



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5804

Introduced 2/10/2010, by Rep. David Reis - John D. Cavaletto - Rich Brauer - Sidney H. Mathias - Roger L. Eddy

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 2010 and until December 31, 2014, an additional enterprise zone may be certified by the Department of Commerce and Economic Opportunity. Effective immediately.

LRB096 18705 HLH 34089 b

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.

1 Upon certification of an Enterprise Zone, the terms and
2 provisions of the designating ordinance shall be in effect, and
3 may not be amended or repealed except in accordance with
4 Section 5.4.

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

10 (d) No more than 12 Enterprise Zones may be certified by
11 the Department in calendar year 1984, no more than 12
12 Enterprise Zones may be certified by the Department in calendar
13 year 1985, no more than 13 Enterprise Zones may be certified by
14 the Department in calendar year 1986, no more than 15
15 Enterprise Zones may be certified by the Department in calendar
16 year 1987, and no more than 20 Enterprise Zones may be
17 certified by the Department in calendar year 1990. In other
18 calendar years, no more than 13 Enterprise Zones may be
19 certified by the Department. The Department may also designate
20 up to 8 additional Enterprise Zones outside the regular
21 application cycle if warranted by the extreme economic
22 circumstances as determined by the Department. The Department
23 may also designate one additional Enterprise Zone outside the
24 regular application cycle if an aircraft manufacturer agrees to
25 locate an aircraft manufacturing facility in the proposed
26 Enterprise Zone. Notwithstanding any other provision of this

1 Act, no more than 89 Enterprise Zones may be certified by the
2 Department for the 10 calendar years commencing with 1983. The
3 7 additional Enterprise Zones authorized by Public Act 86-15
4 shall not lie within municipalities or unincorporated areas of
5 counties that abut or are contiguous to Enterprise Zones
6 certified pursuant to this Section prior to June 30, 1989. The
7 7 additional Enterprise Zones (excluding the additional
8 Enterprise Zone which may be designated outside the regular
9 application cycle) authorized by Public Act 86-1030 shall not
10 lie within municipalities or unincorporated areas of counties
11 that abut or are contiguous to Enterprise Zones certified
12 pursuant to this Section prior to February 28, 1990. Beginning
13 in calendar year 2004 and until December 31, 2008, one
14 additional enterprise zone may be certified by the Department.
15 Beginning in calendar year 2010 and until December 31, 2014, an
16 additional enterprise zone may be certified by the Department.
17 In any calendar year, the Department may not certify more than
18 3 Zones located within the same municipality. The Department
19 may certify Enterprise Zones in each of the 10 calendar years
20 commencing with 1983. The Department may not certify more than
21 a total of 18 Enterprise Zones located within the same county
22 (whether within municipalities or within unincorporated
23 territory) for the 10 calendar years commencing with 1983.
24 Thereafter, the Department may not certify any additional
25 Enterprise Zones, but may amend and rescind certifications of
26 existing Enterprise Zones in accordance with Section 5.4.

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

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

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.