



Sen. David Koehler

Filed: 3/4/2016

09900SB0571sam001

LRB099 02997 HLH 45217 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) An Enterprise Zone shall be effective on the date of
5 the Department's ~~January 1 of the first calendar year after~~
6 ~~Department~~ certification. The Department shall transmit a copy
7 of the certification to the Department of Revenue, and to the
8 designating municipality or county.

9 Upon certification of an Enterprise Zone, the terms and
10 provisions of the designating ordinance shall be in effect, and
11 may not be amended or repealed except in accordance with
12 Section 5.4.

13 (c) With the exception of Enterprise Zones scheduled to
14 expire before December 31, 2018, an Enterprise Zone designated
15 before the effective date of this amendatory Act of the 97th
16 General Assembly shall be in effect for 30 calendar years, or
17 for a lesser number of years specified in the certified
18 designating ordinance. Notwithstanding the foregoing, any
19 Enterprise Zone in existence on the effective date of this
20 amendatory Act of the 98th General Assembly that has a term of
21 20 calendar years may be extended for an additional 10 calendar
22 years upon amendment of the designating ordinance by the
23 designating municipality or county and submission of the
24 ordinance to the Department. The amended ordinance must be
25 properly recorded in the Office of Recorder of Deeds of each
26 county in which the Enterprise Zone lies. Each Enterprise Zone

1 in existence on the effective date of this amendatory Act of
2 the 97th General Assembly that is scheduled to expire before
3 July 1, 2016 may have its termination date extended until July
4 1, 2016 upon amendment of the designating ordinance by the
5 designating municipality or county extending the termination
6 date to July 1, 2016 and submission of the ordinance to the
7 Department. The amended ordinance must be properly recorded in
8 the Office of Recorder of Deeds of each county in which the
9 Enterprise Zone lies. An Enterprise Zone designated on or after
10 the effective date of this amendatory Act of the 97th General
11 Assembly shall be in effect for a term of 15 calendar years, or
12 for a lesser number of years specified in the certified
13 designating ordinance. An enterprise zone designated on or
14 after the effective date of this amendatory Act of the 97th
15 General Assembly shall be subject to review by the Board after
16 13 years for an additional 10-year designation beginning on the
17 expiration date of the enterprise zone. During the review
18 process, the Board shall consider the costs incurred by the
19 State and units of local government as a result of tax benefits
20 received by the enterprise zone. Enterprise Zones shall
21 terminate at midnight of December 31 of the final calendar year
22 of the certified term, except as provided in Section 5.4.

23 (d) No more than 12 Enterprise Zones may be certified by
24 the Department in calendar year 1984, no more than 12
25 Enterprise Zones may be certified by the Department in calendar
26 year 1985, no more than 13 Enterprise Zones may be certified by

1 the Department in calendar year 1986, no more than 15
2 Enterprise Zones may be certified by the Department in calendar
3 year 1987, and no more than 20 Enterprise Zones may be
4 certified by the Department in calendar year 1990. In other
5 calendar years, no more than 13 Enterprise Zones may be
6 certified by the Department. The Department may also designate
7 up to 8 additional Enterprise Zones outside the regular
8 application cycle if warranted by the extreme economic
9 circumstances as determined by the Department. The Department
10 may also designate one additional Enterprise Zone outside the
11 regular application cycle if an aircraft manufacturer agrees to
12 locate an aircraft manufacturing facility in the proposed
13 Enterprise Zone. Notwithstanding any other provision of this
14 Act, no more than 89 Enterprise Zones may be certified by the
15 Department for the 10 calendar years commencing with 1983. The
16 7 additional Enterprise Zones authorized by Public Act 86-15
17 shall not lie within municipalities or unincorporated areas of
18 counties that abut or are contiguous to Enterprise Zones
19 certified pursuant to this Section prior to June 30, 1989. The
20 7 additional Enterprise Zones (excluding the additional
21 Enterprise Zone which may be designated outside the regular
22 application cycle) authorized by Public Act 86-1030 shall not
23 lie within municipalities or unincorporated areas of counties
24 that abut or are contiguous to Enterprise Zones certified
25 pursuant to this Section prior to February 28, 1990. Beginning
26 in calendar year 2004 and until December 31, 2008, one

1 additional enterprise zone may be certified by the Department.
2 In any calendar year, the Department may not certify more than
3 3 Zones located within the same municipality. The Department
4 may certify Enterprise Zones in each of the 10 calendar years
5 commencing with 1983. The Department may not certify more than
6 a total of 18 Enterprise Zones located within the same county
7 (whether within municipalities or within unincorporated
8 territory) for the 10 calendar years commencing with 1983.
9 Thereafter, the Department may not certify any additional
10 Enterprise Zones, but may amend and rescind certifications of
11 existing Enterprise Zones in accordance with Section 5.4.

12 (e) Notwithstanding any other provision of law, if (i) the
13 county board of any county in which a current military base is
14 located, in part or in whole, or in which a military base that
15 has been closed within 20 years of the effective date of this
16 amendatory Act of 1998 is located, in part or in whole, adopts
17 a designating ordinance in accordance with Section 5 of this
18 Act to designate the military base in that county as an
19 enterprise zone and (ii) the property otherwise meets the
20 qualifications for an enterprise zone as prescribed in Section
21 4 of this Act, then the Department may certify the designating
22 ordinance or ordinances, as the case may be.

23 (f) Applications for Enterprise Zones that are scheduled to
24 expire in 2016, including Enterprise Zones that have been
25 extended until 2016 by this amendatory Act of the 97th General
26 Assembly, shall be submitted to the Department no later than

1 December 31, 2014. At that time, the Zone becomes available for
2 either the previously designated area or a different area to
3 compete for designation. No preference for designation as a
4 Zone will be given to the previously designated area.

5 For Enterprise Zones that are scheduled to expire on or
6 after January 1, 2017, an application process shall begin 3 ~~2~~
7 years prior to the year in which the Zone expires. At that
8 time, the Zone becomes available for either the previously
9 designated area or a different area to compete for designation.
10 No preference for designation as a Zone will be given to the
11 previously designated area.

12 Each Enterprise Zone that reapplies for certification but
13 does not receive a new certification shall expire on its
14 scheduled termination date.

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

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