

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 1. Short title. This Act may be cited as the
5 Technology Development District Act.

6 Section 3. Purpose. In order to better utilize community
7 resources, including those of schools and libraries,
8 municipalities may develop technology development districts.
9 These districts would aid in the redevelopment of older
10 communities that use antiquated technology infrastructure,
11 educational development, and make communities more competitive
12 and technologically inviting.

13 The use of tax revenues derived from the tax rates of
14 various taxing districts in development project areas for the
15 payment of development project costs is of benefit to said
16 taxing districts, all surplus tax revenues are turned over to
17 the taxing districts in development project areas, and all said
18 districts benefit from the development of technology
19 infrastructure.

20 Section 5. Definitions.

21 "Development district" means a technology development
22 district.

1 "Development plan" means a development plan required for
2 the creation of a technology development district pursuant to
3 Section 10 of this Act.

4 "Development project" means any public or private
5 development project in furtherance of the objectives of a
6 development plan.

7 "Development project area" means an area designated by the
8 municipality for a development project.

9 "Development project costs" means and includes the sum
10 total of all reasonable or necessary costs incurred or
11 estimated to be incurred, and any costs incidental to a
12 development plan and a development project.

13 "Municipality" means a city, village, or township.

14 "Obligations" mean bonds, loans, debentures, notes,
15 special certificates, or other evidence of indebtedness issued
16 by the municipality to carry out a development project or to
17 refund outstanding obligations.

18 "Services" means any improvements and facilities provided
19 for in the development plan of a development district as
20 approved by the corporate authorities of a municipality,
21 including both on-site improvements and off-site improvements
22 that directly or indirectly benefit the development district,
23 and necessary or incidental work, whether newly constructed,
24 renovated, or existing. "Services" includes electrical and
25 energy generation facilities and upgrades, inspection,
26 construction management, and program management costs,

1 high-tech manufacturing facilities, community outreach
2 programs and facilities, educational equipment, and technology
3 parks. "Services" also includes equipment and inside wiring or
4 cable used and controlled by a property owner for the purchase
5 of broadband services, but only to the extent that the
6 equipment and inside wiring or cable is located on the premises
7 of the customer for broadband services. "Services" does not
8 include equipment located outside of a property owner's
9 premises, such as high speed cable, telecommunications lines,
10 fiber optic transmission facilities, and related equipment
11 designed to carry communications signals such as voice, data,
12 and video to the premises.

13 Section 10. Creation of technology development district. A
14 municipality may, by ordinance, establish a technology
15 development district. The district may be entirely within, or
16 partly within and partly without, one or more municipalities,
17 and a development district may consist of noncontiguous tracts
18 or parcels of property within 3 miles of each other. The
19 municipality shall submit a development plan that shall be
20 available for public viewing.

21 (a) The development plan for a district shall include:

22 (1) a description of the proposed services;

23 (2) a financial plan showing how the proposed services
24 are to be financed, including the proposed operating
25 revenue derived from property taxes for the first fiscal

1 year of the proposed development district;

2 (3) a schedule of the proposed indebtedness for the
3 proposed development district indicating the year or years
4 in which the debt is scheduled to be issued;

5 (4) a preliminary engineering or architectural survey
6 showing how the proposed services are to be provided;

7 (5) a map of the proposed development district
8 boundaries and an estimate of the population and valuation
9 for assessment of the proposed development district;

10 (6) a general description of the facilities to be
11 constructed and the standards of the construction,
12 including a statement of how the facility and service
13 standards of the proposed development district are
14 compatible with the facility and service standards of any
15 municipality within the zoning jurisdiction where all or
16 any portion of the proposed development district is to be
17 located;

18 (7) a general description of the estimated cost of
19 acquiring any land, engineering services, legal services,
20 administrative services, initial proposed indebtedness and
21 estimated proposed maximum interest rates and discounts,
22 and other major expenses related to the organization and
23 initial operation of the proposed development district;

24 (8) a description of any arrangement or proposed
25 agreement with any political subdivision for the
26 performance of any services between the proposed

1 development district and the other political subdivision,
2 including, if the form contract to be used is available, a
3 copy of the contract; and

4 (9) any additional information as the corporate
5 authorities of the municipality may find necessary.

6 (b) A municipality may:

7 (1) install, repair, construct, reconstruct, or
8 relocate streets, utilities, and site improvements
9 essential to the preparation of the development area for
10 use in accordance with a development plan;

11 (2) accept grants, guarantees, and donations of
12 property, labor, or other things of value from a public or
13 private source for use within a project development area;

14 (3) incur project development costs and reimburse
15 developers who incur development project costs authorized
16 by a development agreement; provided, however, that no
17 municipality shall incur development project costs that
18 are not consistent with the program for accomplishing the
19 objectives of the development plan;

20 (4) jointly undertake and perform development plans
21 and projects wherever they have contiguous development
22 project areas that includes contiguous real property
23 within the boundaries of the municipalities, and in doing
24 so, they may, by agreement between municipalities, issue
25 obligations, separately or jointly, and expend revenues
26 received under the Act for eligible expenses anywhere

1 within contiguous development project areas; and
2 (5) issue bonds, provided that the bonds amount to no
3 more than 50% of the annual revenue received from the
4 development district.

5 Section 15. Notice and meeting.

6 (a) After receiving a development plan, the corporate
7 authorities shall set a date within 90 days for a public
8 hearing on the development plan of the proposed development
9 district. The corporate authorities shall provide written
10 notice of the date, time, and location of the hearing to each
11 resident or property owner of record within the boundaries of
12 the development district and the governing body of any existing
13 county, municipality, school district or other political
14 subdivision that has levied an ad valorem tax within the next
15 preceding tax year and that has boundaries within a radius of 3
16 miles of the proposed development district boundaries. Notice
17 shall also be given to any person who has requested that notice
18 be given for any development plan filed pursuant to this Act.
19 The corporate authorities shall make publication of the date,
20 time, location and purpose of the hearing, the first of which
21 shall be at least 20 days before the hearing date. The notice
22 shall also include: (i) a general description of the land
23 contained within the boundaries of the proposed development
24 district, (ii) information outlining methods and procedures
25 for excluding territory from the proposed development

1 district, and (iii) places, including web sites, where
2 interested persons may obtain a copy of the development plan.

3 (b) Not more than 30 days nor less than 20 days before the
4 hearing held pursuant to this Section, the petitioners for the
5 organization of the proposed development district shall send
6 notification by certified mail of the hearing to the property
7 owners within the proposed development district as listed on
8 the records of the county clerk on the date requested unless
9 the petitioners represent 100% of the property owners. The
10 notification shall indicate that it is a notice of a hearing
11 for the organization of a development district and shall
12 indicate the date, time, location and purpose of the hearing,
13 and a general description of the type of services that are
14 included in the development plan. The mailing of the
15 notification by certified mail to all addresses within the
16 proposed development district shall constitute a good-faith
17 effort to comply with this subsection, and failure to notify
18 all property owners by certified mail shall not provide grounds
19 for a challenge to the hearing being held.

20 (c) The hearing held by the governing body shall be open to
21 the public, and a record of the proceedings shall be made at
22 the expense of the petitioners. All interested parties shall be
23 afforded an opportunity to be heard under applicable rules of
24 procedure as may be established by the corporate authorities.
25 Any testimony or evidence that in the discretion of the
26 governing body is relevant to the organization of the proposed

1 development district shall be considered.

2 (d) After a municipality has by ordinance approved a
3 development plan and designated a development project area, the
4 plan may be amended and additional properties may be added to
5 the development project area. The municipality shall give
6 notice and hold a hearing, as provided in this Section, prior
7 to amending a plan.

8 (e) Beginning in fiscal year 2013 and in each fiscal year
9 thereafter, a municipality must detail in its annual budget (i)
10 the revenues generated from development project areas by source
11 and (ii) the expenditures made by the municipality for
12 development project areas.

13 Section 30. Revenue.

14 The projects to be constructed or acquired as shown in the
15 development plan may be financed from the following sources of
16 revenue:

17 (1) proceeds received from the sale of bonds of the
18 development district;

19 (2) money of the municipality or county contributed to
20 the development district;

21 (3) annual property taxes or special assessments;

22 (4) State or federal grants or contributions;

23 (5) private contributions;

24 (6) user, landowner and other fees, tolls and charges;

25 (7) proceeds of loans or advances; and

1 (8) any other money available to the development
2 district by law.

3 No revenues from one technology development district may be
4 transferred to another district.