

SB1531



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1531

Introduced 2/9/2011, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-74.4-3.5

Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Provides that the redevelopment project in the TIF district created by an ordinance that was adopted on May 19, 1998 by the Village of Bensenville must be completed by December 31 of the 35th year (now, the 23rd year) after the year in which the ordinance was adopted. Effective immediately.

LRB097 06443 KMW 46525 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

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 11-74.4-3.5 as follows:

6 (65 ILCS 5/11-74.4-3.5)

7 Sec. 11-74.4-3.5. Completion dates for redevelopment
8 projects.

9 (a) Unless otherwise stated in this Section, the estimated
10 dates of completion of the redevelopment project and retirement
11 of obligations issued to finance redevelopment project costs
12 (including refunding bonds under Section 11-74.4-7) may not be
13 later than December 31 of the year in which the payment to the
14 municipal treasurer, as provided in subsection (b) of Section
15 11-74.4-8 of this Act, is to be made with respect to ad valorem
16 taxes levied in the 23rd calendar year after the year in which
17 the ordinance approving the redevelopment project area was
18 adopted if the ordinance was adopted on or after January 15,
19 1981.

20 (b) The estimated dates of completion of the redevelopment
21 project and retirement of obligations issued to finance
22 redevelopment project costs (including refunding bonds under
23 Section 11-74.4-7) may not be later than December 31 of the

1 year in which the payment to the municipal treasurer as
2 provided in subsection (b) of Section 11-74.4-8 of this Act is
3 to be made with respect to ad valorem taxes levied in the 32nd
4 calendar year after the year in which the ordinance approving
5 the redevelopment project area was adopted, if the ordinance
6 was adopted on September 9, 1999 by the Village of Downs.

7 The estimated dates of completion of the redevelopment
8 project and retirement of obligations issued to finance
9 redevelopment project costs (including refunding bonds under
10 Section 11-74.4-7) may not be later than December 31 of the
11 year in which the payment to the municipal treasurer as
12 provided in subsection (b) of Section 11-74.4-8 of this Act is
13 to be made with respect to ad valorem taxes levied in the 33rd
14 calendar year after the year in which the ordinance approving
15 the redevelopment project area was adopted, if the ordinance
16 was adopted on May 20, 1985 by the Village of Wheeling.

17 (c) The estimated dates of completion of the redevelopment
18 project and retirement of obligations issued to finance
19 redevelopment project costs (including refunding bonds under
20 Section 11-74.4-7) may not be later than December 31 of the
21 year in which the payment to the municipal treasurer as
22 provided in subsection (b) of Section 11-74.4-8 of this Act is
23 to be made with respect to ad valorem taxes levied in the 35th
24 calendar year after the year in which the ordinance approving
25 the redevelopment project area was adopted:

26 (1) if the ordinance was adopted before January 15,

1 1981;

2 (2) if the ordinance was adopted in December 1983,
3 April 1984, July 1985, or December 1989;

4 (3) if the ordinance was adopted in December 1987 and
5 the redevelopment project is located within one mile of
6 Midway Airport;

7 (4) if the ordinance was adopted before January 1, 1987
8 by a municipality in Mason County;

9 (5) if the municipality is subject to the Local
10 Government Financial Planning and Supervision Act or the
11 Financially Distressed City Law;

12 (6) if the ordinance was adopted in December 1984 by
13 the Village of Rosemont;

14 (7) if the ordinance was adopted on December 31, 1986
15 by a municipality located in Clinton County for which at
16 least \$250,000 of tax increment bonds were authorized on
17 June 17, 1997, or if the ordinance was adopted on December
18 31, 1986 by a municipality with a population in 1990 of
19 less than 3,600 that is located in a county with a
20 population in 1990 of less than 34,000 and for which at
21 least \$250,000 of tax increment bonds were authorized on
22 June 17, 1997;

23 (8) if the ordinance was adopted on October 5, 1982 by
24 the City of Kankakee, or if the ordinance was adopted on
25 December 29, 1986 by East St. Louis;

26 (9) if the ordinance was adopted on November 12, 1991

1 by the Village of Sauget;

2 (10) if the ordinance was adopted on February 11, 1985
3 by the City of Rock Island;

4 (11) if the ordinance was adopted before December 18,
5 1986 by the City of Moline;

6 (12) if the ordinance was adopted in September 1988 by
7 Sauk Village;

8 (13) if the ordinance was adopted in October 1993 by
9 Sauk Village;

10 (14) if the ordinance was adopted on December 29, 1986
11 by the City of Galva;

12 (15) if the ordinance was adopted in March 1991 by the
13 City of Centreville;

14 (16) if the ordinance was adopted on January 23, 1991
15 by the City of East St. Louis;

16 (17) if the ordinance was adopted on December 22, 1986
17 by the City of Aledo;

18 (18) if the ordinance was adopted on February 5, 1990
19 by the City of Clinton;

20 (19) if the ordinance was adopted on September 6, 1994
21 by the City of Freeport;

22 (20) if the ordinance was adopted on December 22, 1986
23 by the City of Tuscola;

24 (21) if the ordinance was adopted on December 23, 1986
25 by the City of Sparta;

26 (22) if the ordinance was adopted on December 23, 1986

1 by the City of Beardstown;

2 (23) if the ordinance was adopted on April 27, 1981,
3 October 21, 1985, or December 30, 1986 by the City of
4 Belleville;

5 (24) if the ordinance was adopted on December 29, 1986
6 by the City of Collinsville;

7 (25) if the ordinance was adopted on September 14, 1994
8 by the City of Alton;

9 (26) if the ordinance was adopted on November 11, 1996
10 by the City of Lexington;

11 (27) if the ordinance was adopted on November 5, 1984
12 by the City of LeRoy;

13 (28) if the ordinance was adopted on April 3, 1991 or
14 June 3, 1992 by the City of Markham;

15 (29) if the ordinance was adopted on November 11, 1986
16 by the City of Pekin;

17 (30) if the ordinance was adopted on December 15, 1981
18 by the City of Champaign;

19 (31) if the ordinance was adopted on December 15, 1986
20 by the City of Urbana;

21 (32) if the ordinance was adopted on December 15, 1986
22 by the Village of Heyworth;

23 (33) if the ordinance was adopted on February 24, 1992
24 by the Village of Heyworth;

25 (34) if the ordinance was adopted on March 16, 1995 by
26 the Village of Heyworth;

1 (35) if the ordinance was adopted on December 23, 1986
2 by the Town of Cicero;

3 (36) if the ordinance was adopted on December 30, 1986
4 by the City of Effingham;

5 (37) if the ordinance was adopted on May 9, 1991 by the
6 Village of Tilton;

7 (38) if the ordinance was adopted on October 20, 1986
8 by the City of Elmhurst;

9 (39) if the ordinance was adopted on January 19, 1988
10 by the City of Waukegan;

11 (40) if the ordinance was adopted on September 21, 1998
12 by the City of Waukegan;

13 (41) if the ordinance was adopted on December 31, 1986
14 by the City of Sullivan;

15 (42) if the ordinance was adopted on December 23, 1991
16 by the City of Sullivan;

17 (43) if the ordinance was adopted on December 31, 1986
18 by the City of Oglesby;

19 (44) if the ordinance was adopted on July 28, 1987 by
20 the City of Marion;

21 (45) if the ordinance was adopted on April 23, 1990 by
22 the City of Marion;

23 (46) if the ordinance was adopted on August 20, 1985 by
24 the Village of Mount Prospect;

25 (47) if the ordinance was adopted on February 2, 1998
26 by the Village of Woodhull;

1 (48) if the ordinance was adopted on April 20, 1993 by
2 the Village of Princeville;

3 (49) if the ordinance was adopted on July 1, 1986 by
4 the City of Granite City;

5 (50) if the ordinance was adopted on February 2, 1989
6 by the Village of Lombard;

7 (51) if the ordinance was adopted on December 29, 1986
8 by the Village of Gardner;

9 (52) if the ordinance was adopted on July 14, 1999 by
10 the Village of Paw Paw;

11 (53) if the ordinance was adopted on November 17, 1986
12 by the Village of Franklin Park;

13 (54) if the ordinance was adopted on November 20, 1989
14 by the Village of South Holland;

15 (55) if the ordinance was adopted on July 14, 1992 by
16 the Village of Riverdale;

17 (56) if the ordinance was adopted on December 29, 1986
18 by the City of Galesburg;

19 (57) if the ordinance was adopted on April 1, 1985 by
20 the City of Galesburg;

21 (58) if the ordinance was adopted on May 21, 1990 by
22 the City of West Chicago;

23 (59) if the ordinance was adopted on December 16, 1986
24 by the City of Oak Forest;

25 (60) if the ordinance was adopted in 1999 by the City
26 of Villa Grove;

1 (61) if the ordinance was adopted on January 13, 1987
2 by the Village of Mt. Zion;

3 (62) if the ordinance was adopted on December 30, 1986
4 by the Village of Manteno;

5 (63) if the ordinance was adopted on April 3, 1989 by
6 the City of Chicago Heights;

7 (64) if the ordinance was adopted on January 6, 1999 by
8 the Village of Rosemont;

9 (65) if the ordinance was adopted on December 19, 2000
10 by the Village of Stone Park;

11 (66) if the ordinance was adopted on December 22, 1986
12 by the City of DeKalb;

13 (67) if the ordinance was adopted on December 2, 1986
14 by the City of Aurora;

15 (68) if the ordinance was adopted on December 31, 1986
16 by the Village of Milan;

17 (69) if the ordinance was adopted on September 8, 1994
18 by the City of West Frankfort;

19 (70) if the ordinance was adopted on December 23, 1986
20 by the Village of Libertyville;

21 (71) if the ordinance was adopted on December 22, 1986
22 by the Village of Hoffman Estates;

23 (72) if the ordinance was adopted on September 17, 1986
24 by the Village of Sherman;

25 (73) if the ordinance was adopted on December 16, 1986
26 by the City of Macomb;

1 (74) if the ordinance was adopted on June 11, 2002 by
2 the City of East Peoria to create the West Washington
3 Street TIF;

4 (75) if the ordinance was adopted on June 11, 2002 by
5 the City of East Peoria to create the Camp Street TIF;

6 (76) if the ordinance was adopted on August 7, 2000 by
7 the City of Des Plaines;

8 (77) if the ordinance was adopted on December 22, 1986
9 by the City of Washington to create the Washington Square
10 TIF #2;

11 (78) if the ordinance was adopted on December 29, 1986
12 by the City of Morris;

13 (79) if the ordinance was adopted on July 6, 1998 by
14 the Village of Steeleville;

15 (80) if the ordinance was adopted on December 29, 1986
16 by the City of Pontiac to create TIF I (the Main St TIF);

17 (81) if the ordinance was adopted on December 29, 1986
18 by the City of Pontiac to create TIF II (the Interstate
19 TIF);

20 (82) if the ordinance was adopted on November 6, 2002
21 by the City of Chicago to create the Madden/Wells TIF
22 District;

23 (83) if the ordinance was adopted on November 4, 1998
24 by the City of Chicago to create the Roosevelt/Racine TIF
25 District;

26 (84) if the ordinance was adopted on June 10, 1998 by

1 the City of Chicago to create the Stony Island
2 Commercial/Burnside Industrial Corridors TIF District;

3 (85) if the ordinance was adopted on November 29, 1989
4 by the City of Chicago to create the Englewood Mall TIF
5 District;

6 (86) if the ordinance was adopted on December 27, 1986
7 by the City of Mendota;

8 (87) if the ordinance was adopted on December 31, 1986
9 by the Village of Cahokia;

10 (88) if the ordinance was adopted on September 20, 1999
11 by the City of Belleville;

12 (89) if the ordinance was adopted on December 30, 1986
13 by the Village of Bellevue to create the Bellevue TIF
14 District 1;

15 (90) if the ordinance was adopted on December 13, 1993
16 by the Village of Crete;

17 (91) if the ordinance was adopted on February 12, 2001
18 by the Village of Crete;

19 (92) if the ordinance was adopted on April 23, 2001 by
20 the Village of Crete;

21 (93) if the ordinance was adopted on December 16, 1986
22 by the City of Champaign; ~~or~~

23 (94) if the ordinance was adopted on December 20, 1986
24 by the City of Charleston; or.

25 (95) if the ordinance was adopted on May 19, 1998 by
26 the Village of Bensenville.

1 (d) For redevelopment project areas for which bonds were
2 issued before July 29, 1991, or for which contracts were
3 entered into before June 1, 1988, in connection with a
4 redevelopment project in the area within the State Sales Tax
5 Boundary, the estimated dates of completion of the
6 redevelopment project and retirement of obligations to finance
7 redevelopment project costs (including refunding bonds under
8 Section 11-74.4-7) may be extended by municipal ordinance to
9 December 31, 2013. The termination procedures of subsection (b)
10 of Section 11-74.4-8 are not required for these redevelopment
11 project areas in 2009 but are required in 2013. The extension
12 allowed by Public Act 87-1272 shall not apply to real property
13 tax increment allocation financing under Section 11-74.4-8.

14 (e) Those dates, for purposes of real property tax
15 increment allocation financing pursuant to Section 11-74.4-8
16 only, shall be not more than 35 years for redevelopment project
17 areas that were adopted on or after December 16, 1986 and for
18 which at least \$8 million worth of municipal bonds were
19 authorized on or after December 19, 1989 but before January 1,
20 1990; provided that the municipality elects to extend the life
21 of the redevelopment project area to 35 years by the adoption
22 of an ordinance after at least 14 but not more than 30 days'
23 written notice to the taxing bodies, that would otherwise
24 constitute the joint review board for the redevelopment project
25 area, before the adoption of the ordinance.

26 (f) Those dates, for purposes of real property tax

1 increment allocation financing pursuant to Section 11-74.4-8
2 only, shall be not more than 35 years for redevelopment project
3 areas that were established on or after December 1, 1981 but
4 before January 1, 1982 and for which at least \$1,500,000 worth
5 of tax increment revenue bonds were authorized on or after
6 September 30, 1990 but before July 1, 1991; provided that the
7 municipality elects to extend the life of the redevelopment
8 project area to 35 years by the adoption of an ordinance after
9 at least 14 but not more than 30 days' written notice to the
10 taxing bodies, that would otherwise constitute the joint review
11 board for the redevelopment project area, before the adoption
12 of the ordinance.

13 (g) In consolidating the material relating to completion
14 dates from Sections 11-74.4-3 and 11-74.4-7 into this Section,
15 it is not the intent of the General Assembly to make any
16 substantive change in the law, except for the extension of the
17 completion dates for the City of Aurora, the Village of Milan,
18 the City of West Frankfort, the Village of Libertyville, and
19 the Village of Hoffman Estates set forth under items (67),
20 (68), (69), (70), and (71) of subsection (c) of this Section.

21 (Source: P.A. 95-932, eff. 8-26-08; 95-964, eff. 9-23-08;
22 incorporates P.A. 95-777, eff. 9-22-08, and 95-1028, eff.
23 8-25-09 (see Section 5 of P.A. 96-717 for the effective date of
24 changes made by P.A. 95-1028); 96-127, eff. 8-4-09; 96-182,
25 eff. 8-10-09; 96-208, eff. 8-10-09; 96-209, eff. 1-1-10;
26 96-213, eff. 8-10-09; 96-264, eff. 8-11-09; 96-328, eff.

1 8-11-09; 96-439, eff. 8-14-09; 96-454, eff. 8-14-09; 96-722,
2 eff. 8-25-09; 96-773, eff. 8-28-09; 96-830, eff. 12-4-09;
3 96-837, eff. 12-16-09; 96-1000, eff. 7-2-10; 96-1359, eff.
4 7-28-10; 96-1494, eff. 12-30-10.)

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