



Rep. Andrew F Skoog

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LRB099 02997 HLH 49219 a

1 AMENDMENT TO SENATE BILL 571

2 AMENDMENT NO. _____. Amend Senate Bill 571 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Enterprise Zone Act is amended by
5 changing Section 5.3 as follows:

6 (20 ILCS 655/5.3) (from Ch. 67 1/2, par. 608)

7 Sec. 5.3. Certification of Enterprise Zones; Effective
8 date.

9 (a) Certification of Board-approved designated Enterprise
10 Zones shall be made by the Department by certification of the
11 designating ordinance. The Department shall promptly issue a
12 certificate for each Enterprise Zone upon approval by the
13 Board. The certificate shall be signed by the Director of the
14 Department, shall make specific reference to the designating
15 ordinance, which shall be attached thereto, and shall be filed
16 in the office of the Secretary of State. A certified copy of

1 the Enterprise Zone Certificate, or a duplicate original
2 thereof, shall be recorded in the office of recorder of deeds
3 of the county in which the Enterprise Zone lies.

4 (b) If an Enterprise Zone expires prior to July 1, 2016,
5 then that ~~An~~ Enterprise Zone shall be effective on January 1 of
6 the first calendar year after Department certification. If an
7 Enterprise Zone expires on July 1, 2016, and a new Enterprise
8 Zone that includes territory from the expired Enterprise Zone
9 is certified by the Department on or after July 1, 2016 but
10 prior to September 30, 2016, then that Enterprise Zone shall be
11 effective on July 1, 2016. If an Enterprise Zone expires after
12 July 1, 2016, then that Enterprise Zone shall be effective on
13 the date of certification by the Department. The Department
14 shall transmit a copy of the certification to the Department of
15 Revenue, and to the designating municipality or county.

16 Upon certification of an Enterprise Zone, the terms and
17 provisions of the designating ordinance shall be in effect, and
18 may not be amended or repealed except in accordance with
19 Section 5.4.

20 (c) With the exception of Enterprise Zones scheduled to
21 expire before December 31, 2018, an Enterprise Zone designated
22 before the effective date of this amendatory Act of the 97th
23 General Assembly shall be in effect for 30 calendar years, or
24 for a lesser number of years specified in the certified
25 designating ordinance. Notwithstanding the foregoing, any
26 Enterprise Zone in existence on the effective date of this

1 amendatory Act of the 98th General Assembly that has a term of
2 20 calendar years may be extended for an additional 10 calendar
3 years upon amendment of the designating ordinance by the
4 designating municipality or county and submission of the
5 ordinance to the Department. The amended ordinance must be
6 properly recorded in the Office of Recorder of Deeds of each
7 county in which the Enterprise Zone lies. Each Enterprise Zone
8 in existence on the effective date of this amendatory Act of
9 the 97th General Assembly that is scheduled to expire before
10 July 1, 2016 may have its termination date extended until July
11 1, 2016 upon amendment of the designating ordinance by the
12 designating municipality or county extending the termination
13 date to July 1, 2016 and submission of the ordinance to the
14 Department. The amended ordinance must be properly recorded in
15 the Office of Recorder of Deeds of each county in which the
16 Enterprise Zone lies. An Enterprise Zone designated on or after
17 the effective date of this amendatory Act of the 97th General
18 Assembly shall be in effect for a term of 15 calendar years, or
19 for a lesser number of years specified in the certified
20 designating ordinance. An enterprise zone designated on or
21 after the effective date of this amendatory Act of the 97th
22 General Assembly shall be subject to review by the Board after
23 13 years for an additional 10-year designation beginning on the
24 expiration date of the enterprise zone. During the review
25 process, the Board shall consider the costs incurred by the
26 State and units of local government as a result of tax benefits

1 received by the enterprise zone. Enterprise Zones shall
2 terminate at midnight of December 31 of the final calendar year
3 of the certified term, except as provided in Section 5.4.

4 (d) No more than 12 Enterprise Zones may be certified by
5 the Department in calendar year 1984, no more than 12
6 Enterprise Zones may be certified by the Department in calendar
7 year 1985, no more than 13 Enterprise Zones may be certified by
8 the Department in calendar year 1986, no more than 15
9 Enterprise Zones may be certified by the Department in calendar
10 year 1987, and no more than 20 Enterprise Zones may be
11 certified by the Department in calendar year 1990. In other
12 calendar years, no more than 13 Enterprise Zones may be
13 certified by the Department. The Department may also designate
14 up to 8 additional Enterprise Zones outside the regular
15 application cycle if warranted by the extreme economic
16 circumstances as determined by the Department. The Department
17 may also designate one additional Enterprise Zone outside the
18 regular application cycle if an aircraft manufacturer agrees to
19 locate an aircraft manufacturing facility in the proposed
20 Enterprise Zone. Notwithstanding any other provision of this
21 Act, no more than 89 Enterprise Zones may be certified by the
22 Department for the 10 calendar years commencing with 1983. The
23 7 additional Enterprise Zones authorized by Public Act 86-15
24 shall not lie within municipalities or unincorporated areas of
25 counties that abut or are contiguous to Enterprise Zones
26 certified pursuant to this Section prior to June 30, 1989. The

1 7 additional Enterprise Zones (excluding the additional
2 Enterprise Zone which may be designated outside the regular
3 application cycle) authorized by Public Act 86-1030 shall not
4 lie within municipalities or unincorporated areas of counties
5 that abut or are contiguous to Enterprise Zones certified
6 pursuant to this Section prior to February 28, 1990. Beginning
7 in calendar year 2004 and until December 31, 2008, one
8 additional enterprise zone may be certified by the Department.
9 In any calendar year, the Department may not certify more than
10 3 Zones located within the same municipality. The Department
11 may certify Enterprise Zones in each of the 10 calendar years
12 commencing with 1983. The Department may not certify more than
13 a total of 18 Enterprise Zones located within the same county
14 (whether within municipalities or within unincorporated
15 territory) for the 10 calendar years commencing with 1983.
16 Thereafter, the Department may not certify any additional
17 Enterprise Zones, but may amend and rescind certifications of
18 existing Enterprise Zones in accordance with Section 5.4.

19 (e) Notwithstanding any other provision of law, if (i) the
20 county board of any county in which a current military base is
21 located, in part or in whole, or in which a military base that
22 has been closed within 20 years of the effective date of this
23 amendatory Act of 1998 is located, in part or in whole, adopts
24 a designating ordinance in accordance with Section 5 of this
25 Act to designate the military base in that county as an
26 enterprise zone and (ii) the property otherwise meets the

1 qualifications for an enterprise zone as prescribed in Section
2 4 of this Act, then the Department may certify the designating
3 ordinance or ordinances, as the case may be.

4 (f) Applications for Enterprise Zones that are scheduled to
5 expire in 2016, including Enterprise Zones that have been
6 extended until 2016 by this amendatory Act of the 97th General
7 Assembly, shall be submitted to the Department no later than
8 December 31, 2014. At that time, the Zone becomes available for
9 either the previously designated area or a different area to
10 compete for designation. No preference for designation as a
11 Zone will be given to the previously designated area.

12 For Enterprise Zones that are scheduled to expire on or
13 after January 1, 2017, an application process shall begin 3 ~~2~~
14 years prior to the year in which the Zone expires. At that
15 time, the Zone becomes available for either the previously
16 designated area or a different area to compete for designation.
17 No preference for designation as a Zone will be given to the
18 previously designated area.

19 Each Enterprise Zone that reapplies for certification but
20 does not receive a new certification shall expire on its
21 scheduled termination date.

22 (Source: P.A. 97-905, eff. 8-7-12; 98-109, eff. 7-25-13.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law."