**Section 520.100 Definitions**

"Act" means the Illinois Enterprise Zone Act [20 ILCS 655].

"Agency" means each officer, board, commission, and agency created by the Constitution in the executive branch of State government, other than the State Board of Elections; each officer, department, board, commission, agency, institution, authority, university, body politic and corporate of the State; and each administrative unit or corporate outgrowth of the State government that is created by or pursuant to statute, other than units of local government and their officers, school districts and boards of election commissioners; each administrative unit or corporate outgrowth of the above and as may be created by executive order of the Governor. No entity shall be considered an "agency" for the purposes of this Act unless authorized by law to make rules and regulations.

"Board" means the Enterprise Zone Board created in Section 5.2.1 of the Act.

"Department" means the Department of Commerce and Economic Opportunity.

"Designated Zone Organization" or "DZO" means an association or entity:

*The Members of which are substantially all residents of the Enterprise Zone*;

*The Board of Directors of which is elected by the members of the organization*;

*Which satisfies the criteria set forth in section 501(c)(3) or 501(c)(4) of the Internal Revenue Code* (26 USC 501(c)(3) or (4))*; and*

*Which exists primarily for the purpose of performing within such area or zone for the benefit of the residents and businesses* *therein any of the functions set forth in Section 8 of the Act* [20 ILCS 655/3].

For the purpose of this definition, "resident" means an individual whose place of residence is within the Enterprise Zone, or a partnership, corporation, association, or sole proprietorship whose principal business office is within the Enterprise Zone.

"Enabling ordinance" means a certified ordinance passed by a city or county to designate, establish and provide for an Enterprise Zone as specified in Section 5(c) of the Act.

"Enterprise Zone" means an area of the State certified by the Department as an Enterprise Zone pursuant to the Act.

*"Full-time equivalent job" means a job in which the new employee works for the recipient or for a corporation under contract to the recipient at a rate of at least 35 hours per week. A recipient who employs labor or services at a specific site or facility under contract with another may declare one full-time, permanent job for every 1,820 man hours worked per year under that contract. Vacations, paid holidays, and sick time are included in this computation. Overtime is not considered a part of regular hours.* [20 ILCS 655/3(i)]

*"Full-time retained job" means any employee defined as having a full-time or full-time equivalent job preserved at a specific facility or site, the continuance of which is threatened by a specific and demonstrable threat, which shall be specified in the application for development assistance. A recipient who employs labor or services at a specific site or facility under contract with another may declare one retained employee per year for every 1,750 man hours worked per year under that contract, even if different individuals perform on-site labor or services.* [20 ILCS 655/3(j)]

"General projections" means number of jobs and amount of investments that are determined based upon general economic forecasting models. Overall, these totals are estimates and would include indirect, direct and induced figures based on trend of past area job growth, which may or may not be a result of the Enterprise Zone Designation.

"Latest federal decennial census"means the most recent American Community Survey released by the U.S. Census Bureau or other appropriate data source produced by the U.S. Census Bureau.

*"Local labor market area" means an economically integrated area within which individuals can reside and find employment within a reasonable distance or can readily change jobs without changing their place of residence.* [20 ILCS 655/3(h)] A local labor market area must be contiguous, compact and entirely within the State of Illinois and shall be, to the extent practicable, comprised of whole Census Tracts. A local labor market area must, at a minimum, contain the entire area within the boundaries of the Enterprise Zone to which it relates. A local labor market area may take into account communities of interest.

"New employee" means a full-time equivalent job that represents a net increase in the number of the recipient's employees statewide.

"New employee" includes an employee who previously filled a new employee position with the recipient who was rehired or called back from a layoff that occurs during or following the base years. The term "new employee" does not include any of the following:

An employee of the recipient who performs a job that was previously performed by another employee in this State, if that job existed in this State for at least 6 months before hiring the employee;

Any individual who has a direct or indirect ownership interest of at least 5% in the profits, capital or value of any member of the recipient;

A child, grandchild, parent or spouse, other than a spouse who is legally separated from the individual, of any individual who has a direct or indirect ownership interest of at least 5% in the profits, capital or value of any member of the recipient;

Employee positions being filled or refilled as a result of strikes or layoffs or replacement workers to replace recipient company locked out employees.

"Public infrastructure" means local roads and streets, access roads, bridges and sidewalks; waste disposal systems; water and sewer line extensions, water distribution and purification facilities, and sewage treatment facilities; rail or air or water port improvements; gas and electric utility facilities; transit capital facilities; development and improvement of publicly owned industrial and commercial sites; or other public capital improvements that are an essential precondition to business retention, development or expansion.

"Specific commitments" means a written commitment from a specific company that has agreed to invest, create and/or retain a certain number of jobs as a condition of the Enterprise Zone designation.

(Source: Amended at 40 Ill. Reg. 10858, effective July 29, 2016)