



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4114

Introduced 09/21/05, by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

20 ILCS 715/20

Amends the Corporate Accountability for Tax Expenditures Act. Requires the Department of Commerce and Economic Opportunity to promptly identify, on its Internet website, all recipients of economic development aid who are required to repay moneys under the recapture provisions of the Act and to set forth the reasons for the recapture. Effective immediately.

LRB094 14107 BDD 49049 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning State government.

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

4 Section 5. The Corporate Accountability for Tax
5 Expenditures Act is amended by changing Section 20 as follows:

6 (20 ILCS 715/20)

7 Sec. 20. State development assistance disclosure.

8 (a) Beginning February 1, 2005 and each year thereafter,
9 every State granting body shall submit to the Department copies
10 of all development assistance agreements that it approved in
11 the prior calendar year.

12 (b) For each development assistance agreement for which the
13 date of assistance has occurred in the prior calendar year,
14 each recipient shall submit to the Department a progress report
15 that shall include, but not be limited to, the following:

16 (1) The application tracking number.

17 (2) The office mailing address, telephone number, and
18 the name of the chief officer of the granting body.

19 (3) The office mailing address, telephone number,
20 4-digit SIC number or successor number, and the name of the
21 chief officer of the applicant or authorized designee for
22 the specific project site for which the development
23 assistance was approved by the State granting body.

24 (4) The type of development assistance program and
25 value of assistance that was approved by the State granting
26 body.

27 (5) The applicant's total number of employees at the
28 specific project site on the date that the application was
29 submitted to the State granting body and the applicant's
30 total number of employees at the specific project site on
31 the date of the report, including the number of full-time,
32 permanent jobs, the number of part-time jobs, and the

1 number of temporary jobs, and a computation of the gain or
2 loss of jobs in each category.

3 (6) The number of new employees and retained employees
4 the applicant stated in its development assistance
5 agreement, if any, if not, then in its application, would
6 be created by the development assistance broken down by
7 full-time, permanent, part-time, and temporary.

8 (7) A declaration of whether the recipient is in
9 compliance with the development assistance agreement.

10 (8) A detailed list of the occupation or job
11 classifications and number of new employees or retained
12 employees to be hired in full-time, permanent jobs, a
13 schedule of anticipated starting dates of the new hires and
14 the actual average wage by occupation or job classification
15 and total payroll to be created as a result of the
16 development assistance.

17 (9) A narrative, if necessary, describing how the
18 recipient's use of the development assistance during the
19 reporting year has reduced employment at any site in
20 Illinois.

21 (10) A certification by the chief officer of the
22 applicant or his or her authorized designee that the
23 information in the progress report contains no knowing
24 misrepresentation of material facts upon which eligibility
25 for development assistance is based.

26 (c) The State granting body, or a successor agency, shall
27 have full authority to verify information contained in the
28 recipient's progress report, including the authority to
29 inspect the specific project site and inspect the records of
30 the recipient that are subject to the development assistance
31 agreement.

32 (d) If, at any time, a recipient is required to repay
33 moneys under the recapture provisions of Section 25, then the
34 Department must promptly identify that recipient on its
35 Internet website and set forth the reasons for the recapture.
36 In addition, by ~~By~~ June 1, 2005 and by June 1 of each year

1 thereafter, the Department shall compile and publish all data
2 in all of the progress reports in both written and electronic
3 form.

4 (e) If a recipient of development assistance fails to
5 comply with subsection (b) of this Section, the Department
6 shall, within 20 working days after the reporting submittal
7 deadlines set forth in (i) the legislation authorizing, (ii)
8 the administrative rules implementing, or (iii) specific
9 provisions in development assistance agreements pertaining to
10 the development assistance programs, suspend within 33 working
11 days any current development assistance to the recipient under
12 its control, and shall be prohibited from completing any
13 current or providing any future development assistance until it
14 receives proof that the recipient has come into compliance with
15 the requirements of subsection (b) of this Section.

16 (f) The Department shall have the discretion to modify the
17 information required in the progress report required under
18 subsection (b) consistent with the disclosure purpose of this
19 Section for any grants under the Industrial Training Program
20 that are not given as an incentive to a recipient business
21 organization.

22 (Source: P.A. 93-552, eff. 8-20-03.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.