

HB0372



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0372

Introduced 1/26/2007, 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.

LRB095 05248 RCE 25325 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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.

1 (4) The type of development assistance program and
2 value of assistance that was approved by the State granting
3 body.

4 (5) The applicant's total number of employees at the
5 specific project site on the date that the application was
6 submitted to the State granting body and the applicant's
7 total number of employees at the specific project site on
8 the date of the report, including the number of full-time,
9 permanent jobs, the number of part-time jobs, and the
10 number of temporary jobs, and a computation of the gain or
11 loss of jobs in each category.

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

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

19 (8) A detailed list of the occupation or job
20 classifications and number of new employees or retained
21 employees to be hired in full-time, permanent jobs, a
22 schedule of anticipated starting dates of the new hires and
23 the actual average wage by occupation or job classification
24 and total payroll to be created as a result of the
25 development assistance.

26 (9) A narrative, if necessary, describing how the

1 recipient's use of the development assistance during the
2 reporting year has reduced employment at any site in
3 Illinois.

4 (10) A certification by the chief officer of the
5 applicant or his or her authorized designee that the
6 information in the progress report contains no knowing
7 misrepresentation of material facts upon which eligibility
8 for development assistance is based.

9 (c) The State granting body, or a successor agency, shall
10 have full authority to verify information contained in the
11 recipient's progress report, including the authority to
12 inspect the specific project site and inspect the records of
13 the recipient that are subject to the development assistance
14 agreement.

15 (d) If, at any time, a recipient is required to repay
16 moneys under the recapture provisions of Section 25, then the
17 Department must promptly identify that recipient on its
18 Internet website and set forth the reasons for the recapture.
19 In addition, by ~~By~~ June 1, 2005 and by June 1 of each year
20 thereafter, the Department shall compile and publish all data
21 in all of the progress reports in both written and electronic
22 form.

23 (e) If a recipient of development assistance fails to
24 comply with subsection (b) of this Section, the Department
25 shall, within 20 working days after the reporting submittal
26 deadlines set forth in (i) the legislation authorizing, (ii)

1 the administrative rules implementing, or (iii) specific
2 provisions in development assistance agreements pertaining to
3 the development assistance programs, suspend within 33 working
4 days any current development assistance to the recipient under
5 its control, and shall be prohibited from completing any
6 current or providing any future development assistance until it
7 receives proof that the recipient has come into compliance with
8 the requirements of subsection (b) of this Section.

9 (f) The Department shall have the discretion to modify the
10 information required in the progress report required under
11 subsection (b) consistent with the disclosure purpose of this
12 Section for any grants under the Industrial Training Program
13 that are not given as an incentive to a recipient business
14 organization.

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

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.