

1 AN ACT in relation to local government.

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, 11-74.4-4.1, 11-74.4-5, and
6 11-74.4-7 as follows:

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

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

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

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

31 (A) Dilapidation. An advanced state of

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

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

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

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

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

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

1 because of the frequency, extent, or duration of the
2 vacancies.

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

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

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

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

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

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

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

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

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

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

34 (A) Obsolete platting of vacant land that

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 be removed.

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

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

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

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

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

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

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

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

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

1 and service.

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

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

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

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

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

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

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

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

1 publication. For the purpose of this subsection, if
2 unemployment rate statistics for the municipality are not
3 available, the unemployment rate in the municipality shall be
4 deemed to be the same as the unemployment rate in the
5 principal county in which the municipality is located.

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

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

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

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

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

1 to June 30, 1989, to determine the tax amounts received from
2 retailers and servicemen pursuant to the Municipal Retailers'
3 Occupation Tax and the Municipal Service Occupation Tax Act
4 which shall have deducted therefrom nine-twelfths of the
5 certified Initial Sales Tax Amounts, Adjusted Initial Sales
6 Tax Amounts or the Revised Initial Sales Tax Amounts as
7 appropriate. For every State Fiscal Year thereafter, the
8 applicable period shall be the 12 months beginning July 1 and
9 ending June 30 to determine the tax amounts received which
10 shall have deducted therefrom the certified Initial Sales Tax
11 Amounts, the Adjusted Initial Sales Tax Amounts or the
12 Revised Initial Sales Tax Amounts, as the case may be.

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

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

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

1 multiplying the Net State Sales Tax Increment by 60% in the
2 State Fiscal Year 2002; 50% in the State Fiscal Year 2003;
3 40% in the State Fiscal Year 2004; 30% in the State Fiscal
4 Year 2005; 20% in the State Fiscal Year 2006; and 10% in the
5 State Fiscal Year 2007. No payment shall be made for State
6 Fiscal Year 2008 and thereafter. Refunding of any bonds
7 issued prior to July 29, 1991, shall not alter the Net State
8 Sales Tax Increment.

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

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

1 Net State Utility Tax Increment by 90% in the State Fiscal
2 Year 1999; 80% in the State Fiscal Year 2000; 70% in the
3 State Fiscal Year 2001; 60% in the State Fiscal Year 2002;
4 50% in the State Fiscal Year 2003; 40% in the State Fiscal
5 Year 2004; 30% in the State Fiscal Year 2005; 20% in the
6 State Fiscal Year 2006; and 10% in the State Fiscal Year
7 2007. No payment shall be made for the State Fiscal Year 2008
8 and thereafter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31 (1) The municipality finds that the redevelopment
32 project area on the whole has not been subject to growth
33 and development through investment by private enterprise
34 and would not reasonably be anticipated to be developed

1 without the adoption of the redevelopment plan.

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

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

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

33 (B) if the ordinance was adopted in December
34 1983, April 1984, July 1985, or December 1989, or

1 (C) if the ordinance was adopted in December
2 1987 and the redevelopment project is located within
3 one mile of Midway Airport, or

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

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

10 (F) if the ordinance was adopted in December
11 1984 by the Village of Rosemont, or

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

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

26 (I) if the ordinance was adopted on November
27 12, 1991 by the Village of Sauget, or

28 (J) if the ordinance was adopted on February
29 11, 1985 by the City of Rock Island, or

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

32 (L) if the ordinance was adopted in September
33 1988 by Sauk Village, or

34 (M) if the ordinance was adopted in October

1 1993 by Sauk Village, or
2 (N) if the ordinance was adopted on December
3 29, 1986 by the City of Galva, or
4 (O) if the ordinance was adopted in March 1991
5 by the City of Centreville, or
6 (P) ~~(B)~~ if the ordinance was adopted on
7 January 23, 1991 by the City of East St. Louis, or
8 (Q) if the ordinance was adopted on December
9 22, 1986 by the City of Aledo, or
10 (R) if the ordinance was adopted on February
11 5, 1990 by the City of Clinton, or
12 (S) if the ordinance was adopted on September
13 6, 1994 by the City of Freeport, or
14 (T) if the ordinance was adopted on December
15 22, 1986 by the City of Tuscola, or
16 (U) if the ordinance was adopted on December
17 23, 1986 by the City of Sparta, or
18 (V) if the ordinance was adopted on December
19 23, 1986 by the City of Beardstown, or
20 (W) if the ordinance was adopted on April 27,
21 1981, October 21, 1985, or December 30, 1986 by the
22 City of Belleville.

23 However, for redevelopment project areas for which
24 bonds were issued before July 29, 1991, or for which
25 contracts were entered into before June 1, 1988, in
26 connection with a redevelopment project in the area
27 within the State Sales Tax Boundary, the estimated dates
28 of completion of the redevelopment project and retirement
29 of obligations to finance redevelopment project costs may
30 be extended by municipal ordinance to December 31, 2013.
31 The extension allowed by this amendatory Act of 1993
32 shall not apply to real property tax increment allocation
33 financing under Section 11-74.4-8.

34 A municipality may by municipal ordinance amend an

1 existing redevelopment plan to conform to this paragraph
2 (3) as amended by Public Act 91-478, which municipal
3 ordinance may be adopted without further hearing or
4 notice and without complying with the procedures provided
5 in this Act pertaining to an amendment to or the initial
6 approval of a redevelopment plan and project and
7 designation of a redevelopment project area.

8 Those dates, for purposes of real property tax
9 increment allocation financing pursuant to Section
10 11-74.4-8 only, shall be not more than 35 years for
11 redevelopment project areas that were adopted on or after
12 December 16, 1986 and for which at least \$8 million worth
13 of municipal bonds were authorized on or after December
14 19, 1989 but before January 1, 1990; provided that the
15 municipality elects to extend the life of the
16 redevelopment project area to 35 years by the adoption of
17 an ordinance after at least 14 but not more than 30 days'
18 written notice to the taxing bodies, that would otherwise
19 constitute the joint review board for the redevelopment
20 project area, before the adoption of the ordinance.

21 Those dates, for purposes of real property tax
22 increment allocation financing pursuant to Section
23 11-74.4-8 only, shall be not more than 35 years for
24 redevelopment project areas that were established on or
25 after December 1, 1981 but before January 1, 1982 and for
26 which at least \$1,500,000 worth of tax increment revenue
27 bonds were authorized on or after September 30, 1990 but
28 before July 1, 1991; provided that the municipality
29 elects to extend the life of the redevelopment project
30 area to 35 years by the adoption of an ordinance after at
31 least 14 but not more than 30 days' written notice to the
32 taxing bodies, that would otherwise constitute the joint
33 review board for the redevelopment project area, before
34 the adoption of the ordinance.

1 (3.5) The municipality finds, in the case of an
 2 industrial park conservation area, also that the
 3 municipality is a labor surplus municipality and that the
 4 implementation of the redevelopment plan will reduce
 5 unemployment, create new jobs and by the provision of new
 6 facilities enhance the tax base of the taxing districts
 7 that extend into the redevelopment project area.

8 (4) If any incremental revenues are being utilized
 9 under Section 8(a)(1) or 8(a)(2) of this Act in
 10 redevelopment project areas approved by ordinance after
 11 January 1, 1986, the municipality finds: (a) that the
 12 redevelopment project area would not reasonably be
 13 developed without the use of such incremental revenues,
 14 and (b) that such incremental revenues will be
 15 exclusively utilized for the development of the
 16 redevelopment project area.

17 (5) ~~On---and---after---November--17--1997~~ If the
 18 redevelopment plan will not result in displacement of ~~10~~
 19 ~~or--more~~ residents from 10 or more inhabited residential
 20 units, and the municipality certifies in the plan that
 21 such displacement will not result from the plan, a
 22 housing impact study need not be performed. If, however,
 23 the redevelopment plan would result in the displacement
 24 of residents from 10 or more inhabited residential units,
 25 or if the redevelopment project area contains 75 or more
 26 inhabited residential units and no certification is made,
 27 then the municipality shall prepare, as part of the
 28 separate feasibility report required by subsection (a) of
 29 Section 11-74.4-5, a housing impact study.

30 Part I of the housing impact study shall include (i)
 31 data as to whether the residential units are single
 32 family or multi-family units, (ii) the number and type of
 33 rooms within the units, if that information is available,
 34 (iii) whether the units are inhabited or uninhabited, as

1 determined not less than 45 days before the date that the
2 ordinance or resolution required by subsection (a) of
3 Section 11-74.4-5 is passed, and (iv) data as to the
4 racial and ethnic composition of the residents in the
5 inhabited residential units. The data requirement as to
6 the racial and ethnic composition of the residents in the
7 inhabited residential units shall be deemed to be fully
8 satisfied by data from the most recent federal census.

9 Part II of the housing impact study shall identify
10 the inhabited residential units in the proposed
11 redevelopment project area that are to be or may be
12 removed. If inhabited residential units are to be
13 removed, then the housing impact study shall identify (i)
14 the number and location of those units that will or may
15 be removed, (ii) the municipality's plans for relocation
16 assistance for those residents in the proposed
17 redevelopment project area whose residences are to be
18 removed, (iii) the availability of replacement housing
19 for those residents whose residences are to be removed,
20 and shall identify the type, location, and cost of the
21 housing, and (iv) the type and extent of relocation
22 assistance to be provided.

23 (6) On and after November 1, 1999, the housing
24 impact study required by paragraph (5) shall be
25 incorporated in the redevelopment plan for the
26 redevelopment project area.

27 (7) On and after November 1, 1999, no redevelopment
28 plan shall be adopted, nor an existing plan amended, nor
29 shall residential housing that is occupied by households
30 of low-income and very low-income persons in currently
31 existing redevelopment project areas be removed after
32 November 1, 1999 unless the redevelopment plan provides,
33 with respect to inhabited housing units that are to be
34 removed for households of low-income and very low-income

1 persons, affordable housing and relocation assistance not
 2 less than that which would be provided under the federal
 3 Uniform Relocation Assistance and Real Property
 4 Acquisition Policies Act of 1970 and the regulations
 5 under that Act, including the eligibility criteria.
 6 Affordable housing may be either existing or newly
 7 constructed housing. For purposes of this paragraph (7),
 8 "low-income households", "very low-income households",
 9 and "affordable housing" have the meanings set forth in
 10 the Illinois Affordable Housing Act. The municipality
 11 shall make a good faith effort to ensure that this
 12 affordable housing is located in or near the
 13 redevelopment project area within the municipality.

14 (8) On and after November 1, 1999, if, after the
 15 adoption of the redevelopment plan for the redevelopment
 16 project area, any municipality desires to amend its
 17 redevelopment plan to remove more inhabited residential
 18 units than specified in its original redevelopment plan,
 19 that change shall be made in accordance with the
 20 procedures in subsection (c) of Section 11-74.4-5
 21 ~~increase--in--the--number--of--units--to--be--removed--shall--be~~
 22 ~~deemed--to--be--a--change--in--the--nature--of--the--redevelopment~~
 23 ~~plan--as--to--require--compliance--with--the--procedures--in--this~~
 24 ~~Act--pertaining--to--the--initial--approval--of--a--redevelopment~~
 25 ~~plan.~~

26 (9) For redevelopment project areas designated
 27 prior to November 1, 1999, the redevelopment plan may be
 28 amended without further joint review board meeting or
 29 hearing, provided that the municipality shall give notice
 30 of any such changes by mail to each affected taxing
 31 district and registrant on the interested party registry,
 32 to authorize the municipality to expend tax increment
 33 revenues for redevelopment project costs defined by
 34 paragraphs (5) and (7.5), subparagraphs (E) and (F) of

1 paragraph (11), and paragraph (11.5) of subsection (q) of
2 Section 11-74.4-3, so long as the changes do not increase
3 the total estimated redevelopment project costs set out
4 in the redevelopment plan by more than 5% after
5 adjustment for inflation from the date the plan was
6 adopted.

7 (o) "Redevelopment project" means any public and private
8 development project in furtherance of the objectives of a
9 redevelopment plan. On and after November 1, 1999 (the
10 effective date of Public Act 91-478), no redevelopment plan
11 may be approved or amended that includes the development of
12 vacant land (i) with a golf course and related clubhouse and
13 other facilities or (ii) designated by federal, State,
14 county, or municipal government as public land for outdoor
15 recreational activities or for nature preserves and used for
16 that purpose within 5 years prior to the adoption of the
17 redevelopment plan. For the purpose of this subsection,
18 "recreational activities" is limited to mean camping and
19 hunting.

20 (p) "Redevelopment project area" means an area
21 designated by the municipality, which is not less in the
22 aggregate than 1 1/2 acres and in respect to which the
23 municipality has made a finding that there exist conditions
24 which cause the area to be classified as an industrial park
25 conservation area or a blighted area or a conservation area,
26 or a combination of both blighted areas and conservation
27 areas.

28 (q) "Redevelopment project costs" mean and include the
29 sum total of all reasonable or necessary costs incurred or
30 estimated to be incurred, and any such costs incidental to a
31 redevelopment plan and a redevelopment project. Such costs
32 include, without limitation, the following:

33 (1) Costs of studies, surveys, development of
34 plans, and specifications, implementation and

1 administration of the redevelopment plan including but
2 not limited to staff and professional service costs for
3 architectural, engineering, legal, financial, planning or
4 other services, provided however that no charges for
5 professional services may be based on a percentage of the
6 tax increment collected; except that on and after
7 November 1, 1999 (the effective date of Public Act
8 91-478), no contracts for professional services,
9 excluding architectural and engineering services, may be
10 entered into if the terms of the contract extend beyond a
11 period of 3 years. In addition, "redevelopment project
12 costs" shall not include lobbying expenses. After
13 consultation with the municipality, each tax increment
14 consultant or advisor to a municipality that plans to
15 designate or has designated a redevelopment project area
16 shall inform the municipality in writing of any contracts
17 that the consultant or advisor has entered into with
18 entities or individuals that have received, or are
19 receiving, payments financed by tax increment revenues
20 produced by the redevelopment project area with respect
21 to which the consultant or advisor has performed, or will
22 be performing, service for the municipality. This
23 requirement shall be satisfied by the consultant or
24 advisor before the commencement of services for the
25 municipality and thereafter whenever any other contracts
26 with those individuals or entities are executed by the
27 consultant or advisor;

28 (1.5) After July 1, 1999, annual administrative
29 costs shall not include general overhead or
30 administrative costs of the municipality that would still
31 have been incurred by the municipality if the
32 municipality had not designated a redevelopment project
33 area or approved a redevelopment plan;

34 (1.6) The cost of marketing sites within the

1 redevelopment project area to prospective businesses,
2 developers, and investors;

3 (2) Property assembly costs, including but not
4 limited to acquisition of land and other property, real
5 or personal, or rights or interests therein, demolition
6 of buildings, site preparation, site improvements that
7 serve as an engineered barrier addressing ground level or
8 below ground environmental contamination, including, but
9 not limited to parking lots and other concrete or asphalt
10 barriers, and the clearing and grading of land;

11 (3) Costs of rehabilitation, reconstruction or
12 repair or remodeling of existing public or private
13 buildings, fixtures, and leasehold improvements; and the
14 cost of replacing an existing public building if pursuant
15 to the implementation of a redevelopment project the
16 existing public building is to be demolished to use the
17 site for private investment or devoted to a different use
18 requiring private investment;

19 (4) Costs of the construction of public works or
20 improvements, except that on and after November 1, 1999,
21 redevelopment project costs shall not include the cost of
22 constructing a new municipal public building principally
23 used to provide offices, storage space, or conference
24 facilities or vehicle storage, maintenance, or repair for
25 administrative, public safety, or public works personnel
26 and that is not intended to replace an existing public
27 building as provided under paragraph (3) of subsection
28 (q) of Section 11-74.4-3 unless either (i) the
29 construction of the new municipal building implements a
30 redevelopment project that was included in a
31 redevelopment plan that was adopted by the municipality
32 prior to November 1, 1999 or (ii) the municipality makes
33 a reasonable determination in the redevelopment plan,
34 supported by information that provides the basis for that

1 determination, that the new municipal building is
2 required to meet an increase in the need for public
3 safety purposes anticipated to result from the
4 implementation of the redevelopment plan;

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

9 (6) Financing costs, including but not limited to
10 all necessary and incidental expenses related to the
11 issuance of obligations and which may include payment of
12 interest on any obligations issued hereunder including
13 interest accruing during the estimated period of
14 construction of any redevelopment project for which such
15 obligations are issued and for not exceeding 36 months
16 thereafter and including reasonable reserves related
17 thereto;

18 (7) To the extent the municipality by written
19 agreement accepts and approves the same, all or a portion
20 of a taxing district's capital costs resulting from the
21 redevelopment project necessarily incurred or to be
22 incurred within a taxing district in furtherance of the
23 objectives of the redevelopment plan and project.

24 (7.5) For redevelopment project areas designated
25 (or redevelopment project areas amended to add or
26 increase the number of tax-increment-financing assisted
27 housing units) on or after November 1, 1999, an
28 elementary, secondary, or unit school district's
29 increased costs attributable to assisted housing units
30 located within the redevelopment project area for which
31 the developer or redeveloper receives financial
32 assistance through an agreement with the municipality or
33 because the municipality incurs the cost of necessary
34 infrastructure improvements within the boundaries of the

1 assisted housing sites necessary for the completion of
2 that housing as authorized by this Act, and which costs
3 shall be paid by the municipality from the Special Tax
4 Allocation Fund when the tax increment revenue is
5 received as a result of the assisted housing units and
6 shall be calculated annually as follows:

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

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

33 (ii) for elementary school districts with
34 a district average 1995-96 Per Capita Tuition

1 Charge of less than \$5,900, no more than 17% of
 2 the total amount of property tax increment
 3 revenue produced by those housing units that
 4 have received tax increment finance assistance
 5 under this Act; and

6 (iii) for secondary school districts with
 7 a district average 1995-96 Per Capita Tuition
 8 Charge of less than \$5,900, no more than 8% of
 9 the total amount of property tax increment
 10 revenue produced by those housing units that
 11 have received tax increment finance assistance
 12 under this Act.

13 (B) For alternate method districts, flat grant
 14 districts, and foundation districts with a district
 15 average 1995-96 Per Capita Tuition Charge equal to
 16 or more than \$5,900, excluding any school district
 17 with a population in excess of 1,000,000, by
 18 multiplying the district's increase in attendance
 19 resulting from the net increase in new students
 20 enrolled in that school district who reside in
 21 housing units within the redevelopment project area
 22 that have received financial assistance through an
 23 agreement with the municipality or because the
 24 municipality incurs the cost of necessary
 25 infrastructure improvements within the boundaries of
 26 the housing sites necessary for the completion of
 27 that housing as authorized by this Act since the
 28 designation of the redevelopment project area by the
 29 most recently available per capita tuition cost as
 30 defined in Section 10-20.12a of the School Code less
 31 any increase in general state aid as defined in
 32 Section 18-8.05 of the School Code attributable to
 33 these added new students subject to the following
 34 annual limitations:

1 (i) for unit school districts, no more
 2 than 40% of the total amount of property tax
 3 increment revenue produced by those housing
 4 units that have received tax increment finance
 5 assistance under this Act;

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

11 (iii) for secondary school districts, no
 12 more than 13% of the total amount of property
 13 tax increment revenue produced by those housing
 14 units that have received tax increment finance
 15 assistance under this Act.

16 (C) For any school district in a municipality
 17 with a population in excess of 1,000,000, the
 18 following restrictions shall apply to the
 19 reimbursement of increased costs under this
 20 paragraph (7.5):

21 (i) no increased costs shall be
 22 reimbursed unless the school district certifies
 23 that each of the schools affected by the
 24 assisted housing project is at or over its
 25 student capacity;

26 (ii) the amount reimburseable shall be
 27 reduced by the value of any land donated to the
 28 school district by the municipality or
 29 developer, and by the value of any physical
 30 improvements made to the schools by the
 31 municipality or developer; and

32 (iii) the amount reimbursed may not
 33 affect amounts otherwise obligated by the terms
 34 of any bonds, notes, or other funding

1 instruments, or the terms of any redevelopment
2 agreement.

3 Any school district seeking payment under this
4 paragraph (7.5) shall, after July 1 and before
5 September 30 of each year, provide the municipality
6 with reasonable evidence to support its claim for
7 reimbursement before the municipality shall be
8 required to approve or make the payment to the
9 school district. If the school district fails to
10 provide the information during this period in any
11 year, it shall forfeit any claim to reimbursement
12 for that year. School districts may adopt a
13 resolution waiving the right to all or a portion of
14 the reimbursement otherwise required by this
15 paragraph (7.5). By acceptance of this
16 reimbursement the school district waives the right
17 to directly or indirectly set aside, modify, or
18 contest in any manner the establishment of the
19 redevelopment project area or projects;

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

25 (9) Payment in lieu of taxes;

26 (10) Costs of job training, retraining, advanced
27 vocational education or career education, including but
28 not limited to courses in occupational, semi-technical or
29 technical fields leading directly to employment, incurred
30 by one or more taxing districts, provided that such costs
31 (i) are related to the establishment and maintenance of
32 additional job training, advanced vocational education or
33 career education programs for persons employed or to be
34 employed by employers located in a redevelopment project

1 area; and (ii) when incurred by a taxing district or
 2 taxing districts other than the municipality, are set
 3 forth in a written agreement by or among the municipality
 4 and the taxing district or taxing districts, which
 5 agreement describes the program to be undertaken,
 6 including but not limited to the number of employees to
 7 be trained, a description of the training and services to
 8 be provided, the number and type of positions available
 9 or to be available, itemized costs of the program and
 10 sources of funds to pay for the same, and the term of the
 11 agreement. Such costs include, specifically, the payment
 12 by community college districts of costs pursuant to
 13 Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public
 14 Community College Act and by school districts of costs
 15 pursuant to Sections 10-22.20a and 10-23.3a of The School
 16 Code;

17 (11) Interest cost incurred by a redeveloper
 18 related to the construction, renovation or rehabilitation
 19 of a redevelopment project provided that:

20 (A) such costs are to be paid directly from
 21 the special tax allocation fund established pursuant
 22 to this Act;

23 (B) such payments in any one year may not
 24 exceed 30% of the annual interest costs incurred by
 25 the redeveloper with regard to the redevelopment
 26 project during that year;

27 (C) if there are not sufficient funds
 28 available in the special tax allocation fund to make
 29 the payment pursuant to this paragraph (11) then the
 30 amounts so due shall accrue and be payable when
 31 sufficient funds are available in the special tax
 32 allocation fund;

33 (D) the total of such interest payments paid
 34 pursuant to this Act may not exceed 30% of the total

1 (i) cost paid or incurred by the redeveloper for the
2 redevelopment project plus (ii) redevelopment
3 project costs excluding any property assembly costs
4 and any relocation costs incurred by a municipality
5 pursuant to this Act; and

6 (E) the cost limits set forth in subparagraphs
7 (B) and (D) of paragraph (11) shall be modified for
8 the financing of rehabilitated or new housing units
9 for low-income households and very low-income
10 households, as defined in Section 3 of the Illinois
11 Affordable Housing Act. The percentage of 75% shall
12 be substituted for 30% in subparagraphs (B) and (D)
13 of paragraph (11).

14 (F) Instead of the eligible costs provided by
15 subparagraphs (B) and (D) of paragraph (11), as
16 modified by this subparagraph, and notwithstanding
17 any other provisions of this Act to the contrary,
18 the municipality may pay from tax increment revenues
19 up to 50% of the cost of construction of new housing
20 units to be occupied by low-income households and
21 very low-income households as defined in Section 3
22 of the Illinois Affordable Housing Act. The cost of
23 construction of those units may be derived from the
24 proceeds of bonds issued by the municipality under
25 this Act or other constitutional or statutory
26 authority or from other sources of municipal revenue
27 that may be reimbursed from tax increment revenues
28 or the proceeds of bonds issued to finance the
29 construction of that housing.

30 The eligible costs provided under this
31 subparagraph (F) of paragraph (11) shall be an
32 eligible cost for the construction, renovation, and
33 rehabilitation of all low and very low-income
34 housing units, as defined in Section 3 of the

1 Illinois Affordable Housing Act, within the
2 redevelopment project area. If the low and very
3 low-income units are part of a residential
4 redevelopment project that includes units not
5 affordable to low and very low-income households,
6 only the low and very low-income units shall be
7 eligible for benefits under subparagraph (F) of
8 paragraph (11). The standards for maintaining the
9 occupancy by low-income households and very
10 low-income households, as defined in Section 3 of
11 the Illinois Affordable Housing Act, of those units
12 constructed with eligible costs made available under
13 the provisions of this subparagraph (F) of paragraph
14 (11) shall be established by guidelines adopted by
15 the municipality. The responsibility for annually
16 documenting the initial occupancy of the units by
17 low-income households and very low-income
18 households, as defined in Section 3 of the Illinois
19 Affordable Housing Act, shall be that of the then
20 current owner of the property. For ownership units,
21 the guidelines will provide, at a minimum, for a
22 reasonable recapture of funds, or other appropriate
23 methods designed to preserve the original
24 affordability of the ownership units. For rental
25 units, the guidelines will provide, at a minimum,
26 for the affordability of rent to low and very
27 low-income households. As units become available,
28 they shall be rented to income-eligible tenants. The
29 municipality may modify these guidelines from time
30 to time; the guidelines, however, shall be in effect
31 for as long as tax increment revenue is being used
32 to pay for costs associated with the units or for
33 the retirement of bonds issued to finance the units
34 or for the life of the redevelopment project area,

1 whichever is later.

2 (11.5) If the redevelopment project area is located
3 within a municipality with a population of more than
4 100,000, the cost of day care services for children of
5 employees from low-income families working for businesses
6 located within the redevelopment project area and all or
7 a portion of the cost of operation of day care centers
8 established by redevelopment project area businesses to
9 serve employees from low-income families working in
10 businesses located in the redevelopment project area.
11 For the purposes of this paragraph, "low-income families"
12 means families whose annual income does not exceed 80% of
13 the municipal, county, or regional median income,
14 adjusted for family size, as the annual income and
15 municipal, county, or regional median income are
16 determined from time to time by the United States
17 Department of Housing and Urban Development.

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

21 (13) After November 1, 1999 (the effective date of
22 Public Act 91-478), none of the redevelopment project
23 costs enumerated in this subsection shall be eligible
24 redevelopment project costs if those costs would provide
25 direct financial support to a retail entity initiating
26 operations in the redevelopment project area while
27 terminating operations at another Illinois location
28 within 10 miles of the redevelopment project area but
29 outside the boundaries of the redevelopment project area
30 municipality. For purposes of this paragraph,
31 termination means a closing of a retail operation that is
32 directly related to the opening of the same operation or
33 like retail entity owned or operated by more than 50% of
34 the original ownership in a redevelopment project area,

1 but it does not mean closing an operation for reasons
2 beyond the control of the retail entity, as documented by
3 the retail entity, subject to a reasonable finding by the
4 municipality that the current location contained
5 inadequate space, had become economically obsolete, or
6 was no longer a viable location for the retailer or
7 serviceman.

8 If a special service area has been established pursuant
9 to the Special Service Area Tax Act or Special Service Area
10 Tax Law, then any tax increment revenues derived from the tax
11 imposed pursuant to the Special Service Area Tax Act or
12 Special Service Area Tax Law may be used within the
13 redevelopment project area for the purposes permitted by that
14 Act or Law as well as the purposes permitted by this Act.

15 (r) "State Sales Tax Boundary" means the redevelopment
16 project area or the amended redevelopment project area
17 boundaries which are determined pursuant to subsection (9) of
18 Section 11-74.4-8a of this Act. The Department of Revenue
19 shall certify pursuant to subsection (9) of Section
20 11-74.4-8a the appropriate boundaries eligible for the
21 determination of State Sales Tax Increment.

22 (s) "State Sales Tax Increment" means an amount equal to
23 the increase in the aggregate amount of taxes paid by
24 retailers and servicemen, other than retailers and servicemen
25 subject to the Public Utilities Act, on transactions at
26 places of business located within a State Sales Tax Boundary
27 pursuant to the Retailers' Occupation Tax Act, the Use Tax
28 Act, the Service Use Tax Act, and the Service Occupation Tax
29 Act, except such portion of such increase that is paid into
30 the State and Local Sales Tax Reform Fund, the Local
31 Government Distributive Fund, the Local Government Tax
32 Fund and the County and Mass Transit District Fund, for as
33 long as State participation exists, over and above the
34 Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts

1 or the Revised Initial Sales Tax Amounts for such taxes as
2 certified by the Department of Revenue and paid under those
3 Acts by retailers and servicemen on transactions at places of
4 business located within the State Sales Tax Boundary during
5 the base year which shall be the calendar year immediately
6 prior to the year in which the municipality adopted tax
7 increment allocation financing, less 3.0% of such amounts
8 generated under the Retailers' Occupation Tax Act, Use Tax
9 Act and Service Use Tax Act and the Service Occupation Tax
10 Act, which sum shall be appropriated to the Department of
11 Revenue to cover its costs of administering and enforcing
12 this Section. For purposes of computing the aggregate amount
13 of such taxes for base years occurring prior to 1985, the
14 Department of Revenue shall compute the Initial Sales Tax
15 Amount for such taxes and deduct therefrom an amount equal to
16 4% of the aggregate amount of taxes per year for each year
17 the base year is prior to 1985, but not to exceed a total
18 deduction of 12%. The amount so determined shall be known as
19 the "Adjusted Initial Sales Tax Amount". For purposes of
20 determining the State Sales Tax Increment the Department of
21 Revenue shall for each period subtract from the tax amounts
22 received from retailers and servicemen on transactions
23 located in the State Sales Tax Boundary, the certified
24 Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts
25 or Revised Initial Sales Tax Amounts for the Retailers'
26 Occupation Tax Act, the Use Tax Act, the Service Use Tax Act
27 and the Service Occupation Tax Act. For the State Fiscal
28 Year 1989 this calculation shall be made by utilizing the
29 calendar year 1987 to determine the tax amounts received. For
30 the State Fiscal Year 1990, this calculation shall be made by
31 utilizing the period from January 1, 1988, until September
32 30, 1988, to determine the tax amounts received from
33 retailers and servicemen, which shall have deducted therefrom
34 nine-twelfths of the certified Initial Sales Tax Amounts,

1 Adjusted Initial Sales Tax Amounts or the Revised Initial
2 Sales Tax Amounts as appropriate. For the State Fiscal Year
3 1991, this calculation shall be made by utilizing the period
4 from October 1, 1988, until June 30, 1989, to determine the
5 tax amounts received from retailers and servicemen, which
6 shall have deducted therefrom nine-twelfths of the certified
7 Initial State Sales Tax Amounts, Adjusted Initial Sales Tax
8 Amounts or the Revised Initial Sales Tax Amounts as
9 appropriate. For every State Fiscal Year thereafter, the
10 applicable period shall be the 12 months beginning July 1 and
11 ending on June 30, to determine the tax amounts received
12 which shall have deducted therefrom the certified Initial
13 Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the
14 Revised Initial Sales Tax Amounts. Municipalities intending
15 to receive a distribution of State Sales Tax Increment must
16 report a list of retailers to the Department of Revenue by
17 October 31, 1988 and by July 31, of each year thereafter.

18 (t) "Taxing districts" means counties, townships, cities
19 and incorporated towns and villages, school, road, park,
20 sanitary, mosquito abatement, forest preserve, public health,
21 fire protection, river conservancy, tuberculosis sanitarium
22 and any other municipal corporations or districts with the
23 power to levy taxes.

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

28 (v) As used in subsection (a) of Section 11-74.4-3 of
29 this Act, "vacant land" means any parcel or combination of
30 parcels of real property without industrial, commercial, and
31 residential buildings which has not been used for commercial
32 agricultural purposes within 5 years prior to the designation
33 of the redevelopment project area, unless the parcel is
34 included in an industrial park conservation area or the

1 parcel has been subdivided; provided that if the parcel was
2 part of a larger tract that has been divided into 3 or more
3 smaller tracts that were accepted for recording during the
4 period from 1950 to 1990, then the parcel shall be deemed to
5 have been subdivided, and all proceedings and actions of the
6 municipality taken in that connection with respect to any
7 previously approved or designated redevelopment project area
8 or amended redevelopment project area are hereby validated
9 and hereby declared to be legally sufficient for all purposes
10 of this Act. For purposes of this Section and only for land
11 subject to the subdivision requirements of the Plat Act, land
12 is subdivided when the original plat of the proposed
13 Redevelopment Project Area or relevant portion thereof has
14 been properly certified, acknowledged, approved, and recorded
15 or filed in accordance with the Plat Act and a preliminary
16 plat, if any, for any subsequent phases of the proposed
17 Redevelopment Project Area or relevant portion thereof has
18 been properly approved and filed in accordance with the
19 applicable ordinance of the municipality.

20 (w) "Annual Total Increment" means the sum of each
21 municipality's annual Net Sales Tax Increment and each
22 municipality's annual Net Utility Tax Increment. The ratio
23 of the Annual Total Increment of each municipality to the
24 Annual Total Increment for all municipalities, as most
25 recently calculated by the Department, shall determine the
26 proportional shares of the Illinois Tax Increment Fund to be
27 distributed to each municipality.

28 (Source: P.A. 91-261, eff. 7-23-99; 91-477, eff. 8-11-99;
29 91-478, eff. 11-1-99; 91-642, eff. 8-20-99; 91-763, eff.
30 6-9-00; 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; revised
31 9-19-01.)

32 (65 ILCS 5/11-74.4-4.1)

33 Sec. 11-74.4-4.1. Feasibility study.

1 (a) If a municipality by its corporate authorities, or
2 as it may determine by any commission designated under
3 subsection (k) of Section 11-74.4-4, adopts an ordinance or
4 resolution providing for a feasibility study on the
5 designation of an area as a redevelopment project area, a
6 copy of the ordinance or resolution shall immediately be sent
7 to all taxing districts that would be affected by the
8 designation.

9 On and after the effective date of this amendatory Act of
10 the 91st General Assembly, the ordinance or resolution shall
11 include:

12 (1) The boundaries of the area to be studied for
13 possible designation as a redevelopment project area.

14 (2) The purpose or purposes of the proposed
15 redevelopment plan and project.

16 (3) A general description of tax increment
17 allocation financing under this Act.

18 (4) The name, phone number, and address of the
19 municipal officer who can be contacted for additional
20 information about the proposed redevelopment project area
21 and who should receive all comments and suggestions
22 regarding the redevelopment of the area to be studied.

23 (b) If one of the purposes of the planned redevelopment
24 project area should reasonably be expected to result in the
25 displacement of residents from 10 or more inhabited
26 residential units, the municipality shall adopt a resolution
27 or ordinance providing for the feasibility study described in
28 subsection (a). The ordinance or resolution shall also
29 require that the feasibility study include the preparation of
30 the housing impact study set forth in paragraph (5) of
31 subsection (n) of Section 11-74.4-3. If the redevelopment
32 plan will not result in displacement of ~~10 or more~~ residents
33 from 10 or more inhabited residential units, and the
34 municipality certifies in the plan that such displacement

1 will not result from the plan, then a resolution or ordinance
2 need not be adopted.

3 (Source: P.A. 91-478, eff. 11-1-99; 92-263, eff. 8-7-01.)

4 (65 ILCS 5/11-74.4-5) (from Ch. 24, par. 11-74.4-5)

5 Sec. 11-74.4-5. (a) The changes made by this amendatory
6 Act of the 91st General Assembly do not apply to a
7 municipality that, (i) before the effective date of this
8 amendatory Act of the 91st General Assembly, has adopted an
9 ordinance or resolution fixing a time and place for a public
10 hearing under this Section or (ii) before July 1, 1999, has
11 adopted an ordinance or resolution providing for a
12 feasibility study under Section 11-74.4-4.1, but has not yet
13 adopted an ordinance approving redevelopment plans and
14 redevelopment projects or designating redevelopment project
15 areas under Section 11-74.4-4, until after that municipality
16 adopts an ordinance approving redevelopment plans and
17 redevelopment projects or designating redevelopment project
18 areas under Section 11-74.4-4; thereafter the changes made by
19 this amendatory Act of the 91st General Assembly apply to the
20 same extent that they apply to redevelopment plans and
21 redevelopment projects that were approved and redevelopment
22 projects that were designated before the effective date of
23 this amendatory Act of the 91st General Assembly.

24 Prior to the adoption of an ordinance proposing the
25 designation of a redevelopment project area, or approving a
26 redevelopment plan or redevelopment project, the municipality
27 by its corporate authorities, or as it may determine by any
28 commission designated under subsection (k) of Section
29 11-74.4-4 shall adopt an ordinance or resolution fixing a
30 time and place for public hearing. At least 10 days prior to
31 the adoption of the ordinance or resolution establishing the
32 time and place for the public hearing, the municipality shall
33 make available for public inspection a redevelopment plan or

1 a separate report that provides in reasonable detail the
2 basis for the eligibility of the redevelopment project area.
3 The report along with the name of a person to contact for
4 further information shall be sent within a reasonable time
5 after the adoption of such ordinance or resolution to the
6 affected taxing districts by certified mail. On and after the
7 effective date of this amendatory Act of the 91st General
8 Assembly, the municipality shall print in a newspaper of
9 general circulation within the municipality a notice that
10 interested persons may register with the municipality in
11 order to receive information on the proposed designation of a
12 redevelopment project area or the approval of a redevelopment
13 plan. The notice shall state the place of registration and
14 the operating hours of that place. The municipality shall
15 have adopted reasonable rules to implement this registration
16 process under Section 11-74.4-4.2. The municipality shall
17 provide notice of the availability of the redevelopment plan
18 and eligibility report, including how to obtain this
19 information, by mail within a reasonable time after the
20 adoption of the ordinance or resolution, to all residential
21 addresses that, after a good faith effort, the municipality
22 determines are located outside the proposed redevelopment
23 project area and within 750 feet of the boundaries of the
24 proposed redevelopment project area. This requirement is
25 subject to the limitation that in a municipality with a
26 population of over 100,000, if the total number of
27 residential addresses outside the proposed redevelopment
28 project area and within 750 feet of the boundaries of the
29 proposed redevelopment project area exceeds 750, the
30 municipality shall be required to provide the notice to only
31 the 750 residential addresses that, after a good faith
32 effort, the municipality determines are outside the proposed
33 redevelopment project area and closest to the boundaries of
34 the proposed redevelopment project area. Notwithstanding the

1 foregoing, notice given after August 7, 2001 (the effective
 2 date of Public Act 92-263) and before the effective date of
 3 this amendatory Act of the 92nd General Assembly to
 4 residential addresses within 750 feet of the boundaries of a
 5 proposed redevelopment project area shall be deemed to have
 6 been sufficiently given in compliance with this Act if given
 7 only to residents outside the boundaries of the proposed
 8 redevelopment project area. The notice shall also be provided
 9 by the municipality, regardless of its population, to those
 10 organizations and residents that have registered with the
 11 municipality for that information in accordance with the
 12 registration guidelines established by the municipality under
 13 Section 11-74.4-4.2.

14 At the public hearing any interested person or affected
 15 taxing district may file with the municipal clerk written
 16 objections to and may be heard orally in respect to any
 17 issues embodied in the notice. The municipality shall hear
 18 all protests and objections at the hearing and the hearing
 19 may be adjourned to another date without further notice other
 20 than a motion to be entered upon the minutes fixing the time
 21 and place of the subsequent hearing. At the public hearing
 22 or at any time prior to the adoption by the municipality of
 23 an ordinance approving a redevelopment plan, the municipality
 24 may make changes in the redevelopment plan. Changes which
 25 (1) add additional parcels of property to the proposed
 26 redevelopment project area, (2) substantially affect the
 27 general land uses proposed in the redevelopment plan, (3)
 28 substantially change the nature of or extend the life of the
 29 redevelopment project, or (4) increase the number of
 30 inhabited residential units low-or-very-low-income-households
 31 to be displaced from the redevelopment project area, as
 32 ~~provided-that~~ measured from the time of creation of the
 33 redevelopment project area, to a the total of more than
 34 ~~displacement-of-the-households-will-exceed~~ 10, shall be made

1 only after the municipality gives notice, convenes a joint
2 review board, and conducts a public hearing pursuant to the
3 procedures set forth in this Section and in Section 11-74.4-6
4 of this Act. Changes which do not (1) add additional parcels
5 of property to the proposed redevelopment project area, (2)
6 substantially affect the general land uses proposed in the
7 redevelopment plan, (3) substantially change the nature of or
8 extend the life of the redevelopment project, or (4) increase
9 the number of inhabited residential units ~~low--or--very--low~~
10 ~~income--households~~ to be displaced from the redevelopment
11 project area, ~~as provided that~~ measured from the time of
12 creation of the redevelopment project area, to a the total of of
13 more than ~~displacement-of-the-households-will-exceed~~ 10, may
14 be made without further hearing, provided that the
15 municipality shall give notice of any such changes by mail to
16 each affected taxing district and registrant on the
17 interested parties registry, provided for under Section
18 11-74.4-4.2, and by publication in a newspaper of general
19 circulation within the affected taxing district. Such notice
20 by mail and by publication shall each occur not later than 10
21 days following the adoption by ordinance of such changes.
22 Hearings with regard to a redevelopment project area, project
23 or plan may be held simultaneously.

24 (b) Prior to holding a public hearing to approve or
25 amend a redevelopment plan or to designate or add additional
26 parcels of property to a redevelopment project area, the
27 municipality shall convene a joint review board. The board
28 shall consist of a representative selected by each community
29 college district, local elementary school district and high
30 school district or each local community unit school district,
31 park district, library district, township, fire protection
32 district, and county that will have the authority to directly
33 levy taxes on the property within the proposed redevelopment
34 project area at the time that the proposed redevelopment

1 project area is approved, a representative selected by the
2 municipality and a public member. The public member shall
3 first be selected and then the board's chairperson shall be
4 selected by a majority of the board members present and
5 voting.

6 For redevelopment project areas with redevelopment plans
7 or proposed redevelopment plans that would result in the
8 displacement of residents from 10 or more inhabited
9 residential units or that include 75 or more inhabited
10 residential units, the public member shall be a person who
11 resides in the redevelopment project area. If, as determined
12 by the housing impact study provided for in paragraph (5) of
13 subsection (n) of Section 11-74.4-3, or if no housing impact
14 study is required then based on other reasonable data, the
15 majority of residential units are occupied by very low, low,
16 or moderate income households, as defined in Section 3 of the
17 Illinois Affordable Housing Act, the public member shall be a
18 person who resides in very low, low, or moderate income
19 housing within the redevelopment project area.
20 Municipalities with fewer than 15,000 residents shall not be
21 required to select a person who lives in very low, low, or
22 moderate income housing within the redevelopment project
23 area, provided that the redevelopment plan or project will
24 not result in displacement of residents from 10 or more
25 inhabited units, and the municipality so certifies in the
26 plan. If no person satisfying these requirements is
27 available or if no qualified person will serve as the public
28 member, then the joint review board is relieved of this
29 paragraph's selection requirements for the public member.

30 Within 90 days of the effective date of this amendatory
31 Act of the 91st General Assembly, each municipality that
32 designated a redevelopment project area for which it was not
33 required to convene a joint review board under this Section
34 shall convene a joint review board to perform the duties

1 specified under paragraph (e) of this Section.

2 All board members shall be appointed and the first board
3 meeting shall be held at least 14 days but not more than 28
4 days after the mailing of notice by the municipality to the
5 taxing districts as required by Section 11-74.4-6(c).
6 Notwithstanding the preceding sentence, a municipality that
7 adopted either a public hearing resolution or a feasibility
8 resolution between July 1, 1999 and July 1, 2000 that called
9 for the meeting of the joint review board within 14 days of
10 notice of public hearing to affected taxing districts is
11 deemed to be in compliance with the notice, meeting, and
12 public hearing provisions of the Act. Such notice shall also
13 advise the taxing bodies represented on the joint review
14 board of the time and place of the first meeting of the
15 board. Additional meetings of the board shall be held upon
16 the call of any member. The municipality seeking designation
17 of the redevelopment project area shall provide
18 administrative support to the board.

19 The board shall review (i) the public record, planning
20 documents and proposed ordinances approving the redevelopment
21 plan and project and (ii) proposed amendments to the
22 redevelopment plan or additions of parcels of property to the
23 redevelopment project area to be adopted by the municipality.
24 As part of its deliberations, the board may hold additional
25 hearings on the proposal. A board's recommendation shall be
26 an advisory, non-binding recommendation. The recommendation
27 shall be adopted by a majority of those members present and
28 voting. The recommendations shall be submitted to the
29 municipality within 30 days after convening of the board.
30 Failure of the board to submit its report on a timely basis
31 shall not be cause to delay the public hearing or any other
32 step in the process of designating or amending the
33 redevelopment project area but shall be deemed to constitute
34 approval by the joint review board of the matters before it.

1 The board shall base its recommendation to approve or
2 disapprove the redevelopment plan and the designation of the
3 redevelopment project area or the amendment of the
4 redevelopment plan or addition of parcels of property to the
5 redevelopment project area on the basis of the redevelopment
6 project area and redevelopment plan satisfying the plan
7 requirements, the eligibility criteria defined in Section
8 11-74.4-3, and the objectives of this Act.

9 The board shall issue a written report describing why the
10 redevelopment plan and project area or the amendment thereof
11 meets or fails to meet one or more of the objectives of this
12 Act and both the plan requirements and the eligibility
13 criteria defined in Section 11-74.4-3. In the event the Board
14 does not file a report it shall be presumed that these taxing
15 bodies find the redevelopment project area and redevelopment
16 plan satisfy the objectives of this Act and the plan
17 requirements and eligibility criteria.

18 If the board recommends rejection of the matters before
19 it, the municipality will have 30 days within which to
20 resubmit the plan or amendment. During this period, the
21 municipality will meet and confer with the board and attempt
22 to resolve those issues set forth in the board's written
23 report that led to the rejection of the plan or amendment.

24 Notwithstanding the resubmission set forth above, the
25 municipality may commence the scheduled public hearing and
26 either adjourn the public hearing or continue the public
27 hearing until a date certain. Prior to continuing any public
28 hearing to a date certain, the municipality shall announce
29 during the public hearing the time, date, and location for
30 the reconvening of the public hearing. Any changes to the
31 redevelopment plan necessary to satisfy the issues set forth
32 in the joint review board report shall be the subject of a
33 public hearing before the hearing is adjourned if the changes
34 would (1) substantially affect the general land uses proposed

1 in the redevelopment plan, (2) substantially change the
2 nature of or extend the life of the redevelopment project, or
3 (3) increase the number of inhabited residential units ~~low- or~~
4 ~~very---low---income--households~~ to be displaced from the
5 redevelopment project area, as provided--that measured from
6 the time of creation of the redevelopment project area, to a
7 the total of more than ~~displacement-of--the--households--will~~
8 exceed 10. Changes to the redevelopment plan necessary to
9 satisfy the issues set forth in the joint review board report
10 shall not require any further notice or convening of a joint
11 review board meeting, except that any changes to the
12 redevelopment plan that would add additional parcels of
13 property to the proposed redevelopment project area shall be
14 subject to the notice, public hearing, and joint review board
15 meeting requirements established for such changes by
16 subsection (a) of Section 11-74.4-5.

17 In the event that the municipality and the board are
18 unable to resolve these differences, or in the event that the
19 resubmitted plan or amendment is rejected by the board, the
20 municipality may proceed with the plan or amendment, but only
21 upon a three-fifths vote of the corporate authority
22 responsible for approval of the plan or amendment, excluding
23 positions of members that are vacant and those members that
24 are ineligible to vote because of conflicts of interest.

25 (c) After a municipality has by ordinance approved a
26 redevelopment plan and designated a redevelopment project
27 area, the plan may be amended and additional properties may
28 be added to the redevelopment project area only as herein
29 provided. Amendments which (1) add additional parcels of
30 property to the proposed redevelopment project area, (2)
31 substantially affect the general land uses proposed in the
32 redevelopment plan, (3) substantially change the nature of
33 the redevelopment project, (4) increase the total estimated
34 redevelopment project costs set out in the redevelopment plan

1 by more than 5% after adjustment for inflation from the date
2 the plan was adopted, (5) add additional redevelopment
3 project costs to the itemized list of redevelopment project
4 costs set out in the redevelopment plan, or (6) increase the
5 number of inhabited residential units low-or-very-low-income
6 households to be displaced from the redevelopment project
7 area, ~~as provided that~~ measured from the time of creation of
8 the redevelopment project area, to a the total of more than
9 ~~displacement-of-the-households-will-exceed~~ 10, shall be made
10 only after the municipality gives notice, convenes a joint
11 review board, and conducts a public hearing pursuant to the
12 procedures set forth in this Section and in Section 11-74.4-6
13 of this Act. Changes which do not (1) add additional parcels
14 of property to the proposed redevelopment project area, (2)
15 substantially affect the general land uses proposed in the
16 redevelopment plan, (3) substantially change the nature of
17 the redevelopment project, (4) increase the total estimated
18 redevelopment project cost set out in the redevelopment plan
19 by more than 5% after adjustment for inflation from the date
20 the plan was adopted, (5) add additional redevelopment
21 project costs to the itemized list of redevelopment project
22 costs set out in the redevelopment plan, or (6) increase the
23 number of inhabited residential units low-or-very-low-income
24 households to be displaced from the redevelopment project
25 area, ~~as provided that~~ measured from the time of creation of
26 the redevelopment project area, to a the total of more than
27 ~~displacement--of--the--households-will-exceed~~ 10, may be made
28 without further public hearing and related notices and
29 procedures including the convening of a joint review board as
30 set forth in Section 11-74.4-6 of this Act, provided that the
31 municipality shall give notice of any such changes by mail to
32 each affected taxing district and registrant on the
33 interested parties registry, provided for under Section
34 11-74.4-4.2, and by publication in a newspaper of general

1 circulation within the affected taxing district. Such notice
2 by mail and by publication shall each occur not later than 10
3 days following the adoption by ordinance of such changes.

4 (d) After the effective date of this amendatory Act of
5 the 91st General Assembly, a municipality shall submit the
6 following information for each redevelopment project area (i)
7 to the State Comptroller under Section 8-8-3.5 of the
8 Illinois Municipal Code and (ii) to all taxing districts
9 overlapping the redevelopment project area no later than 180
10 days after the close of each municipal fiscal year or as soon
11 thereafter as the audited financial statements become
12 available and, in any case, shall be submitted before the
13 annual meeting of the Joint Review Board to each of the
14 taxing districts that overlap the redevelopment project area:

15 (1) Any amendments to the redevelopment plan, the
16 redevelopment project area, or the State Sales Tax
17 Boundary.

18 (1.5) A list of the redevelopment project areas
19 administered by the municipality and, if applicable, the
20 date each redevelopment project area was designated or
21 terminated by the municipality.

22 (2) Audited financial statements of the special tax
23 allocation fund once a cumulative total of \$100,000 has
24 been deposited in the fund.

25 (3) Certification of the Chief Executive Officer of
26 the municipality that the municipality has complied with
27 all of the requirements of this Act during the preceding
28 fiscal year.

29 (4) An opinion of legal counsel that the
30 municipality is in compliance with this Act.

31 (5) An analysis of the special tax allocation fund
32 which sets forth:

33 (A) the balance in the special tax allocation
34 fund at the beginning of the fiscal year;

1 (B) all amounts deposited in the special tax
2 allocation fund by source;

3 (C) an itemized list of all expenditures from
4 the special tax allocation fund by category of
5 permissible redevelopment project cost; and

6 (D) the balance in the special tax allocation
7 fund at the end of the fiscal year including a
8 breakdown of that balance by source and a breakdown
9 of that balance identifying any portion of the
10 balance that is required, pledged, earmarked, or
11 otherwise designated for payment of or securing of
12 obligations and anticipated redevelopment project
13 costs. Any portion of such ending balance that has
14 not been identified or is not identified as being
15 required, pledged, earmarked, or otherwise
16 designated for payment of or securing of obligations
17 or anticipated redevelopment projects costs shall be
18 designated as surplus as set forth in Section
19 11-74.4-7 hereof.

20 (6) A description of all property purchased by the
21 municipality within the redevelopment project area
22 including:

23 (A) Street address.

24 (B) Approximate size or description of
25 property.

26 (C) Purchase price.

27 (D) Seller of property.

28 (7) A statement setting forth all activities
29 undertaken in furtherance of the objectives of the
30 redevelopment plan, including:

31 (A) Any project implemented in the preceding
32 fiscal year.

33 (B) A description of the redevelopment
34 activities undertaken.

1 (C) A description of any agreements entered
 2 into by the municipality with regard to the
 3 disposition or redevelopment of any property within
 4 the redevelopment project area or the area within
 5 the State Sales Tax Boundary.

6 (D) Additional information on the use of all
 7 funds received under this Division and steps taken
 8 by the municipality to achieve the objectives of the
 9 redevelopment plan.

10 (E) Information regarding contracts that the
 11 municipality's tax increment advisors or consultants
 12 have entered into with entities or persons that have
 13 received, or are receiving, payments financed by tax
 14 increment revenues produced by the same
 15 redevelopment project area.

16 (F) Any reports submitted to the municipality
 17 by the joint review board.

18 (G) A review of public and, to the extent
 19 possible, private investment actually undertaken to
 20 date after the effective date of this amendatory Act
 21 of the 91st General Assembly and estimated to be
 22 undertaken during the following year. This review
 23 shall, on a project-by-project basis, set forth the
 24 estimated amounts of public and private investment
 25 incurred after the effective date of this amendatory
 26 Act of the 91st General Assembly and provide the
 27 ratio of private investment to public investment to
 28 the date of the report and as estimated to the
 29 completion of the redevelopment project.

30 (8) With regard to any obligations issued by the
 31 municipality:

32 (A) copies of any official statements; and

33 (B) an analysis prepared by financial advisor
 34 or underwriter setting forth: (i) nature and term of

1 obligation; and (ii) projected debt service
2 including required reserves and debt coverage.

3 (9) For special tax allocation funds that have
4 experienced cumulative deposits of incremental tax
5 revenues of \$100,000 or more, a certified audit report
6 reviewing compliance with this Act performed by an
7 independent public accountant certified and licensed by
8 the authority of the State of Illinois. The financial
9 portion of the audit must be conducted in accordance with
10 Standards for Audits of Governmental Organizations,
11 Programs, Activities, and Functions adopted by the
12 Comptroller General of the United States (1981), as
13 amended, or the standards specified by Section 8-8-5 of
14 the Illinois Municipal Auditing Law of the Illinois
15 Municipal Code. The audit report shall contain a letter
16 from the independent certified public accountant
17 indicating compliance or noncompliance with the
18 requirements of subsection (q) of Section 11-74.4-3. For
19 redevelopment plans or projects that would result in the
20 displacement of residents from 10 or more inhabited
21 residential units or that contain 75 or more inhabited
22 residential units, notice of the availability of the
23 information, including how to obtain the report, required
24 in this subsection shall also be sent by mail to all
25 residents or organizations that operate in the
26 municipality that register with the municipality for that
27 information according to registration procedures adopted
28 under Section 11-74.4-4.2. All municipalities are
29 subject to this provision.

30 (d-1) Prior to the effective date of this amendatory Act
31 of the 91st General Assembly, municipalities with populations
32 of over 1,000,000 shall, after adoption of a redevelopment
33 plan or project, make available upon request to any taxing
34 district in which the redevelopment project area is located

1 the following information:

2 (1) Any amendments to the redevelopment plan, the
3 redevelopment project area, or the State Sales Tax
4 Boundary; and

5 (2) In connection with any redevelopment project
6 area for which the municipality has outstanding
7 obligations issued to provide for redevelopment project
8 costs pursuant to Section 11-74.4-7, audited financial
9 statements of the special tax allocation fund.

10 (e) The joint review board shall meet annually 180 days
11 after the close of the municipal fiscal year or as soon as
12 the redevelopment project audit for that fiscal year becomes
13 available to review the effectiveness and status of the
14 redevelopment project area up to that date.

15 (f) (Blank).

16 (g) In the event that a municipality has held a public
17 hearing under this Section prior to March 14, 1994 (the
18 effective date of Public Act 88-537), the requirements
19 imposed by Public Act 88-537 relating to the method of fixing
20 the time and place for public hearing, the materials and
21 information required to be made available for public
22 inspection, and the information required to be sent after
23 adoption of an ordinance or resolution fixing a time and
24 place for public hearing shall not be applicable.

25 (Source: P.A. 91-357, eff. 7-29-99; 91-478, eff. 11-1-99;
26 91-900, eff. 7-6-00; 92-263, eff. 8-7-01.)

27 (65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

28 Sec. 11-74.4-7. Obligations secured by the special tax
29 allocation fund set forth in Section 11-74.4-8 for the
30 redevelopment project area may be issued to provide for
31 redevelopment project costs. Such obligations, when so
32 issued, shall be retired in the manner provided in the
33 ordinance authorizing the issuance of such obligations by the

1 receipts of taxes levied as specified in Section 11-74.4-9
2 against the taxable property included in the area, by
3 revenues as specified by Section 11-74.4-8a and other revenue
4 designated by the municipality. A municipality may in the
5 ordinance pledge all or any part of the funds in and to be
6 deposited in the special tax allocation fund created pursuant
7 to Section 11-74.4-8 to the payment of the redevelopment
8 project costs and obligations. Any pledge of funds in the
9 special tax allocation fund shall provide for distribution to
10 the taxing districts and to the Illinois Department of
11 Revenue of moneys not required, pledged, earmarked, or
12 otherwise designated for payment and securing of the
13 obligations and anticipated redevelopment project costs and
14 such excess funds shall be calculated annually and deemed to
15 be "surplus" funds. In the event a municipality only applies
16 or pledges a portion of the funds in the special tax
17 allocation fund for the payment or securing of anticipated
18 redevelopment project costs or of obligations, any such funds
19 remaining in the special tax allocation fund after complying
20 with the requirements of the application or pledge, shall
21 also be calculated annually and deemed "surplus" funds. All
22 surplus funds in the special tax allocation fund shall be
23 distributed annually within 180 days after the close of the
24 municipality's fiscal year by being paid by the municipal
25 treasurer to the County Collector, to the Department of
26 Revenue and to the municipality in direct proportion to the
27 tax incremental revenue received as a result of an increase
28 in the equalized assessed value of property in the
29 redevelopment project area, tax incremental revenue received
30 from the State and tax incremental revenue received from the
31 municipality, but not to exceed as to each such source the
32 total incremental revenue received from that source. The
33 County Collector shall thereafter make distribution to the
34 respective taxing districts in the same manner and proportion

1 as the most recent distribution by the county collector to
2 the affected districts of real property taxes from real
3 property in the redevelopment project area.

4 Without limiting the foregoing in this Section, the
5 municipality may in addition to obligations secured by the
6 special tax allocation fund pledge for a period not greater
7 than the term of the obligations towards payment of such
8 obligations any part or any combination of the following: (a)
9 net revenues of all or part of any redevelopment project; (b)
10 taxes levied and collected on any or all property in the
11 municipality; (c) the full faith and credit of the
12 municipality; (d) a mortgage on part or all of the
13 redevelopment project; or (e) any other taxes or anticipated
14 receipts that the municipality may lawfully pledge.

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

31 In the event the municipality authorizes issuance of
32 obligations pursuant to the authority of this Division
33 secured by the full faith and credit of the municipality,
34 which obligations are other than obligations which may be

1 issued under home rule powers provided by Article VII,
2 Section 6 of the Illinois Constitution, or pledges taxes
3 pursuant to (b) or (c) of the second paragraph of this
4 section, the ordinance authorizing the issuance of such
5 obligations or pledging such taxes shall be published within
6 10 days after such ordinance has been passed in one or more
7 newspapers, with general circulation within such
8 municipality. The publication of the ordinance shall be
9 accompanied by a notice of (1) the specific number of voters
10 required to sign a petition requesting the question of the
11 issuance of such obligations or pledging taxes to be
12 submitted to the electors; (2) the time in which such
13 petition must be filed; and (3) the date of the prospective
14 referendum. The municipal clerk shall provide a petition
15 form to any individual requesting one.

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

1 majority of electors voting upon the question voted in favor
2 thereof, the ordinance shall be in effect, but if a majority
3 of the electors voting upon the question are not in favor
4 thereof, the ordinance shall not take effect.

5 The ordinance authorizing the obligations may provide
6 that the obligations shall contain a recital that they are
7 issued pursuant to this Division, which recital shall be
8 conclusive evidence of their validity and of the regularity
9 of their issuance.

10 In the event the municipality authorizes issuance of
11 obligations pursuant to this Section secured by the full
12 faith and credit of the municipality, the ordinance
13 authorizing the obligations may provide for the levy and
14 collection of a direct annual tax upon all taxable property
15 within the municipality sufficient to pay the principal
16 thereof and interest thereon as it matures, which levy may be
17 in addition to and exclusive of the maximum of all other
18 taxes authorized to be levied by the municipality, which
19 levy, however, shall be abated to the extent that monies from
20 other sources are available for payment of the obligations
21 and the municipality certifies the amount of said monies
22 available to the county clerk.

23 A certified copy of such ordinance shall be filed with
24 the county clerk of each county in which any portion of the
25 municipality is situated, and shall constitute the authority
26 for the extension and collection of the taxes to be deposited
27 in the special tax allocation fund.

28 A municipality may also issue its obligations to refund
29 in whole or in part, obligations theretofore issued by such
30 municipality under the authority of this Act, whether at or
31 prior to maturity, provided however, that the last maturity
32 of the refunding obligations shall not be expressed to mature
33 later than December 31 of the year in which the payment to
34 the municipal treasurer as provided in subsection (b) of

1 Section 11-74.4-8 of this Act is to be made with respect to
2 ad valorem taxes levied in the twenty-third calendar year
3 after the year in which the ordinance approving the
4 redevelopment project area is adopted if the ordinance was
5 adopted on or after January 15, 1981, and not later than
6 December 31 of the year in which the payment to the municipal
7 treasurer as provided in subsection (b) of Section 11-74.4-8
8 of this Act is to be made with respect to ad valorem taxes
9 levied in the thirty-fifth calendar year after the year in
10 which the ordinance approving the redevelopment project area
11 is adopted (A) if the ordinance was adopted before January
12 15, 1981, or (B) if the ordinance was adopted in December
13 1983, April 1984, July 1985, or December 1989, or (C) if the
14 ordinance was adopted in December, 1987 and the redevelopment
15 project is located within one mile of Midway Airport, or (D)
16 if the ordinance was adopted before January 1, 1987 by a
17 municipality in Mason County, or (E) if the municipality is
18 subject to the Local Government Financial Planning and
19 Supervision Act or the Financially Distressed City Law, or
20 (F) if the ordinance was adopted in December 1984 by the
21 Village of Rosemont, or (G) if the ordinance was adopted on
22 December 31, 1986 by a municipality located in Clinton County
23 for which at least \$250,000 of tax increment bonds were
24 authorized on June 17, 1997, or if the ordinance was adopted
25 on December 31, 1986 by a municipality with a population in
26 1990 of less than 3,600 that is located in a county with a
27 population in 1990 of less than 34,000 and for which at least
28 \$250,000 of tax increment bonds were authorized on June 17,
29 1997, or (H) if the ordinance was adopted on October 5, 1982
30 by the City of Kankakee, or (I) if the ordinance was adopted
31 on December 29, 1986 by East St. Louis, or if the ordinance
32 was adopted on November 12, 1991 by the Village of Sauget, or
33 (J) if the ordinance was adopted on February 11, 1985 by the
34 City of Rock Island, or (K) if the ordinance was adopted

1 before December 18, 1986 by the City of Moline, or (L) if the
2 ordinance was adopted in September 1988 by Sauk Village, or
3 (M) if the ordinance was adopted in October 1993 by Sauk
4 Village, or (N) if the ordinance was adopted on December 29,
5 1986 by the City of Galva, or (O) if the ordinance was
6 adopted in March 1991 by the City of Centreville, or (P) (L)
7 if the ordinance was adopted on January 23, 1991 by the City
8 of East St. Louis, or (Q) if the ordinance was adopted on
9 December 22, 1986 by the City of Aledo, or (R) if the
10 ordinance was adopted on February 5, 1990 by the City of
11 Clinton, or (S) if the ordinance was adopted on September 6,
12 1994 by the City of Freeport, or (T) if the ordinance was
13 adopted on December 22, 1986 by the City of Tuscola, or (U)
14 if the ordinance was adopted on December 23, 1986 by the City
15 of Sparta, or (V) if the ordinance was adopted on December
16 23, 1986 by the City of Beardstown, or (W) if the ordinance
17 was adopted on April 27, 1981, October 21, 1985, or December
18 30, 1986 by the City of Belleville and, for redevelopment
19 project areas for which bonds were issued before July 29,
20 1991, in connection with a redevelopment project in the area
21 within the State Sales Tax Boundary and which were extended
22 by municipal ordinance under subsection (n) of Section
23 11-74.4-3, the last maturity of the refunding obligations
24 shall not be expressed to mature later than the date on which
25 the redevelopment project area is terminated or December 31,
26 2013, whichever date occurs first.

27 In the event a municipality issues obligations under home
28 rule powers or other legislative authority the proceeds of
29 which are pledged to pay for redevelopment project costs, the
30 municipality may, if it has followed the procedures in
31 conformance with this division, retire said obligations from
32 funds in the special tax allocation fund in amounts and in
33 such manner as if such obligations had been issued pursuant
34 to the provisions of this division.

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

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

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.