**Section 110.10 Legislative Base**

a) Federal

1) On July 31, 1981, Congress passed the Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35). This Act established seven block grant programs, including the State Community Development Block Grant (CDBG) Program. These block grants replace a large number of programs previously administered by the federal government. Although the Housing and Community Development Act of 1974 provided since its inception for discretionary block grants to smaller communities, the Omnibus Budget Reconciliation Act of 1981 made a fundamental change to transfer to the states the power and decision making in awarding block grants to small communities.

2) The State Community Development Block Grant Program funds are allocated to the state pursuant to section 106(d) of Title I of the federal Housing and Community Development Act of 1974, as amended. The Act authorizes state administration of the program to units of general local governments in nonentitlement areas. Throughout this Part references are made to the provisions of 24 CFR 570. These HUD regulations were published November 9, 1992.

3) While the states must follow the statutory requirements concerning the use of block grant funds, the Secretary of HUD will give maximum feasible deference to a state's interpretation of these requirements consistent with the Secretary's obligation to enforce compliance with the intent of Congress.

4) Pursuant to 24 CFR 91, the state must submit annually to HUD a Consolidated Plan that serves as the planning document of the state and an application under any of the Community Planning and Development formula grants, including CDBG. The Consolidated Plan will include the application deadlines for the competitive funding components for the upcoming program year. A final statement and certifications are required to be submitted before March 31 during each year in which a state elects to administer the CDBG funds for its nonentitlement areas.

b) Illinois

1) On August 10, 1981, the Governor designated the Illinois Department of Commerce and Community Affairs, now known as the Illinois Department of Commerce and Economic Opportunity, as the State administrative agency for the Small Cities Community Development Block Grant Program. On March 23, 1982, the Governor officially notified the U.S. Department of Housing and Urban Development of the State's election to administer the Small Cities Program for nonentitlement communities within the State.

2) As a part of its application, with respect to the CDBG Program, the State must submit an annual State of Illinois Consolidated Plan Action Plan to HUD outlining the one year use of funds and certifying that it:

A) Engages or will engage in planning for community development activities;

B) Provides or will provide technical assistance to units of general local government in connection with community development programs; and

C) Through the public hearing requirement, has consulted with local elected officials and interested parties/citizens from among units of general local government located in nonentitlement areas of the State determining the method of distribution of CDBG funds.

(Source: Amended at 42 Ill. Reg. 19976, effective October 29, 2018)