



Rep. Kathleen A. Ryg

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LRB094 04641 DRJ 46388 a

1 AMENDMENT TO SENATE BILL 966

2 AMENDMENT NO. _____. Amend Senate Bill 966 on page 4, line
3 25, by deleting "promote" and inserting instead "require"; and

4 on page 4, line 28, by deleting "building" and inserting
5 instead "creating, establishing, or preserving"; and

6 on page 6, line 9, by deleting "promote" and inserting instead
7 "require"; and

8 on page 6, line 12, by deleting "building" and inserting
9 instead "creating, establishing, or preserving"; and

10 on page 10, by deleting lines 15 through 20 and inserting
11 instead the following:

12 "Development" means any building, construction,
13 renovation, or excavation or any material change in ~~the use or~~
14 ~~appearance of~~ any structure or ~~in the~~ land, itself; ~~the~~
15 ~~division of land into parcels;~~ or any change in the ~~intensity~~
16 ~~of~~ use of such structure or land, that results in a net
17 increase in the number of dwelling units in a structure or on a
18 parcel of land by more than one dwelling unit ~~such as an~~
19 ~~increase in the number of dwelling units in a structure or a~~
20 ~~change to commercial use.~~"; and

21 on page 10, line 28, after "separate fund", by inserting ",

1 either"; and

2 on page 10, line 29, after "government", by inserting "or
3 between local governments pursuant to intergovernmental
4 agreement,"; and

5 on page 10, line 29, by deleting "purpose of" and inserting
6 instead "purposes authorized in subsection (d) of Section 25,
7 including, without limitation, the"; and

8 on page 10, line 30, after "disbursing", by inserting "of"; and

9 on page 11, line 20, by deleting "Upon"; and

10 on page 11, by deleting lines 21 through 26 and inserting
11 instead "Any local government that is determined by the
12 Illinois Housing Development Authority under Section 20 to be
13 non-exempt for the first time based on the recalculation of
14 decennial census data after 2010 shall have 18 months from the
15 date of notification of its non-exempt status to approve an
16 affordable housing plan under this Act."; and

17 on page 12, line 27, after "creation", by inserting ",
18 establishment, or preservation"; and

19 on page 12, by deleting lines 31 through 33 and inserting
20 instead:

21 "(1) Local governments may individually or jointly
22 create or participate in a housing trust fund or otherwise
23 provide funding or support for the purpose of supporting
24 affordable housing, including, without limitation, to
25 support the following affordable housing activities:"; and

26 on page 13, line 2, by deleting "vacant"; and

1 on page 13, line 12, by deleting "Capacity grants" and
2 inserting instead "Grants or loans"; and

3 on page 13, line 13, by deleting "that are actively"; and

4 on page 13, by deleting lines 22 through 31 and inserting
5 instead:

6 "(2) A local government may create a community land
7 trust, which may: acquire developed or undeveloped
8 interests in real property and hold them for affordable
9 housing purposes; convey such interests under long-term
10 leases, including ground leases; convey such interests for
11 affordable housing purposes; and retain an option to
12 reacquire any such real property interests at a price
13 determined by a formula ensuring that such interests may be
14 utilized for affordable housing purposes."; and

15 on page 13, line 33, by deleting "promote" and inserting
16 instead "require"; and

17 on page 14, line 1, by deleting "in order to use those
18 donations to address" and inserting instead "for the purpose of
19 addressing"; and

20 on page 14, line 4, after "include", by inserting ", without
21 limitation,"; and

22 on page 14, line 5, by deleting "developers" and inserting
23 instead "persons"; and

24 on page 14, line 9, after "agreements", by inserting "under
25 subsection (e) of Section 25"; and

1 on page 14, line 17, after "specify", by inserting "the basis
2 for determining"; and

3 on page 14, line 20, after "Act.", by inserting "All
4 intergovernmental agreements entered into to create affordable
5 housing units to meet the goals of this Act must also specify
6 the anticipated number of newly created affordable housing
7 units that are to be credited to each local government
8 participating in the agreement for purposes of complying with
9 this Act."; and

10 on page 14, lines 23 and 24, by deleting "This subsection (e)
11 is inoperative on and after January 1, 2010."; and

12 on page 15, line 16, by deleting "to be non-exempt for the
13 first time"; and

14 on page 15, lines 17 and 18, by deleting "using new decennial
15 census data," and inserting instead "to be non-exempt for the
16 first time based on the recalculation of decennial census data
17 after 2010,"; and

18 by replacing lines 21 through 36 on page 15, all of page 16,
19 and line 1 on page 17 with the following:

20 "(c) Beginning January 1, 2009, the Board shall render a
21 decision on the appeal within 120 days after the appeal is
22 filed. ~~In its determination of an appeal, the Board shall~~
23 ~~conduct a de novo review of the matter. In rendering its~~
24 ~~decision, the Board shall consider the facts and whether the~~
25 ~~developer was treated in a manner that places an undue burden~~
26 ~~on the development due to the fact that the development~~
27 ~~contains affordable housing as defined in this Act. The Board~~
28 ~~shall further consider any action taken by the unit of local~~
29 ~~government in regards to granting waivers or variances that~~

1 ~~would have the effect of creating or prohibiting the economic~~
2 ~~viability of the development.~~ In any proceeding before the
3 Board, the affordable housing developer bears the burden of
4 demonstrating that the proposed affordable housing development
5 (i) he or she has been unfairly denied or (ii) has had
6 unreasonable conditions ~~have been~~ placed upon it by the
7 decision of the local government ~~the tentative approval for the~~
8 ~~application for an affordable housing development."~~