

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-74.6-15 as follows:

6 (65 ILCS 5/11-74.6-15)

7 Sec. 11-74.6-15. Municipal Powers and Duties. A
8 municipality may:

9 (a) By ordinance introduced in the governing body of the
10 municipality within 14 to 90 days from the final adjournment of
11 the hearing specified in Section 11-74.6-22, approve
12 redevelopment plans and redevelopment projects, and designate
13 redevelopment planning areas and redevelopment project areas
14 pursuant to notice and hearing required by this Act. No
15 redevelopment planning area or redevelopment project area
16 shall be designated unless a plan and project are approved
17 before the designation of the area and the area shall include
18 only those parcels of real property and improvements on those
19 parcels substantially benefited by the proposed redevelopment
20 project improvements. Upon adoption of the ordinances, the
21 municipality shall forthwith transmit to the county clerk of
22 the county or counties within which the redevelopment project
23 area is located a certified copy of the ordinances, a legal

1 description of the redevelopment project area, a map of the
2 redevelopment project area, identification of the year that the
3 county clerk shall use for determining the total initial
4 equalized assessed value of the redevelopment project area
5 consistent with subsection (a) of Section 11-74.6-40, and a
6 list of the parcel or tax identification number of each parcel
7 of property included in the redevelopment project area.

8 (b) Make and enter into all contracts necessary or
9 incidental to the implementation and furtherance of its
10 redevelopment plan and project.

11 (c) Within a redevelopment project area, acquire by
12 purchase, donation, lease or eminent domain; own, convey,
13 lease, mortgage or dispose of land and other property, real or
14 personal, or rights or interests therein, and grant or acquire
15 licenses, easements and options with respect to that property,
16 all in the manner and at a price that the municipality
17 determines is reasonably necessary to achieve the objectives of
18 the redevelopment plan and project. No conveyance, lease,
19 mortgage, disposition of land or other property owned by a
20 municipality, or agreement relating to the development of the
21 municipal property shall be made or executed except pursuant to
22 prior official action of the corporate authorities of the
23 municipality. No conveyance, lease, mortgage, or other
24 disposition of land owned by a municipality, and no agreement
25 relating to the development of the municipal property, shall be
26 made without making public disclosure of the terms and the

1 disposition of all bids and proposals submitted to the
2 municipality in connection therewith. The procedures for
3 obtaining the bids and proposals shall provide reasonable
4 opportunity for any person to submit alternative proposals or
5 bids.

6 (d) Within a redevelopment project area, clear any area by
7 demolition or removal of any existing buildings, structures,
8 fixtures, utilities or improvements, and to clear and grade
9 land.

10 (e) Within a redevelopment project area, renovate or
11 rehabilitate or construct any structure or building, as
12 permitted under this Law.

13 (f) Within or without a redevelopment project area,
14 install, repair, construct, reconstruct or relocate streets,
15 utilities and site improvements essential to the preparation of
16 the redevelopment area for use in accordance with a
17 redevelopment plan.

18 (g) Within a redevelopment project area, fix, charge and
19 collect fees, rents and charges for the use of all or any part
20 of any building or property owned or leased by it.

21 (h) Issue obligations as provided in this Act.

22 (i) Accept grants, guarantees and donations of property,
23 labor, or other things of value from a public or private source
24 for use within a project redevelopment area.

25 (j) Acquire and construct public facilities within a
26 redevelopment project area, as permitted under this Law.

1 (k) Incur, pay or cause to be paid redevelopment project
2 costs; provided, however, that on and after the effective date
3 of this amendatory Act of the 91st General Assembly, no
4 municipality shall incur redevelopment project costs (except
5 for planning and other eligible costs authorized by municipal
6 ordinance or resolution that are subsequently included in the
7 redevelopment plan for the area and are incurred after the
8 ordinance or resolution is adopted) that are not consistent
9 with the program for accomplishing the objectives of the
10 redevelopment plan as included in that plan and approved by the
11 municipality until the municipality has amended the
12 redevelopment plan as provided elsewhere in this Law. Any
13 payments to be made by the municipality to redevelopers or
14 other nongovernmental persons for redevelopment project costs
15 incurred by such redeveloper or other nongovernmental person
16 shall be made only pursuant to the prior official action of the
17 municipality evidencing an intent to pay or cause to be paid
18 such redevelopment project costs. A municipality is not
19 required to obtain any right, title or interest in any real or
20 personal property in order to pay redevelopment project costs
21 associated with such property. The municipality shall adopt
22 such accounting procedures as may be necessary to determine
23 that such redevelopment project costs are properly paid.

24 (l) Create a commission of not less than 5 or more than 15
25 persons to be appointed by the mayor or president of the
26 municipality with the consent of the majority of the governing

1 board of the municipality. Members of a commission appointed
2 after the effective date of this Law shall be appointed for
3 initial terms of 1, 2, 3, 4 and 5 years, respectively, in
4 numbers so that the terms of not more than 1/3 of all members
5 expire in any one year. Their successors shall be appointed for
6 a term of 5 years. The commission, subject to approval of the
7 corporate authorities of the municipality, may exercise the
8 powers enumerated in this Section. The commission shall also
9 have the power to hold the public hearings required by this Act
10 and make recommendations to the corporate authorities
11 concerning the adoption of redevelopment plans, redevelopment
12 projects and designation of redevelopment project areas.

13 (m) Make payment in lieu of all or a portion of real
14 property taxes due to taxing districts. If payments in lieu of
15 all or a portion of taxes are made to taxing districts, those
16 payments shall be made to all districts within a redevelopment
17 project area on a basis that is proportional to the current
18 collection of revenue which each taxing district receives from
19 real property in the redevelopment project area.

20 (n) Exercise any and all other powers necessary to
21 effectuate the purposes of this Act.

22 (o) In conjunction with other municipalities, undertake
23 and perform redevelopment plans and projects and utilize the
24 provisions of the Act wherever they have contiguous
25 redevelopment project areas or they determine to adopt tax
26 increment allocation financing with respect to a redevelopment

1 project area that includes contiguous real property within the
2 boundaries of the municipalities, and, by agreement between
3 participating municipalities, to issue obligations, separately
4 or jointly, and expend revenues received under this Act for
5 eligible expenses anywhere within contiguous redevelopment
6 project areas or as otherwise permitted in the Act. Two or more
7 municipalities may designate a joint redevelopment project
8 area under this subsection (o) if at least one of the
9 municipalities is eligible to designate a redevelopment
10 project area under this Division.

11 (p) Create an Industrial Jobs Recovery Advisory Committee
12 of not more than 15 members to be appointed by the mayor or
13 president of the municipality with the consent of the majority
14 of the governing board of the municipality. The members of that
15 Committee shall be appointed for initial terms of 1, 2, and 3
16 years respectively, in numbers so that the terms of not more
17 than 1/3 of all members expire in any one year. Their
18 successors shall be appointed for a term of 3 years. The
19 Committee shall have none of the powers enumerated in this
20 Section. The Committee shall serve in an advisory capacity
21 only. The Committee may advise the governing board of the
22 municipality and other municipal officials regarding
23 development issues and opportunities within the redevelopment
24 project area. The Committee may also promote and publicize
25 development opportunities in the redevelopment project area.

26 (q) If a redevelopment project has not been initiated in a

1 redevelopment project area within 5 years after the area was
2 designated by ordinance under subsection (a), the municipality
3 shall adopt an ordinance repealing the area's designation as a
4 redevelopment project area. Initiation of a redevelopment
5 project shall be evidenced by either a signed redevelopment
6 agreement or expenditures on eligible redevelopment project
7 costs associated with a redevelopment project.

8 (r) Within a redevelopment planning area, transfer or loan
9 tax increment revenues from one redevelopment project area to
10 another redevelopment project area for expenditure on eligible
11 costs in the receiving area.

12 (s) Use tax increment revenue produced in a redevelopment
13 project area created under this Law by transferring or loaning
14 such revenues to a redevelopment project area created under the
15 Tax Increment Allocation Redevelopment Act that is either
16 contiguous to, or separated only by a public right of way from,
17 the redevelopment project area that initially produced and
18 received those revenues.

19 (Source: P.A. 90-258, eff. 7-30-97; 91-474, eff. 11-1-99.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.