

Sen. David Koehler

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Filed: 3/25/2009

09600SB0590sam001

LRB096 06640 RLJ 24617 a

1 AMENDMENT TO SENATE BILL 590 2 AMENDMENT NO. . Amend Senate Bill 590 by replacing 3 everything after the enacting clause with the following: "Section 5. The Illinois Municipal Code is amended by 4 5 changing Section 11-74.4-3.5 as follows: 6 (65 ILCS 5/11-74.4-3.5) 7 (Text of Section before amendment by P.A. 95-1028) 8 Sec. 11-74.4-3.5. Completion dates for redevelopment 9 projects. 10 (a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement 11 12 of obligations issued to finance redevelopment project costs 13 (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the 14

municipal treasurer, as provided in subsection (b) of Section

11-74.4-8 of this Act, is to be made with respect to ad valorem

- 1 taxes levied in the 23rd calendar year after the year in which
- 2 the ordinance approving the redevelopment project area was
- 3 adopted if the ordinance was adopted on or after January 15,
- 4 1981.
- 5 (b) The estimated dates of completion of the redevelopment
- 6 project and retirement of obligations issued to finance
- 7 redevelopment project costs (including refunding bonds under
- 8 Section 11-74.4-7) may not be later than December 31 of the
- 9 year in which the payment to the municipal treasurer as
- provided in subsection (b) of Section 11-74.4-8 of this Act is
- 11 to be made with respect to ad valorem taxes levied in the 33rd
- 12 calendar year after the year in which the ordinance approving
- 13 the redevelopment project area was adopted, if the ordinance
- was adopted on May 20, 1985 by the Village of Wheeling.
- 15 (c) The estimated dates of completion of the redevelopment
- 16 project and retirement of obligations issued to finance
- 17 redevelopment project costs (including refunding bonds under
- 18 Section 11-74.4-7) may not be later than December 31 of the
- 19 year in which the payment to the municipal treasurer as
- 20 provided in subsection (b) of Section 11-74.4-8 of this Act is
- 21 to be made with respect to ad valorem taxes levied in the 35th
- 22 calendar year after the year in which the ordinance approving
- 23 the redevelopment project area was adopted:
- 24 (1) if the ordinance was adopted before January 15,
- 25 1981;
- 26 (2) if the ordinance was adopted in December 1983,

1	April	1984.	Julv	1985.	or	December	1989	;
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- (3) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;
 - (4) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;
 - (5) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;
 - (6) if the ordinance was adopted in December 1984 by the Village of Rosemont;
 - (7) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997;
 - (8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;
- (9) if the ordinance was adopted on November 12, 1991 by the Village of Sauget;
 - (10) if the ordinance was adopted on February 11, 1985

1	by the City of Rock Island;
2	(11) if the ordinance was adopted before December 18,
3	1986 by the City of Moline;
4	(12) if the ordinance was adopted in September 1988 by
5	Sauk Village;
6	(13) if the ordinance was adopted in October 1993 by
7	Sauk Village;
8	(14) if the ordinance was adopted on December 29, 1986
9	by the City of Galva;
10	(15) if the ordinance was adopted in March 1991 by the
11	City of Centreville;
12	(16) if the ordinance was adopted on January 23, 1991
13	by the City of East St. Louis;
14	(17) if the ordinance was adopted on December 22, 1986
15	by the City of Aledo;
16	(18) if the ordinance was adopted on February 5, 1990
17	by the City of Clinton;
18	(19) if the ordinance was adopted on September 6, 1994
19	by the City of Freeport;
20	(20) if the ordinance was adopted on December 22, 1986
21	by the City of Tuscola;
22	(21) if the ordinance was adopted on December 23, 1986
23	by the City of Sparta;
24	(22) if the ordinance was adopted on December 23, 1986
25	by the City of Beardstown;
26	(23) if the ordinance was adopted on April 27, 1981,

1	October 21, 1985, or December 30, 1986 by the City of
2	Belleville;
3	(24) if the ordinance was adopted on December 29, 1986
4	by the City of Collinsville;
5	(25) if the ordinance was adopted on September 14, 1994
6	by the City of Alton;
7	(26) if the ordinance was adopted on November 11, 1996
8	by the City of Lexington;
9	(27) if the ordinance was adopted on November 5, 1984
10	by the City of LeRoy;
11	(28) if the ordinance was adopted on April 3, 1991 or
12	June 3, 1992 by the City of Markham;
13	(29) if the ordinance was adopted on November 11, 1986
14	by the City of Pekin;
15	(30) if the ordinance was adopted on December 15, 1981
16	by the City of Champaign;
17	(31) if the ordinance was adopted on December 15, 1986
18	by the City of Urbana;
19	(32) if the ordinance was adopted on December 15, 1986
20	by the Village of Heyworth;
21	(33) if the ordinance was adopted on February 24, 1992
22	by the Village of Heyworth;
23	(34) if the ordinance was adopted on March 16, 1995 by
24	the Village of Heyworth;
25	(35) if the ordinance was adopted on December 23, 1986
26	by the Town of Cicero;

1	(36) if the ordinance was adopted on December 30, 1986
2	by the City of Effingham;
3	(37) if the ordinance was adopted on May 9, 1991 by the
4	Village of Tilton;
5	(38) if the ordinance was adopted on October 20, 1986
6	by the City of Elmhurst;
7	(39) if the ordinance was adopted on January 19, 1988
8	by the City of Waukegan;
9	(40) if the ordinance was adopted on September 21, 1998
10	by the City of Waukegan;
11	(41) if the ordinance was adopted on December 31, 1986
12	by the City of Sullivan;
13	(42) if the ordinance was adopted on December 23, 1991
14	by the City of Sullivan;
15	(43) if the ordinance was adopted on December 31, 1986
16	by the City of Oglesby;
17	(44) if the ordinance was adopted on July 28, 1987 by
18	the City of Marion;
19	(45) if the ordinance was adopted on April 23, 1990 by
20	the City of Marion;
21	(46) if the ordinance was adopted on August 20, 1985 by
22	the Village of Mount Prospect;
23	(47) if the ordinance was adopted on February 2, 1998
24	by the Village of Woodhull;
25	(48) if the ordinance was adopted on April 20, 1993 by
26	the Village of Princeville;

1	(49) if the ordinance was adopted on July 1, 1986 by
2	the City of Granite City;
3	(50) if the ordinance was adopted on February 2, 1989
4	by the Village of Lombard;
5	(51) if the ordinance was adopted on December 29, 1986
6	by the Village of Gardner;
7	(52) if the ordinance was adopted on July 14, 1999 by
8	the Village of Paw Paw;
9	(53) if the ordinance was adopted on November 17, 1986
10	by the Village of Franklin Park;
11	(54) if the ordinance was adopted on November 20, 1989
12	by the Village of South Holland;
13	(55) if the ordinance was adopted on July 14, 1992 by
14	the Village of Riverdale;
15	(56) if the ordinance was adopted on December 29, 1986
16	by the City of Galesburg;
17	(57) if the ordinance was adopted on April 1, 1985 by
18	the City of Galesburg;
19	(58) if the ordinance was adopted on May 21, 1990 by
20	the City of West Chicago;
21	(59) if the ordinance was adopted on December 16, 1986
22	by the City of Oak Forest;
23	(60) if the ordinance was adopted in 1999 by the City
24	of Villa Grove;
25	(61) if the ordinance was adopted on January 13, 1987
26	by the Village of Mt. Zion;

1	(62) if the ordinance was adopted on December 30, 1986
2	by the Village of Manteno;
3	(63) if the ordinance was adopted on April 3, 1989 by
4	the City of Chicago Heights;
5	(64) if the ordinance was adopted on January 6, 1999 by
6	the Village of Rosemont;
7	(65) if the ordinance was adopted on December 19, 2000
8	by the Village of Stone Park;
9	(66) if the ordinance was adopted on December 22, 1986
10	by the City of DeKalb; or
11	(67) if the ordinance was adopted on December 2, 1986
12	by the City of Aurora <u>;</u> -
13	(68) (67) if the ordinance was adopted on December 31,
14	1986 by the Village of Milan; or
15	(69) if the ordinance was adopted on September 8,
16	1994 by the City of West Frankfort:
17	(70) if the ordinance was adopted on December 23, 1986
18	by the Village of Libertyville;
19	(72) if the ordinance was adopted on June 11, 2002 by
20	the City of East Peoria to create the West Washington
21	Street TIF; or
22	(73) if the ordinance was adopted on June 11, 2002 by
23	the City of East Peoria to create the Camp Street TIF.
24	(d) For redevelopment project areas for which bonds were
25	issued before July 29, 1991, or for which contracts were
26	entered into before June 1, 1988, in connection with a

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redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

- (e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least \$8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.
- (f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but

of the ordinance.

- 1 before January 1, 1982 and for which at least \$1,500,000 worth 2 of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the 3 4 municipality elects to extend the life of the redevelopment 5 project area to 35 years by the adoption of an ordinance after 6 at least 14 but not more than 30 days' written notice to the 7 taxing bodies, that would otherwise constitute the joint review 8 board for the redevelopment project area, before the adoption
- 10 (q) In consolidating the material relating to completion 11 dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the 95th General Assembly to make any 12 13 substantive change in the law, except for the extension of the 14 completion dates date for the City of Aurora, the Village of 15 Milan, and the City of West Frankfort, and the Village of 16 <u>Libertyville</u> set forth under items item (67), and (68), (69), and (70) of subsection (c) of this Section. 17
- (Source: P.A. 95-932, eff. 8-26-08; 95-964, eff. 9-23-08; 18 incorporates P.A. 95-777, eff. 9-22-08; revised 10-14-08.) 19
- 20 (Text of Section after amendment by P.A. 95-1028)
- 21 11-74.4-3.5. Completion dates for redevelopment 22 projects.
- 23 (a) Unless otherwise stated in this Section, the estimated 24 dates of completion of the redevelopment project and retirement 25 of obligations issued to finance redevelopment project costs

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- 1 (including refunding bonds under Section 11-74.4-7) may not be 2 later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 3 4 11-74.4-8 of this Act, is to be made with respect to ad valorem 5 taxes levied in the 23rd calendar year after the year in which 6 the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 7 8 1981.
 - (b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted, if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.
 - (c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving

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- the redevelopment project area was adopted: 1
- (1) if the ordinance was adopted before January 15, 2 3 1981;
- 4 if the ordinance was adopted in December 1983, 5 April 1984, July 1985, or December 1989;
 - (3) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;
 - (4) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;
 - (5) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;
 - (6) if the ordinance was adopted in December 1984 by the Village of Rosemont;
 - (7) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997;
 - (8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on

1	December 29, 1986 by East St. Louis;
2	(9) if the ordinance was adopted on November 12, 1991
3	by the Village of Sauget;
4	(10) if the ordinance was adopted on February 11, 1985
5	by the City of Rock Island;
6	(11) if the ordinance was adopted before December 18,
7	1986 by the City of Moline;
8	(12) if the ordinance was adopted in September 1988 by
9	Sauk Village;
10	(13) if the ordinance was adopted in October 1993 by
11	Sauk Village;
12	(14) if the ordinance was adopted on December 29, 1986
13	by the City of Galva;
14	(15) if the ordinance was adopted in March 1991 by the
15	City of Centreville;
16	(16) if the ordinance was adopted on January 23, 1991
17	by the City of East St. Louis;
18	(17) if the ordinance was adopted on December 22, 1986
19	by the City of Aledo;
20	(18) if the ordinance was adopted on February 5, 1990
21	by the City of Clinton;
22	(19) if the ordinance was adopted on September 6, 1994
23	by the City of Freeport;
24	(20) if the ordinance was adopted on December 22, 1986
25	by the City of Tuscola;
26	(21) if the ordinance was adopted on December 23, 1986

1	by the City of Sparta;
2	(22) if the ordinance was adopted on December 23, 1986
3	by the City of Beardstown;
4	(23) if the ordinance was adopted on April 27, 1981,
5	October 21, 1985, or December 30, 1986 by the City of
6	Belleville;
7	(24) if the ordinance was adopted on December 29, 1986
8	by the City of Collinsville;
9	(25) if the ordinance was adopted on September 14, 1994
10	by the City of Alton;
11	(26) if the ordinance was adopted on November 11, 1996
12	by the City of Lexington;
13	(27) if the ordinance was adopted on November 5, 1984
14	by the City of LeRoy;
15	(28) if the ordinance was adopted on April 3, 1991 or
16	June 3, 1992 by the City of Markham;
17	(29) if the ordinance was adopted on November 11, 1986
18	by the City of Pekin;
19	(30) if the ordinance was adopted on December 15, 1981
20	by the City of Champaign;
21	(31) if the ordinance was adopted on December 15, 1986
22	by the City of Urbana;
23	(32) if the ordinance was adopted on December 15, 1986
24	by the Village of Heyworth;
25	(33) if the ordinance was adopted on February 24, 1992
26	by the Village of Heyworth;

1	(34) if the ordinance was adopted on March 16, 1995 by
2	the Village of Heyworth;
3	(35) if the ordinance was adopted on December 23, 1986
4	by the Town of Cicero;
5	(36) if the ordinance was adopted on December 30, 1986
6	by the City of Effingham;
7	(37) if the ordinance was adopted on May 9, 1991 by the
8	Village of Tilton;
9	(38) if the ordinance was adopted on October 20, 1986
10	by the City of Elmhurst;
11	(39) if the ordinance was adopted on January 19, 1988
12	by the City of Waukegan;
13	(40) if the ordinance was adopted on September 21, 1998
14	by the City of Waukegan;
15	(41) if the ordinance was adopted on December 31, 1986
16	by the City of Sullivan;
17	(42) if the ordinance was adopted on December 23, 1991
18	by the City of Sullivan;
19	(43) if the ordinance was adopted on December 31, 1986
20	by the City of Oglesby;
21	(44) if the ordinance was adopted on July 28, 1987 by
22	the City of Marion;
23	(45) if the ordinance was adopted on April 23, 1990 by
24	the City of Marion;
25	(46) if the ordinance was adopted on August 20, 1985 by
26	the Village of Mount Prospect;

1	(47) if the ordinance was adopted on February 2, 1998
2	by the Village of Woodhull;
3	(48) if the ordinance was adopted on April 20, 1993 by
4	the Village of Princeville;
5	(49) if the ordinance was adopted on July 1, 1986 by
6	the City of Granite City;
7	(50) if the ordinance was adopted on February 2, 1989
8	by the Village of Lombard;
9	(51) if the ordinance was adopted on December 29, 1986
10	by the Village of Gardner;
11	(52) if the ordinance was adopted on July 14, 1999 by
12	the Village of Paw Paw;
13	(53) if the ordinance was adopted on November 17, 1986
14	by the Village of Franklin Park;
15	(54) if the ordinance was adopted on November 20, 1989
16	by the Village of South Holland;
17	(55) if the ordinance was adopted on July 14, 1992 by
18	the Village of Riverdale;
19	(56) if the ordinance was adopted on December 29, 1986
20	by the City of Galesburg;
21	(57) if the ordinance was adopted on April 1, 1985 by
22	the City of Galesburg;
23	(58) if the ordinance was adopted on May 21, 1990 by
24	the City of West Chicago;
25	(59) if the ordinance was adopted on December 16, 1986
26	by the City of Oak Forest;

1	(60) if the ordinance was adopted in 1999 by the City
2	of Villa Grove;
3	(61) if the ordinance was adopted on January 13, 1987
4	by the Village of Mt. Zion;
5	(62) if the ordinance was adopted on December 30, 1986
6	by the Village of Manteno;
7	(63) if the ordinance was adopted on April 3, 1989 by
8	the City of Chicago Heights;
9	(64) if the ordinance was adopted on January 6, 1999 by
10	the Village of Rosemont;
11	(65) if the ordinance was adopted on December 19, 2000
12	by the Village of Stone Park;
13	(66) if the ordinance was adopted on December 22, 1986
14	by the City of DeKalb; or
15	(67) if the ordinance was adopted on December 2, 1986
16	by the City of Aurora; -
17	(68) (67) if the ordinance was adopted on December 31,
18	1986 by the Village of Milan; or
19	(69) if the ordinance was adopted on September 8,
20	1994 by the City of West Frankfort:
21	(70) if the ordinance was adopted on December 23, 1986
22	by the Village of Libertyville;
23	(71) if the ordinance was adopted on December 22, 1986
24	by the Village of Hoffman Estates;
25	(72) if the ordinance was adopted on June 11, 2002 by
26	the City of East Peoria to create the West Washington

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Street TIF; or

- (73) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF.
- (d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.
- (e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least \$8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise

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- 1 constitute the joint review board for the redevelopment project area, before the adoption of the ordinance. 2
- Those dates, for purposes of real property tax 3 4 increment allocation financing pursuant to Section 11-74.4-8 5 only, shall be not more than 35 years for redevelopment project 6 areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least \$1,500,000 worth 7 of tax increment revenue bonds were authorized on or after 8 9 September 30, 1990 but before July 1, 1991; provided that the 10 municipality elects to extend the life of the redevelopment 11 project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the 12 13 taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption 14 15 of the ordinance.
 - (q) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the 95th General Assembly to make any substantive change in the law, except for the extension of the completion dates date for the City of Aurora, the Village of Milan, and the City of West Frankfort, the Village of <u>Libertyville</u>, and the Village of Hoffman Estates set forth under items item (67), and (68), (69), (70), and (71) of subsection (c) of this Section.
- 25 (Source: P.A. 95-932, eff. 8-26-08; 95-964, eff. 9-23-08;
- incorporates P.A. 95-777, eff. 9-22-08, and 95-1028, eff. 26

1-1-10; revised 1-27-09.) 1

Public Act.

- 2 Section 95. No acceleration or delay. Where this Act makes 3 changes in a statute that is represented in this Act by text 4 that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does 5 not accelerate or delay the taking effect of (i) the changes 6 7 made by this Act or (ii) provisions derived from any other
- 9 Section 99. Effective date. This Act takes effect upon 10 becoming law.".