

1 AN ACT concerning the environment.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The State Finance Act is amended by adding
5 Section 5.545 as follows:

6 (30 ILCS 105/5.545 new)

7 Sec. 5.545. The Distressed Communities and Industries
8 Grant Fund. Subsections (b) and (c) of Section 5 of this Act
9 do not apply to this Fund.

10 Section 10. The Environmental Protection Act is amended
11 by adding Section 58.13a as follows:

12 (415 ILCS 5/58.13a new)

13 Sec. 58.13a. Distressed Communities and Industries Grant
14 Fund.

15 (a) The Director of Commerce and Community Affairs,
16 subject to other applicable provisions of this Title XVII,
17 may issue a grant to any entity for the purpose of paying the
18 allowable costs needed to cause an eligible project to occur,
19 including, but not limited to, demolition, remediation, site
20 preparation remediation, or site investigation costs, subject
21 to the following conditions:

22 (1) The project otherwise qualifies as an eligible
23 project in accordance with Section 58.14 and is
24 economically sound.

25 (2) Twenty-five percent of all grant funds will be
26 made available to counties with populations over
27 2,000,000 and the remaining grant funds will be disbursed
28 throughout the State.

29 (3) The proposed recipient of the grant given under

1 this Section is unable to finance the entire cost of the
2 project through ordinary financial channels.

3 (4) When completed, the eligible project is
4 projected to involve an investment of at least an amount
5 (to be expressly specified by the Department) in capital
6 improvements to be placed in service and will employ at
7 least an amount (to be expressly specified by the
8 Department) of new employees within the State, provided
9 that the Department has determined that the project will
10 provide a substantial economic benefit to the State.
11 This projection shall be made by the proposed recipient
12 and confirmed by the Department of Commerce and Community
13 Affairs.

14 (5) The amount to be issued in a grant shall not
15 exceed \$1,000,000 or 100% of the allowable cost,
16 whichever is less. In no event, however, may the total
17 financial assistance provided under this Section, Section
18 58.14, and Section 201 of the Illinois Income Tax Act
19 exceed the allowable cost.

20 (6) Priority for grants issued under this Section
21 shall be given to areas with high levels of poverty,
22 where the unemployment rate exceeds the State average,
23 where an enterprise zone exists, or where the area is
24 otherwise economically depressed as determined by the
25 Department of Commerce and Community Affairs.

26 (b) The determinations of the Department of Commerce and
27 Community Affairs under this Section shall be conclusive for
28 purposes of the validity of a grant agreement signed by the
29 Director of Commerce and Community Affairs.

30 (c) Grants issued under this Section shall be such as
31 the Department of Commerce and Community Affairs determines
32 to be appropriate and in furtherance of the purpose for which
33 the grants are made. The moneys used in making the grants
34 shall be disbursed from the Distressed Communities and

1 Industries Grant Fund upon written order of the Department of
2 Commerce and Community Affairs.

3 (d) The grants issued under this Section shall be used
4 for the purposes approved by the Department of Commerce and
5 Community Affairs. In no event, however, shall the grant
6 money be used to hire or pay additional employees of the
7 grant recipient.

8 (e) The Department of Commerce and Community Affairs may
9 fix service charges for the making of a grant to offset its
10 costs of administering the program and processing grant
11 applications. The charges shall be payable at such time and
12 place and in such amounts and manner as may be prescribed by
13 the Department.

14 (f) In the exercise of the sound discretion of the
15 Department of Commerce and Community Affairs, the grant
16 described in this Section may be terminated, suspended, or
17 revoked if the grant recipient fails to continue to meet the
18 conditions set forth in this Section. In making such a
19 determination, the Department of Commerce and Community
20 Affairs shall consider the severity of the condition
21 violation, actions taken to correct the violation, the
22 frequency of any condition violations, and whether the
23 actions exhibit a pattern of conduct by the recipient. The
24 Department shall also consider changes in general economic
25 conditions affecting the project. The Department shall
26 notify the Director of the Agency of the suspension or
27 revocation of the grant. In the event the grant recipient
28 fails to repay the grant, the Department of Commerce and
29 Community Affairs shall refer the matter to the Attorney
30 General to institute collection proceedings as appropriate.
31 In any event, however, the Department of Commerce and
32 Community Affairs may immediately file a lien on the property
33 that is the subject of the grant in accordance with
34 applicable law.

1 (g) There is hereby created in the State treasury a
2 special fund to be known as the Distressed Communities and
3 Industries Grant Fund. The Fund is intended to provide
4 \$10,000,000 annually in uncommitted funds for grants that are
5 to be made under this Section. The Fund shall consist of all
6 moneys that may be appropriated to it by the General
7 Assembly, any gifts, contributions, grants, or bequests
8 received from federal, private, or other sources, and moneys
9 from the repayment of any grants terminated, suspended, or
10 revoked under this Section. Subsections (b) and (c) of
11 Section 5 of the State Finance Act do not apply to the
12 Distressed Communities and Industries Grant Fund.

13 (A) At least annually, the State Treasurer shall
14 certify the amount deposited into the Fund to the
15 Department of Commerce and Community Affairs.

16 (B) Any portion of the Fund not immediately needed
17 for the purposes authorized shall be invested by the
18 State Treasurer as provided by the constitution and laws
19 of this State. All income from the investments shall be
20 credited to the Fund.

21 (h) Within 6 months after the effective date of this
22 amendatory Act of the 92nd General Assembly, the Agency and
23 the Department of Commerce and Community Affairs shall
24 propose rules prescribing procedures and standards for the
25 administration of this Section.

26 Section 99. Effective date. This Act takes effect upon
27 becoming law.