



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2212

by Rep. William Davis

SYNOPSIS AS INTRODUCED:

New Act
30 ILCS 105/5.827 new

Creates the Brownfields Redevelopment and Intermodal Promotion Act. Identifies boundaries of the South Suburban Cook County Brownfield Redevelopment Zone. Provides that the incremental income tax attributable to a new employee on property that has been redeveloped within the South Suburban Brownfields Redevelopment Zone pursuant to a South Suburban Cook County Redevelopment Project shall be deposited into the South Suburban Brownfields Redevelopment Fund. Provides that moneys in the South Suburban Brownfields Redevelopment Fund shall be used to cover the costs of acquisition and assembly of brownfield properties and their remediation and re-use as part of a South Suburban Cook County Redevelopment Zone, and for improvements of public infrastructure servicing those properties. Sets forth limits on expenditures from the South Suburban Brownfields Redevelopment Fund. Contains other provisions. Amends the State Finance Act to create the South Suburban Brownfields Redevelopment Fund as a special fund. Effective immediately.

LRB098 10066 OMW 40225 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning brownfields.

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 Brownfields Redevelopment and Intermodal Promotion Act.

6 Section 5. The General Assembly has determined that it is
7 in the interest of the State of Illinois to facilitate
8 remediation and productive re-use of brownfield sites located
9 within specified areas and communities in Illinois; to
10 capitalize on current trends in international trade routes by
11 encouraging the redevelopment of brownfield sites located near
12 existing freight assets into scattered site logistics parks and
13 related facilities and businesses; and furthermore that it is
14 in the interest of the State to encourage the hiring of
15 minority and other historically disadvantaged individuals in
16 new businesses or facilities developed with State assistance,
17 and especially to encourage the hiring of individuals who
18 reside in high-unemployment communities where such businesses
19 or facilities are developed.

20 Section 10. Definitions. As used in this Act:

21 "Affected Municipality" means a municipality whose
22 boundaries are partially or completely within the Brownfields

1 Redevelopment Zone and where an Eligible Project will take
2 place.

3 "Developer Agreement" means the agreement between an
4 eligible developer or eligible employer and the Department
5 under this Act.

6 "Brownfield" means real property, the expansion,
7 redevelopment, or reuse of which may be complicated by the
8 presence or potential presence of a hazardous substance,
9 pollutant, or contaminant; for the purposes of this Act, a
10 property will be considered a brownfield if a prospective
11 purchaser seeking financing from a private financial
12 institution is required by that institution to conduct a Phase
13 I Environmental Site Assessment (ESA), as defined by ASTM
14 Standard E-1527-05 ("Standard Practice for Environmental Site
15 Assessments: Phase 1 Environmental Site Assessment Process").

16 "Department" means the Department of Commerce and Economic
17 Opportunity.

18 "Director" means the Director of the Department of Commerce
19 and Economic Opportunity.

20 "Eligible Developer" means an individual, partnership,
21 corporation, or other entity, currently and actively engaged in
22 the development of logistics, warehousing, distribution, or
23 light manufacturing facilities in North America, including the
24 Managing Partner of the South Suburban Brownfields
25 Redevelopment Zone, that owns, options, or otherwise directly
26 controls a parcel of land that is included in a South Suburban

1 Brownfields Redevelopment Zone Project.

2 "Eligible employer" means an individual, partnership,
3 corporation, or other entity that employs or will employ
4 full-time employees at finished facilities on property that is
5 within the South Suburban Brownfields Redevelopment Zone.

6 "Employment goal" means the goal of achieving a minimum
7 percentage of labor hours to be performed by employees who are
8 a member of a minority group and who reside in one of the
9 municipalities containing property that is part of the South
10 Suburban Brownfields Redevelopment Zone.

11 "Full-time employee" means an individual who is employed
12 for consideration for at least 35 hours each week or who
13 renders any other standard of service generally accepted by
14 industry custom or practice as full-time employment. An
15 individual for whom a W-2 is issued by a Professional Employer
16 Organization is a full-time employee if employed in the service
17 of the eligible employer for consideration for at least 35
18 hours each week or who renders any other standard of service
19 generally accepted by industry custom or practice as full-time
20 employment.

21 "Eligible Project" means those projects described in
22 Section 35 of this Act.

23 "Incremental income tax" means the total amount withheld
24 from the compensation of new employees under Article 7 of the
25 Illinois Income Tax Act arising from employment by an eligible
26 employer.

1 "Infrastructure" means roads and streets, bridges,
2 sidewalks, street lights, water and sewer line extensions or
3 improvements, storm water drainage and retention facilities,
4 gas and electric utility line extensions or improvements, and
5 rail improvements including signalization and siding
6 construction or repair, on publicly owned land or other public
7 improvements that are essential to the development of a
8 Redevelopment Zone Project.

9 "Intermodal" means a type of international freight system
10 that permits transshipping among sea, highway, rail and air
11 modes of transportation through use of ANSI/International
12 Organization for Standardization containers, line haul assets,
13 and handling equipment.

14 "Intermodal terminal" means an integrated facility where
15 trailers and containers are transferred between intermodal
16 railcars and highway carriers, including domestic and
17 international container shipments; or an integrated facility
18 where dry or liquid bulk and packaged commodities are
19 transferred between conventional railroad freight cars and
20 highway carriers.

21 "Managing Partner" means a representative of Cook County
22 appointed by the President of the Board of Commissioners of
23 Cook County or a duly created instrumentality of the County
24 which enters into an agreement with the Department as described
25 in subsection (c) of Section 30 of this Act regarding the
26 overall management and use of Increment Funds and which is

1 authorized by the County to undertake, or to enter into
2 Development agreements with third parties to undertake,
3 activities necessary for the redevelopment of parcels
4 designated under this Act as part of a South Suburban
5 Brownfields Redevelopment Zone.

6 "Minority" means a person who is a citizen or lawful
7 permanent resident of the United States and who is:

8 (i) African American, meaning a person whose origins
9 are in any of the Black racial groups of Africa, and who
10 has historically and consistently identified himself or
11 herself as being such a person;

12 (ii) Hispanic American or Latino American, meaning a
13 person whose origins are in Mexico, Central or South
14 America, or any of the Spanish speaking islands of the
15 Caribbean (for example Cuba and Puerto Rico), regardless of
16 race, and who has historically and consistently identified
17 himself or herself as being such a person;

18 (iii) Asian or Pacific Islander American, meaning a
19 person whose origins are in any of the original peoples of
20 the Far East, Southeast Asia, the islands of the Pacific or
21 the Northern Marianas, or the Indian Subcontinent, and who
22 has historically and consistently identified himself or
23 herself as being such a person; or

24 (iv) Native American, meaning a person having origins
25 in any of the original peoples of North America, and who
26 maintain tribal affiliation or demonstrate at least

1 one-quarter descent from such groups, and who has
2 historically and consistently identified himself or
3 herself as being such a person.

4 "New employee" means a full-time employee first employed by
5 an eligible employer for a project that is the subject of an
6 agreement between the Managing Partner and an eligible
7 developer or eligible employer and who is hired after the
8 eligible developer enters into the agreement, but does not
9 include:

10 (1) an employee of the eligible employer who performs a
11 job that (i) existed for at least 6 months before the
12 employee was hired and (ii) was previously performed by
13 another employee;

14 (2) an employee of the eligible employer who was
15 previously employed in Illinois by a related member of the
16 eligible employer and whose employment was shifted to the
17 eligible employer after the eligible employer entered into
18 the agreement; or

19 (3) a child, grandchild, parent, or spouse, other than
20 a spouse who is legally separated from the individual, of
21 any individual who has a direct or an indirect ownership
22 interest of at least 5% in the profits, capital, or value
23 of the eligible employer.

24 Notwithstanding item (2) of this definition, an employee
25 may be considered a new employee under the agreement if the
26 employee performs a job that was previously performed by an

1 employee who was: (i) treated under the agreement as a new
2 employee and (ii) promoted by the eligible employer to another
3 job.

4 "Professional Employer Organization" means an employee
5 leasing company, as defined in Section 206.1(A)(2) of the
6 Unemployment Insurance Act.

7 "Related member" means a person or entity that, with
8 respect to the eligible employer during any portion of the
9 taxable year, is any one of the following:

10 (1) an individual stockholder, if the stockholder and
11 the members of the stockholder's family (as defined in
12 Section 318 of the Internal Revenue Code) own directly,
13 indirectly, beneficially, or constructively, in the
14 aggregate, at least 50% of the value of the eligible
15 employer's outstanding stock;

16 (2) a partnership, estate, or trust and any partner or
17 beneficiary, if the partnership, estate, or trust, and its
18 partners or beneficiaries own directly, indirectly,
19 beneficially, or constructively, in the aggregate, at
20 least 50% of the profits, capital, stock, or value of the
21 eligible employer;

22 (3) a corporation, and any party related to the
23 corporation in a manner that would require an attribution
24 of stock from the corporation to the party or from the
25 party to the corporation under the attribution rules of
26 Section 318 of the Internal Revenue Code, if the taxpayer

1 owns directly, indirectly, beneficially, or constructively
2 at least 50% of the value of the corporation's outstanding
3 stock;

4 (4) a corporation and any party related to that
5 corporation in a manner that would require an attribution
6 of stock from the corporation to the party or from the
7 party to the corporation under the attribution rules of
8 Section 318 of the Internal Revenue Code, if the
9 corporation and all such related parties own in the
10 aggregate at least 50% of the profits, capital, stock, or
11 value of the eligible employer; or

12 (5) a person to or from whom there is attribution of
13 stock ownership in accordance with Section 1563(e) of the
14 Internal Revenue Code, except, for purposes of determining
15 whether a person is a related member under this definition,
16 20% shall be substituted for 5% wherever 5% appears in
17 Section 1563(e) of the Internal Revenue Code.

18 "South Suburban Brownfields Advisory Council" or "Advisory
19 Council" means a body comprised of representatives of Affected
20 Municipalities, along with experts appointed by the President
21 of the Cook County Board of Commissioners and the Governor of
22 Illinois, created to guide development within the South
23 Suburban Brownfields Redevelopment Zone.

24 "South Suburban Brownfields Redevelopment Zone Project" or
25 "Project" means an Eligible Project, as described in Section
26 30, to coordinate the redevelopment and re-use of industrial

1 sites within the South Suburban Brownfields Redevelopment Zone
2 in southern Cook County.

3 "South Suburban Brownfields Redevelopment Zone",
4 "Brownfields Redevelopment Zone" or "Zone" means the area fully
5 encompassing all properties, acreage and structures, including
6 sites that conform to the Environmental Protection Agency
7 definition of Brownfield Sites, that are zoned for industrial
8 uses by the applicable local zoning agency and which are
9 located within the following South Suburban Cook County
10 municipalities that surround the Canadian National and Union
11 Pacific intermodal freight terminals in Harvey and Dolton,
12 Illinois respectively: Dixmoor, Dolton, East Hazelcrest,
13 Harvey, Hazelcrest, Homewood, Markham, Phoenix, Posen,
14 Riverdale, South Holland and Thornton. The South Suburban
15 Brownfields Advisory Council shall advise the Managing Partner
16 in regard to the selection of Projects. The composition of the
17 Advisory Council is determined as set forth in subsection (a)
18 of Section 30 of this Act.

19 Section 15. South Suburban Brownfields Redevelopment Zone
20 Fund. The South Suburban Brownfields Redevelopment Zone Fund is
21 created as a special fund in the State treasury. Upon
22 certification of the Department of Revenue following review of
23 the amounts contained in the quarter-annual report required
24 under paragraph 4 of Section 50 of this Act and subject to the
25 limits set forth in Section 25 of this Act, the Comptroller

1 shall order transferred and the Treasurer shall transfer from
2 the General Revenue Fund to the South Suburban Brownfields
3 Redevelopment Fund an amount equal to the incremental income
4 tax for the previous month attributable to new employees at
5 finished facilities on property that was redeveloped as part of
6 the South Suburban Brownfields Redevelopment Zone. These
7 revenues may be used to pay the Managing Partner for its
8 administrative expenses pursuant to Section 45 of this Act or
9 to reimburse Eligible Developers or Eligible Employers for the
10 cost of the activities detailed under Section 45 of this Act
11 for Projects being undertaken within the South Suburban
12 Brownfields Redevelopment Zone.

13 Section 20. South Suburban Brownfields Redevelopment Fund;
14 eligible projects. In State fiscal years 2014 through 2026, all
15 moneys in the South Suburban Brownfields Redevelopment Zone
16 Fund shall be held solely to fund eligible projects undertaken
17 pursuant to the provisions of Section 35 of this Act and
18 performed either directly by the Cook County through a
19 development agreement with the Department, by an entity
20 designated by Cook County through a development agreement with
21 the Department to perform specific tasks, or by an Eligible
22 Developer or an Eligible Employer through a development
23 agreement. All Eligible Projects are subject to review and
24 approval by the Managing Partner and by the Department. The
25 life span of the Fund may be extended past 2026 by law.

1 Section 25. Limitation on amounts for eligible projects.
2 The total amount of tax increment to be transferred to the
3 South Suburban Increment Fund shall not exceed \$6,000,000 in
4 each State fiscal year. Any increment generated in a given
5 State fiscal year in excess of \$6,000,000 shall be retained by
6 the State. Any revenues in the South Suburban Brownfields
7 Redevelopment Fund not used in a given fiscal year may be
8 rolled over into subsequent fiscal years. Use of the Fund to
9 pay or reimburse eligible expenses shall not preclude the
10 receipt of benefits from any Enterprise Zone, Tax Increment
11 Finance District, property tax abatement program, or other
12 business development program of a federal, State, or local
13 economic development program that may be available to the
14 project, and any brownfield site included in an agreement with
15 an eligible developer or eligible employer shall remain fully
16 eligible for all State and Federal tax incentives and grants
17 specifically related to brownfield remediation.

18 Section 30. Managing Partner; Advisory Council;
19 responsibilities.

20 (a) The Managing Partner shall report its recommendations
21 to the Advisory Council. The Advisory Council consists of two
22 members appointed by the Governor of the State of Illinois, two
23 members appointed by the President of the Cook County Board of
24 Commissioners and five members selected by the Affected

1 Municipalities to represent them. All members shall serve for a
2 term of 3 years. Upon expiration of each member's term, a
3 successor shall be appointed for a term of 3 years. Vacancies
4 on the Advisory Council shall be filled in the same manner as
5 the original appointments and any members so appointed shall
6 serve during the remainder of the term for which the vacancy
7 occurred. The appointments shall be made within 90 days of the
8 effective date of this Act. Five members shall constitute a
9 quorum. The Council shall elect a Chairperson amongst its
10 members by simple majority vote. Members shall serve without
11 compensation and accurate minutes shall be kept of all meetings
12 of the Advisory Council. The Advisory Council shall meet no
13 less frequently than quarterly and a meeting may be called by
14 the Chairperson or any four members of the Board. The
15 relationship between the Managing Partner and the Advisory
16 Council shall be set forth in an agreement among the parties.

17 (b) The Managing Partner is responsible for ensuring that,
18 in consultation with the Advisory Board, the acreage designated
19 as part of the Zone is redeveloped to simultaneously maximize
20 the following:

21 (1) Protection and improvement of the natural
22 environment and the remediation of brownfield industrial
23 property within the Brownfield Redevelopment Zone.

24 (2) Restoration of industrially zoned land to its best
25 and highest use, defined here as the highest possible
26 number of new jobs in logistics or manufacturing operations

1 and the highest levels of new business revenues.

2 (3) Employment of local low and moderate income
3 residents of the Zone and minority residents of the Zone
4 and contracting with local minority-owned firms, to the
5 extent consistent with Cook County policies and existing
6 law.

7 (c) In order to fulfill the responsibilities set forth in
8 subsection (b) of this Section, the Managing Partner has the
9 following powers and duties, which shall collectively comprise
10 its program administration tasks:

11 (1) Create, gain approval from the Director for, and
12 regularly update, a master plan for the redevelopment of
13 properties and the use of the Fund, for review by the
14 Advisory Board and the Director, including the following
15 elements:

16 (A) An explanation of how the features of the
17 master plan allow the Managing Partner to fulfill the
18 broad responsibility outlined in this Section.

19 (B) The tasks that the Managing Partner will
20 undertake, directly or through assistance in the
21 negotiation of development agreements with eligible
22 developers or eligible employers, to acquire,
23 assemble, remediate, prepare for development,
24 redevelop, or market parcels that are part of the Zone.

25 (C) The criteria by which the Managing Partner will
26 evaluate and select from among potential eligible

1 projects to carry out its basic responsibilities as
2 outlined in this Section, including criteria that will
3 fulfill the following programmatic goals: (i) at least
4 30% of labor hours must be performed by members of
5 minority groups who reside in the municipalities where
6 the Zone operates, and (ii) at least 20% of the dollar
7 value of contracts and subcontracts must be held by
8 minority-owned firms that are based in the
9 municipalities where the Zone operates.

10 (D) Methods the Managing Partner employed to
11 receive and incorporate input on the master plan from a
12 broad range of residents and stakeholders within the
13 municipalities where the Zone operates, and methods it
14 will employ to publicize the master plan so that it is
15 constantly available for public review.

16 (E) Documentation of the master plan's consistency
17 with the applicable metropolitan planning
18 organization's current regional comprehensive plan and
19 regional Transportation Improvement Plan (TIP), and
20 with the current State Transportation Improvement Plan
21 (STIP).

22 (2) Develop and maintain a current database or set of
23 databases with detailed information including:

24 (A) All industrially zoned real estate properties
25 that are part of the Zone, including information
26 concerning each property's ownership; current or

1 delinquent tax status; proximity to major elements of
2 freight infrastructure; status as a potential or
3 designated brownfield; and any other information to
4 support the marketing and redevelopment of properties
5 that are part of the Zone.

6 (B) All major elements of infrastructure that
7 serve the properties that are part of the Zone,
8 including the capacity and state of repair of rail
9 lines and spurs, roadways, water, sewage, and power
10 systems.

11 (C) Names of minority-owned contracting firms that
12 are based in municipalities containing property that
13 is included in the Zone and wish to be hired by
14 eligible developers or eligible employers, including
15 the qualifications and contact information for these
16 contractors.

17 (D) Names of individuals who are residents of
18 municipalities containing property that is part of the
19 Zone and are members of a minority group, who wish to
20 be employed by eligible developers or eligible
21 employers, including the qualifications and contact
22 information for these residents.

23 (3) Execute its master plan through a series of
24 eligible activities as outlined in Section 45 of this Act,
25 governed by agreements.

26 (4) Evaluate project proposals to determine their

1 appropriateness and priority for funding based on the
2 evaluation criteria defined in the master plan.

3 (5) Negotiate and monitor agreements with Affected
4 Municipalities, eligible developers and eligible
5 employers.

6 (6) Maintain records of activities and financial
7 transactions including regular reports to the Department
8 and an annual certified public audit.

9 (7) Publish and make publicly available an annual
10 report detailing local minority hiring and contracting
11 that has resulted from the use of revenues in the Fund, to
12 include the following: (A) the total number of labor hours
13 performed by new employees who work at finished facilities
14 located on property that is part of the Zone and who (i)
15 are members of a minority group, and (ii) reside in one of
16 the municipalities containing property that is part of the
17 Zone; (B) the total number of labor hours performed by all
18 new employees who work at finished facilities located on
19 property that is part of the Zone; (C) the total dollar
20 value of contracted or subcontracted services reimbursed
21 with revenues from the Fund and that were performed by
22 firms that are (i) minority-owned, and (ii) based in one of
23 the municipalities containing property that is part of the
24 Zone; (D) the total dollar value of contracted or
25 subcontracted services reimbursed with revenues from the
26 Fund; and (E) an explanation of concrete steps that will be

1 taken if these values do not meet the programmatic goals
2 that (i) at least 30% of labor hours must be performed by
3 members of local minority groups, and (ii) at least 20% of
4 the dollar value of contracts and subcontracts must be held
5 by local minority-owned firms.

6 (8) Report to the Director quarterly on the progress of
7 executing the master plan and eligible activities.

8 (d) The Department shall manage and allocate all South
9 Suburban Brownfields Redevelopment Fund revenues subject to
10 the Director's finding that funds are being used to execute the
11 master plan for redevelopment of properties that are part of
12 the Zone.

13 The Managing Partner may, at its discretion, contract with
14 an entity of its choosing to support these program
15 administration tasks.

16 Section 35. Eligible projects. Funds may be used only for
17 projects that are necessary for the establishment of a facility
18 classified under the current edition of the Urban Land
19 Institute's "Guide to Classifying Industrial Property" in one
20 of the following primary categories: warehouse distribution,
21 manufacturing (light or metal fabrication), or freight
22 forwarding; where the secondary categories under warehouse
23 distribution include regional, bulk, and rack-supported
24 warehouses as well as both heavy and refrigerated distribution
25 facilities; and where the secondary categories under

1 manufacturing include parts assembly or packaging plants, food
2 processing plants, and metal working plants that fashion
3 complete products or components of machinery, transportation
4 equipment, appliances, or construction elements and where the
5 secondary category under freight forwarding includes truck
6 terminals. Projects must adhere to applicable local and
7 regional zoning regulations. Projects may consist of new
8 construction or expansion of existing facilities so long as the
9 expansion results in the creation of new jobs. Projects must
10 consist of a set of activities undertaken as part of an
11 agreement to bring back into productive use a brownfield
12 property that is part of the Zone, including activities defined
13 as eligible purposes of funds in Section 45 of this Act.

14 Section 40. Prohibited projects. Funds shall not be used to
15 support projects that create the following types of permanent
16 facilities and structures:

17 (i) any type or kind of processing, handing, or sorting
18 facility for any kind of municipal or private liquid or solid
19 waste;

20 (ii) any type or kind of intermodal or multimodal transfer
21 station for any kind of municipal or private liquid or solid
22 waste; or

23 (iii) container storage yards that are not part of a larger
24 facility whose primary function is the maintenance, repair, and
25 rebuilding of transportation equipment including intermodal

1 containers and trailers, container chassis, mechanical lift
2 equipment, hosting tractors, and over-the-road tractors.

3 Temporary or short-term processing or transfer facilities
4 specifically used as part of an approved environmental
5 remediation plan for a specific site or parcel under an
6 agreement are permitted.

7 Section 45. Eligible activities. Funds held in the South
8 Suburban Brownfields Redevelopment Fund may be expended for the
9 following purposes:

10 (1) Payment of costs undertaken directly by the
11 Managing Partner or reimbursement of costs incurred by an
12 eligible developer or eligible employer as part of the
13 execution of an agreement, any of which services may be
14 subcontracted out to third parties for the following
15 activities:

16 (A) environmental site assessments, site
17 investigations, remediation action plans, and
18 remediation of brownfield sites located on property
19 where any portion of an eligible project is taking
20 place;

21 (B) land acquisition and site assembly, site
22 development plans; and demolition of derelict or
23 outdated structures.

24 (C) recruiting and training of individuals who are
25 both (i) members of a minority group, and (ii) residing

1 in one of the municipalities containing property that
2 is part of the Zone, for employment in logistics or
3 light manufacturing, such as through pre-employment
4 services, pre-apprenticeship training, apprenticeship
5 training, and skills training.

6 (2) Payment of the costs of repairing or upgrading
7 public infrastructure on publicly owned land within the
8 Zone, including rights of way, provided such
9 infrastructure is on public property that is either
10 included within the Brownfields Redevelopment Zone or
11 which is essential to the development of a Project.

12 In agreements with for-profit eligible developers and
13 employers governing redevelopment of privately held land,
14 reimbursements must first and foremost prioritize the
15 activities described in item (A).

16 (3) Program administration costs. The Managing Partner
17 may request up to a total of 15% of amounts in the Fund
18 over the course of the fiscal year to support its
19 responsibilities in that fiscal year as detailed in Section
20 30 of this Act. The Managing Partner must find additional
21 funds for any program administration costs not covered by
22 the 15%. Subject to the Department's approval, the Managing
23 Partner may impose a reasonable application processing fee
24 from eligible developers and eligible employers who submit
25 proposals, and may use these fees to support program
26 administration.

1 Section 50. Agreements with Eligible Developers and
2 Affected Municipalities. Prior to the expenditure of any
3 amounts from the Fund (except for administration costs of the
4 Managing Partner which may be requested periodically), the
5 Department and the Affected Municipality shall enter into an
6 agreement which has been recommended by the Managing Partner
7 with an Eligible Developer or Eligible Employer who is seeking
8 reimbursement under this Act. The agreement must contain all of
9 the following:

10 (1) A detailed description of the project that is the
11 subject of the agreement, including the location of the
12 project, the expected number of jobs to be created by the
13 project, and a list of the costs incurred or to be incurred
14 by the eligible developer or employer for eligible
15 activities, excluding any amounts that are to be funded
16 through other public sources.

17 (2) A requirement that the eligible developer or
18 eligible employer maintain operations at the project
19 location, stated as a minimum number of years not to exceed
20 10 years.

21 (3) A specific method for determining the number of new
22 employees attributable to the project.

23 (4) A requirement that the eligible developer or
24 eligible employer report on a quarterly basis to the
25 Managing Partner, the Department, and the Department of

1 Revenue the number of new employees and the incremental
2 income tax withheld in connection with the new employees.

3 (5) A provision authorizing the Department to verify
4 with the Department of Revenue the amounts reported under
5 paragraph (4) and to report this information to the
6 Managing Partner.

7 (6) A provision authorizing the Department of Revenue
8 to audit the information reported under paragraph (4).

9 (7) A plan for how the eligible developer or eligible
10 employer will encourage local low and moderate income and
11 minority hiring and minority contracting, including
12 specific employment and contracting goals; plans for
13 recruiting, training, and retaining local minority
14 employees; plans for identifying and soliciting bids from
15 local minority-owned firms for contracted or subcontracted
16 services; a list of two or more community organizations
17 that it plans to work with to achieve those goals and
18 plans; and a specific method for determining and reporting
19 on the fulfillment of local minority and low and moderate
20 income hiring and minority contracting goals.

21 (8) A commitment from the eligible developer or
22 eligible employer to work with the City-County Office of
23 Workforce Employment and to consider referrals of trained
24 workers from such Office on a timely and non-discriminatory
25 basis.

26 (9) Documentation that any road improvements that are

1 part of the agreement are consistent with the current
2 regional Transportation Improvement Plan (TIP) and the
3 State Transportation Improvement Plan (STIP).

4 (10) Evidence of approval of the Eligible Project by
5 the Affected Municipality or Municipalities following such
6 public hearings and public notice as may be required by
7 Illinois law in regard to such Eligible Projects.

8 Section 55. Rules. The Department and the Department of
9 Revenue may promulgate rules necessary to implement this Act.

10 Section 60. The State Finance Act is amended by adding
11 Section 5.827 as follows:

12 (30 ILCS 105/5.827 new)

13 Sec. 5.827. The South Suburban Brownfields Redevelopment
14 Fund.

15 Section 97. Severability. The provisions of this Act are
16 severable under Section 1.31 of the Statute on Statutes.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.