



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB0462

Introduced 1/26/2005, by Rep. Bill Mitchell

SYNOPSIS AS INTRODUCED:

20 ILCS 655/5.3

from Ch. 67 1/2, par. 608

Amends the Illinois Enterprise Zone Act. Provides that, beginning in calendar year 2004 and until December 31, 2008, 2 additional enterprise zones (now, one additional enterprise zone) may be certified by the Department of Commerce and Economic Opportunity.

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FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

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 Illinois Enterprise Zone Act is amended by
5 changing Section 5.3 as follows:

6 (20 ILCS 655/5.3) (from Ch. 67 1/2, par. 608)

7 Sec. 5.3. Certification of Enterprise Zones; Effective
8 date.

9 (a) Approval of designated Enterprise Zones shall be made
10 by the Department by certification of the designating
11 ordinance. The Department shall promptly issue a certificate
12 for each Enterprise Zone upon its approval. The certificate
13 shall be signed by the Director of the Department, shall make
14 specific reference to the designating ordinance, which shall be
15 attached thereto, and shall be filed in the office of the
16 Secretary of State. A certified copy of the Enterprise Zone
17 Certificate, or a duplicate original thereof, shall be recorded
18 in the office of recorder of deeds of the county in which the
19 Enterprise Zone lies.

20 (b) An Enterprise Zone shall be effective upon its
21 certification. The Department shall transmit a copy of the
22 certification to the Department of Revenue, and to the
23 designating municipality or county.

24 Upon certification of an Enterprise Zone, the terms and
25 provisions of the designating ordinance shall be in effect, and
26 may not be amended or repealed except in accordance with
27 Section 5.4.

28 (c) An Enterprise Zone shall be in effect for 30 calendar
29 years, or for a lesser number of years specified in the
30 certified designating ordinance. Enterprise Zones shall
31 terminate at midnight of December 31 of the final calendar year
32 of the certified term, except as provided in Section 5.4.

1 (d) No more than 12 Enterprise Zones may be certified by
2 the Department in calendar year 1984, no more than 12
3 Enterprise Zones may be certified by the Department in calendar
4 year 1985, no more than 13 Enterprise Zones may be certified by
5 the Department in calendar year 1986, no more than 15
6 Enterprise Zones may be certified by the Department in calendar
7 year 1987, and no more than 20 Enterprise Zones may be
8 certified by the Department in calendar year 1990. In other
9 calendar years, no more than 13 Enterprise Zones may be
10 certified by the Department. The Department may also designate
11 up to 8 additional Enterprise Zones outside the regular
12 application cycle if warranted by the extreme economic
13 circumstances as determined by the Department. The Department
14 may also designate one additional Enterprise Zone outside the
15 regular application cycle if an aircraft manufacturer agrees to
16 locate an aircraft manufacturing facility in the proposed
17 Enterprise Zone. Notwithstanding any other provision of this
18 Act, no more than 89 Enterprise Zones may be certified by the
19 Department for the 10 calendar years commencing with 1983. The
20 7 additional Enterprise Zones authorized by Public Act 86-15
21 shall not lie within municipalities or unincorporated areas of
22 counties that abut or are contiguous to Enterprise Zones
23 certified pursuant to this Section prior to June 30, 1989. The
24 7 additional Enterprise Zones (excluding the additional
25 Enterprise Zone which may be designated outside the regular
26 application cycle) authorized by Public Act 86-1030 shall not
27 lie within municipalities or unincorporated areas of counties
28 that abut or are contiguous to Enterprise Zones certified
29 pursuant to this Section prior to February 28, 1990. Beginning
30 in calendar year 2004 and until December 31, 2008, 2 ~~one~~
31 additional enterprise zones ~~zone~~ may be certified by the
32 Department. In any calendar year, the Department may not
33 certify more than 3 Zones located within the same municipality.
34 The Department may certify Enterprise Zones in each of the 10
35 calendar years commencing with 1983. The Department may not
36 certify more than a total of 18 Enterprise Zones located within

1 the same county (whether within municipalities or within
2 unincorporated territory) for the 10 calendar years commencing
3 with 1983. Thereafter, the Department may not certify any
4 additional Enterprise Zones, but may amend and rescind
5 certifications of existing Enterprise Zones in accordance with
6 Section 5.4.

7 (e) Notwithstanding any other provision of law, if (i) the
8 county board of any county in which a current military base is
9 located, in part or in whole, or in which a military base that
10 has been closed within 20 years of the effective date of this
11 amendatory Act of 1998 is located, in part or in whole, adopts
12 a designating ordinance in accordance with Section 5 of this
13 Act to designate the military base in that county as an
14 enterprise zone and (ii) the property otherwise meets the
15 qualifications for an enterprise zone as prescribed in Section
16 4 of this Act, then the Department may certify the designating
17 ordinance or ordinances, as the case may be.

18 (Source: P.A. 92-16, eff. 6-28-01; 92-777, eff. 1-1-03; 93-436,
19 eff. 1-1-04.)