



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB1295

by Rep. Al Riley

#### SYNOPSIS AS INTRODUCED:

70 ILCS 531/2  
70 ILCS 531/3

Amends the Illinois Urban Development Authority Act. Provides that the Illinois Urban Development Authority may use funds for transportation projects. Defines "develop" or "development", "maintain" or "maintenance", "operate" or "operation", "transportation facility", and "transportation project".

LRB098 07448 OMW 37516 b

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 Urban Development Authority Act is  
5 amended by changing Sections 2 and 3 as follows:

6 (70 ILCS 531/2)

7 Sec. 2. Findings. The General Assembly hereby determines  
8 and declares that:

9 (1) the economic burdens resulting from involuntary  
10 unemployment fall in part upon the State in the form of  
11 increased need for public assistance, reduced tax  
12 revenues, and increased resources devoted to crime  
13 prevention and incarceration and that the unemployed  
14 worker and his or her family may migrate outside the State  
15 to find work and such migration will reduce the tax  
16 revenues of local governments and the State of Illinois,  
17 thereby endangering their financial ability to support  
18 necessary governmental services for their remaining  
19 inhabitants;

20 (2) the State has a responsibility to help create a  
21 favorable climate for new and improved job opportunities  
22 for all of its citizens, especially in areas with high  
23 economic distress, by encouraging the development of

1 commercial and service businesses and industrial and  
2 manufacturing plants and creating job opportunities;

3 (3) the State has a responsibility to increase and  
4 improve post-release employment opportunities for  
5 ex-offenders and reduce recidivism rates through the  
6 combined resources and expertise of providers of workforce  
7 development, supportive services, and private enterprises;

8 (4) a lack of decent housing contributes to urban  
9 blight, crime, anti-social behavior, disease, a higher  
10 need for public assistance, reduced tax revenues, and the  
11 migration of workers and their families away from areas  
12 that fail to offer adequate, decent, affordable housing;

13 (5) decent, affordable housing is a necessary  
14 ingredient of life affording each citizen basic human  
15 dignity, a sense of self worth, confidence, and a firm  
16 foundation upon which to build a family and educate  
17 children; and

18 (6) in order to foster civic and neighborhood pride,  
19 citizens require access to educational institutions,  
20 recreation, parks and open spaces, entertainment and  
21 sports, a reliable transportation network, cultural  
22 facilities, and theaters.

23 It is hereby declared to be the policy of the State of  
24 Illinois, in the interest of promoting industrial, commercial,  
25 residential, jobs, service, transportation, and facilities,  
26 thereby reducing the evils attendant upon unemployment, crime,

1 and recidivism and enhancing the public health, safety, morals,  
2 happiness, and general welfare of this State specifically by  
3 making available through the Illinois Urban Development  
4 Authority, funds for industrial projects, commercial projects,  
5 transportation projects, and housing projects to a  
6 municipality with a municipal poverty rate greater than 3% in  
7 excess of the statewide average.

8 (Source: P.A. 96-234, eff. 1-1-10.)

9 (70 ILCS 531/3)

10 Sec. 3. Definitions. The following terms, whenever used or  
11 referred to in this Act, shall have the following meanings,  
12 except in such instances where the context may clearly indicate  
13 otherwise:

14 "Authority" means the Illinois Urban Development Authority  
15 created by this Act.

16 "Board" means the Illinois Urban Development Authority  
17 Board of Directors.

18 "Bonds" shall include bonds, notes, or other evidence of  
19 indebtedness.

20 "Commercial project" means any project, including but not  
21 limited to one or more buildings and other structures,  
22 improvements, machinery, and equipment whether or not on the  
23 same site or sites now existing or hereafter acquired, suitable  
24 for use by any retail or wholesale concern, distributorship, or  
25 agency, any cultural facilities of a for-profit or

1 not-for-profit type including but not limited to educational,  
2 theatrical, recreational and entertainment, sports facilities,  
3 racetracks, stadiums, convention centers, exhibition halls,  
4 arenas, opera houses and theaters, waterfront improvements,  
5 swimming pools, boat storage, moorage, docking facilities,  
6 restaurants, coliseums, sports training facilities, parking  
7 facilities, terminals, hotels and motels, gymnasiums, medical  
8 facilities, and port facilities.

9 "Costs incurred in connection with the development,  
10 construction, acquisition, or improvement of a project" means  
11 the cost of purchase and construction of all lands and  
12 improvements in connection with a project and equipment and  
13 other property, rights, easements, and franchises acquired  
14 that are deemed necessary for such construction; financing  
15 charges; interest costs with respect to bonds, notes, and other  
16 evidences of indebtedness of the Authority prior to and during  
17 construction and for a period of 6 months thereafter;  
18 engineering and legal expenses; the costs of plans,  
19 specifications, surveys, and estimates of costs and other  
20 expenses necessary or incident to determining the feasibility  
21 or practicability of any project, together with such other  
22 expenses as may be necessary or incident to the financing,  
23 insuring, acquisition, and construction of a specific project  
24 and the placing of the same in operation.

25 "Develop" or "development" means to do one or more of the  
26 following: plan, design, develop, lease, acquire, install,

1 construct, reconstruct, rehabilitate, extend, or expand.

2 "Financial aid" means the expenditure of Authority funds or  
3 funds provided by the Authority through the issuance of its  
4 revenue bonds, notes, or other evidences of indebtedness for  
5 the development, construction, acquisition, or improvement of  
6 a project.

7 "Governmental agency" means any federal, State or local  
8 governmental body, and any agency or instrumentality thereof,  
9 corporate or otherwise.

10 "Governor" means the Governor of the State of Illinois.

11 "Housing project" or "residential project" includes a  
12 specific work or improvement undertaken to provide dwelling  
13 accommodations, including the acquisition, construction,  
14 leasing, or rehabilitation of lands, buildings, and community  
15 facilities and in connection therewith to provide nonhousing  
16 facilities which are an integral part of a planned large-scale  
17 project or new community.

18 "Industrial project" means (1) a capital project,  
19 including one or more buildings and other structures,  
20 improvements, machinery, and equipment whether or not on the  
21 same site or sites now existing or hereafter acquired, suitable  
22 for use by any manufacturing, industrial, research,  
23 transportation, or commercial enterprise including but not  
24 limited to use as a factory, mill, processing plant, assembly  
25 plant, packaging plant, fabricating plant, office building,  
26 industrial distribution center, warehouse, repair, overhaul or

1 service facility, freight terminal, research facility, test  
2 facility, railroad facility, solid waste and wastewater  
3 treatment and disposal sites and other pollution control  
4 facilities, resource or waste reduction, recovery, treatment  
5 and disposal facilities, and including also the sites thereof  
6 and other rights in land therefor whether improved or  
7 unimproved, site preparation and landscaping and all  
8 appurtenances and facilities incidental thereto such as  
9 utilities, access roads, railroad sidings, truck docking and  
10 similar facilities, parking facilities, dockage, wharfage,  
11 railroad roadbed, track, trestle, depot, terminal, switching,  
12 and signaling equipment or related equipment and other  
13 improvements necessary or convenient thereto; or (2) any land,  
14 buildings, machinery or equipment comprising an addition to or  
15 renovation, rehabilitation or improvement of any existing  
16 capital project.

17 "Lease agreement" means an agreement whereby a project  
18 acquired by the Authority by purchase, gift, or lease is leased  
19 to any person or corporation that will use or cause the project  
20 to be used as a project as defined in this Act upon terms  
21 providing for lease rental payments at least sufficient to pay  
22 when due all principal of and interest and premium, if any, on  
23 any bonds, notes or other evidences of indebtedness of the  
24 Authority issued with respect to such project, providing for  
25 the maintenance, insurance, and operation of the project on  
26 terms satisfactory to the Authority, and providing for

1 disposition of the project upon termination of the lease term,  
2 including purchase options or abandonment of the premises, with  
3 such other terms as may be deemed desirable by the Authority.  
4 The Authority may, directly or indirectly, lease or otherwise  
5 transfer property the Authority owns to another and such leased  
6 property shall remain tax exempt.

7 "Loan agreement" means any agreement pursuant to which the  
8 Authority agrees to loan the proceeds of its bonds, notes, or  
9 other evidences of indebtedness issued with respect to a  
10 project to any person or corporation that will use or cause the  
11 project to be used as a project as defined in this Act upon  
12 terms providing for loan repayment installments at least  
13 sufficient to pay when due all principal and interest and  
14 premium, if any, on any bonds, notes, or other evidences of  
15 indebtedness of the Authority issued with respect to the  
16 project, providing for maintenance, insurance, and operation  
17 of the project on terms satisfactory to the Authority and  
18 providing for other matters as may be deemed advisable by the  
19 Authority.

20 "Maintain" or "maintenance" includes ordinary maintenance,  
21 repair, rehabilitation, capital maintenance, maintenance  
22 replacement, and any other categories of maintenance that may  
23 be designated by the local, regional, or State transportation  
24 agency.

25 "Municipal poverty rate" is the percentage of total  
26 population of the municipality having income levels below the



1 poverty level as determined by the Authority based upon the  
2 most recent data released by the United States Census Bureau  
3 before the beginning of such calendar year.

4 "Occupational license" means a license issued by the  
5 Illinois Gaming Board to a person or entity to perform an  
6 occupation which the Illinois Gaming Board has identified as  
7 requiring a license to engage in riverboat, dockside, or  
8 land-based gambling in Illinois.

9 "Operate" or "operation" means to do one or more of the  
10 following: maintain, improve, equip, modify, or otherwise  
11 operate.

12 "Person" means any natural person, firm, partnership,  
13 corporation, both domestic and foreign, company, association,  
14 or joint stock association and includes any trustee, receiver,  
15 assignee, or personal representative thereof.

16 "Project" means an industrial, housing, residential,  
17 commercial, transportation, or service project, or any  
18 combination thereof, provided that all uses shall fall within  
19 one of those categories. Any project, of any nature whatsoever,  
20 shall automatically include all site improvements and new  
21 construction involving sidewalks, sewers, solid waste and  
22 wastewater treatment and disposal sites and other pollution  
23 control facilities, resource or waste reduction, recovery,  
24 treatment and disposal facilities, parks, open spaces,  
25 wildlife sanctuaries, streets, highways, and runways.

26 "Revenue bond" means any bond issued by the Authority under

1 the supervision of the Illinois Finance Authority, the  
2 principal and interest of which are payable solely from  
3 revenues or income derived from any project or activity of the  
4 Authority.

5 "Transportation facility" means any new or existing road,  
6 highway, toll highway, bridge, tunnel, intermodal facility,  
7 intercity or high-speed passenger rail, or other  
8 transportation facility or infrastructure, excluding airports.  
9 The term "transportation facility" may refer to one or more  
10 transportation facilities that are proposed to be developed or  
11 operated as part of a single transportation project.

12 "Transportation project" means any or the combination of  
13 the development, financing, or operation with respect to all or  
14 a portion of any transportation facility under the jurisdiction  
15 of the local, regional, or State transportation agency.

16 (Source: P.A. 96-234, eff. 1-1-10.)