

HB5858



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5858

Introduced 2/16/2012, by Rep. Chapin Rose

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 2012 and in each calendar year thereafter, the Department of Commerce and Economic Opportunity may certify no more than 39 Enterprise Zones. Effective immediately.

LRB097 18959 HLH 64197 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3 may not be amended or repealed except in accordance with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. Through
18 calendar year 2011 ~~In other calendar years,~~ no more than 13
19 Enterprise Zones may be certified by the Department. Beginning
20 in calendar year 2012 and in each calendar year thereafter, the
21 Department may certify no more than 39 Enterprise Zones. The
22 Department may also designate up to 8 additional Enterprise
23 Zones outside the regular application cycle if warranted by the
24 extreme economic circumstances as determined by the
25 Department. The Department may also designate one additional
26 Enterprise Zone outside the regular application cycle if an

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

1 Zones in accordance with Section 5.4.

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

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

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