

1 AN ACT in relation to taxes.

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

4 Section 5. The Illinois Municipal Code is amended by
5 changing Sections 11-74.4-3 and 11-74.4-7 as follows:

6 (65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)
7 Sec. 11-74.4-3. Definitions. The following terms,
8 wherever used or referred to in this Division 74.4 shall have
9 the following respective meanings, unless in any case a
10 different meaning clearly appears from the context.

11 (a) For any redevelopment project area that has been
12 designated pursuant to this Section by an ordinance adopted
13 prior to November 1, 1999 (the effective date of Public Act
14 91-478), "blighted area" shall have the meaning set forth in
15 this Section prior to that date.

16 On and after November 1, 1999, "blighted area" means any
17 improved or vacant area within the boundaries of a
18 redevelopment project area located within the territorial
19 limits of the municipality where:

20 (1) If improved, industrial, commercial, and
21 residential buildings or improvements are detrimental to
22 the public safety, health, or welfare because of a
23 combination of 5 or more of the following factors, each
24 of which is (i) present, with that presence documented,
25 to a meaningful extent so that a municipality may
26 reasonably find that the factor is clearly present within
27 the intent of the Act and (ii) reasonably distributed
28 throughout the improved part of the redevelopment project
29 area:

30 (A) Dilapidation. An advanced state of
31 disrepair or neglect of necessary repairs to the

1 primary structural components of buildings or
2 improvements in such a combination that a documented
3 building condition analysis determines that major
4 repair is required or the defects are so serious and
5 so extensive that the buildings must be removed.

6 (B) Obsolescence. The condition or process of
7 falling into disuse. Structures have become
8 ill-suited for the original use.

9 (C) Deterioration. With respect to buildings,
10 defects including, but not limited to, major defects
11 in the secondary building components such as doors,
12 windows, porches, gutters and downspouts, and
13 fascia. With respect to surface improvements, that
14 the condition of roadways, alleys, curbs, gutters,
15 sidewalks, off-street parking, and surface storage
16 areas evidence deterioration, including, but not
17 limited to, surface cracking, crumbling, potholes,
18 depressions, loose paving material, and weeds
19 protruding through paved surfaces.

20 (D) Presence of structures below minimum code
21 standards. All structures that do not meet the
22 standards of zoning, subdivision, building, fire,
23 and other governmental codes applicable to property,
24 but not including housing and property maintenance
25 codes.

26 (E) Illegal use of individual structures. The
27 use of structures in violation of applicable
28 federal, State, or local laws, exclusive of those
29 applicable to the presence of structures below
30 minimum code standards.

31 (F) Excessive vacancies. The presence of
32 buildings that are unoccupied or under-utilized and
33 that represent an adverse influence on the area
34 because of the frequency, extent, or duration of the

1 vacancies.

2 (G) Lack of ventilation, light, or sanitary
3 facilities. The absence of adequate ventilation for
4 light or air circulation in spaces or rooms without
5 windows, or that require the removal of dust, odor,
6 gas, smoke, or other noxious airborne materials.
7 Inadequate natural light and ventilation means the
8 absence of skylights or windows for interior spaces
9 or rooms and improper window sizes and amounts by
10 room area to window area ratios. Inadequate
11 sanitary facilities refers to the absence or
12 inadequacy of garbage storage and enclosure,
13 bathroom facilities, hot water and kitchens, and
14 structural inadequacies preventing ingress and
15 egress to and from all rooms and units within a
16 building.

17 (H) Inadequate utilities. Underground and
18 overhead utilities such as storm sewers and storm
19 drainage, sanitary sewers, water lines, and gas,
20 telephone, and electrical services that are shown to
21 be inadequate. Inadequate utilities are those that
22 are: (i) of insufficient capacity to serve the uses
23 in the redevelopment project area, (ii)
24 deteriorated, antiquated, obsolete, or in disrepair,
25 or (iii) lacking within the redevelopment project
26 area.

27 (I) Excessive land coverage and overcrowding
28 of structures and community facilities. The
29 over-intensive use of property and the crowding of
30 buildings and accessory facilities onto a site.
31 Examples of problem conditions warranting the
32 designation of an area as one exhibiting excessive
33 land coverage are: (i) the presence of buildings
34 either improperly situated on parcels or located on

1 parcels of inadequate size and shape in relation to
2 present-day standards of development for health and
3 safety and (ii) the presence of multiple buildings
4 on a single parcel. For there to be a finding of
5 excessive land coverage, these parcels must exhibit
6 one or more of the following conditions:
7 insufficient provision for light and air within or
8 around buildings, increased threat of spread of fire
9 due to the close proximity of buildings, lack of
10 adequate or proper access to a public right-of-way,
11 lack of reasonably required off-street parking, or
12 inadequate provision for loading and service.

13 (J) Deleterious land use or layout. The
14 existence of incompatible land-use relationships,
15 buildings occupied by inappropriate mixed-uses, or
16 uses considered to be noxious, offensive, or
17 unsuitable for the surrounding area.

18 (K) Environmental clean-up. The proposed
19 redevelopment project area has incurred Illinois
20 Environmental Protection Agency or United States
21 Environmental Protection Agency remediation costs
22 for, or a study conducted by an independent
23 consultant recognized as having expertise in
24 environmental remediation has determined a need for,
25 the clean-up of hazardous waste, hazardous
26 substances, or underground storage tanks required by
27 State or federal law, provided that the remediation
28 costs constitute a material impediment to the
29 development or redevelopment of the redevelopment
30 project area.

31 (L) Lack of community planning. The proposed
32 redevelopment project area was developed prior to or
33 without the benefit or guidance of a community plan.
34 This means that the development occurred prior to

1 the adoption by the municipality of a comprehensive
 2 or other community plan or that the plan was not
 3 followed at the time of the area's development.
 4 This factor must be documented by evidence of
 5 adverse or incompatible land-use relationships,
 6 inadequate street layout, improper subdivision,
 7 parcels of inadequate shape and size to meet
 8 contemporary development standards, or other
 9 evidence demonstrating an absence of effective
 10 community planning.

11 (M) The total equalized assessed value of the
 12 proposed redevelopment project area has declined for
 13 3 of the last 5 calendar years prior to the year in
 14 which the redevelopment project area is designated
 15 or is increasing at an annual rate that is less than
 16 the balance of the municipality for 3 of the last 5
 17 calendar years for which information is available or
 18 is increasing at an annual rate that is less than
 19 the Consumer Price Index for All Urban Consumers
 20 published by the United States Department of Labor
 21 or successor agency for 3 of the last 5 calendar
 22 years prior to the year in which the redevelopment
 23 project area is designated.

24 (2) If vacant, the sound growth of the
 25 redevelopment project area is impaired by a combination
 26 of 2 or more of the following factors, each of which is
 27 (i) present, with that presence documented, to a
 28 meaningful extent so that a municipality may reasonably
 29 find that the factor is clearly present within the intent
 30 of the Act and (ii) reasonably distributed throughout the
 31 vacant part of the redevelopment project area to which it
 32 pertains:

33 (A) Obsolete platting of vacant land that
 34 results in parcels of limited or narrow size or

1 configurations of parcels of irregular size or shape
2 that would be difficult to develop on a planned
3 basis and in a manner compatible with contemporary
4 standards and requirements, or platting that failed
5 to create rights-of-ways for streets or alleys or
6 that created inadequate right-of-way widths for
7 streets, alleys, or other public rights-of-way or
8 that omitted easements for public utilities.

9 (B) Diversity of ownership of parcels of
10 vacant land sufficient in number to retard or impede
11 the ability to assemble the land for development.

12 (C) Tax and special assessment delinquencies
13 exist or the property has been the subject of tax
14 sales under the Property Tax Code within the last 5
15 years.

16 (D) Deterioration of structures or site
17 improvements in neighboring areas adjacent to the
18 vacant land.

19 (E) The area has incurred Illinois
20 Environmental Protection Agency or United States
21 Environmental Protection Agency remediation costs
22 for, or a study conducted by an independent
23 consultant recognized as having expertise in
24 environmental remediation has determined a need for,
25 the clean-up of hazardous waste, hazardous
26 substances, or underground storage tanks required by
27 State or federal law, provided that the remediation
28 costs constitute a material impediment to the
29 development or redevelopment of the redevelopment
30 project area.

31 (F) The total equalized assessed value of the
32 proposed redevelopment project area has declined for
33 3 of the last 5 calendar years prior to the year in
34 which the redevelopment project area is designated

1 or is increasing at an annual rate that is less than
 2 the balance of the municipality for 3 of the last 5
 3 calendar years for which information is available or
 4 is increasing at an annual rate that is less than
 5 the Consumer Price Index for All Urban Consumers
 6 published by the United States Department of Labor
 7 or successor agency for 3 of the last 5 calendar
 8 years prior to the year in which the redevelopment
 9 project area is designated.

10 (3) If vacant, the sound growth of the
 11 redevelopment project area is impaired by one of the
 12 following factors that (i) is present, with that presence
 13 documented, to a meaningful extent so that a municipality
 14 may reasonably find that the factor is clearly present
 15 within the intent of the Act and (ii) is reasonably
 16 distributed throughout the vacant part of the
 17 redevelopment project area to which it pertains:

18 (A) The area consists of one or more unused
 19 quarries, mines, or strip mine ponds.

20 (B) The area consists of unused railyards,
 21 rail tracks, or railroad rights-of-way.

22 (C) The area, prior to its designation, is
 23 subject to chronic flooding that adversely impacts
 24 on real property in the area as certified by a
 25 registered professional engineer or appropriate
 26 regulatory agency.

27 (D) The area consists of an unused or illegal
 28 disposal site containing earth, stone, building
 29 debris, or similar materials that were removed from
 30 construction, demolition, excavation, or dredge
 31 sites.

32 (E) Prior to November 1, 1999, the area is not
 33 less than 50 nor more than 100 acres and 75% of
 34 which is vacant (notwithstanding that the area has

1 been used for commercial agricultural purposes
2 within 5 years prior to the designation of the
3 redevelopment project area), and the area meets at
4 least one of the factors itemized in paragraph (1)
5 of this subsection, the area has been designated as
6 a town or village center by ordinance or
7 comprehensive plan adopted prior to January 1, 1982,
8 and the area has not been developed for that
9 designated purpose.

10 (F) The area qualified as a blighted improved
11 area immediately prior to becoming vacant, unless
12 there has been substantial private investment in the
13 immediately surrounding area.

14 (b) For any redevelopment project area that has been
15 designated pursuant to this Section by an ordinance adopted
16 prior to November 1, 1999 (the effective date of Public Act
17 91-478), "conservation area" shall have the meaning set forth
18 in this Section prior to that date.

19 On and after November 1, 1999, "conservation area" means
20 any improved area within the boundaries of a redevelopment
21 project area located within the territorial limits of the
22 municipality in which 50% or more of the structures in the
23 area have an age of 35 years or more. Such an area is not
24 yet a blighted area but because of a combination of 3 or more
25 of the following factors is detrimental to the public safety,
26 health, morals or welfare and such an area may become a
27 blighted area:

28 (1) Dilapidation. An advanced state of disrepair
29 or neglect of necessary repairs to the primary structural
30 components of buildings or improvements in such a
31 combination that a documented building condition analysis
32 determines that major repair is required or the defects
33 are so serious and so extensive that the buildings must
34 be removed.

1 (2) Obsolescence. The condition or process of
2 falling into disuse. Structures have become ill-suited
3 for the original use.

4 (3) Deterioration. With respect to buildings,
5 defects including, but not limited to, major defects in
6 the secondary building components such as doors, windows,
7 porches, gutters and downspouts, and fascia. With
8 respect to surface improvements, that the condition of
9 roadways, alleys, curbs, gutters, sidewalks, off-street
10 parking, and surface storage areas evidence
11 deterioration, including, but not limited to, surface
12 cracking, crumbling, potholes, depressions, loose paving
13 material, and weeds protruding through paved surfaces.

14 (4) Presence of structures below minimum code
15 standards. All structures that do not meet the standards
16 of zoning, subdivision, building, fire, and other
17 governmental codes applicable to property, but not
18 including housing and property maintenance codes.

19 (5) Illegal use of individual structures. The use
20 of structures in violation of applicable federal, State,
21 or local laws, exclusive of those applicable to the
22 presence of structures below minimum code standards.

23 (6) Excessive vacancies. The presence of buildings
24 that are unoccupied or under-utilized and that represent
25 an adverse influence on the area because of the
26 frequency, extent, or duration of the vacancies.

27 (7) Lack of ventilation, light, or sanitary
28 facilities. The absence of adequate ventilation for
29 light or air circulation in spaces or rooms without
30 windows, or that require the removal of dust, odor, gas,
31 smoke, or other noxious airborne materials. Inadequate
32 natural light and ventilation means the absence or
33 inadequacy of skylights or windows for interior spaces or
34 rooms and improper window sizes and amounts by room area

1 to window area ratios. Inadequate sanitary facilities
2 refers to the absence or inadequacy of garbage storage
3 and enclosure, bathroom facilities, hot water and
4 kitchens, and structural inadequacies preventing ingress
5 and egress to and from all rooms and units within a
6 building.

7 (8) Inadequate utilities. Underground and overhead
8 utilities such as storm sewers and storm drainage,
9 sanitary sewers, water lines, and gas, telephone, and
10 electrical services that are shown to be inadequate.
11 Inadequate utilities are those that are: (i) of
12 insufficient capacity to serve the uses in the
13 redevelopment project area, (ii) deteriorated,
14 antiquated, obsolete, or in disrepair, or (iii) lacking
15 within the redevelopment project area.

16 (9) Excessive land coverage and overcrowding of
17 structures and community facilities. The over-intensive
18 use of property and the crowding of buildings and
19 accessory facilities onto a site. Examples of problem
20 conditions warranting the designation of an area as one
21 exhibiting excessive land coverage are: the presence of
22 buildings either improperly situated on parcels or
23 located on parcels of inadequate size and shape in
24 relation to present-day standards of development for
25 health and safety and the presence of multiple buildings
26 on a single parcel. For there to be a finding of
27 excessive land coverage, these parcels must exhibit one
28 or more of the following conditions: insufficient
29 provision for light and air within or around buildings,
30 increased threat of spread of fire due to the close
31 proximity of buildings, lack of adequate or proper access
32 to a public right-of-way, lack of reasonably required
33 off-street parking, or inadequate provision for loading
34 and service.

1 (10) Deleterious land use or layout. The existence
2 of incompatible land-use relationships, buildings
3 occupied by inappropriate mixed-uses, or uses considered
4 to be noxious, offensive, or unsuitable for the
5 surrounding area.

6 (11) Lack of community planning. The proposed
7 redevelopment project area was developed prior to or
8 without the benefit or guidance of a community plan. This
9 means that the development occurred prior to the adoption
10 by the municipality of a comprehensive or other community
11 plan or that the plan was not followed at the time of the
12 area's development. This factor must be documented by
13 evidence of adverse or incompatible land-use
14 relationships, inadequate street layout, improper
15 subdivision, parcels of inadequate shape and size to meet
16 contemporary development standards, or other evidence
17 demonstrating an absence of effective community planning.

18 (12) The area has incurred Illinois Environmental
19 Protection Agency or United States Environmental
20 Protection Agency remediation costs for, or a study
21 conducted by an independent consultant recognized as
22 having expertise in environmental remediation has
23 determined a need for, the clean-up of hazardous waste,
24 hazardous substances, or underground storage tanks
25 required by State or federal law, provided that the
26 remediation costs constitute a material impediment to the
27 development or redevelopment of the redevelopment project
28 area.

29 (13) The total equalized assessed value of the
30 proposed redevelopment project area has declined for 3 of
31 the last 5 calendar years for which information is
32 available or is increasing at an annual rate that is less
33 than the balance of the municipality for 3 of the last 5
34 calendar years for which information is available or is

1 increasing at an annual rate that is less than the
2 Consumer Price Index for All Urban Consumers published by
3 the United States Department of Labor or successor agency
4 for 3 of the last 5 calendar years for which information
5 is available.

6 (c) "Industrial park" means an area in a blighted or
7 conservation area suitable for use by any manufacturing,
8 industrial, research or transportation enterprise, of
9 facilities to include but not be limited to factories, mills,
10 processing plants, assembly plants, packing plants,
11 fabricating plants, industrial distribution centers,
12 warehouses, repair overhaul or service facilities, freight
13 terminals, research facilities, test facilities or railroad
14 facilities.

15 (d) "Industrial park conservation area" means an area
16 within the boundaries of a redevelopment project area located
17 within the territorial limits of a municipality that is a
18 labor surplus municipality or within 1 1/2 miles of the
19 territorial limits of a municipality that is a labor surplus
20 municipality if the area is annexed to the municipality;
21 which area is zoned as industrial no later than at the time
22 the municipality by ordinance designates the redevelopment
23 project area, and which area includes both vacant land
24 suitable for use as an industrial park and a blighted area or
25 conservation area contiguous to such vacant land.

26 (e) "Labor surplus municipality" means a municipality in
27 which, at any time during the 6 months before the
28 municipality by ordinance designates an industrial park
29 conservation area, the unemployment rate was over 6% and was
30 also 100% or more of the national average unemployment rate
31 for that same time as published in the United States
32 Department of Labor Bureau of Labor Statistics publication
33 entitled "The Employment Situation" or its successor
34 publication. For the purpose of this subsection, if

1 unemployment rate statistics for the municipality are not
2 available, the unemployment rate in the municipality shall be
3 deemed to be the same as the unemployment rate in the
4 principal county in which the municipality is located.

5 (f) "Municipality" shall mean a city, village or
6 incorporated town.

7 (g) "Initial Sales Tax Amounts" means the amount of
8 taxes paid under the Retailers' Occupation Tax Act, Use Tax
9 Act, Service Use Tax Act, the Service Occupation Tax Act, the
10 Municipal Retailers' Occupation Tax Act, and the Municipal
11 Service Occupation Tax Act by retailers and servicemen on
12 transactions at places located in a State Sales Tax Boundary
13 during the calendar year 1985.

14 (g-1) "Revised Initial Sales Tax Amounts" means the
15 amount of taxes paid under the Retailers' Occupation Tax Act,
16 Use Tax Act, Service Use Tax Act, the Service Occupation Tax
17 Act, the Municipal Retailers' Occupation Tax Act, and the
18 Municipal Service Occupation Tax Act by retailers and
19 servicemen on transactions at places located within the State
20 Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9)
21 of this Act.

22 (h) "Municipal Sales Tax Increment" means an amount
23 equal to the increase in the aggregate amount of taxes paid
24 to a municipality from the Local Government Tax Fund arising
25 from sales by retailers and servicemen within the
26 redevelopment project area or State Sales Tax Boundary, as
27 the case may be, for as long as the redevelopment project
28 area or State Sales Tax Boundary, as the case may be, exist
29 over and above the aggregate amount of taxes as certified by
30 the Illinois Department of Revenue and paid under the
31 Municipal Retailers' Occupation Tax Act and the Municipal
32 Service Occupation Tax Act by retailers and servicemen, on
33 transactions at places of business located in the
34 redevelopment project area or State Sales Tax Boundary, as

1 the case may be, during the base year which shall be the
2 calendar year immediately prior to the year in which the
3 municipality adopted tax increment allocation financing. For
4 purposes of computing the aggregate amount of such taxes for
5 base years occurring prior to 1985, the Department of Revenue
6 shall determine the Initial Sales Tax Amounts for such taxes
7 and deduct therefrom an amount equal to 4% of the aggregate
8 amount of taxes per year for each year the base year is prior
9 to 1985, but not to exceed a total deduction of 12%. The
10 amount so determined shall be known as the "Adjusted Initial
11 Sales Tax Amounts". For purposes of determining the
12 Municipal Sales Tax Increment, the Department of Revenue
13 shall for each period subtract from the amount paid to the
14 municipality from the Local Government Tax Fund arising from
15 sales by retailers and servicemen on transactions located in
16 the redevelopment project area or the State Sales Tax
17 Boundary, as the case may be, the certified Initial Sales Tax
18 Amounts, the Adjusted Initial Sales Tax Amounts or the
19 Revised Initial Sales Tax Amounts for the Municipal
20 Retailers' Occupation Tax Act and the Municipal Service
21 Occupation Tax Act. For the State Fiscal Year 1989, this
22 calculation shall be made by utilizing the calendar year 1987
23 to determine the tax amounts received. For the State Fiscal
24 Year 1990, this calculation shall be made by utilizing the
25 period from January 1, 1988, until September 30, 1988, to
26 determine the tax amounts received from retailers and
27 servicemen pursuant to the Municipal Retailers' Occupation
28 Tax and the Municipal Service Occupation Tax Act, which shall
29 have deducted therefrom nine-twelfths of the certified
30 Initial Sales Tax Amounts, the Adjusted Initial Sales Tax
31 Amounts or the Revised Initial Sales Tax Amounts as
32 appropriate. For the State Fiscal Year 1991, this calculation
33 shall be made by utilizing the period from October 1, 1988,
34 to June 30, 1989, to determine the tax amounts received from

1 retailers and servicemen pursuant to the Municipal Retailers'
2 Occupation Tax and the Municipal Service Occupation Tax Act
3 which shall have deducted therefrom nine-twelfths of the
4 certified Initial Sales Tax Amounts, Adjusted Initial Sales
5 Tax Amounts or the Revised Initial Sales Tax Amounts as
6 appropriate. For every State Fiscal Year thereafter, the
7 applicable period shall be the 12 months beginning July 1 and
8 ending June 30 to determine the tax amounts received which
9 shall have deducted therefrom the certified Initial Sales Tax
10 Amounts, the Adjusted Initial Sales Tax Amounts or the
11 Revised Initial Sales Tax Amounts, as the case may be.

12 (i) "Net State Sales Tax Increment" means the sum of the
13 following: (a) 80% of the first \$100,000 of State Sales Tax
14 Increment annually generated within a State Sales Tax
15 Boundary; (b) 60% of the amount in excess of \$100,000 but not
16 exceeding \$500,000 of State Sales Tax Increment annually
17 generated within a State Sales Tax Boundary; and (c) 40% of
18 all amounts in excess of \$500,000 of State Sales Tax
19 Increment annually generated within a State Sales Tax
20 Boundary. If, however, a municipality established a tax
21 increment financing district in a county with a population in
22 excess of 3,000,000 before January 1, 1986, and the
23 municipality entered into a contract or issued bonds after
24 January 1, 1986, but before December 31, 1986, to finance
25 redevelopment project costs within a State Sales Tax
26 Boundary, then the Net State Sales Tax Increment means, for
27 the fiscal years beginning July 1, 1990, and July 1, 1991,
28 100% of the State Sales Tax Increment annually generated
29 within a State Sales Tax Boundary; and notwithstanding any
30 other provision of this Act, for those fiscal years the
31 Department of Revenue shall distribute to those
32 municipalities 100% of their Net State Sales Tax Increment
33 before any distribution to any other municipality and
34 regardless of whether or not those other municipalities will

1 receive 100% of their Net State Sales Tax Increment. For
2 Fiscal Year 1999, and every year thereafter until the year
3 2007, for any municipality that has not entered into a
4 contract or has not issued bonds prior to June 1, 1988 to
5 finance redevelopment project costs within a State Sales Tax
6 Boundary, the Net State Sales Tax Increment shall be
7 calculated as follows: By multiplying the Net State Sales Tax
8 Increment by 90% in the State Fiscal Year 1999; 80% in the
9 State Fiscal Year 2000; 70% in the State Fiscal Year 2001;
10 60% in the State Fiscal Year 2002; 50% in the State Fiscal
11 Year 2003; 40% in the State Fiscal Year 2004; 30% in the
12 State Fiscal Year 2005; 20% in the State Fiscal Year 2006;
13 and 10% in the State Fiscal Year 2007. No payment shall be
14 made for State Fiscal Year 2008 and thereafter.

15 Municipalities that issued bonds in connection with a
16 redevelopment project in a redevelopment project area within
17 the State Sales Tax Boundary prior to July 29, 1991, or that
18 entered into contracts in connection with a redevelopment
19 project in a redevelopment project area before June 1, 1988,
20 shall continue to receive their proportional share of the
21 Illinois Tax Increment Fund distribution until the date on
22 which the redevelopment project is completed or terminated.
23 If, however, a municipality that issued bonds in connection
24 with a redevelopment project in a redevelopment project area
25 within the State Sales Tax Boundary prior to July 29, 1991
26 retires the bonds prior to June 30, 2007 or a municipality
27 that entered into contracts in connection with a
28 redevelopment project in a redevelopment project area before
29 June 1, 1988 completes the contracts prior to June 30, 2007,
30 then so long as the redevelopment project is not completed or
31 is not terminated, the Net State Sales Tax Increment shall be
32 calculated, beginning on the date on which the bonds are
33 retired or the contracts are completed, as follows: By
34 multiplying the Net State Sales Tax Increment by 60% in the

1 State Fiscal Year 2002; 50% in the State Fiscal Year 2003;
2 40% in the State Fiscal Year 2004; 30% in the State Fiscal
3 Year 2005; 20% in the State Fiscal Year 2006; and 10% in the
4 State Fiscal Year 2007. No payment shall be made for State
5 Fiscal Year 2008 and thereafter. Refunding of any bonds
6 issued prior to July 29, 1991, shall not alter the Net State
7 Sales Tax Increment.

8 (j) "State Utility Tax Increment Amount" means an amount
9 equal to the aggregate increase in State electric and gas tax
10 charges imposed on owners and tenants, other than residential
11 customers, of properties located within the redevelopment
12 project area under Section 9-222 of the Public Utilities Act,
13 over and above the aggregate of such charges as certified by
14 the Department of Revenue and paid by owners and tenants,
15 other than residential customers, of properties within the
16 redevelopment project area during the base year, which shall
17 be the calendar year immediately prior to the year of the
18 adoption of the ordinance authorizing tax increment
19 allocation financing.

20 (k) "Net State Utility Tax Increment" means the sum of
21 the following: (a) 80% of the first \$100,000 of State Utility
22 Tax Increment annually generated by a redevelopment project
23 area; (b) 60% of the amount in excess of \$100,000 but not
24 exceeding \$500,000 of the State Utility Tax Increment
25 annually generated by a redevelopment project area; and (c)
26 40% of all amounts in excess of \$500,000 of State Utility Tax
27 Increment annually generated by a redevelopment project area.
28 For the State Fiscal Year 1999, and every year thereafter
29 until the year 2007, for any municipality that has not
30 entered into a contract or has not issued bonds prior to June
31 1, 1988 to finance redevelopment project costs within a
32 redevelopment project area, the Net State Utility Tax
33 Increment shall be calculated as follows: By multiplying the
34 Net State Utility Tax Increment by 90% in the State Fiscal

1 Year 1999; 80% in the State Fiscal Year 2000; 70% in the
2 State Fiscal Year 2001; 60% in the State Fiscal Year 2002;
3 50% in the State Fiscal Year 2003; 40% in the State Fiscal
4 Year 2004; 30% in the State Fiscal Year 2005; 20% in the
5 State Fiscal Year 2006; and 10% in the State Fiscal Year
6 2007. No payment shall be made for the State Fiscal Year 2008
7 and thereafter.

8 Municipalities that issue bonds in connection with the
9 redevelopment project during the period from June 1, 1988
10 until 3 years after the effective date of this Amendatory Act
11 of 1988 shall receive the Net State Utility Tax Increment,
12 subject to appropriation, for 15 State Fiscal Years after the
13 issuance of such bonds. For the 16th through the 20th State
14 Fiscal Years after issuance of the bonds, the Net State
15 Utility Tax Increment shall be calculated as follows: By
16 multiplying the Net State Utility Tax Increment by 90% in
17 year 16; 80% in year 17; 70% in year 18; 60% in year 19; and
18 50% in year 20. Refunding of any bonds issued prior to June
19 1, 1988, shall not alter the revised Net State Utility Tax
20 Increment payments set forth above.

21 (l) "Obligations" mean bonds, loans, debentures, notes,
22 special certificates or other evidence of indebtedness issued
23 by the municipality to carry out a redevelopment project or
24 to refund outstanding obligations.

25 (m) "Payment in lieu of taxes" means those estimated tax
26 revenues from real property in a redevelopment project area
27 derived from real property that has been acquired by a
28 municipality which according to the redevelopment project or
29 plan is to be used for a private use which taxing districts
30 would have received had a municipality not acquired the real
31 property and adopted tax increment allocation financing and
32 which would result from levies made after the time of the
33 adoption of tax increment allocation financing to the time
34 the current equalized value of real property in the

1 redevelopment project area exceeds the total initial
2 equalized value of real property in said area.

3 (n) "Redevelopment plan" means the comprehensive program
4 of the municipality for development or redevelopment intended
5 by the payment of redevelopment project costs to reduce or
6 eliminate those conditions the existence of which qualified
7 the redevelopment project area as a "blighted area" or
8 "conservation area" or combination thereof or "industrial
9 park conservation area," and thereby to enhance the tax bases
10 of the taxing districts which extend into the redevelopment
11 project area. On and after November 1, 1999 (the effective
12 date of Public Act 91-478), no redevelopment plan may be
13 approved or amended that includes the development of vacant
14 land (i) with a golf course and related clubhouse and other
15 facilities or (ii) designated by federal, State, county, or
16 municipal government as public land for outdoor recreational
17 activities or for nature preserves and used for that purpose
18 within 5 years prior to the adoption of the redevelopment
19 plan. For the purpose of this subsection, "recreational
20 activities" is limited to mean camping and hunting. Each
21 redevelopment plan shall set forth in writing the program to
22 be undertaken to accomplish the objectives and shall include
23 but not be limited to:

24 (A) an itemized list of estimated redevelopment
25 project costs;

26 (B) evidence indicating that the redevelopment
27 project area on the whole has not been subject to growth
28 and development through investment by private enterprise;

29 (C) an assessment of any financial impact of the
30 redevelopment project area on or any increased demand for
31 services from any taxing district affected by the plan
32 and any program to address such financial impact or
33 increased demand;

34 (D) the sources of funds to pay costs;

1 (E) the nature and term of the obligations to be
2 issued;

3 (F) the most recent equalized assessed valuation of
4 the redevelopment project area;

5 (G) an estimate as to the equalized assessed
6 valuation after redevelopment and the general land uses
7 to apply in the redevelopment project area;

8 (H) a commitment to fair employment practices and
9 an affirmative action plan;

10 (I) if it concerns an industrial park conservation
11 area, the plan shall also include a general description
12 of any proposed developer, user and tenant of any
13 property, a description of the type, structure and
14 general character of the facilities to be developed, a
15 description of the type, class and number of new
16 employees to be employed in the operation of the
17 facilities to be developed; and

18 (J) if property is to be annexed to the
19 municipality, the plan shall include the terms of the
20 annexation agreement.

21 The provisions of items (B) and (C) of this subsection
22 (n) shall not apply to a municipality that before March 14,
23 1994 (the effective date of Public Act 88-537) had fixed,
24 either by its corporate authorities or by a commission
25 designated under subsection (k) of Section 11-74.4-4, a time
26 and place for a public hearing as required by subsection (a)
27 of Section 11-74.4-5. No redevelopment plan shall be adopted
28 unless a municipality complies with all of the following
29 requirements:

30 (1) The municipality finds that the redevelopment
31 project area on the whole has not been subject to growth
32 and development through investment by private enterprise
33 and would not reasonably be anticipated to be developed
34 without the adoption of the redevelopment plan.

1 (2) The municipality finds that the redevelopment
 2 plan and project conform to the comprehensive plan for
 3 the development of the municipality as a whole, or, for
 4 municipalities with a population of 100,000 or more,
 5 regardless of when the redevelopment plan and project was
 6 adopted, the redevelopment plan and project either: (i)
 7 conforms to the strategic economic development or
 8 redevelopment plan issued by the designated planning
 9 authority of the municipality, or (ii) includes land uses
 10 that have been approved by the planning commission of the
 11 municipality.

12 (3) The redevelopment plan establishes the
 13 estimated dates of completion of the redevelopment
 14 project and retirement of obligations issued to finance
 15 redevelopment project costs. Those dates shall not be
 16 later than December 31 of the year in which the payment
 17 to the municipal treasurer as provided in subsection (b)
 18 of Section 11-74.4-8 of this Act is to be made with
 19 respect to ad valorem taxes levied in the twenty-third
 20 calendar year after the year in which the ordinance
 21 approving the redevelopment project area is adopted if
 22 the ordinance was adopted on or after January 15, 1981,
 23 and not later than December 31 of the year in which the
 24 payment to the municipal treasurer as provided in
 25 subsection (b) of Section 11-74.4-8 of this Act is to be
 26 made with respect to ad valorem taxes levied in the
 27 thirty-fifth calendar year after the year in which the
 28 ordinance approving the redevelopment project area is
 29 adopted:

30 (A) if the ordinance was adopted before
 31 January 15, 1981, or

32 (B) if the ordinance was adopted in December
 33 1983, April 1984, July 1985, or December 1989, or

34 (C) if the ordinance was adopted in December

1 1987 and the redevelopment project is located within
2 one mile of Midway Airport, or

3 (D) if the ordinance was adopted before
4 January 1, 1987 by a municipality in Mason County,
5 or

6 (E) if the municipality is subject to the
7 Local Government Financial Planning and Supervision
8 Act or the Financially Distressed City Law, or

9 (F) if the ordinance was adopted in December
10 1984 by the Village of Rosemont, or

11 (G) if the ordinance was adopted on December
12 31, 1986 by a municipality located in Clinton County
13 for which at least \$250,000 of tax increment bonds
14 were authorized on June 17, 1997, or if the
15 ordinance was adopted on December 31, 1986 by a
16 municipality with a population in 1990 of less than
17 3,600 that is located in a county with a population
18 in 1990 of less than 34,000 and for which at least
19 \$250,000 of tax increment bonds were authorized on
20 June 17, 1997, or

21 (H) if the ordinance was adopted on October 5,
22 1982 by the City of Kankakee, or if the ordinance
23 was adopted on December 29, 1986 by East St. Louis,
24 or

25 (I) if the ordinance was adopted on November
26 12, 1991 by the Village of Sauget, or

27 (J) if the ordinance was adopted on February
28 11, 1985 by the City of Rock Island, or

29 (K) if the ordinance was adopted before
30 December 18, 1986 by the City of Moline, or

31 (L) if the ordinance was adopted in September
32 1988 by Sauk Village, or

33 (M) if the ordinance was adopted in October
34 1993 by Sauk Village, or

1 (N) if the ordinance was adopted on December
2 29, 1986 by the City of Galva, or

3 (O) if the ordinance was adopted in March 1991
4 by the City of Centreville, or

5 (P) ~~(B)~~ if the ordinance was adopted on
6 January 23, 1991 by the City of East St. Louis, or

7 (Q) if the ordinance was adopted on September
8 6, 1994 by the City of Freeport.

9 However, for redevelopment project areas for which
10 bonds were issued before July 29, 1991, or for which
11 contracts were entered into before June 1, 1988, in
12 connection with a redevelopment project in the area
13 within the State Sales Tax Boundary, the estimated dates
14 of completion of the redevelopment project and retirement
15 of obligations to finance redevelopment project costs may
16 be extended by municipal ordinance to December 31, 2013.
17 The extension allowed by this amendatory Act of 1993
18 shall not apply to real property tax increment allocation
19 financing under Section 11-74.4-8.

20 A municipality may by municipal ordinance amend an
21 existing redevelopment plan to conform to this paragraph
22 (3) as amended by Public Act 91-478, which municipal
23 ordinance may be adopted without further hearing or
24 notice and without complying with the procedures provided
25 in this Act pertaining to an amendment to or the initial
26 approval of a redevelopment plan and project and
27 designation of a redevelopment project area.

28 Those dates, for purposes of real property tax
29 increment allocation financing pursuant to Section
30 11-74.4-8 only, shall be not more than 35 years for
31 redevelopment project areas that were adopted on or after
32 December 16, 1986 and for which at least \$8 million worth
33 of municipal bonds were authorized on or after December
34 19, 1989 but before January 1, 1990; provided that the

1 municipality elects to extend the life of the
2 redevelopment project area to 35 years by the adoption of
3 an ordinance after at least 14 but not more than 30 days'
4 written notice to the taxing bodies, that would otherwise
5 constitute the joint review board for the redevelopment
6 project area, before the adoption of the ordinance.

7 Those dates, for purposes of real property tax
8 increment allocation financing pursuant to Section
9 11-74.4-8 only, shall be not more than 35 years for
10 redevelopment project areas that were established on or
11 after December 1, 1981 but before January 1, 1982 and for
12 which at least \$1,500,000 worth of tax increment revenue
13 bonds were authorized on or after September 30, 1990 but
14 before July 1, 1991; provided that the municipality
15 elects to extend the life of the redevelopment project
16 area to 35 years by the adoption of an ordinance after at
17 least 14 but not more than 30 days' written notice to the
18 taxing bodies, that would otherwise constitute the joint
19 review board for the redevelopment project area, before
20 the adoption of the ordinance.

21 (3.5) The municipality finds, in the case of an
22 industrial park conservation area, also that the
23 municipality is a labor surplus municipality and that the
24 implementation of the redevelopment plan will reduce
25 unemployment, create new jobs and by the provision of new
26 facilities enhance the tax base of the taxing districts
27 that extend into the redevelopment project area.

28 (4) If any incremental revenues are being utilized
29 under Section 8(a)(1) or 8(a)(2) of this Act in
30 redevelopment project areas approved by ordinance after
31 January 1, 1986, the municipality finds: (a) that the
32 redevelopment project area would not reasonably be
33 developed without the use of such incremental revenues,
34 and (b) that such incremental revenues will be

1 exclusively utilized for the development of the
2 redevelopment project area.

3 (5) On and after November 1, 1999, if the
4 redevelopment plan will not result in displacement of 10
5 or more residents from inhabited units, and the
6 municipality certifies in the plan that such displacement
7 will not result from the plan, a housing impact study
8 need not be performed. If, however, the redevelopment
9 plan would result in the displacement of residents from
10 10 or more inhabited residential units, or if the
11 redevelopment project area contains 75 or more inhabited
12 residential units and no certification is made, then the
13 municipality shall prepare, as part of the separate
14 feasibility report required by subsection (a) of Section
15 11-74.4-5, a housing impact study.

16 Part I of the housing impact study shall include (i)
17 data as to whether the residential units are single
18 family or multi-family units, (ii) the number and type of
19 rooms within the units, if that information is available,
20 (iii) whether the units are inhabited or uninhabited, as
21 determined not less than 45 days before the date that the
22 ordinance or resolution required by subsection (a) of
23 Section 11-74.4-5 is passed, and (iv) data as to the
24 racial and ethnic composition of the residents in the
25 inhabited residential units. The data requirement as to
26 the racial and ethnic composition of the residents in the
27 inhabited residential units shall be deemed to be fully
28 satisfied by data from the most recent federal census.

29 Part II of the housing impact study shall identify
30 the inhabited residential units in the proposed
31 redevelopment project area that are to be or may be
32 removed. If inhabited residential units are to be
33 removed, then the housing impact study shall identify (i)
34 the number and location of those units that will or may

1 be removed, (ii) the municipality's plans for relocation
2 assistance for those residents in the proposed
3 redevelopment project area whose residences are to be
4 removed, (iii) the availability of replacement housing
5 for those residents whose residences are to be removed,
6 and shall identify the type, location, and cost of the
7 housing, and (iv) the type and extent of relocation
8 assistance to be provided.

9 (6) On and after November 1, 1999, the housing
10 impact study required by paragraph (5) shall be
11 incorporated in the redevelopment plan for the
12 redevelopment project area.

13 (7) On and after November 1, 1999, no redevelopment
14 plan shall be adopted, nor an existing plan amended, nor
15 shall residential housing that is occupied by households
16 of low-income and very low-income persons in currently
17 existing redevelopment project areas be removed after
18 November 1, 1999 unless the redevelopment plan provides,
19 with respect to inhabited housing units that are to be
20 removed for households of low-income and very low-income
21 persons, affordable housing and relocation assistance not
22 less than that which would be provided under the federal
23 Uniform Relocation Assistance and Real Property
24 Acquisition Policies Act of 1970 and the regulations
25 under that Act, including the eligibility criteria.
26 Affordable housing may be either existing or newly
27 constructed housing. For purposes of this paragraph (7),
28 "low-income households", "very low-income households",
29 and "affordable housing" have the meanings set forth in
30 the Illinois Affordable Housing Act. The municipality
31 shall make a good faith effort to ensure that this
32 affordable housing is located in or near the
33 redevelopment project area within the municipality.

34 (8) On and after November 1, 1999, if, after the

1 adoption of the redevelopment plan for the redevelopment
2 project area, any municipality desires to amend its
3 redevelopment plan to remove more inhabited residential
4 units than specified in its original redevelopment plan,
5 that increase in the number of units to be removed shall
6 be deemed to be a change in the nature of the
7 redevelopment plan as to require compliance with the
8 procedures in this Act pertaining to the initial approval
9 of a redevelopment plan.

10 (9) For redevelopment project areas designated
11 prior to November 1, 1999, the redevelopment plan may be
12 amended without further joint review board meeting or
13 hearing, provided that the municipality shall give notice
14 of any such changes by mail to each affected taxing
15 district and registrant on the interested party registry,
16 to authorize the municipality to expend tax increment
17 revenues for redevelopment project costs defined by
18 paragraphs (5) and (7.5), subparagraphs (E) and (F) of
19 paragraph (11), and paragraph (11.5) of subsection (q) of
20 Section 11-74.4-3, so long as the changes do not increase
21 the total estimated redevelopment project costs set out
22 in the redevelopment plan by more than 5% after
23 adjustment for inflation from the date the plan was
24 adopted.

25 (o) "Redevelopment project" means any public and private
26 development project in furtherance of the objectives of a
27 redevelopment plan. On and after November 1, 1999 (the
28 effective date of Public Act 91-478), no redevelopment plan
29 may be approved or amended that includes the development of
30 vacant land (i) with a golf course and related clubhouse and
31 other facilities or (ii) designated by federal, State,
32 county, or municipal government as public land for outdoor
33 recreational activities or for nature preserves and used for
34 that purpose within 5 years prior to the adoption of the

1 redevelopment plan. For the purpose of this subsection,
2 "recreational activities" is limited to mean camping and
3 hunting.

4 (p) "Redevelopment project area" means an area
5 designated by the municipality, which is not less in the
6 aggregate than 1 1/2 acres and in respect to which the
7 municipality has made a finding that there exist conditions
8 which cause the area to be classified as an industrial park
9 conservation area or a blighted area or a conservation area,
10 or a combination of both blighted areas and conservation
11 areas.

12 (q) "Redevelopment project costs" mean and include the
13 sum total of all reasonable or necessary costs incurred or
14 estimated to be incurred, and any such costs incidental to a
15 redevelopment plan and a redevelopment project. Such costs
16 include, without limitation, the following:

17 (1) Costs of studies, surveys, development of
18 plans, and specifications, implementation and
19 administration of the redevelopment plan including but
20 not limited to staff and professional service costs for
21 architectural, engineering, legal, financial, planning or
22 other services, provided however that no charges for
23 professional services may be based on a percentage of the
24 tax increment collected; except that on and after
25 November 1, 1999 (the effective date of Public Act
26 91-478), no contracts for professional services,
27 excluding architectural and engineering services, may be
28 entered into if the terms of the contract extend beyond a
29 period of 3 years. In addition, "redevelopment project
30 costs" shall not include lobbying expenses. After
31 consultation with the municipality, each tax increment
32 consultant or advisor to a municipality that plans to
33 designate or has designated a redevelopment project area
34 shall inform the municipality in writing of any contracts

1 that the consultant or advisor has entered into with
2 entities or individuals that have received, or are
3 receiving, payments financed by tax increment revenues
4 produced by the redevelopment project area with respect
5 to which the consultant or advisor has performed, or will
6 be performing, service for the municipality. This
7 requirement shall be satisfied by the consultant or
8 advisor before the commencement of services for the
9 municipality and thereafter whenever any other contracts
10 with those individuals or entities are executed by the
11 consultant or advisor;

12 (1.5) After July 1, 1999, annual administrative
13 costs shall not include general overhead or
14 administrative costs of the municipality that would still
15 have been incurred by the municipality if the
16 municipality had not designated a redevelopment project
17 area or approved a redevelopment plan;

18 (1.6) The cost of marketing sites within the
19 redevelopment project area to prospective businesses,
20 developers, and investors;

21 (2) Property assembly costs, including but not
22 limited to acquisition of land and other property, real
23 or personal, or rights or interests therein, demolition
24 of buildings, site preparation, site improvements that
25 serve as an engineered barrier addressing ground level or
26 below ground environmental contamination, including, but
27 not limited to parking lots and other concrete or asphalt
28 barriers, and the clearing and grading of land;

29 (3) Costs of rehabilitation, reconstruction or
30 repair or remodeling of existing public or private
31 buildings, fixtures, and leasehold improvements; and the
32 cost of replacing an existing public building if pursuant
33 to the implementation of a redevelopment project the
34 existing public building is to be demolished to use the

1 site for private investment or devoted to a different use
2 requiring private investment;

3 (4) Costs of the construction of public works or
4 improvements, except that on and after November 1, 1999,
5 redevelopment project costs shall not include the cost of
6 constructing a new municipal public building principally
7 used to provide offices, storage space, or conference
8 facilities or vehicle storage, maintenance, or repair for
9 administrative, public safety, or public works personnel
10 and that is not intended to replace an existing public
11 building as provided under paragraph (3) of subsection
12 (q) of Section 11-74.4-3 unless either (i) the
13 construction of the new municipal building implements a
14 redevelopment project that was included in a
15 redevelopment plan that was adopted by the municipality
16 prior to November 1, 1999 or (ii) the municipality makes
17 a reasonable determination in the redevelopment plan,
18 supported by information that provides the basis for that
19 determination, that the new municipal building is
20 required to meet an increase in the need for public
21 safety purposes anticipated to result from the
22 implementation of the redevelopment plan;

23 (5) Costs of job training and retraining projects,
24 including the cost of "welfare to work" programs
25 implemented by businesses located within the
26 redevelopment project area;

27 (6) Financing costs, including but not limited to
28 all necessary and incidental expenses related to the
29 issuance of obligations and which may include payment of
30 interest on any obligations issued hereunder including
31 interest accruing during the estimated period of
32 construction of any redevelopment project for which such
33 obligations are issued and for not exceeding 36 months
34 thereafter and including reasonable reserves related

1 thereto;

2 (7) To the extent the municipality by written
3 agreement accepts and approves the same, all or a portion
4 of a taxing district's capital costs resulting from the
5 redevelopment project necessarily incurred or to be
6 incurred within a taxing district in furtherance of the
7 objectives of the redevelopment plan and project.

8 (7.5) For redevelopment project areas designated
9 (or redevelopment project areas amended to add or
10 increase the number of tax-increment-financing assisted
11 housing units) on or after November 1, 1999, an
12 elementary, secondary, or unit school district's
13 increased costs attributable to assisted housing units
14 located within the redevelopment project area for which
15 the developer or redeveloper receives financial
16 assistance through an agreement with the municipality or
17 because the municipality incurs the cost of necessary
18 infrastructure improvements within the boundaries of the
19 assisted housing sites necessary for the completion of
20 that housing as authorized by this Act, and which costs
21 shall be paid by the municipality from the Special Tax
22 Allocation Fund when the tax increment revenue is
23 received as a result of the assisted housing units and
24 shall be calculated annually as follows:

25 (A) for foundation districts, excluding any
26 school district in a municipality with a population
27 in excess of 1,000,000, by multiplying the
28 district's increase in attendance resulting from the
29 net increase in new students enrolled in that school
30 district who reside in housing units within the
31 redevelopment project area that have received
32 financial assistance through an agreement with the
33 municipality or because the municipality incurs the
34 cost of necessary infrastructure improvements within

1 the boundaries of the housing sites necessary for
2 the completion of that housing as authorized by this
3 Act since the designation of the redevelopment
4 project area by the most recently available per
5 capita tuition cost as defined in Section 10-20.12a
6 of the School Code less any increase in general
7 State aid as defined in Section 18-8.05 of the
8 School Code attributable to these added new students
9 subject to the following annual limitations:

10 (i) for unit school districts with a
11 district average 1995-96 Per Capita Tuition
12 Charge of less than \$5,900, no more than 25% of
13 the total amount of property tax increment
14 revenue produced by those housing units that
15 have received tax increment finance assistance
16 under this Act;

17 (ii) for elementary school districts with
18 a district average 1995-96 Per Capita Tuition
19 Charge of less than \$5,900, no more than 17% of
20 the total amount of property tax increment
21 revenue produced by those housing units that
22 have received tax increment finance assistance
23 under this Act; and

24 (iii) for secondary school districts with
25 a district average 1995-96 Per Capita Tuition
26 Charge of less than \$5,900, no more than 8% of
27 the total amount of property tax increment
28 revenue produced by those housing units that
29 have received tax increment finance assistance
30 under this Act.

31 (B) For alternate method districts, flat grant
32 districts, and foundation districts with a district
33 average 1995-96 Per Capita Tuition Charge equal to
34 or more than \$5,900, excluding any school district

1 with a population in excess of 1,000,000, by
2 multiplying the district's increase in attendance
3 resulting from the net increase in new students
4 enrolled in that school district who reside in
5 housing units within the redevelopment project area
6 that have received financial assistance through an
7 agreement with the municipality or because the
8 municipality incurs the cost of necessary
9 infrastructure improvements within the boundaries of
10 the housing sites necessary for the completion of
11 that housing as authorized by this Act since the
12 designation of the redevelopment project area by the
13 most recently available per capita tuition cost as
14 defined in Section 10-20.12a of the School Code less
15 any increase in general state aid as defined in
16 Section 18-8.05 of the School Code attributable to
17 these added new students subject to the following
18 annual limitations:

19 (i) for unit school districts, no more
20 than 40% of the total amount of property tax
21 increment revenue produced by those housing
22 units that have received tax increment finance
23 assistance under this Act;

24 (ii) for elementary school districts, no
25 more than 27% of the total amount of property
26 tax increment revenue produced by those housing
27 units that have received tax increment finance
28 assistance under this Act; and

29 (iii) for secondary school districts, no
30 more than 13% of the total amount of property
31 tax increment revenue produced by those housing
32 units that have received tax increment finance
33 assistance under this Act.

34 (C) For any school district in a municipality

1 with a population in excess of 1,000,000, the
2 following restrictions shall apply to the
3 reimbursement of increased costs under this
4 paragraph (7.5):

5 (i) no increased costs shall be
6 reimbursed unless the school district certifies
7 that each of the schools affected by the
8 assisted housing project is at or over its
9 student capacity;

10 (ii) the amount reimburseable shall be
11 reduced by the value of any land donated to the
12 school district by the municipality or
13 developer, and by the value of any physical
14 improvements made to the schools by the
15 municipality or developer; and

16 (iii) the amount reimbursed may not
17 affect amounts otherwise obligated by the terms
18 of any bonds, notes, or other funding
19 instruments, or the terms of any redevelopment
20 agreement.

21 Any school district seeking payment under this
22 paragraph (7.5) shall, after July 1 and before
23 September 30 of each year, provide the municipality
24 with reasonable evidence to support its claim for
25 reimbursement before the municipality shall be
26 required to approve or make the payment to the
27 school district. If the school district fails to
28 provide the information during this period in any
29 year, it shall forfeit any claim to reimbursement
30 for that year. School districts may adopt a
31 resolution waiving the right to all or a portion of
32 the reimbursement otherwise required by this
33 paragraph (7.5). By acceptance of this
34 reimbursement the school district waives the right

1 to directly or indirectly set aside, modify, or
2 contest in any manner the establishment of the
3 redevelopment project area or projects;

4 (8) Relocation costs to the extent that a
5 municipality determines that relocation costs shall be
6 paid or is required to make payment of relocation costs
7 by federal or State law or in order to satisfy
8 subparagraph (7) of subsection (n);

9 (9) Payment in lieu of taxes;

10 (10) Costs of job training, retraining, advanced
11 vocational education or career education, including but
12 not limited to courses in occupational, semi-technical or
13 technical fields leading directly to employment, incurred
14 by one or more taxing districts, provided that such costs
15 (i) are related to the establishment and maintenance of
16 additional job training, advanced vocational education or
17 career education programs for persons employed or to be
18 employed by employers located in a redevelopment project
19 area; and (ii) when incurred by a taxing district or
20 taxing districts other than the municipality, are set
21 forth in a written agreement by or among the municipality
22 and the taxing district or taxing districts, which
23 agreement describes the program to be undertaken,
24 including but not limited to the number of employees to
25 be trained, a description of the training and services to
26 be provided, the number and type of positions available
27 or to be available, itemized costs of the program and
28 sources of funds to pay for the same, and the term of the
29 agreement. Such costs include, specifically, the payment
30 by community college districts of costs pursuant to
31 Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public
32 Community College Act and by school districts of costs
33 pursuant to Sections 10-22.20a and 10-23.3a of The School
34 Code;

1 (11) Interest cost incurred by a redeveloper
2 related to the construction, renovation or rehabilitation
3 of a redevelopment project provided that:

4 (A) such costs are to be paid directly from
5 the special tax allocation fund established pursuant
6 to this Act;

7 (B) such payments in any one year may not
8 exceed 30% of the annual interest costs incurred by
9 the redeveloper with regard to the redevelopment
10 project during that year;

11 (C) if there are not sufficient funds
12 available in the special tax allocation fund to make
13 the payment pursuant to this paragraph (11) then the
14 amounts so due shall accrue and be payable when
15 sufficient funds are available in the special tax
16 allocation fund;

17 (D) the total of such interest payments paid
18 pursuant to this Act may not exceed 30% of the total
19 (i) cost paid or incurred by the redeveloper for the
20 redevelopment project plus (ii) redevelopment
21 project costs excluding any property assembly costs
22 and any relocation costs incurred by a municipality
23 pursuant to this Act; and

24 (E) the cost limits set forth in subparagraphs
25 (B) and (D) of paragraph (11) shall be modified for
26 the financing of rehabilitated or new housing units
27 for low-income households and very low-income
28 households, as defined in Section 3 of the Illinois
29 Affordable Housing Act. The percentage of 75% shall
30 be substituted for 30% in subparagraphs (B) and (D)
31 of paragraph (11).

32 (F) Instead of the eligible costs provided by
33 subparagraphs (B) and (D) of paragraph (11), as
34 modified by this subparagraph, and notwithstanding

1 any other provisions of this Act to the contrary,
2 the municipality may pay from tax increment revenues
3 up to 50% of the cost of construction of new housing
4 units to be occupied by low-income households and
5 very low-income households as defined in Section 3
6 of the Illinois Affordable Housing Act. The cost of
7 construction of those units may be derived from the
8 proceeds of bonds issued by the municipality under
9 this Act or other constitutional or statutory
10 authority or from other sources of municipal revenue
11 that may be reimbursed from tax increment revenues
12 or the proceeds of bonds issued to finance the
13 construction of that housing.

14 The eligible costs provided under this
15 subparagraph (F) of paragraph (11) shall be an
16 eligible cost for the construction, renovation, and
17 rehabilitation of all low and very low-income
18 housing units, as defined in Section 3 of the
19 Illinois Affordable Housing Act, within the
20 redevelopment project area. If the low and very
21 low-income units are part of a residential
22 redevelopment project that includes units not
23 affordable to low and very low-income households,
24 only the low and very low-income units shall be
25 eligible for benefits under subparagraph (F) of
26 paragraph (11). The standards for maintaining the
27 occupancy by low-income households and very
28 low-income households, as defined in Section 3 of
29 the Illinois Affordable Housing Act, of those units
30 constructed with eligible costs made available under
31 the provisions of this subparagraph (F) of paragraph
32 (11) shall be established by guidelines adopted by
33 the municipality. The responsibility for annually
34 documenting the initial occupancy of the units by

1 low-income households and very low-income
2 households, as defined in Section 3 of the Illinois
3 Affordable Housing Act, shall be that of the then
4 current owner of the property. For ownership units,
5 the guidelines will provide, at a minimum, for a
6 reasonable recapture of funds, or other appropriate
7 methods designed to preserve the original
8 affordability of the ownership units. For rental
9 units, the guidelines will provide, at a minimum,
10 for the affordability of rent to low and very
11 low-income households. As units become available,
12 they shall be rented to income-eligible tenants. The
13 municipality may modify these guidelines from time
14 to time; the guidelines, however, shall be in effect
15 for as long as tax increment revenue is being used
16 to pay for costs associated with the units or for
17 the retirement of bonds issued to finance the units
18 or for the life of the redevelopment project area,
19 whichever is later.

20 (11.5) If the redevelopment project area is located
21 within a municipality with a population of more than
22 100,000, the cost of day care services for children of
23 employees from low-income families working for businesses
24 located within the redevelopment project area and all or
25 a portion of the cost of operation of day care centers
26 established by redevelopment project area businesses to
27 serve employees from low-income families working in
28 businesses located in the redevelopment project area.
29 For the purposes of this paragraph, "low-income families"
30 means families whose annual income does not exceed 80% of
31 the municipal, county, or regional median income,
32 adjusted for family size, as the annual income and
33 municipal, county, or regional median income are
34 determined from time to time by the United States

1 Department of Housing and Urban Development.

2 (12) Unless explicitly stated herein the cost of
3 construction of new privately-owned buildings shall not
4 be an eligible redevelopment project cost.

5 (13) After November 1, 1999 (the effective date of
6 Public Act 91-478), none of the redevelopment project
7 costs enumerated in this subsection shall be eligible
8 redevelopment project costs if those costs would provide
9 direct financial support to a retail entity initiating
10 operations in the redevelopment project area while
11 terminating operations at another Illinois location
12 within 10 miles of the redevelopment project area but
13 outside the boundaries of the redevelopment project area
14 municipality. For purposes of this paragraph,
15 termination means a closing of a retail operation that is
16 directly related to the opening of the same operation or
17 like retail entity owned or operated by more than 50% of
18 the original ownership in a redevelopment project area,
19 but it does not mean closing an operation for reasons
20 beyond the control of the retail entity, as documented by
21 the retail entity, subject to a reasonable finding by the
22 municipality that the current location contained
23 inadequate space, had become economically obsolete, or
24 was no longer a viable location for the retailer or
25 serviceman.

26 If a special service area has been established pursuant
27 to the Special Service Area Tax Act or Special Service Area
28 Tax Law, then any tax increment revenues derived from the tax
29 imposed pursuant to the Special Service Area Tax Act or
30 Special Service Area Tax Law may be used within the
31 redevelopment project area for the purposes permitted by that
32 Act or Law as well as the purposes permitted by this Act.

33 (r) "State Sales Tax Boundary" means the redevelopment
34 project area or the amended redevelopment project area

1 boundaries which are determined pursuant to subsection (9) of
2 Section 11-74.4-8a of this Act. The Department of Revenue
3 shall certify pursuant to subsection (9) of Section
4 11-74.4-8a the appropriate boundaries eligible for the
5 determination of State Sales Tax Increment.

6 (s) "State Sales Tax Increment" means an amount equal to
7 the increase in the aggregate amount of taxes paid by
8 retailers and servicemen, other than retailers and servicemen
9 subject to the Public Utilities Act, on transactions at
10 places of business located within a State Sales Tax Boundary
11 pursuant to the Retailers' Occupation Tax Act, the Use Tax
12 Act, the Service Use Tax Act, and the Service Occupation Tax
13 Act, except such portion of such increase that is paid into
14 the State and Local Sales Tax Reform Fund, the Local
15 Government Distributive Fund, the Local Government Tax
16 Fund and the County and Mass Transit District Fund, for as
17 long as State participation exists, over and above the
18 Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts
19 or the Revised Initial Sales Tax Amounts for such taxes as
20 certified by the Department of Revenue and paid under those
21 Acts by retailers and servicemen on transactions at places of
22 business located within the State Sales Tax Boundary during
23 the base year which shall be the calendar year immediately
24 prior to the year in which the municipality adopted tax
25 increment allocation financing, less 3.0% of such amounts
26 generated under the Retailers' Occupation Tax Act, Use Tax
27 Act and Service Use Tax Act and the Service Occupation Tax
28 Act, which sum shall be appropriated to the Department of
29 Revenue to cover its costs of administering and enforcing
30 this Section. For purposes of computing the aggregate amount
31 of such taxes for base years occurring prior to 1985, the
32 Department of Revenue shall compute the Initial Sales Tax
33 Amount for such taxes and deduct therefrom an amount equal to
34 4% of the aggregate amount of taxes per year for each year

1 the base year is prior to 1985, but not to exceed a total
2 deduction of 12%. The amount so determined shall be known as
3 the "Adjusted Initial Sales Tax Amount". For purposes of
4 determining the State Sales Tax Increment the Department of
5 Revenue shall for each period subtract from the tax amounts
6 received from retailers and servicemen on transactions
7 located in the State Sales Tax Boundary, the certified
8 Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts
9 or Revised Initial Sales Tax Amounts for the Retailers'
10 Occupation Tax Act, the Use Tax Act, the Service Use Tax Act
11 and the Service Occupation Tax Act. For the State Fiscal
12 Year 1989 this calculation shall be made by utilizing the
13 calendar year 1987 to determine the tax amounts received. For
14 the State Fiscal Year 1990, this calculation shall be made by
15 utilizing the period from January 1, 1988, until September
16 30, 1988, to determine the tax amounts received from
17 retailers and servicemen, which shall have deducted therefrom
18 nine-twelfths of the certified Initial Sales Tax Amounts,
19 Adjusted Initial Sales Tax Amounts or the Revised Initial
20 Sales Tax Amounts as appropriate. For the State Fiscal Year
21 1991, this calculation shall be made by utilizing the period
22 from October 1, 1988, until June 30, 1989, to determine the
23 tax amounts received from retailers and servicemen, which
24 shall have deducted therefrom nine-twelfths of the certified
25 Initial State Sales Tax Amounts, Adjusted Initial Sales Tax
26 Amounts or the Revised Initial Sales Tax Amounts as
27 appropriate. For every State Fiscal Year thereafter, the
28 applicable period shall be the 12 months beginning July 1 and
29 ending on June 30, to determine the tax amounts received
30 which shall have deducted therefrom the certified Initial
31 Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the
32 Revised Initial Sales Tax Amounts. Municipalities intending
33 to receive a distribution of State Sales Tax Increment must
34 report a list of retailers to the Department of Revenue by

1 October 31, 1988 and by July 31, of each year thereafter.

2 (t) "Taxing districts" means counties, townships, cities
3 and incorporated towns and villages, school, road, park,
4 sanitary, mosquito abatement, forest preserve, public health,
5 fire protection, river conservancy, tuberculosis sanitarium
6 and any other municipal corporations or districts with the
7 power to levy taxes.

8 (u) "Taxing districts' capital costs" means those costs
9 of taxing districts for capital improvements that are found
10 by the municipal corporate authorities to be necessary and
11 directly result from the redevelopment project.

12 (v) As used in subsection (a) of Section 11-74.4-3 of
13 this Act, "vacant land" means any parcel or combination of
14 parcels of real property without industrial, commercial, and
15 residential buildings which has not been used for commercial
16 agricultural purposes within 5 years prior to the designation
17 of the redevelopment project area, unless the parcel is
18 included in an industrial park conservation area or the
19 parcel has been subdivided; provided that if the parcel was
20 part of a larger tract that has been divided into 3 or more
21 smaller tracts that were accepted for recording during the
22 period from 1950 to 1990, then the parcel shall be deemed to
23 have been subdivided, and all proceedings and actions of the
24 municipality taken in that connection with respect to any
25 previously approved or designated redevelopment project area
26 or amended redevelopment project area are hereby validated
27 and hereby declared to be legally sufficient for all purposes
28 of this Act. For purposes of this Section and only for land
29 subject to the subdivision requirements of the Plat Act, land
30 is subdivided when the original plat of the proposed
31 Redevelopment Project Area or relevant portion thereof has
32 been properly certified, acknowledged, approved, and recorded
33 or filed in accordance with the Plat Act and a preliminary
34 plat, if any, for any subsequent phases of the proposed

1 Redevelopment Project Area or relevant portion thereof has
2 been properly approved and filed in accordance with the
3 applicable ordinance of the municipality.

4 (w) "Annual Total Increment" means the sum of each
5 municipality's annual Net Sales Tax Increment and each
6 municipality's annual Net Utility Tax Increment. The ratio
7 of the Annual Total Increment of each municipality to the
8 Annual Total Increment for all municipalities, as most
9 recently calculated by the Department, shall determine the
10 proportional shares of the Illinois Tax Increment Fund to be
11 distributed to each municipality.

12 (Source: P.A. 91-261, eff. 7-23-99; 91-477, eff. 8-11-99;
13 91-478, eff. 11-1-99; 91-642, eff. 8-20-99; 91-763, eff.
14 6-9-00; 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; revised
15 9-19-01.)

16 (65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

17 Sec. 11-74.4-7. Obligations secured by the special tax
18 allocation fund set forth in Section 11-74.4-8 for the
19 redevelopment project area may be issued to provide for
20 redevelopment project costs. Such obligations, when so
21 issued, shall be retired in the manner provided in the
22 ordinance authorizing the issuance of such obligations by the
23 receipts of taxes levied as specified in Section 11-74.4-9
24 against the taxable property included in the area, by
25 revenues as specified by Section 11-74.4-8a and other revenue
26 designated by the municipality. A municipality may in the
27 ordinance pledge all or any part of the funds in and to be
28 deposited in the special tax allocation fund created pursuant
29 to Section 11-74.4-8 to the payment of the redevelopment
30 project costs and obligations. Any pledge of funds in the
31 special tax allocation fund shall provide for distribution to
32 the taxing districts and to the Illinois Department of
33 Revenue of moneys not required, pledged, earmarked, or

1 otherwise designated for payment and securing of the
2 obligations and anticipated redevelopment project costs and
3 such excess funds shall be calculated annually and deemed to
4 be "surplus" funds. In the event a municipality only applies
5 or pledges a portion of the funds in the special tax
6 allocation fund for the payment or securing of anticipated
7 redevelopment project costs or of obligations, any such funds
8 remaining in the special tax allocation fund after complying
9 with the requirements of the application or pledge, shall
10 also be calculated annually and deemed "surplus" funds. All
11 surplus funds in the special tax allocation fund shall be
12 distributed annually within 180 days after the close of the
13 municipality's fiscal year by being paid by the municipal
14 treasurer to the County Collector, to the Department of
15 Revenue and to the municipality in direct proportion to the
16 tax incremental revenue received as a result of an increase
17 in the equalized assessed value of property in the
18 redevelopment project area, tax incremental revenue received
19 from the State and tax incremental revenue received from the
20 municipality, but not to exceed as to each such source the
21 total incremental revenue received from that source. The
22 County Collector shall thereafter make distribution to the
23 respective taxing districts in the same manner and proportion
24 as the most recent distribution by the county collector to
25 the affected districts of real property taxes from real
26 property in the redevelopment project area.

27 Without limiting the foregoing in this Section, the
28 municipality may in addition to obligations secured by the
29 special tax allocation fund pledge for a period not greater
30 than the term of the obligations towards payment of such
31 obligations any part or any combination of the following: (a)
32 net revenues of all or part of any redevelopment project; (b)
33 taxes levied and collected on any or all property in the
34 municipality; (c) the full faith and credit of the

1 municipality; (d) a mortgage on part or all of the
2 redevelopment project; or (e) any other taxes or anticipated
3 receipts that the municipality may lawfully pledge.

4 Such obligations may be issued in one or more series
5 bearing interest at such rate or rates as the corporate
6 authorities of the municipality shall determine by ordinance.
7 Such obligations shall bear such date or dates, mature at
8 such time or times not exceeding 20 years from their
9 respective dates, be in such denomination, carry such
10 registration privileges, be executed in such manner, be
11 payable in such medium of payment at such place or places,
12 contain such covenants, terms and conditions, and be subject
13 to redemption as such ordinance shall provide. Obligations
14 issued pursuant to this Act may be sold at public or private
15 sale at such price as shall be determined by the corporate
16 authorities of the municipalities. No referendum approval of
17 the electors shall be required as a condition to the issuance
18 of obligations pursuant to this Division except as provided
19 in this Section.

20 In the event the municipality authorizes issuance of
21 obligations pursuant to the authority of this Division
22 secured by the full faith and credit of the municipality,
23 which obligations are other than obligations which may be
24 issued under home rule powers provided by Article VII,
25 Section 6 of the Illinois Constitution, or pledges taxes
26 pursuant to (b) or (c) of the second paragraph of this
27 section, the ordinance authorizing the issuance of such
28 obligations or pledging such taxes shall be published within
29 10 days after such ordinance has been passed in one or more
30 newspapers, with general circulation within such
31 municipality. The publication of the ordinance shall be
32 accompanied by a notice of (1) the specific number of voters
33 required to sign a petition requesting the question of the
34 issuance of such obligations or pledging taxes to be

1 submitted to the electors; (2) the time in which such
2 petition must be filed; and (3) the date of the prospective
3 referendum. The municipal clerk shall provide a petition
4 form to any individual requesting one.

5 If no petition is filed with the municipal clerk, as
6 hereinafter provided in this Section, within 30 days after
7 the publication of the ordinance, the ordinance shall be in
8 effect. But, if within that 30 day period a petition is
9 filed with the municipal clerk, signed by electors in the
10 municipality numbering 10% or more of the number of
11 registered voters in the municipality, asking that the
12 question of issuing obligations using full faith and credit
13 of the municipality as security for the cost of paying for
14 redevelopment project costs, or of pledging taxes for the
15 payment of such obligations, or both, be submitted to the
16 electors of the municipality, the corporate authorities of
17 the municipality shall call a special election in the manner
18 provided by law to vote upon that question, or, if a general,
19 State or municipal election is to be held within a period of
20 not less than 30 or more than 90 days from the date such
21 petition is filed, shall submit the question at the next
22 general, State or municipal election. If it appears upon the
23 canvass of the election by the corporate authorities that a
24 majority of electors voting upon the question voted in favor
25 thereof, the ordinance shall be in effect, but if a majority
26 of the electors voting upon the question are not in favor
27 thereof, the ordinance shall not take effect.

28 The ordinance authorizing the obligations may provide
29 that the obligations shall contain a recital that they are
30 issued pursuant to this Division, which recital shall be
31 conclusive evidence of their validity and of the regularity
32 of their issuance.

33 In the event the municipality authorizes issuance of
34 obligations pursuant to this Section secured by the full

1 faith and credit of the municipality, the ordinance
2 authorizing the obligations may provide for the levy and
3 collection of a direct annual tax upon all taxable property
4 within the municipality sufficient to pay the principal
5 thereof and interest thereon as it matures, which levy may be
6 in addition to and exclusive of the maximum of all other
7 taxes authorized to be levied by the municipality, which
8 levy, however, shall be abated to the extent that monies from
9 other sources are available for payment of the obligations
10 and the municipality certifies the amount of said monies
11 available to the county clerk.

12 A certified copy of such ordinance shall be filed with
13 the county clerk of each county in which any portion of the
14 municipality is situated, and shall constitute the authority
15 for the extension and collection of the taxes to be deposited
16 in the special tax allocation fund.

17 A municipality may also issue its obligations to refund
18 in whole or in part, obligations theretofore issued by such
19 municipality under the authority of this Act, whether at or
20 prior to maturity, provided however, that the last maturity
21 of the refunding obligations shall not be expressed to mature
22 later than December 31 of the year in which the payment to
23 the municipal treasurer as provided in subsection (b) of
24 Section 11-74.4-8 of this Act is to be made with respect to
25 ad valorem taxes levied in the twenty-third calendar year
26 after the year in which the ordinance approving the
27 redevelopment project area is adopted if the ordinance was
28 adopted on or after January 15, 1981, and not later than
29 December 31 of the year in which the payment to the municipal
30 treasurer as provided in subsection (b) of Section 11-74.4-8
31 of this Act is to be made with respect to ad valorem taxes
32 levied in the thirty-fifth calendar year after the year in
33 which the ordinance approving the redevelopment project area
34 is adopted (A) if the ordinance was adopted before January

1 15, 1981, or (B) if the ordinance was adopted in December
2 1983, April 1984, July 1985, or December 1989, or (C) if the
3 ordinance was adopted in December, 1987 and the redevelopment
4 project is located within one mile of Midway Airport, or (D)
5 if the ordinance was adopted before January 1, 1987 by a
6 municipality in Mason County, or (E) if the municipality is
7 subject to the Local Government Financial Planning and
8 Supervision Act or the Financially Distressed City Law, or
9 (F) if the ordinance was adopted in December 1984 by the
10 Village of Rosemont, or (G) if the ordinance was adopted on
11 December 31, 1986 by a municipality located in Clinton County
12 for which at least \$250,000 of tax increment bonds were
13 authorized on June 17, 1997, or if the ordinance was adopted
14 on December 31, 1986 by a municipality with a population in
15 1990 of less than 3,600 that is located in a county with a
16 population in 1990 of less than 34,000 and for which at least
17 \$250,000 of tax increment bonds were authorized on June 17,
18 1997, or (H) if the ordinance was adopted on October 5, 1982
19 by the City of Kankakee, or (I) if the ordinance was adopted
20 on December 29, 1986 by East St. Louis, or if the ordinance
21 was adopted on November 12, 1991 by the Village of Sauget, or
22 (J) if the ordinance was adopted on February 11, 1985 by the
23 City of Rock Island, or (K) if the ordinance was adopted
24 before December 18, 1986 by the City of Moline, or (L) if the
25 ordinance was adopted in September 1988 by Sauk Village, or
26 (M) if the ordinance was adopted in October 1993 by Sauk
27 Village, or (N) if the ordinance was adopted on December 29,
28 1986 by the City of Galva, or (O) if the ordinance was
29 adopted in March 1991 by the City of Centreville, or (P) (L)
30 if the ordinance was adopted on January 23, 1991 by the City
31 of East St. Louis, or (Q) if the ordinance was adopted on
32 September 6, 1994 by the City of Freeport and, for
33 redevelopment project areas for which bonds were issued
34 before July 29, 1991, in connection with a redevelopment

1 project in the area within the State Sales Tax Boundary and
2 which were extended by municipal ordinance under subsection
3 (n) of Section 11-74.4-3, the last maturity of the refunding
4 obligations shall not be expressed to mature later than the
5 date on which the redevelopment project area is terminated or
6 December 31, 2013, whichever date occurs first.

7 In the event a municipality issues obligations under home
8 rule powers or other legislative authority the proceeds of
9 which are pledged to pay for redevelopment project costs, the
10 municipality may, if it has followed the procedures in
11 conformance with this division, retire said obligations from
12 funds in the special tax allocation fund in amounts and in
13 such manner as if such obligations had been issued pursuant
14 to the provisions of this division.

15 All obligations heretofore or hereafter issued pursuant
16 to this Act shall not be regarded as indebtedness of the
17 municipality issuing such obligations or any other taxing
18 district for the purpose of any limitation imposed by law.

19 (Source: P.A. 91-261, eff. 7-23-99; 91-477, eff. 8-11-99;
20 91-478, eff. 11-1-99; 91-642, eff. 8-20-99; 91-763, eff.
21 6-9-00; 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; revised
22 10-10-01.)

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