17 to which the consultant or advisor has performed, or will
18 be performing, service for the municipality. This
19 requirement shall be satisfied by the consultant or
20 advisor before the commencement of services for the
21 municipality and thereafter whenever any other contracts
22 with those individuals or entities are executed by the
23 consultant or advisor;

24 (1.5) After July 1, 1999, annual administrative
25 costs shall not include general overhead or
26 administrative costs of the municipality that would still
27 have been incurred by the municipality if the
28 municipality had not designated a redevelopment project
29 area or approved a redevelopment plan;

30 (1.6) The cost of marketing sites within the
31 redevelopment project area to prospective businesses,
32 developers, and investors;

33 (2) Property assembly costs, including but not
34 limited to acquisition of land and other property, real

1 or personal, or rights or interests therein, demolition
2 of buildings, site preparation, site improvements that
3 serve as an engineered barrier addressing ground level or
4 below ground environmental contamination, including, but
5 not limited to parking lots and other concrete or asphalt
6 barriers, and the clearing and grading of land;

7 (3) Costs of rehabilitation, reconstruction or
8 repair or remodeling of existing public or private
9 buildings, fixtures, and leasehold improvements; and the
10 cost of replacing an existing public building if pursuant
11 to the implementation of a redevelopment project the
12 existing public building is to be demolished to use the
13 site for private investment or devoted to a different use
14 requiring private investment;

15 (4) Costs of the construction of public works or
16 improvements, except that on and after November 1, 1999,
17 redevelopment project costs shall not include the cost of
18 constructing a new municipal public building principally
19 used to provide offices, storage space, or conference
20 facilities or vehicle storage, maintenance, or repair for
21 administrative, public safety, or public works personnel
22 and that is not intended to replace an existing public
23 building as provided under paragraph (3) of subsection
24 (q) of Section 11-74.4-3 unless either (i) the
25 construction of the new municipal building implements a
26 redevelopment project that was included in a
27 redevelopment plan that was adopted by the municipality
28 prior to November 1, 1999 or (ii) the municipality makes
29 a reasonable determination in the redevelopment plan,
30 supported by information that provides the basis for that
31 determination, that the new municipal building is
32 required to meet an increase in the need for public
33 safety purposes anticipated to result from the
34 implementation of the redevelopment plan;

1 (5) Costs of job training and retraining projects,
2 including the cost of "welfare to work" programs
3 implemented by businesses located within the
4 redevelopment project area;

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

14 (7) To the extent the municipality by written
15 agreement accepts and approves the same, all or a portion
16 of a taxing district's capital costs resulting from the
17 redevelopment project necessarily incurred or to be
18 incurred within a taxing district in furtherance of the
19 objectives of the redevelopment plan and project.

20 (7.5) For redevelopment project areas designated
21 (or redevelopment project areas amended to add or
22 increase the number of tax-increment-financing assisted
23 housing units) on or after November 1, 1999, an
24 elementary, secondary, or unit school district's
25 increased costs attributable to assisted housing units
26 located within the redevelopment project area for which
27 the developer or redeveloper receives financial
28 assistance through an agreement with the municipality or
29 because the municipality incurs the cost of necessary
30 infrastructure improvements within the boundaries of the
31 assisted housing sites necessary for the completion of
32 that housing as authorized by this Act, and which costs
33 shall be paid by the municipality from the Special Tax
34 Allocation Fund when the tax increment revenue is

1 received as a result of the assisted housing units and
2 shall be calculated annually as follows:

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

22 (i) for unit school districts with a
23 district average 1995-96 Per Capita Tuition
24 Charge of less than \$5,900, no more than 25% of
25 the total amount of property tax increment
26 revenue produced by those housing units that
27 have received tax increment finance assistance
28 under this Act;

29 (ii) for elementary school districts with
30 a district average 1995-96 Per Capita Tuition
31 Charge of less than \$5,900, no more than 17% of
32 the total amount of property tax increment
33 revenue produced by those housing units that
34 have received tax increment finance assistance

1 under this Act; and

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

9 (B) For alternate method districts, flat grant
10 districts, and foundation districts with a district
11 average 1995-96 Per Capita Tuition Charge equal to
12 or more than \$5,900, excluding any school district
13 with a population in excess of 1,000,000, by
14 multiplying the district's increase in attendance
15 resulting from the net increase in new students
16 enrolled in that school district who reside in
17 housing units within the redevelopment project area
18 that have received financial assistance through an
19 agreement with the municipality or because the
20 municipality incurs the cost of necessary
21 infrastructure improvements within the boundaries of
22 the housing sites necessary for the completion of
23 that housing as authorized by this Act since the
24 designation of the redevelopment project area by the
25 most recently available per capita tuition cost as
26 defined in Section 10-20.12a of the School Code less
27 any increase in general state aid as defined in
28 Section 18-8.05 of the School Code attributable to
29 these added new students subject to the following
30 annual limitations:

31 (i) for unit school districts, no more
32 than 40% of the total amount of property tax
33 increment revenue produced by those housing
34 units that have received tax increment finance

1 assistance under this Act;

2 (ii) for elementary school districts, no
3 more than 27% of the total amount of property
4 tax increment revenue produced by those housing
5 units that have received tax increment finance
6 assistance under this Act; and

7 (iii) for secondary school districts, no
8 more than 13% of the total amount of property
9 tax increment revenue produced by those housing
10 units that have received tax increment finance
11 assistance under this Act.

12 (C) For any school district in a municipality
13 with a population in excess of 1,000,000, the
14 following restrictions shall apply to the
15 reimbursement of increased costs under this
16 paragraph (7.5):

17 (i) no increased costs shall be
18 reimbursed unless the school district certifies
19 that each of the schools affected by the
20 assisted housing project is at or over its
21 student capacity;

22 (ii) the amount reimburseable shall be
23 reduced by the value of any land donated to the
24 school district by the municipality or
25 developer, and by the value of any physical
26 improvements made to the schools by the
27 municipality or developer; and

28 (iii) the amount reimbursed may not
29 affect amounts otherwise obligated by the terms
30 of any bonds, notes, or other funding
31 instruments, or the terms of any redevelopment
32 agreement.

33 Any school district seeking payment under this
34 paragraph (7.5) shall, after July 1 and before

1 September 30 of each year, provide the municipality
2 with reasonable evidence to support its claim for
3 reimbursement before the municipality shall be
4 required to approve or make the payment to the
5 school district. If the school district fails to
6 provide the information during this period in any
7 year, it shall forfeit any claim to reimbursement
8 for that year. School districts may adopt a
9 resolution waiving the right to all or a portion of
10 the reimbursement otherwise required by this
11 paragraph (7.5). By acceptance of this
12 reimbursement the school district waives the right
13 to directly or indirectly set aside, modify, or
14 contest in any manner the establishment of the
15 redevelopment project area or projects;

16 (8) Relocation costs to the extent that a
17 municipality determines that relocation costs shall be
18 paid or is required to make payment of relocation costs
19 by federal or State law or in order to satisfy
20 subparagraph (7) of subsection (n);

21 (9) Payment in lieu of taxes;

22 (10) Costs of job training, retraining, advanced
23 vocational education or career education, including but
24 not limited to courses in occupational, semi-technical or
25 technical fields leading directly to employment, incurred
26 by one or more taxing districts, provided that such costs
27 (i) are related to the establishment and maintenance of
28 additional job training, advanced vocational education or
29 career education programs for persons employed or to be
30 employed by employers located in a redevelopment project
31 area; and (ii) when incurred by a taxing district or
32 taxing districts other than the municipality, are set
33 forth in a written agreement by or among the municipality
34 and the taxing district or taxing districts, which

1 agreement describes the program to be undertaken,
2 including but not limited to the number of employees to
3 be trained, a description of the training and services to
4 be provided, the number and type of positions available
5 or to be available, itemized costs of the program and
6 sources of funds to pay for the same, and the term of the
7 agreement. Such costs include, specifically, the payment
8 by community college districts of costs pursuant to
9 Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public
10 Community College Act and by school districts of costs
11 pursuant to Sections 10-22.20a and 10-23.3a of The School
12 Code;

13 (11) Interest cost incurred by a redeveloper
14 related to the construction, renovation or rehabilitation
15 of a redevelopment project provided that:

16 (A) such costs are to be paid directly from
17 the special tax allocation fund established pursuant
18 to this Act;

19 (B) such payments in any one year may not
20 exceed 30% of the annual interest costs incurred by
21 the redeveloper with regard to the redevelopment
22 project during that year;

23 (C) if there are not sufficient funds
24 available in the special tax allocation fund to make
25 the payment pursuant to this paragraph (11) then the
26 amounts so due shall accrue and be payable when
27 sufficient funds are available in the special tax
28 allocation fund;

29 (D) the total of such interest payments paid
30 pursuant to this Act may not exceed 30% of the total
31 (i) cost paid or incurred by the redeveloper for the
32 redevelopment project plus (ii) redevelopment
33 project costs excluding any property assembly costs
34 and any relocation costs incurred by a municipality

1 pursuant to this Act; and

2 (E) the cost limits set forth in subparagraphs
3 (B) and (D) of paragraph (11) shall be modified for
4 the financing of rehabilitated or new housing units
5 for low-income households and very low-income
6 households, as defined in Section 3 of the Illinois
7 Affordable Housing Act. The percentage of 75% shall
8 be substituted for 30% in subparagraphs (B) and (D)
9 of paragraph (11).

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

26 The eligible costs provided under this
27 subparagraph (F) of paragraph (11) shall be an
28 eligible cost for the construction, renovation, and
29 rehabilitation of all low and very low-income
30 housing units, as defined in Section 3 of the
31 Illinois Affordable Housing Act, within the
32 redevelopment project area. If the low and very
33 low-income units are part of a residential
34 redevelopment project that includes units not

1 affordable to low and very low-income households,
2 only the low and very low-income units shall be
3 eligible for benefits under subparagraph (F) of
4 paragraph (11). The standards for maintaining the
5 occupancy by low-income households and very
6 low-income households, as defined in Section 3 of
7 the Illinois Affordable Housing Act, of those units
8 constructed with eligible costs made available under
9 the provisions of this subparagraph (F) of paragraph
10 (11) shall be established by guidelines adopted by
11 the municipality. The responsibility for annually
12 documenting the initial occupancy of the units by
13 low-income households and very low-income
14 households, as defined in Section 3 of the Illinois
15 Affordable Housing Act, shall be that of the then
16 current owner of the property. For ownership units,
17 the guidelines will provide, at a minimum, for a
18 reasonable recapture of funds, or other appropriate
19 methods designed to preserve the original
20 affordability of the ownership units. For rental
21 units, the guidelines will provide, at a minimum,
22 for the affordability of rent to low and very
23 low-income households. As units become available,
24 they shall be rented to income-eligible tenants. The
25 municipality may modify these guidelines from time
26 to time; the guidelines, however, shall be in effect
27 for as long as tax increment revenue is being used
28 to pay for costs associated with the units or for
29 the retirement of bonds issued to finance the units
30 or for the life of the redevelopment project area,
31 whichever is later.

32 (11.5) If the redevelopment project area is located
33 within a municipality with a population of more than
34 100,000, the cost of day care services for children of

1 employees from low-income families working for businesses
2 located within the redevelopment project area and all or
3 a portion of the cost of operation of day care centers
4 established by redevelopment project area businesses to
5 serve employees from low-income families working in
6 businesses located in the redevelopment project area.
7 For the purposes of this paragraph, "low-income families"
8 means families whose annual income does not exceed 80% of
9 the municipal, county, or regional median income,
10 adjusted for family size, as the annual income and
11 municipal, county, or regional median income are
12 determined from time to time by the United States
13 Department of Housing and Urban Development.

14 (12) Unless explicitly stated herein the cost of
15 construction of new privately-owned buildings shall not
16 be an eligible redevelopment project cost.

17 (13) After November 1, 1999 (the effective date of
18 Public Act 91-478), none of the redevelopment project
19 costs enumerated in this subsection shall be eligible
20 redevelopment project costs if those costs would provide
21 direct financial support to a retail entity initiating
22 operations in the redevelopment project area while
23 terminating operations at another Illinois location
24 within 10 miles of the redevelopment project area but
25 outside the boundaries of the redevelopment project area
26 municipality. For purposes of this paragraph,
27 termination means a closing of a retail operation that is
28 directly related to the opening of the same operation or
29 like retail entity owned or operated by more than 50% of
30 the original ownership in a redevelopment project area,
31 but it does not mean closing an operation for reasons
32 beyond the control of the retail entity, as documented by
33 the retail entity, subject to a reasonable finding by the
34 municipality that the current location contained

1 inadequate space, had become economically obsolete, or
2 was no longer a viable location for the retailer or
3 serviceman.

4 If a special service area has been established pursuant
5 to the Special Service Area Tax Act or Special Service Area
6 Tax Law, then any tax increment revenues derived from the tax
7 imposed pursuant to the Special Service Area Tax Act or
8 Special Service Area Tax Law may be used within the
9 redevelopment project area for the purposes permitted by that
10 Act or Law as well as the purposes permitted by this Act.

11 (r) "State Sales Tax Boundary" means the redevelopment
12 project area or the amended redevelopment project area
13 boundaries which are determined pursuant to subsection (9) of
14 Section 11-74.4-8a of this Act. The Department of Revenue
15 shall certify pursuant to subsection (9) of Section
16 11-74.4-8a the appropriate boundaries eligible for the
17 determination of State Sales Tax Increment.

18 (s) "State Sales Tax Increment" means an amount equal to
19 the increase in the aggregate amount of taxes paid by
20 retailers and servicemen, other than retailers and servicemen
21 subject to the Public Utilities Act, on transactions at
22 places of business located within a State Sales Tax Boundary
23 pursuant to the Retailers' Occupation Tax Act, the Use Tax
24 Act, the Service Use Tax Act, and the Service Occupation Tax
25 Act, except such portion of such increase that is paid into
26 the State and Local Sales Tax Reform Fund, the Local
27 Government Distributive Fund, the Local Government Tax
28 Fund and the County and Mass Transit District Fund, for as
29 long as State participation exists, over and above the
30 Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts
31 or the Revised Initial Sales Tax Amounts for such taxes as
32 certified by the Department of Revenue and paid under those
33 Acts by retailers and servicemen on transactions at places of
34 business located within the State Sales Tax Boundary during

1 the base year which shall be the calendar year immediately
2 prior to the year in which the municipality adopted tax
3 increment allocation financing, less 3.0% of such amounts
4 generated under the Retailers' Occupation Tax Act, Use Tax
5 Act and Service Use Tax Act and the Service Occupation Tax
6 Act, which sum shall be appropriated to the Department of
7 Revenue to cover its costs of administering and enforcing
8 this Section. For purposes of computing the aggregate amount
9 of such taxes for base years occurring prior to 1985, the
10 Department of Revenue shall compute the Initial Sales Tax
11 Amount for such taxes and deduct therefrom an amount equal to
12 4% of the aggregate amount of taxes per year for each year
13 the base year is prior to 1985, but not to exceed a total
14 deduction of 12%. The amount so determined shall be known as
15 the "Adjusted Initial Sales Tax Amount". For purposes of
16 determining the State Sales Tax Increment the Department of
17 Revenue shall for each period subtract from the tax amounts
18 received from retailers and servicemen on transactions
19 located in the State Sales Tax Boundary, the certified
20 Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts
21 or Revised Initial Sales Tax Amounts for the Retailers'
22 Occupation Tax Act, the Use Tax Act, the Service Use Tax Act
23 and the Service Occupation Tax Act. For the State Fiscal
24 Year 1989 this calculation shall be made by utilizing the
25 calendar year 1987 to determine the tax amounts received. For
26 the State Fiscal Year 1990, this calculation shall be made by
27 utilizing the period from January 1, 1988, until September
28 30, 1988, to determine the tax amounts received from
29 retailers and servicemen, which shall have deducted therefrom
30 nine-twelfths of the certified Initial Sales Tax Amounts,
31 Adjusted Initial Sales Tax Amounts or the Revised Initial
32 Sales Tax Amounts as appropriate. For the State Fiscal Year
33 1991, this calculation shall be made by utilizing the period
34 from October 1, 1988, until June 30, 1989, to determine the

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

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

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

24 (v) As used in subsection (a) of Section 11-74.4-3 of
25 this Act, "vacant land" means any parcel or combination of
26 parcels of real property without industrial, commercial, and
27 residential buildings which has not been used for commercial
28 agricultural purposes within 5 years prior to the designation
29 of the redevelopment project area, unless the parcel is
30 included in an industrial park conservation area or the
31 parcel has been subdivided; provided that if the parcel was
32 part of a larger tract that has been divided into 3 or more
33 smaller tracts that were accepted for recording during the
34 period from 1950 to 1990, then the parcel shall be deemed to

1 have been subdivided, and all proceedings and actions of the
2 municipality taken in that connection with respect to any
3 previously approved or designated redevelopment project area
4 or amended redevelopment project area are hereby validated
5 and hereby declared to be legally sufficient for all purposes
6 of this Act. For purposes of this Section and only for land
7 subject to the subdivision requirements of the Plat Act, land
8 is subdivided when the original plat of the proposed
9 Redevelopment Project Area or relevant portion thereof has
10 been properly certified, acknowledged, approved, and recorded
11 or filed in accordance with the Plat Act and a preliminary
12 plat, if any, for any subsequent phases of the proposed
13 Redevelopment Project Area or relevant portion thereof has
14 been properly approved and filed in accordance with the
15 applicable ordinance of the municipality.

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

24 (Source: P.A. 91-261, eff. 7-23-99; 91-477, eff. 8-11-99;
25 91-478, eff. 11-1-99; 91-642, eff. 8-20-99; 91-763, eff.
26 6-9-00; 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; 92-624,
27 eff. 7-11-02; 92-651, eff. 7-11-02.)

28 (65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

29 Sec. 11-74.4-7. Obligations secured by the special tax
30 allocation fund set forth in Section 11-74.4-8 for the
31 redevelopment project area may be issued to provide for
32 redevelopment project costs. Such obligations, when so
33 issued, shall be retired in the manner provided in the

1 ordinance authorizing the issuance of such obligations by the
2 receipts of taxes levied as specified in Section 11-74.4-9
3 against the taxable property included in the area, by
4 revenues as specified by Section 11-74.4-8a and other revenue
5 designated by the municipality. A municipality may in the
6 ordinance pledge all or any part of the funds in and to be
7 deposited in the special tax allocation fund created pursuant
8 to Section 11-74.4-8 to the payment of the redevelopment
9 project costs and obligations. Any pledge of funds in the
10 special tax allocation fund shall provide for distribution to
11 the taxing districts and to the Illinois Department of
12 Revenue of moneys not required, pledged, earmarked, or
13 otherwise designated for payment and securing of the
14 obligations and anticipated redevelopment project costs and
15 such excess funds shall be calculated annually and deemed to
16 be "surplus" funds. In the event a municipality only applies
17 or pledges a portion of the funds in the special tax
18 allocation fund for the payment or securing of anticipated
19 redevelopment project costs or of obligations, any such funds
20 remaining in the special tax allocation fund after complying
21 with the requirements of the application or pledge, shall
22 also be calculated annually and deemed "surplus" funds. All
23 surplus funds in the special tax allocation fund shall be
24 distributed annually within 180 days after the close of the
25 municipality's fiscal year by being paid by the municipal
26 treasurer to the County Collector, to the Department of
27 Revenue and to the municipality in direct proportion to the
28 tax incremental revenue received as a result of an increase
29 in the equalized assessed value of property in the
30 redevelopment project area, tax incremental revenue received
31 from the State and tax incremental revenue received from the
32 municipality, but not to exceed as to each such source the
33 total incremental revenue received from that source. The
34 County Collector shall thereafter make distribution to the

1 respective taxing districts in the same manner and proportion
2 as the most recent distribution by the county collector to
3 the affected districts of real property taxes from real
4 property in the redevelopment project area.

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

16 Such obligations may be issued in one or more series
17 bearing interest at such rate or rates as the corporate
18 authorities of the municipality shall determine by ordinance.
19 Such obligations shall bear such date or dates, mature at
20 such time or times not exceeding 20 years from their
21 respective dates, be in such denomination, carry such
22 registration privileges, be executed in such manner, be
23 payable in such medium of payment at such place or places,
24 contain such covenants, terms and conditions, and be subject
25 to redemption as such ordinance shall provide. Obligations
26 issued pursuant to this Act may be sold at public or private
27 sale at such price as shall be determined by the corporate
28 authorities of the municipalities. No referendum approval of
29 the electors shall be required as a condition to the issuance
30 of obligations pursuant to this Division except as provided
31 in this Section.

32 In the event the municipality authorizes issuance of
33 obligations pursuant to the authority of this Division
34 secured by the full faith and credit of the municipality,

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

17 If no petition is filed with the municipal clerk, as
18 hereinafter provided in this Section, within 30 days after
19 the publication of the ordinance, the ordinance shall be in
20 effect. But, if within that 30 day period a petition is
21 filed with the municipal clerk, signed by electors in the
22 municipality numbering 10% or more of the number of
23 registered voters in the municipality, asking that the
24 question of issuing obligations using full faith and credit
25 of the municipality as security for the cost of paying for
26 redevelopment project costs, or of pledging taxes for the
27 payment of such obligations, or both, be submitted to the
28 electors of the municipality, the corporate authorities of
29 the municipality shall call a special election in the manner
30 provided by law to vote upon that question, or, if a general,
31 State or municipal election is to be held within a period of
32 not less than 30 or more than 90 days from the date such
33 petition is filed, shall submit the question at the next
34 general, State or municipal election. If it appears upon the

1 canvass of the election by the corporate authorities that a
2 majority of electors voting upon the question voted in favor
3 thereof, the ordinance shall be in effect, but if a majority
4 of the electors voting upon the question are not in favor
5 thereof, the ordinance shall not take effect.

6 The ordinance authorizing the obligations may provide
7 that the obligations shall contain a recital that they are
8 issued pursuant to this Division, which recital shall be
9 conclusive evidence of their validity and of the regularity
10 of their issuance.

11 In the event the municipality authorizes issuance of
12 obligations pursuant to this Section secured by the full
13 faith and credit of the municipality, the ordinance
14 authorizing the obligations may provide for the levy and
15 collection of a direct annual tax upon all taxable property
16 within the municipality sufficient to pay the principal
17 thereof and interest thereon as it matures, which levy may be
18 in addition to and exclusive of the maximum of all other
19 taxes authorized to be levied by the municipality, which
20 levy, however, shall be abated to the extent that monies from
21 other sources are available for payment of the obligations
22 and the municipality certifies the amount of said monies
23 available to the county clerk.

24 A certified copy of such ordinance shall be filed with
25 the county clerk of each county in which any portion of the
26 municipality is situated, and shall constitute the authority
27 for the extension and collection of the taxes to be deposited
28 in the special tax allocation fund.

29 A municipality may also issue its obligations to refund
30 in whole or in part, obligations theretofore issued by such
31 municipality under the authority of this Act, whether at or
32 prior to maturity, provided however, that the last maturity
33 of the refunding obligations shall not be expressed to mature
34 later than December 31 of the year in which the payment to

1 the municipal treasurer as provided in subsection (b) of
2 Section 11-74.4-8 of this Act is to be made with respect to
3 ad valorem taxes levied in the twenty-third calendar year
4 after the year in which the ordinance approving the
5 redevelopment project area is adopted if the ordinance was
6 adopted on or after January 15, 1981, and not later than
7 December 31 of the year in which the payment to the municipal
8 treasurer as provided in subsection (b) of Section 11-74.4-8
9 of this Act is to be made with respect to ad valorem taxes
10 levied in the thirty-fifth calendar year after the year in
11 which the ordinance approving the redevelopment project area
12 is adopted (A) if the ordinance was adopted before January
13 15, 1981, or (B) if the ordinance was adopted in December
14 1983, April 1984, July 1985, or December 1989, or (C) if the
15 ordinance was adopted in December, 1987 and the redevelopment
16 project is located within one mile of Midway Airport, or (D)
17 if the ordinance was adopted before January 1, 1987 by a
18 municipality in Mason County, or (E) if the municipality is
19 subject to the Local Government Financial Planning and
20 Supervision Act or the Financially Distressed City Law, or
21 (F) if the ordinance was adopted in December 1984 by the
22 Village of Rosemont, or (G) if the ordinance was adopted on
23 December 31, 1986 by a municipality located in Clinton County
24 for which at least \$250,000 of tax increment bonds were
25 authorized on June 17, 1997, or if the ordinance was adopted
26 on December 31, 1986 by a municipality with a population in
27 1990 of less than 3,600 that is located in a county with a
28 population in 1990 of less than 34,000 and for which at least
29 \$250,000 of tax increment bonds were authorized on June 17,
30 1997, or (H) if the ordinance was adopted on October 5, 1982
31 by the City of Kankakee, or (I) if the ordinance was adopted
32 on December 29, 1986 by East St. Louis, or if the ordinance
33 was adopted on November 12, 1991 by the Village of Sauget, or
34 (J) if the ordinance was adopted on February 11, 1985 by the

1 City of Rock Island, or (K) if the ordinance was adopted
2 before December 18, 1986 by the City of Moline, or (L) if the
3 ordinance was adopted in September 1988 by Sauk Village, or
4 (M) if the ordinance was adopted in October 1993 by Sauk
5 Village, or (N) if the ordinance was adopted on December 29,
6 1986 by the City of Galva, or (O) if the ordinance was
7 adopted in March 1991 by the City of Centreville, or (P) if
8 the ordinance was adopted on January 23, 1991 by the City of
9 East St. Louis, or (Q) if the ordinance was adopted on
10 December 22, 1986 by the City of Aledo, or (R) if the
11 ordinance was adopted on February 5, 1990 by the City of
12 Clinton, or (S) if the ordinance was adopted on September 6,
13 1994 by the City of Freeport, or (T) if the ordinance was
14 adopted on December 22, 1986 by the City of Tuscola, or (U)
15 if the ordinance was adopted on December 23, 1986 by the City
16 of Sparta, or (V) if the ordinance was adopted on December
17 23, 1986 by the City of Beardstown, or (W) if the ordinance
18 was adopted on April 27, 1981, October 21, 1985, or December
19 30, 1986 by the City of Belleville, or (X) if the ordinance
20 was adopted on September 14, 1994 by the City of Alton and,
21 for redevelopment project areas for which bonds were issued
22 before July 29, 1991, in connection with a redevelopment
23 project in the area within the State Sales Tax Boundary and
24 which were extended by municipal ordinance under subsection
25 (n) of Section 11-74.4-3, the last maturity of the refunding
26 obligations shall not be expressed to mature later than the
27 date on which the redevelopment project area is terminated or
28 December 31, 2013, whichever date occurs first.

29 In the event a municipality issues obligations under home
30 rule powers or other legislative authority the proceeds of
31 which are pledged to pay for redevelopment project costs, the
32 municipality may, if it has followed the procedures in
33 conformance with this division, retire said obligations from
34 funds in the special tax allocation fund in amounts and in

1 such manner as if such obligations had been issued pursuant
2 to the provisions of this division.

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

7 (Source: P.A. 91-261, eff. 7-23-99; 91-477, eff. 8-11-99;
8 91-478, eff. 11-1-99; 91-642, eff. 8-20-99; 91-763, eff.
9 6-9-00; 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; 92-624,
10 eff. 7-11-02; 92-651, eff. 7-11-02.)

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