

1 AN ACT to amend the Metropolitan Civic Center Support Act  
2 by changing Section 4.

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

5 Section 5. The Metropolitan Civic Center Support Act is  
6 amended by changing Section 4 as follows:

7 (30 ILCS 355/4) (from Ch. 85, par. 1394)

8 Sec. 4. Moneys will be committed and distributed from the  
9 MEAOB Fund in the following manner:

10 (1) Any Authority desiring to make application for  
11 financial support shall do so on forms and in the manner  
12 provided by the Department and accompanied by an economic  
13 feasibility report, an economic impact report, master  
14 building plan and design, documented evidence that the  
15 Authority has been created pursuant to law, a financial  
16 plan, and the required local share of total project costs,  
17 which local share shall include cash or pledges available on  
18 demand through construction in an amount equivalent to 10% of  
19 total project costs, and the sources of and procedures for  
20 obtaining such local share, including evidence that the local  
21 share was authorized at a public meeting. Local share may  
22 not include State funds provided to the Authority through  
23 grant or loan.

24 (2) (a) The application cycle for each program year is  
25 from July 1 to June 30.

26 (b) Only Authorities recognized by the Director as being  
27 created and organized prior to July 1 of a program year may  
28 apply for support in that year.

29 (c) An application must be submitted by August 1 to be  
30 considered in that year. An application submitted by August  
31 1, 1990, that is not fully funded shall remain on file and

1 shall constitute a continuing application for the following 4  
2 program years ending on June 30, 1992, June 30, 1993, June  
3 30, 1994, and June 30, 1995. An Authority must participate in  
4 a consultation with the Department prior to submitting an  
5 application.

6 (d) Applications shall be made available for public  
7 inspection by the Authority.

8 (e) The Department shall hold one or more hearings on  
9 the applications. Applications may be grouped for hearings.

10 (f) Applications may be divided into construction  
11 phases, but dividing the project into phases shall not imply  
12 subsequent approval of funding the delayed phases.  
13 Applications shall be limited to single or multi-purpose  
14 projects the primary function of which is to provide public  
15 entertainment, exhibitions or conventions or to provide  
16 parking facilities related thereto. Office facilities may be  
17 included as an incidental rather than a primary function of a  
18 project. If the Authority holds land or property not  
19 physically contiguous to the civic center property, the  
20 Authority may utilize such other lands or property for any  
21 facility administered by the Authority, and such facility may  
22 be included as an incidental function of a project.  
23 Notwithstanding the foregoing, an Authority created under the  
24 Metropolitan Civic Center Act with a population of less than  
25 100,000, that before July 1, 1990, has received State  
26 financial support for 2 theatre renovation projects in 2  
27 separate communities, may be eligible to seek State financial  
28 support for an agricultural center, university sports  
29 facility, and arena in cooperation with a State university  
30 created under the Regency Universities Act.

31 (g) The Director shall certify an application as  
32 eligible for State financial support if, in his judgment: (i)  
33 the application satisfies all conditions in subsection (1) of  
34 this Section; (ii) the application proposes a facility which

1 accommodates a documented community need; (iii) the  
2 application shows evidence of community support; (iv) the  
3 application proposes a facility which can reasonably be  
4 expected to provide primary and secondary economic benefits  
5 in the metropolitan area of the Authority including such  
6 things as job creation, private investments and other  
7 benefits; and (v) the application proposes a facility the  
8 operational expenses of which are met by the Authority or  
9 through other means available to the Authority.

10 (h) The Director may deny all or a portion of an  
11 application and may deny certification to an applicant if in  
12 the judgment of the Director the applicant has failed to show  
13 that the project is economically feasible, or if the master  
14 building plan and design are incomplete or inadequate, or if  
15 the financial plan is inadequate. The submitted application  
16 will be competitively ranked, with preference given to  
17 applications for funds for repair and maintenance of  
18 Authorities created and organized prior to 1980. If, after  
19 funding the highest ranked applications, the amount available  
20 for certification by the Director, as determined by the  
21 written certification from the Budget Director pursuant to  
22 Section 4(4) of this Act, is insufficient to fund the next  
23 highest ranked project and the project cannot be separated  
24 into workable phases, the Director may select the next  
25 highest ranked project for which funds are sufficient.

26 (i) Upon completion of the application review the  
27 Director shall provide a list of applications approved and  
28 the amount approved, and a list of applications denied and  
29 the amount denied to each applicant.

30 (j) Applicants denied shall be provided with the reason  
31 for denial in writing.

32 (k) Applications not certified in one year may be  
33 resubmitted in another year, but no preference shall be given  
34 to resubmissions, unless the only reason for denial is lack

1 of available State financial support.

2 (1) Applications certified prior to June 1, 1985, shall  
3 remain certified and eligible for State financial support  
4 during fiscal year 1986 after September 3, 1985.  
5 Applications received but not certified by the Department  
6 prior to June 1, 1985, may be certified during fiscal year  
7 1986 after September 3, 1985 in accordance with statutory  
8 provisions in existence at the time the application was  
9 received. All such applications shall be given priority over  
10 applications subsequently received by the Department.

11 (3) (a) The Department shall establish for each  
12 applicant which has been certified by the Director as being  
13 eligible for State financial support a base sum equal to the  
14 lesser of:

15 (i) 75% of the total project costs as determined  
16 from applicant's estimate.

17 (ii) .0310 times the total assessed valuation, as  
18 equalized by the Department of Revenue, of all taxable  
19 property located within the metropolitan area of the  
20 Authority for the year 1975 or 1983, whichever is  
21 greater.

22 (iii) \$20,000,000.

23 Notwithstanding the foregoing, an applicant with a  
24 facility with more than 400,000 square feet of exhibition  
25 space shall have a base sum of \$15,000,000 in any event, and  
26 the applicant shall be eligible to receive up to \$10,000,000  
27 of its base sum in the fiscal year beginning July 1, 1990,  
28 and the balance of its base sum in the fiscal year beginning  
29 July 1, 1991. Notwithstanding the foregoing, an applicant  
30 that has received by July 1, 1990, the maximum amount of  
31 State financial support authorized under subsection  
32 (3)(a)(iii) of this Section shall receive additional State  
33 financial support as appropriated by the General Assembly.

34 (b) After this base sum has been established, the

1 Department shall enter into an agreement with the Authority  
2 whereby the Department will agree to do one of the following:

3 (i) Subject to annual appropriation by the General  
4 Assembly, to pay annually to the Authority from the MEAOB  
5 Fund (A) an amount equal to the interest and principal  
6 cost to the Authority of amortizing revenue bonds issued  
7 by the Authority in an amount equal to the base sum or  
8 (B) an amount equal to the interest and principal cost to  
9 a unit of local government of amortizing revenue or  
10 general obligation bonds issued by the unit of local  
11 government pursuant to an intergovernmental cooperation  
12 agreement with the Authority in an amount equal to the  
13 base sum. The amortization schedule for such revenue or  
14 general obligation bonds shall be determined by the  
15 Authority or the unit of local government and be approved  
16 by the Department; or

17 (ii) After September 3, 1985, to provide State  
18 financial support from the issuance of Bonds pursuant to  
19 Section 7 of this Act, the proceeds of which shall be  
20 granted by the Department to the Authority in an amount  
21 equal to the base sum, subject to annual appropriation by  
22 the General Assembly. After September 3, 1985, newly  
23 certified applicants shall receive State financial  
24 support only in accordance with this subparagraph (ii).

25 The issuance of Bonds pursuant to Section 7 of this Act  
26 to provide State financial support, as provided in  
27 subparagraph (ii) above, shall be subject to the satisfaction  
28 of all the conditions contained in this Act required for the  
29 issuance of Bonds, including, without limitation, those  
30 conditions contained in Section 9. Any application certified  
31 by the Director as eligible for State financial support in  
32 one fiscal year, but for which State financial support is not  
33 provided during such fiscal year, shall continue to be  
34 certified as eligible for State financial support in

1 subsequent fiscal years.

2 (4) Prior to July 1, 1989, the Director shall not  
3 certify an applicant Authority as eligible for State  
4 Financial Support unless he receives written certification  
5 from the Budget Director that the revenues for the last  
6 completed fiscal year paid into the MEAOB Fund equal or  
7 exceed 175% of the annual debt service required with respect  
8 to Bonds and Local Bonds for previously certified  
9 applications and the application then under consideration.  
10 For the fiscal year beginning July 1, 1989, and each fiscal  
11 year thereafter, the Director shall not certify an applicant  
12 Authority as eligible for State Financial Support unless he  
13 receives written certification from the Budget Director that  
14 the amount to be certified by the Director, when added to all  
15 other amounts previously certified by the Director and funded  
16 from the proceeds of Bonds, does not exceed the estimated  
17 proceeds available under this Act to fund civic center and  
18 library projects from the proceeds of Bonds to be issued and  
19 sold after July 1, 1989 pursuant to Section 7 of this Act.  
20 The total aggregate amount of principal issued and  
21 outstanding in Bonds and in Local Bonds subject to State  
22 financial support under subsection (3)(b) above at any given  
23 time for all Authorities shall not exceed the sum of  
24 \$200,000,000. Bonds and Local Bonds (or portions thereof) for  
25 which there shall be delivered to an escrow agent or trustee  
26 for the benefit of the holders thereof either cash or a  
27 combination of cash and direct obligations of, or obligations  
28 the principal and interest on which are fully guaranteed by,  
29 the United States of America shall be deemed not to be  
30 outstanding for the purpose of any determination of, or  
31 certification relating to, debt service coverage required by  
32 this Act to the extent that the principal of, premium, if  
33 any, and interest on such bonds are payable from the amount  
34 so delivered and any income or increment to accrue thereon

1 (without consideration of any reinvestment thereof). Bonds  
2 and Local Bonds (or portions thereof) for which there shall  
3 be delivered to an escrow agent or trustee for the benefit of  
4 the holders thereof either cash or a combination of cash and  
5 direct obligations of, or obligations the principal and  
6 interest on which are fully guaranteed by, the United States  
7 of America shall be deemed not to be outstanding for the  
8 purpose of any determination of, or certification relating  
9 to, the aggregate amount of Bonds and Local Bonds outstanding  
10 at any given time under this Act to the extent that the  
11 principal of and premium, if any, on such bonds are payable  
12 from the amount so delivered and any income or increment to  
13 accrue thereon (without consideration of any reinvestment  
14 thereof).

15 (Source: P.A. 91-357, eff. 7-29-99.)

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