



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB2509

Introduced 2/26/2007, by Rep. Michael J. Madigan - Barbara Flynn Currie

SYNOPSIS AS INTRODUCED:

310 ILCS 67/20

Amends the Affordable Housing Planning and Appeal Act. Makes a technical change in a Section concerning determinations of exempt local governments.

LRB095 01277 DRJ 21279 b

1 AN ACT concerning housing.

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

4 Section 5. The Affordable Housing Planning and Appeal Act
5 is amended by changing Section 20 as follows:

6 (310 ILCS 67/20)

7 Sec. 20. Determination of exempt local governments.

8 (a) Beginning October 1, 2004, the ~~the~~ Illinois Housing
9 Development Authority shall determine which local governments
10 are exempt and not exempt from the operation of this Act based
11 on an identification of the total number of year-round housing
12 units in the most recent decennial census for each local
13 government within the State and by an inventory of for-sale and
14 rental affordable housing units, as defined in this Act, for
15 each local government from the decennial census and other
16 relevant sources.

17 (b) The Illinois Housing Development Authority shall make
18 this determination by:

19 (i) totaling the number of for-sale housing units in
20 each local government that are affordable to households
21 with a gross household income that is less than 80% of the
22 median household income within the county or primary
23 metropolitan statistical area;

1 (ii) totaling the number of rental units in each local
2 government that are affordable to households with a gross
3 household income that is less than 60% of the median
4 household income within the county or primary metropolitan
5 statistical area;

6 (iii) adding the number of for-sale and rental units
7 for each local government from items (i) and (ii); and

8 (iv) dividing the sum of (iii) above by the total
9 number of year-round housing units in the local government
10 as contained in the latest decennial census and multiplying
11 the result by 100 to determine the percentage of affordable
12 housing units within the jurisdiction of the local
13 government.

14 (c) Beginning October 1, 2004, the Illinois Housing
15 Development Authority shall publish on an annual basis a list
16 of exempt and non-exempt local governments and the data that it
17 used to calculate its determination. The data shall be shown
18 for each local government in the State and for the State as a
19 whole. Upon publishing a list of exempt and non-exempt local
20 governments, the Illinois Housing Development Authority shall
21 notify a local government that it is not exempt from the
22 operation of this Act and provide to it the data used to
23 calculate its determination.

24 (d) A local government or developer of affordable housing
25 may appeal the determination of the Illinois Housing
26 Development Authority as to whether the local government is

1 exempt or non-exempt under this Act in connection with an
2 appeal under Section 30 of this Act.

3 (Source: P.A. 93-595, eff. 1-1-04; 93-678, eff. 6-28-04.)