

1 AN ACT concerning enterprise zones.

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

4 Section 5. The Illinois Enterprise Zone Act is amended
5 by changing Section 11 as follows:

6 (20 ILCS 655/11) (from Ch. 67 1/2, par. 617)

7 Sec. 11. (a) A business entity may receive a deduction
8 against income subject to state taxes for a contribution to a
9 designated zone organization if the project for which the
10 contribution is made has been specifically approved by the
11 designating municipality or county, and by the Department.

12 (b) Any designated zone organization seeking to have a
13 project approved for contribution must submit an application
14 to the Department describing the nature and benefit of the
15 project and its potential contributors.

16 The application must address how the following criteria
17 will be met:

18 (1) The project must contribute to the self help efforts
19 of the residents of the area involved.

20 (2) The project must involve the residents of the area
21 in planning and implement the project.

22 (3) The project's lack of sufficient resources.

23 (4) The designated zone organization must be fiscally
24 responsible for the project.

25 (c) The project must enhance the Enterprise Zone in one
26 of the following ways:

27 (1) by creating permanent jobs;

28 (2) by physically improving the housing stock;

29 (3) stimulating neighborhood business activity; or

30 (4) by preventing crime.

31 (d) If the designated zone organization demonstrates its

1 ability to meet the criteria in subsection (b), and will
2 enhance the neighborhood in one of the ways listed in
3 subsection (c), the Department shall approve the
4 organization's proposed projects and specify the amount of
5 contributions it is eligible to receive for the such project.
6 Comments from state elected State officials, and county and
7 municipal officials in which all or part of the Enterprise
8 Zone is are located, or in which the project is proposed to
9 be located, shall be solicited by the Department in making
10 such decision.

11 (e) Within 45 days of the receipt of an application, the
12 Department shall give notice to the applicant as to whether
13 the application has been approved or disapproved. If the
14 Department disapproves the application, it shall specify the
15 reasons for this decision and allow 60 days for the applicant
16 to amend and resubmit its application. The Department shall
17 provide assistance upon request to applicants. Resubmitted
18 applications shall receive the Department's approval or
19 disapproval within 30 days of submission. Those resubmitted
20 applications satisfying initial Department objectives shall
21 be approved unless reasonable circumstances warrant
22 disapproval.

23 (f) On an annual basis, the designated zone organization
24 shall furnish a statement to the Department on the
25 programmatic and financial status of any approved project and
26 an audited financial statement of the project.

27 (g) For any project which is approved and for which
28 there is a specified amount of contributions which the
29 designated Zone Organization may receive for such project as
30 provided in subsection (d) of this Section, the designated
31 Zone Organization shall provide to the Department any
32 information necessary to determine the eligibility of a
33 contribution to the project for a deduction pursuant to
34 subsection (b)(2)(N) of Section 203 of the "Illinois Income

1 Tax Act". The Department shall certify to the Department of
2 Revenue the taxpayers eligible for and the amounts of
3 contributions which those taxpayers may claim as a deduction
4 pursuant to subsection (b)(2)(N) of Section 203 of the
5 "Illinois Income Tax Act". The total of all actual
6 contributions approved by the Department for deductions
7 pursuant to subsection (b)(2)(N) of Section 203 of the
8 "Illinois Income Tax Act" shall not exceed \$15,400,000 in any
9 one calendar year.

10 (Source: P.A. 83-1539.)