

**SB3661**



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**SB3661**

Introduced 2/11/2010, by Sen. Michael Bond

**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, 30 additional enterprise zones may be certified by the Department of Commerce and Economic Opportunity. Effective immediately.

LRB096 20361 HLH 35998 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 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3 may not be amended or repealed except in accordance with  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, 30  
16 additional enterprise zones 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.