

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 Governmental Account Audit Act is amended by
5 changing Section 4 as follows:

6 (50 ILCS 310/4) (from Ch. 85, par. 704)

7 Sec. 4. Overdue report.

8 (a) If the required report for a governmental unit is not
9 filed with the Comptroller in accordance with Section 2 or
10 Section 3, whichever is applicable, within 6 months after the
11 close of the fiscal year of the governmental unit, the
12 Comptroller shall notify the governing body of that unit in
13 writing that the report is due and may also grant a 60 day
14 extension for the filing of the audit report. If the required
15 report is not filed within the time specified in such written
16 notice, the Comptroller shall cause an audit to be made by a
17 licensed public accountant, and the governmental unit shall pay
18 to the Comptroller actual compensation and expenses to
19 reimburse him for the cost of preparing or completing such
20 report.

21 (b) The Comptroller may decline to order an audit and the
22 preparation of an audit report (i) if an initial examination of
23 the books and records of the governmental unit indicates that

1 the books and records of the governmental unit are inadequate
2 or unavailable due to the passage of time or the occurrence of
3 a natural disaster or (ii) if the Comptroller determines that
4 the cost of an audit would impose an unreasonable financial
5 burden on the governmental unit.

6 (c) The State Comptroller may grant extensions for
7 delinquent audits or reports. The Comptroller may charge a
8 governmental unit a fee for a delinquent audit or report of \$5
9 per day for the first 15 days past due, \$10 per day for 16
10 through 30 days past due, \$15 per day for 31 through 45 days
11 past due, and \$20 per day for the 46th day and every day
12 thereafter. These amounts may be reduced at the Comptroller's
13 discretion. All fees collected under this subsection (c) shall
14 be deposited into the Comptroller's Administrative Fund.

15 (Source: P.A. 97-890, eff. 8-2-12; 97-1142, eff. 12-28-12.)

16 Section 10. The Counties Code is amended by changing
17 Section 6-31004 as follows:

18 (55 ILCS 5/6-31004) (from Ch. 34, par. 6-31004)

19 Sec. 6-31004. Overdue reports.

20 (a) In the event the required reports for a county are not
21 filed with the Comptroller in accordance with Section 6-31003
22 within 6 months after the close of the fiscal year of the
23 county, the Comptroller shall notify the county board in
24 writing that the reports are due, and may also grant an

1 extension of time of up to 60 days for the filing of the
2 reports. In the event the required reports are not filed within
3 the time specified in such written notice, the Comptroller
4 shall cause the audit to be made and the audit report prepared
5 by an accountant or accountants.

6 (b) The Comptroller may decline to order an audit and the
7 preparation of an audit report if an initial examination of the
8 books and records of the governmental unit indicates that the
9 books and records of the governmental unit are inadequate or
10 unavailable due to the passage of time or the occurrence of a
11 natural disaster.

12 (c) The State Comptroller may grant extensions for
13 delinquent audits or reports. The Comptroller may charge a
14 county a fee for a delinquent audit or report of \$5 per day for
15 the first 15 days past due, \$10 per day for 16 through 30 days
16 past due, \$15 per day for 31 through 45 days past due, and \$20
17 per day for the 46th day and every day thereafter. These
18 amounts may be reduced at the Comptroller's discretion. All
19 fees collected under this subsection (c) shall be deposited
20 into the Comptroller's Administrative Fund.

21 (Source: P.A. 97-890, eff. 8-2-12; 97-1142, eff. 12-28-12.)

22 Section 15. The Illinois Municipal Code is amended by
23 changing Sections 8-8-3.5, 8-8-4, 11-74.4-5 and 11-74.6-22 as
24 follows:

1 (65 ILCS 5/8-8-3.5)

2 Sec. 8-8-3.5. Tax Increment Financing Report. The reports
3 filed under subsection (d) of Section 11-74.4-5 of the Tax
4 Increment Allocation Redevelopment Act and the reports filed
5 under subsection (d) of Section 11-74.6-22 of the Industrial
6 Jobs Recovery Law in the Illinois Municipal Code must be
7 separate from any other annual report filed with the
8 Comptroller. The Comptroller must, in cooperation with
9 reporting municipalities, create a format for the reporting of
10 information described in paragraphs (1.5) and (5) and in
11 subparagraph (G) of paragraph (7) of subsection (d) of Section
12 11-74.4-5 of the Tax Increment Allocation Redevelopment Act and
13 the information described in paragraphs (1.5) and (5) and in
14 subparagraph (G) of paragraph (7) of subsection (d) of Section
15 11-74.6-22 of the Industrial Jobs Recovery Law that facilitates
16 consistent reporting among the reporting municipalities. The
17 Comptroller may allow these reports to be filed electronically
18 and may display the report, or portions of the report,
19 electronically via the Internet. All reports filed under this
20 Section must be made available for examination and copying by
21 the public at all reasonable times. A Tax Increment Financing
22 Report must be filed electronically with the Comptroller within
23 180 days after the close of the municipal fiscal year or as
24 soon thereafter as the audit for the redevelopment project area
25 for that fiscal year becomes available. If the Tax Increment
26 Finance administrator provides the Comptroller's office with

1 sufficient evidence that the report is in the process of being
2 completed by an auditor, the Comptroller may grant an
3 extension. If the required report is not filed within the time
4 extended by the Comptroller, the Comptroller shall notify the
5 corporate authorities of that municipality that the audit
6 report is past due. The ~~the~~ Comptroller may charge a
7 municipality a fee of \$5 per day for the first 15 days past
8 due, \$10 per day for 16 through 30 days past due, \$15 per day
9 for 31 through 45 days past due, and \$20 per day for the 46th
10 day and every day thereafter. These amounts may be reduced at
11 the Comptroller's discretion. In the event the required audit
12 report is not filed within 60 days of such notice, the
13 Comptroller shall cause such audit to be made by an accountant
14 or accountants. The Comptroller may decline to order an audit
15 and the preparation of an audit report if an initial
16 examination of the books and records of the municipality
17 indicates that books and records of the municipality are
18 inadequate or unavailable to support the preparation of the
19 audit report or the supplemental report due to the passage of
20 time or the occurrence of a natural disaster. All fees
21 collected pursuant to this Section shall be deposited into the
22 Comptroller's Administrative Fund. In the event the
23 Comptroller causes an audit to be made in accordance with the
24 requirements of this Section, the municipality shall pay to the
25 Comptroller reasonable compensation and expenses to reimburse
26 her for the cost of preparing or completing such report. Moneys

1 paid to the Comptroller pursuant to the preceding sentence
2 shall be deposited into the Comptroller's Audit Expense
3 Revolving Fund.

4 (Source: P.A. 98-497, eff. 8-16-13.)

5 (65 ILCS 5/8-8-4) (from Ch. 24, par. 8-8-4)

6 Sec. 8-8-4. Overdue reports.

7 (a) In the event the required audit report for a
8 municipality is not filed with the Comptroller in accordance
9 with Section 8-8-7 within 6 months after the close of the
10 fiscal year of the municipality, the Comptroller shall notify
11 the corporate authorities of that municipality in writing that
12 the audit report is due, and may also grant an extension of
13 time of 60 days, for the filing of the audit report. In the
14 event the required audit report is not filed within the time
15 specified in such written notice, the Comptroller shall cause
16 such audit to be made by an accountant or accountants. In the
17 event the required annual or supplemental report for a
18 municipality is not filed within 6 months after the close of
19 the fiscal year of the municipality, the Comptroller shall
20 notify the corporate authorities of that municipality in
21 writing that the annual or supplemental report is due and may
22 grant an extension in time of 60 days for the filing of such
23 annual or supplemental report.

24 (b) In the event the annual or supplemental report is not
25 filed within the time extended by the Comptroller, the

1 Comptroller shall cause such annual or supplemental report to
2 be prepared or completed and the municipality shall pay to the
3 Comptroller reasonable compensation and expenses to reimburse
4 him for the cost of preparing or completing such annual or
5 supplemental report. Moneys paid to the Comptroller pursuant to
6 the preceding sentence shall be deposited into the
7 Comptroller's Audit Expense Revolving Fund.

8 (c) The Comptroller may decline to order an audit or the
9 completion of the supplemental report if an initial examination
10 of the books and records of the municipality indicates that
11 books and records of the municipality are inadequate or
12 unavailable to support the preparation of the audit report or
13 the supplemental report due to the passage of time or the
14 occurrence of a natural disaster.

15 (d) The State Comptroller may grant extensions for
16 delinquent audits or reports. The Comptroller may charge a
17 municipality a fee for a delinquent audit or report of \$5 per
18 day for the first 15 days past due, \$10 per day for 16 through
19 30 days past due, \$15 per day for 31 through 45 days past due,
20 and \$20 per day for the 46th day and every day thereafter.
21 These amounts may be reduced at the Comptroller's discretion.

22 All fees collected under this subsection (d) shall be deposited
23 into the Comptroller's Administrative Fund.

24 (Source: P.A. 97-890, eff. 8-2-12; 97-1142, eff. 12-28-12.)

25 (65 ILCS 5/11-74.4-5) (from Ch. 24, par. 11-74.4-5)

1 Sec. 11-74.4-5. Public hearing; joint review board.

2 (a) The changes made by this amendatory Act of the 91st
3 General Assembly do not apply to a municipality that, (i)
4 before the effective date of this amendatory Act of the 91st
5 General Assembly, has adopted an ordinance or resolution fixing
6 a time and place for a public hearing under this Section or
7 (ii) before July 1, 1999, has adopted an ordinance or
8 resolution providing for a feasibility study under Section
9 11-74.4-4.1, but has not yet adopted an ordinance approving
10 redevelopment plans and redevelopment projects or designating
11 redevelopment project areas under Section 11-74.4-4, until
12 after that municipality adopts an ordinance approving
13 redevelopment plans and redevelopment projects or designating
14 redevelopment project areas under Section 11-74.4-4;
15 thereafter the changes made by this amendatory Act of the 91st
16 General Assembly apply to the same extent that they apply to
17 redevelopment plans and redevelopment projects that were
18 approved and redevelopment projects that were designated
19 before the effective date of this amendatory Act of the 91st
20 General Assembly.

21 Prior to the adoption of an ordinance proposing the
22 designation of a redevelopment project area, or approving a
23 redevelopment plan or redevelopment project, the municipality
24 by its corporate authorities, or as it may determine by any
25 commission designated under subsection (k) of Section
26 11-74.4-4 shall adopt an ordinance or resolution fixing a time

1 and place for public hearing. At least 10 days prior to the
2 adoption of the ordinance or resolution establishing the time
3 and place for the public hearing, the municipality shall make
4 available for public inspection a redevelopment plan or a
5 separate report that provides in reasonable detail the basis
6 for the eligibility of the redevelopment project area. The
7 report along with the name of a person to contact for further
8 information shall be sent within a reasonable time after the
9 adoption of such ordinance or resolution to the affected taxing
10 districts by certified mail. On and after the effective date of
11 this amendatory Act of the 91st General Assembly, the
12 municipality shall print in a newspaper of general circulation
13 within the municipality a notice that interested persons may
14 register with the municipality in order to receive information
15 on the proposed designation of a redevelopment project area or
16 the approval of a redevelopment plan. The notice shall state
17 the place of registration and the operating hours of that
18 place. The municipality shall have adopted reasonable rules to
19 implement this registration process under Section 11-74.4-4.2.
20 The municipality shall provide notice of the availability of
21 the redevelopment plan and eligibility report, including how to
22 obtain this information, by mail within a reasonable time after
23 the adoption of the ordinance or resolution, to all residential
24 addresses that, after a good faith effort, the municipality
25 determines are located outside the proposed redevelopment
26 project area and within 750 feet of the boundaries of the

1 proposed redevelopment project area. This requirement is
2 subject to the limitation that in a municipality with a
3 population of over 100,000, if the total number of residential
4 addresses outside the proposed redevelopment project area and
5 within 750 feet of the boundaries of the proposed redevelopment
6 project area exceeds 750, the municipality shall be required to
7 provide the notice to only the 750 residential addresses that,
8 after a good faith effort, the municipality determines are
9 outside the proposed redevelopment project area and closest to
10 the boundaries of the proposed redevelopment project area.
11 Notwithstanding the foregoing, notice given after August 7,
12 2001 (the effective date of Public Act 92-263) and before the
13 effective date of this amendatory Act of the 92nd General
14 Assembly to residential addresses within 750 feet of the
15 boundaries of a proposed redevelopment project area shall be
16 deemed to have been sufficiently given in compliance with this
17 Act if given only to residents outside the boundaries of the
18 proposed redevelopment project area. The notice shall also be
19 provided by the municipality, regardless of its population, to
20 those organizations and residents that have registered with the
21 municipality for that information in accordance with the
22 registration guidelines established by the municipality under
23 Section 11-74.4-4.2.

24 At the public hearing any interested person or affected
25 taxing district may file with the municipal clerk written
26 objections to and may be heard orally in respect to any issues

1 embodied in the notice. The municipality shall hear all
2 protests and objections at the hearing and the hearing may be
3 adjourned to another date without further notice other than a
4 motion to be entered upon the minutes fixing the time and place
5 of the subsequent hearing. At the public hearing or at any time
6 prior to the adoption by the municipality of an ordinance
7 approving a redevelopment plan, the municipality may make
8 changes in the redevelopment plan. Changes which (1) add
9 additional parcels of property to the proposed redevelopment
10 project area, (2) substantially affect the general land uses
11 proposed in the redevelopment plan, (3) substantially change
12 the nature of or extend the life of the redevelopment project,
13 or (4) increase the number of inhabited residential units to be
14 displaced from the redevelopment project area, as measured from
15 the time of creation of the redevelopment project area, to a
16 total of more than 10, shall be made only after the
17 municipality gives notice, convenes a joint review board, and
18 conducts a public hearing pursuant to the procedures set forth
19 in this Section and in Section 11-74.4-6 of this Act. Changes
20 which do not (1) add additional parcels of property to the
21 proposed redevelopment project area, (2) substantially affect
22 the general land uses proposed in the redevelopment plan, (3)
23 substantially change the nature of or extend the life of the
24 redevelopment project, or (4) increase the number of inhabited
25 residential units to be displaced from the redevelopment
26 project area, as measured from the time of creation of the

1 redevelopment project area, to a total of more than 10, may be
2 made without further hearing, provided that the municipality
3 shall give notice of any such changes by mail to each affected
4 taxing district and registrant on the interested parties
5 registry, provided for under Section 11-74.4-4.2, and by
6 publication in a newspaper of general circulation within the
7 affected taxing district. Such notice by mail and by
8 publication shall each occur not later than 10 days following
9 the adoption by ordinance of such changes. Hearings with regard
10 to a redevelopment project area, project or plan may be held
11 simultaneously.

12 (b) Prior to holding a public hearing to approve or amend a
13 redevelopment plan or to designate or add additional parcels of
14 property to a redevelopment project area, the municipality
15 shall convene a joint review board. The board shall consist of
16 a representative selected by each community college district,
17 local elementary school district and high school district or
18 each local community unit school district, park district,
19 library district, township, fire protection district, and
20 county that will have the authority to directly levy taxes on
21 the property within the proposed redevelopment project area at
22 the time that the proposed redevelopment project area is
23 approved, a representative selected by the municipality and a
24 public member. The public member shall first be selected and
25 then the board's chairperson shall be selected by a majority of
26 the board members present and voting.

1 For redevelopment project areas with redevelopment plans
2 or proposed redevelopment plans that would result in the
3 displacement of residents from 10 or more inhabited residential
4 units or that include 75 or more inhabited residential units,
5 the public member shall be a person who resides in the
6 redevelopment project area. If, as determined by the housing
7 impact study provided for in paragraph (5) of subsection (n) of
8 Section 11-74.4-3, or if no housing impact study is required
9 then based on other reasonable data, the majority of
10 residential units are occupied by very low, low, or moderate
11 income households, as defined in Section 3 of the Illinois
12 Affordable Housing Act, the public member shall be a person who
13 resides in very low, low, or moderate income housing within the
14 redevelopment project area. Municipalities with fewer than
15 15,000 residents shall not be required to select a person who
16 lives in very low, low, or moderate income housing within the
17 redevelopment project area, provided that the redevelopment
18 plan or project will not result in displacement of residents
19 from 10 or more inhabited units, and the municipality so
20 certifies in the plan. If no person satisfying these
21 requirements is available or if no qualified person will serve
22 as the public member, then the joint review board is relieved
23 of this paragraph's selection requirements for the public
24 member.

25 Within 90 days of the effective date of this amendatory Act
26 of the 91st General Assembly, each municipality that designated

1 a redevelopment project area for which it was not required to
2 convene a joint review board under this Section shall convene a
3 joint review board to perform the duties specified under
4 paragraph (e) of this Section.

5 All board members shall be appointed and the first board
6 meeting shall be held at least 14 days but not more than 28
7 days after the mailing of notice by the municipality to the
8 taxing districts as required by Section 11-74.4-6(c).
9 Notwithstanding the preceding sentence, a municipality that
10 adopted either a public hearing resolution or a feasibility
11 resolution between July 1, 1999 and July 1, 2000 that called
12 for the meeting of the joint review board within 14 days of
13 notice of public hearing to affected taxing districts is deemed
14 to be in compliance with the notice, meeting, and public
15 hearing provisions of the Act. Such notice shall also advise
16 the taxing bodies represented on the joint review board of the
17 time and place of the first meeting of the board. Additional
18 meetings of the board shall be held upon the call of any
19 member. The municipality seeking designation of the
20 redevelopment project area shall provide administrative
21 support to the board.

22 The board shall review (i) the public record, planning
23 documents and proposed ordinances approving the redevelopment
24 plan and project and (ii) proposed amendments to the
25 redevelopment plan or additions of parcels of property to the
26 redevelopment project area to be adopted by the municipality.

1 As part of its deliberations, the board may hold additional
2 hearings on the proposal. A board's recommendation shall be an
3 advisory, non-binding recommendation. The recommendation shall
4 be adopted by a majority of those members present and voting.
5 The recommendations shall be submitted to the municipality
6 within 30 days after convening of the board. Failure of the
7 board to submit its report on a timely basis shall not be cause
8 to delay the public hearing or any other step in the process of
9 designating or amending the redevelopment project area but
10 shall be deemed to constitute approval by the joint review
11 board of the matters before it.

12 The board shall base its recommendation to approve or
13 disapprove the redevelopment plan and the designation of the
14 redevelopment project area or the amendment of the
15 redevelopment plan or addition of parcels of property to the
16 redevelopment project area on the basis of the redevelopment
17 project area and redevelopment plan satisfying the plan
18 requirements, the eligibility criteria defined in Section
19 11-74.4-3, and the objectives of this Act.

20 The board shall issue a written report describing why the
21 redevelopment plan and project area or the amendment thereof
22 meets or fails to meet one or more of the objectives of this
23 Act and both the plan requirements and the eligibility criteria
24 defined in Section 11-74.4-3. In the event the Board does not
25 file a report it shall be presumed that these taxing bodies
26 find the redevelopment project area and redevelopment plan

1 satisfy the objectives of this Act and the plan requirements
2 and eligibility criteria.

3 If the board recommends rejection of the matters before it,
4 the municipality will have 30 days within which to resubmit the
5 plan or amendment. During this period, the municipality will
6 meet and confer with the board and attempt to resolve those
7 issues set forth in the board's written report that led to the
8 rejection of the plan or amendment.

9 Notwithstanding the resubmission set forth above, the
10 municipality may commence the scheduled public hearing and
11 either adjourn the public hearing or continue the public
12 hearing until a date certain. Prior to continuing any public
13 hearing to a date certain, the municipality shall announce
14 during the public hearing the time, date, and location for the
15 reconvening of the public hearing. Any changes to the
16 redevelopment plan necessary to satisfy the issues set forth in
17 the joint review board report shall be the subject of a public
18 hearing before the hearing is adjourned if the changes would
19 (1) substantially affect the general land uses proposed in the
20 redevelopment plan, (2) substantially change the nature of or
21 extend the life of the redevelopment project, or (3) increase
22 the number of inhabited residential units to be displaced from
23 the redevelopment project area, as measured from the time of
24 creation of the redevelopment project area, to a total of more
25 than 10. Changes to the redevelopment plan necessary to satisfy
26 the issues set forth in the joint review board report shall not

1 require any further notice or convening of a joint review board
2 meeting, except that any changes to the redevelopment plan that
3 would add additional parcels of property to the proposed
4 redevelopment project area shall be subject to the notice,
5 public hearing, and joint review board meeting requirements
6 established for such changes by subsection (a) of Section
7 11-74.4-5.

8 In the event that the municipality and the board are unable
9 to resolve these differences, or in the event that the
10 resubmitted plan or amendment is rejected by the board, the
11 municipality may proceed with the plan or amendment, but only
12 upon a three-fifths vote of the corporate authority responsible
13 for approval of the plan or amendment, excluding positions of
14 members that are vacant and those members that are ineligible
15 to vote because of conflicts of interest.

16 (c) After a municipality has by ordinance approved a
17 redevelopment plan and designated a redevelopment project
18 area, the plan may be amended and additional properties may be
19 added to the redevelopment project area only as herein
20 provided. Amendments which (1) add additional parcels of
21 property to the proposed redevelopment project area, (2)
22 substantially affect the general land uses proposed in the
23 redevelopment plan, (3) substantially change the nature of the
24 redevelopment project, (4) increase the total estimated
25 redevelopment project costs set out in the redevelopment plan
26 by more than 5% after adjustment for inflation from the date

1 the plan was adopted, (5) add additional redevelopment project
2 costs to the itemized list of redevelopment project costs set
3 out in the redevelopment plan, or (6) increase the number of
4 inhabited residential units to be displaced from the
5 redevelopment project area, as measured from the time of
6 creation of the redevelopment project area, to a total of more
7 than 10, shall be made only after the municipality gives
8 notice, convenes a joint review board, and conducts a public
9 hearing pursuant to the procedures set forth in this Section
10 and in Section 11-74.4-6 of this Act. Changes which do not (1)
11 add additional parcels of property to the proposed
12 redevelopment project area, (2) substantially affect the
13 general land uses proposed in the redevelopment plan, (3)
14 substantially change the nature of the redevelopment project,
15 (4) increase the total estimated redevelopment project cost set
16 out in the redevelopment plan by more than 5% after adjustment
17 for inflation from the date the plan was adopted, (5) add
18 additional redevelopment project costs to the itemized list of
19 redevelopment project costs set out in the redevelopment plan,
20 or (6) increase the number of inhabited residential units to be
21 displaced from the redevelopment project area, as measured from
22 the time of creation of the redevelopment project area, to a
23 total of more than 10, may be made without further public
24 hearing and related notices and procedures including the
25 convening of a joint review board as set forth in Section
26 11-74.4-6 of this Act, provided that the municipality shall

1 give notice of any such changes by mail to each affected taxing
2 district and registrant on the interested parties registry,
3 provided for under Section 11-74.4-4.2, and by publication in a
4 newspaper of general circulation within the affected taxing
5 district. Such notice by mail and by publication shall each
6 occur not later than 10 days following the adoption by
7 ordinance of such changes.

8 (d) After the effective date of this amendatory Act of the
9 91st General Assembly, a municipality shall submit in an
10 electronic format the following information for each
11 redevelopment project area (i) to the State Comptroller under
12 Section 8-8-3.5 of the Illinois Municipal Code, subject to any
13 extensions or exemptions provided at the Comptroller's
14 discretion under that Section, and (ii) to all taxing districts
15 overlapping the redevelopment project area no later than 180
16 days after the close of each municipal fiscal year or as soon
17 thereafter as the audited financial statements become
18 available and, in any case, shall be submitted before the
19 annual meeting of the Joint Review Board to each of the taxing
20 districts that overlap the redevelopment project area:

21 (1) Any amendments to the redevelopment plan, the
22 redevelopment project area, or the State Sales Tax
23 Boundary.

24 (1.5) A list of the redevelopment project areas
25 administered by the municipality and, if applicable, the
26 date each redevelopment project area was designated or

1 terminated by the municipality.

2 (2) Audited financial statements of the special tax
3 allocation fund once a cumulative total of \$100,000 has
4 been deposited in the fund.

5 (3) Certification of the Chief Executive Officer of the
6 municipality that the municipality has complied with all of
7 the requirements of this Act during the preceding fiscal
8 year.

9 (4) An opinion of legal counsel that the municipality
10 is in compliance with this Act.

11 (5) An analysis of the special tax allocation fund
12 which sets forth:

13 (A) the balance in the special tax allocation fund
14 at the beginning of the fiscal year;

15 (B) all amounts deposited in the special tax
16 allocation fund by source;

17 (C) an itemized list of all expenditures from the
18 special tax allocation fund by category of permissible
19 redevelopment project cost; and

20 (D) the balance in the special tax allocation fund
21 at the end of the fiscal year including a breakdown of
22 that balance by source and a breakdown of that balance
23 identifying any portion of the balance that is
24 required, pledged, earmarked, or otherwise designated
25 for payment of or securing of obligations and
26 anticipated redevelopment project costs. Any portion

1 of such ending balance that has not been identified or
2 is not identified as being required, pledged,
3 earmarked, or otherwise designated for payment of or
4 securing of obligations or anticipated redevelopment
5 projects costs shall be designated as surplus as set
6 forth in Section 11-74.4-7 hereof.

7 (6) A description of all property purchased by the
8 municipality within the redevelopment project area
9 including:

10 (A) Street address.

11 (B) Approximate size or description of property.

12 (C) Purchase price.

13 (D) Seller of property.

14 (7) A statement setting forth all activities
15 undertaken in furtherance of the objectives of the
16 redevelopment plan, including:

17 (A) Any project implemented in the preceding
18 fiscal year.

19 (B) A description of the redevelopment activities
20 undertaken.

21 (C) A description of any agreements entered into by
22 the municipality with regard to the disposition or
23 redevelopment of any property within the redevelopment
24 project area or the area within the State Sales Tax
25 Boundary.

26 (D) Additional information on the use of all funds

1 received under this Division and steps taken by the
2 municipality to achieve the objectives of the
3 redevelopment plan.

4 (E) Information regarding contracts that the
5 municipality's tax increment advisors or consultants
6 have entered into with entities or persons that have
7 received, or are receiving, payments financed by tax
8 increment revenues produced by the same redevelopment
9 project area.

10 (F) Any reports submitted to the municipality by
11 the joint review board.

12 (G) A review of public and, to the extent possible,
13 private investment actually undertaken to date after
14 the effective date of this amendatory Act of the 91st
15 General Assembly and estimated to be undertaken during
16 the following year. This review shall, on a
17 project-by-project basis, set forth the estimated
18 amounts of public and private investment incurred
19 after the effective date of this amendatory Act of the
20 91st General Assembly and provide the ratio of private
21 investment to public investment to the date of the
22 report and as estimated to the completion of the
23 redevelopment project.

24 (8) With regard to any obligations issued by the
25 municipality:

26 (A) copies of any official statements; and

1 (B) an analysis prepared by financial advisor or
2 underwriter setting forth: (i) nature and term of
3 obligation; and (ii) projected debt service including
4 required reserves and debt coverage.

5 (9) For special tax allocation funds that have
6 experienced cumulative deposits of incremental tax
7 revenues of \$100,000 or more, a certified audit report
8 reviewing compliance with this Act performed by an
9 independent public accountant certified and licensed by
10 the authority of the State of Illinois. The financial
11 portion of the audit must be conducted in accordance with
12 Standards for Audits of Governmental Organizations,
13 Programs, Activities, and Functions adopted by the
14 Comptroller General of the United States (1981), as
15 amended, or the standards specified by Section 8-8-5 of the
16 Illinois Municipal Auditing Law of the Illinois Municipal
17 Code. The audit report shall contain a letter from the
18 independent certified public accountant indicating
19 compliance or noncompliance with the requirements of
20 subsection (q) of Section 11-74.4-3. For redevelopment
21 plans or projects that would result in the displacement of
22 residents from 10 or more inhabited residential units or
23 that contain 75 or more inhabited residential units, notice
24 of the availability of the information, including how to
25 obtain the report, required in this subsection shall also
26 be sent by mail to all residents or organizations that

1 operate in the municipality that register with the
2 municipality for that information according to
3 registration procedures adopted under Section 11-74.4-4.2.
4 All municipalities are subject to this provision.

5 (10) A list of all intergovernmental agreements in
6 effect during the fiscal year to which the municipality is
7 a party and an accounting of any moneys transferred or
8 received by the municipality during that fiscal year
9 pursuant to those intergovernmental agreements.

10 (d-1) Prior to the effective date of this amendatory Act of
11 the 91st General Assembly, municipalities with populations of
12 over 1,000,000 shall, after adoption of a redevelopment plan or
13 project, make available upon request to any taxing district in
14 which the redevelopment project area is located the following
15 information:

16 (1) Any amendments to the redevelopment plan, the
17 redevelopment project area, or the State Sales Tax
18 Boundary; and

19 (2) In connection with any redevelopment project area
20 for which the municipality has outstanding obligations
21 issued to provide for redevelopment project costs pursuant
22 to Section 11-74.4-7, audited financial statements of the
23 special tax allocation fund.

24 (e) The joint review board shall meet annually 180 days
25 after the close of the municipal fiscal year or as soon as the
26 redevelopment project audit for that fiscal year becomes

1 available to review the effectiveness and status of the
2 redevelopment project area up to that date.

3 (f) (Blank).

4 (g) In the event that a municipality has held a public
5 hearing under this Section prior to March 14, 1994 (the
6 effective date of Public Act 88-537), the requirements imposed
7 by Public Act 88-537 relating to the method of fixing the time
8 and place for public hearing, the materials and information
9 required to be made available for public inspection, and the
10 information required to be sent after adoption of an ordinance
11 or resolution fixing a time and place for public hearing shall
12 not be applicable.

13 (h) On and after the effective date of this amendatory Act
14 of the 96th General Assembly, the State Comptroller must post
15 on the State Comptroller's official website the information
16 submitted by a municipality pursuant to subsection (d) of this
17 Section. The information must be posted no later than 45 days
18 after the State Comptroller receives the information from the
19 municipality. The State Comptroller must also post a list of
20 the municipalities not in compliance with the reporting
21 requirements set forth in subsection (d) of this Section.

22 (i) No later than 10 years after the corporate authorities
23 of a municipality adopt an ordinance to establish a
24 redevelopment project area, the municipality must compile a
25 status report concerning the redevelopment project area. The
26 status report must detail without limitation the following: (i)

1 the amount of revenue generated within the redevelopment
2 project area, (ii) any expenditures made by the municipality
3 for the redevelopment project area including without
4 limitation expenditures from the special tax allocation fund,
5 (iii) the status of planned activities, goals, and objectives
6 set forth in the redevelopment plan including details on new or
7 planned construction within the redevelopment project area,
8 (iv) the amount of private and public investment within the
9 redevelopment project area, and (v) any other relevant
10 evaluation or performance data. Within 30 days after the
11 municipality compiles the status report, the municipality must
12 hold at least one public hearing concerning the report. The
13 municipality must provide 20 days' public notice of the
14 hearing.

15 (j) Beginning in fiscal year 2011 and in each fiscal year
16 thereafter, a municipality must detail in its annual budget (i)
17 the revenues generated from redevelopment project areas by
18 source and (ii) the expenditures made by the municipality for
19 redevelopment project areas.

20 (Source: P.A. 96-1335, eff. 7-27-10.)

21 (65 ILCS 5/11-74.6-22)

22 Sec. 11-74.6-22. Adoption of ordinance; requirements;
23 changes.

24 (a) Before adoption of an ordinance proposing the
25 designation of a redevelopment planning area or a redevelopment

1 project area, or both, or approving a redevelopment plan or
2 redevelopment project, the municipality or commission
3 designated pursuant to subsection (1) of Section 11-74.6-15
4 shall fix by ordinance or resolution a time and place for
5 public hearing. Prior to the adoption of the ordinance or
6 resolution establishing the time and place for the public
7 hearing, the municipality shall make available for public
8 inspection a redevelopment plan or a report that provides in
9 sufficient detail, the basis for the eligibility of the
10 redevelopment project area. The report along with the name of a
11 person to contact for further information shall be sent to the
12 affected taxing district by certified mail within a reasonable
13 time following the adoption of the ordinance or resolution
14 establishing the time and place for the public hearing.

15 At the public hearing any interested person or affected
16 taxing district may file with the municipal clerk written
17 objections to the ordinance and may be heard orally on any
18 issues that are the subject of the hearing. The municipality
19 shall hear and determine all alternate proposals or bids for
20 any proposed conveyance, lease, mortgage or other disposition
21 of land and all protests and objections at the hearing and the
22 hearing may be adjourned to another date without further notice
23 other than a motion to be entered upon the minutes fixing the
24 time and place of the later hearing. At the public hearing or
25 at any time prior to the adoption by the municipality of an
26 ordinance approving a redevelopment plan, the municipality may

1 make changes in the redevelopment plan. Changes which (1) add
2 additional parcels of property to the proposed redevelopment
3 project area, (2) substantially affect the general land uses
4 proposed in the redevelopment plan, or (3) substantially change
5 the nature of or extend the life of the redevelopment project
6 shall be made only after the municipality gives notice,
7 convenes a joint review board, and conducts a public hearing
8 pursuant to the procedures set forth in this Section and in
9 Section 11-74.6-25. Changes which do not (1) add additional
10 parcels of property to the proposed redevelopment project area,
11 (2) substantially affect the general land uses proposed in the
12 redevelopment plan, or (3) substantially change the nature of
13 or extend the life of the redevelopment project may be made
14 without further hearing, provided that the municipality shall
15 give notice of any such changes by mail to each affected taxing
16 district and by publication once in a newspaper of general
17 circulation within the affected taxing district. Such notice by
18 mail and by publication shall each occur not later than 10 days
19 following the adoption by ordinance of such changes.

20 (b) Before adoption of an ordinance proposing the
21 designation of a redevelopment planning area or a redevelopment
22 project area, or both, or amending the boundaries of an
23 existing redevelopment project area or redevelopment planning
24 area, or both, the municipality shall convene a joint review
25 board to consider the proposal. The board shall consist of a
26 representative selected by each taxing district that has

1 authority to levy real property taxes on the property within
2 the proposed redevelopment project area and that has at least
3 5% of its total equalized assessed value located within the
4 proposed redevelopment project area, a representative selected
5 by the municipality and a public member. The public member and
6 the board's chairperson shall be selected by a majority of
7 other board members.

8 All board members shall be appointed and the first board
9 meeting held within 14 days following the notice by the
10 municipality to all the taxing districts as required by
11 subsection (c) of Section 11-74.6-25. The notice shall also
12 advise the taxing bodies represented on the joint review board
13 of the time and place of the first meeting of the board.
14 Additional meetings of the board shall be held upon the call of
15 any 2 members. The municipality seeking designation of the
16 redevelopment project area may provide administrative support
17 to the board.

18 The board shall review the public record, planning
19 documents and proposed ordinances approving the redevelopment
20 plan and project to be adopted by the municipality. As part of
21 its deliberations, the board may hold additional hearings on
22 the proposal. A board's recommendation, if any, shall be a
23 written recommendation adopted by a majority vote of the board
24 and submitted to the municipality within 30 days after the
25 board convenes. A board's recommendation shall be binding upon
26 the municipality. Failure of the board to submit its

1 recommendation on a timely basis shall not be cause to delay
2 the public hearing or the process of establishing or amending
3 the redevelopment project area. The board's recommendation on
4 the proposal shall be based upon the area satisfying the
5 applicable eligibility criteria defined in Section 11-74.6-10
6 and whether there is a basis for the municipal findings set
7 forth in the redevelopment plan as required by this Act. If the
8 board does not file a recommendation it shall be presumed that
9 the board has found that the redevelopment project area
10 satisfies the eligibility criteria.

11 (c) After a municipality has by ordinance approved a
12 redevelopment plan and designated a redevelopment planning
13 area or a redevelopment project area, or both, the plan may be
14 amended and additional properties may be added to the
15 redevelopment project area only as herein provided. Amendments
16 which (1) add additional parcels of property to the proposed
17 redevelopment project area, (2) substantially affect the
18 general land uses proposed in the redevelopment plan, (3)
19 substantially change the nature of the redevelopment project,
20 (4) increase the total estimated redevelopment project costs
21 set out in the redevelopment plan by more than 5% after
22 adjustment for inflation from the date the plan was adopted, or
23 (5) add additional redevelopment project costs to the itemized
24 list of redevelopment project costs set out in the
25 redevelopment plan shall be made only after the municipality
26 gives notice, convenes a joint review board, and conducts a

1 public hearing pursuant to the procedures set forth in this
2 Section and in Section 11-74.6-25. Changes which do not (1) add
3 additional parcels of property to the proposed redevelopment
4 project area, (2) substantially affect the general land uses
5 proposed in the redevelopment plan, (3) substantially change
6 the nature of the redevelopment project, (4) increase the total
7 estimated redevelopment project cost set out in the
8 redevelopment plan by more than 5% after adjustment for
9 inflation from the date the plan was adopted, or (5) add
10 additional redevelopment project costs to the itemized list of
11 redevelopment project costs set out in the redevelopment plan
12 may be made without further hearing, provided that the
13 municipality shall give notice of any such changes by mail to
14 each affected taxing district and by publication once in a
15 newspaper of general circulation within the affected taxing
16 district. Such notice by mail and by publication shall each
17 occur not later than 10 days following the adoption by
18 ordinance of such changes.

19 (d) After the effective date of this amendatory Act of the
20 91st General Assembly, a municipality shall submit the
21 following information for each redevelopment project area (i)
22 to the State Comptroller under Section 8-8-3.5 of the Illinois
23 Municipal Code, subject to any extensions or exemptions
24 provided at the Comptroller's discretion under that Section,
25 and (ii) to all taxing districts overlapping the redevelopment
26 project area no later than 180 days after the close of each

1 municipal fiscal year or as soon thereafter as the audited
2 financial statements become available and, in any case, shall
3 be submitted before the annual meeting of the joint review
4 board to each of the taxing districts that overlap the
5 redevelopment project area:

6 (1) Any amendments to the redevelopment plan, or the
7 redevelopment project area.

8 (1.5) A list of the redevelopment project areas
9 administered by the municipality and, if applicable, the
10 date each redevelopment project area was designated or
11 terminated by the municipality.

12 (2) Audited financial statements of the special tax
13 allocation fund once a cumulative total of \$100,000 of tax
14 increment revenues has been deposited in the fund.

15 (3) Certification of the Chief Executive Officer of the
16 municipality that the municipality has complied with all of
17 the requirements of this Act during the preceding fiscal
18 year.

19 (4) An opinion of legal counsel that the municipality
20 is in compliance with this Act.

21 (5) An analysis of the special tax allocation fund
22 which sets forth:

23 (A) the balance in the special tax allocation fund
24 at the beginning of the fiscal year;

25 (B) all amounts deposited in the special tax
26 allocation fund by source;

1 (C) an itemized list of all expenditures from the
2 special tax allocation fund by category of permissible
3 redevelopment project cost; and

4 (D) the balance in the special tax allocation fund
5 at the end of the fiscal year including a breakdown of
6 that balance by source and a breakdown of that balance
7 identifying any portion of the balance that is
8 required, pledged, earmarked, or otherwise designated
9 for payment of or securing of obligations and
10 anticipated redevelopment project costs. Any portion
11 of such ending balance that has not been identified or
12 is not identified as being required, pledged,
13 earmarked, or otherwise designated for payment of or
14 securing of obligations or anticipated redevelopment
15 project costs shall be designated as surplus as set
16 forth in Section 11-74.6-30 hereof.

17 (6) A description of all property purchased by the
18 municipality within the redevelopment project area
19 including:

20 (A) Street address.

21 (B) Approximate size or description of property.

22 (C) Purchase price.

23 (D) Seller of property.

24 (7) A statement setting forth all activities
25 undertaken in furtherance of the objectives of the
26 redevelopment plan, including:

1 (A) Any project implemented in the preceding
2 fiscal year.

3 (B) A description of the redevelopment activities
4 undertaken.

5 (C) A description of any agreements entered into by
6 the municipality with regard to the disposition or
7 redevelopment of any property within the redevelopment
8 project area.

9 (D) Additional information on the use of all funds
10 received under this Division and steps taken by the
11 municipality to achieve the objectives of the
12 redevelopment plan.

13 (E) Information regarding contracts that the
14 municipality's tax increment advisors or consultants
15 have entered into with entities or persons that have
16 received, or are receiving, payments financed by tax
17 increment revenues produced by the same redevelopment
18 project area.

19 (F) Any reports submitted to the municipality by
20 the joint review board.

21 (G) A review of public and, to the extent possible,
22 private investment actually undertaken to date after
23 the effective date of this amendatory Act of the 91st
24 General Assembly and estimated to be undertaken during
25 the following year. This review shall, on a
26 project-by-project basis, set forth the estimated

1 amounts of public and private investment incurred
2 after the effective date of this amendatory Act of the
3 91st General Assembly and provide the ratio of private
4 investment to public investment to the date of the
5 report and as estimated to the completion of the
6 redevelopment project.

7 (8) With regard to any obligations issued by the
8 municipality:

9 (A) copies of any official statements; and

10 (B) an analysis prepared by financial advisor or
11 underwriter setting forth: (i) nature and term of
12 obligation; and (ii) projected debt service including
13 required reserves and debt coverage.

14 (9) For special tax allocation funds that have received
15 cumulative deposits of incremental tax revenues of
16 \$100,000 or more, a certified audit report reviewing
17 compliance with this Act performed by an independent public
18 accountant certified and licensed by the authority of the
19 State of Illinois. The financial portion of the audit must
20 be conducted in accordance with Standards for Audits of
21 Governmental Organizations, Programs, Activities, and
22 Functions adopted by the Comptroller General of the United
23 States (1981), as amended, or the standards specified by
24 Section 8-8-5 of the Illinois Municipal Auditing Law of the
25 Illinois Municipal Code. The audit report shall contain a
26 letter from the independent certified public accountant

1 indicating compliance or noncompliance with the
2 requirements of subsection (o) of Section 11-74.6-10.

3 (e) The joint review board shall meet annually 180 days
4 after the close of the municipal fiscal year or as soon as the
5 redevelopment project audit for that fiscal year becomes
6 available to review the effectiveness and status of the
7 redevelopment project area up to that date.

8 (Source: P.A. 97-146, eff. 1-1-12.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.