

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) for a single Industrial Park  
9 Conservation Area comprising of property within or near the  
10 boundaries of each municipality if: (i) both municipalities are  
11 located within the same Metropolitan Statistical Area, as  
12 defined by the United States Office of Management and Budget,  
13 (ii) the 4-year average unemployment rate for that Metropolitan  
14 Statistical Area was at least 11.3%, and (iii) at least one  
15 participating municipality demonstrates that it has made  
16 commitments to acquire capital assets to commence the project  
17 and that the acquisition will occur on or before December 31,  
18 2011. The joint redevelopment project area must encompass an  
19 interstate highway exchange for access and be located, in part,  
20 adjacent to a landfill or other solid waste disposal facility.

21 (p) Create an Industrial Jobs Recovery Advisory Committee  
22 of not more than 15 members to be appointed by the mayor or  
23 president of the municipality with the consent of the majority  
24 of the governing board of the municipality. The members of that  
25 Committee shall be appointed for initial terms of 1, 2, and 3  
26 years respectively, in numbers so that the terms of not more

1 than 1/3 of all members expire in any one year. Their  
2 successors shall be appointed for a term of 3 years. The  
3 Committee shall have none of the powers enumerated in this  
4 Section. The Committee shall serve in an advisory capacity  
5 only. The Committee may advise the governing board of the  
6 municipality and other municipal officials regarding  
7 development issues and opportunities within the redevelopment  
8 project area. The Committee may also promote and publicize  
9 development opportunities in the redevelopment project area.

10 (q) If a redevelopment project has not been initiated in a  
11 redevelopment project area within 5 years after the area was  
12 designated by ordinance under subsection (a), the municipality  
13 shall adopt an ordinance repealing the area's designation as a  
14 redevelopment project area. Initiation of a redevelopment  
15 project shall be evidenced by either a signed redevelopment  
16 agreement or expenditures on eligible redevelopment project  
17 costs associated with a redevelopment project.

18 (r) Within a redevelopment planning area, transfer or loan  
19 tax increment revenues from one redevelopment project area to  
20 another redevelopment project area for expenditure on eligible  
21 costs in the receiving area.

22 (s) Use tax increment revenue produced in a redevelopment  
23 project area created under this Law by transferring or loaning  
24 such revenues to a redevelopment project area created under the  
25 Tax Increment Allocation Redevelopment Act that is either  
26 contiguous to, or separated only by a public right of way from,

1 the redevelopment project area that initially produced and  
2 received those revenues.

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

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.