

1 AMENDMENT TO SENATE BILL 1608

2 AMENDMENT NO. _____. Amend Senate Bill 1608 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by
5 changing Sections 11-74.4-3 and 11-74.4-7 as follows:

6 (65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)
7 Sec. 11-74.4-3. Definitions. The following terms,
8 wherever used or referred to in this Division 74.4 shall have
9 the following respective meanings, unless in any case a
10 different meaning clearly appears from the context.

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

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

20 (1) If improved, industrial, commercial, and
21 residential buildings or improvements are detrimental to
22 the public safety, health, or welfare because of a

1 combination of 5 or more of the following factors, each
2 of which is (i) present, with that presence documented,
3 to a meaningful extent so that a municipality may
4 reasonably find that the factor is clearly present within
5 the intent of the Act and (ii) reasonably distributed
6 throughout the improved part of the redevelopment project
7 area:

8 (A) Dilapidation. An advanced state of
9 disrepair or neglect of necessary repairs to the
10 primary structural components of buildings or
11 improvements in such a combination that a documented
12 building condition analysis determines that major
13 repair is required or the defects are so serious and
14 so extensive that the buildings must be removed.

15 (B) Obsolescence. The condition or process of
16 falling into disuse. Structures have become
17 ill-suited for the original use.

18 (C) Deterioration. With respect to buildings,
19 defects including, but not limited to, major defects
20 in the secondary building components such as doors,
21 windows, porches, gutters and downspouts, and
22 fascia. With respect to surface improvements, that
23 the condition of roadways, alleys, curbs, gutters,
24 sidewalks, off-street parking, and surface storage
25 areas evidence deterioration, including, but not
26 limited to, surface cracking, crumbling, potholes,
27 depressions, loose paving material, and weeds
28 protruding through paved surfaces.

29 (D) Presence of structures below minimum code
30 standards. All structures that do not meet the
31 standards of zoning, subdivision, building, fire,
32 and other governmental codes applicable to property,
33 but not including housing and property maintenance
34 codes.

1 (E) Illegal use of individual structures. The
2 use of structures in violation of applicable
3 federal, State, or local laws, exclusive of those
4 applicable to the presence of structures below
5 minimum code standards.

6 (F) Excessive vacancies. The presence of
7 buildings that are unoccupied or under-utilized and
8 that represent an adverse influence on the area
9 because of the frequency, extent, or duration of the
10 vacancies.

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

26 (H) Inadequate utilities. Underground and
27 overhead utilities such as storm sewers and storm
28 drainage, sanitary sewers, water lines, and gas,
29 telephone, and electrical services that are shown to
30 be inadequate. Inadequate utilities are those that
31 are: (i) of insufficient capacity to serve the uses
32 in the redevelopment project area, (ii)
33 deteriorated, antiquated, obsolete, or in disrepair,
34 or (iii) lacking within the redevelopment project

1 area.

2 (I) Excessive land coverage and overcrowding
3 of structures and community facilities. The
4 over-intensive use of property and the crowding of
5 buildings and accessory facilities onto a site.
6 Examples of problem conditions warranting the
7 designation of an area as one exhibiting excessive
8 land coverage are: (i) the presence of buildings
9 either improperly situated on parcels or located on
10 parcels of inadequate size and shape in relation to
11 present-day standards of development for health and
12 safety and (ii) the presence of multiple buildings
13 on a single parcel. For there to be a finding of
14 excessive land coverage, these parcels must exhibit
15 one or more of the following conditions:
16 insufficient provision for light and air within or
17 around buildings, increased threat of spread of fire
18 due to the close proximity of buildings, lack of
19 adequate or proper access to a public right-of-way,
20 lack of reasonably required off-street parking, or
21 inadequate provision for loading and service.

22 (J) Deleterious land use or layout. The
23 existence of incompatible land-use relationships,
24 buildings occupied by inappropriate mixed-uses, or
25 uses considered to be noxious, offensive, or
26 unsuitable for the surrounding area.

27 (K) Environmental clean-up. The proposed
28 redevelopment project area has incurred Illinois
29 Environmental Protection Agency or United States
30 Environmental Protection Agency remediation costs
31 for, or a study conducted by an independent
32 consultant recognized as having expertise in
33 environmental remediation has determined a need for,
34 the clean-up of hazardous waste, hazardous

1 substances, or underground storage tanks required by
2 State or federal law, provided that the remediation
3 costs constitute a material impediment to the
4 development or redevelopment of the redevelopment
5 project area.

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

20 (M) The total equalized assessed value of the
21 proposed redevelopment project area has declined for
22 3 of the last 5 calendar years prior to the year in
23 which the redevelopment project area is designated
24 or is increasing at an annual rate that is less than
25 the balance of the municipality for 3 of the last 5
26 calendar years for which information is available or
27 is increasing at an annual rate that is less than
28 the Consumer Price Index for All Urban Consumers
29 published by the United States Department of Labor
30 or successor agency for 3 of the last 5 calendar
31 years prior to the year in which the redevelopment
32 project area is designated.

33 (2) If vacant, the sound growth of the
34 redevelopment project area is impaired by a combination

1 of 2 or more of the following factors, each of which is
2 (i) present, with that presence documented, to a
3 meaningful extent so that a municipality may reasonably
4 find that the factor is clearly present within the intent
5 of the Act and (ii) reasonably distributed throughout the
6 vacant part of the redevelopment project area to which it
7 pertains:

8 (A) Obsolete platting of vacant land that
9 results in parcels of limited or narrow size or
10 configurations of parcels of irregular size or shape
11 that would be difficult to develop on a planned
12 basis and in a manner compatible with contemporary
13 standards and requirements, or platting that failed
14 to create rights-of-ways for streets or alleys or
15 that created inadequate right-of-way widths for
16 streets, alleys, or other public rights-of-way or
17 that omitted easements for public utilities.

18 (B) Diversity of ownership of parcels of
19 vacant land sufficient in number to retard or impede
20 the ability to assemble the land for development.

21 (C) Tax and special assessment delinquencies
22 exist or the property has been the subject of tax
23 sales under the Property Tax Code within the last 5
24 years.

25 (D) Deterioration of structures or site
26 improvements in neighboring areas adjacent to the
27 vacant land.

28 (E) The area has incurred Illinois
29 Environmental Protection Agency or United States
30 Environmental Protection Agency remediation costs
31 for, or a study conducted by an independent
32 consultant recognized as having expertise in
33 environmental remediation has determined a need for,
34 the clean-up of hazardous waste, hazardous

1 substances, or underground storage tanks required by
2 State or federal law, provided that the remediation
3 costs constitute a material impediment to the
4 development or redevelopment of the redevelopment
5 project area.

6 (F) The total equalized assessed value of the
7 proposed redevelopment project area has declined for
8 3 of the last 5 calendar years prior to the year in
9 which the redevelopment project area is designated
10 or is increasing at an annual rate that is less than
11 the balance of the municipality for 3 of the last 5
12 calendar years for which information is available or
13 is increasing at an annual rate that is less than
14 the Consumer Price Index for All Urban Consumers
15 published by the United States Department of Labor
16 or successor agency for 3 of the last 5 calendar
17 years prior to the year in which the redevelopment
18 project area is designated.

19 (3) If vacant, the sound growth of the
20 redevelopment project area is impaired by one of the
21 following factors that (i) is present, with that presence
22 documented, to a meaningful extent so that a municipality
23 may reasonably find that the factor is clearly present
24 within the intent of the Act and (ii) is reasonably
25 distributed throughout the vacant part of the
26 redevelopment project area to which it pertains:

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

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

31 (C) The area, prior to its designation, is
32 subject to chronic flooding that adversely impacts
33 on real property in the area as certified by a
34 registered professional engineer or appropriate

1 regulatory agency.

2 (D) The area consists of an unused or illegal
3 disposal site containing earth, stone, building
4 debris, or similar materials that were removed from
5 construction, demolition, excavation, or dredge
6 sites.

7 (E) Prior to November 1, 1999, the area is not
8 less than 50 nor more than 100 acres and 75% of
9 which is vacant (notwithstanding that the area has
10 been used for commercial agricultural purposes
11 within 5 years prior to the designation of the
12 redevelopment project area), and the area meets at
13 least one of the factors itemized in paragraph (1)
14 of this subsection, the area has been designated as
15 a town or village center by ordinance or
16 comprehensive plan adopted prior to January 1, 1982,
17 and the area has not been developed for that
18 designated purpose.

19 (F) The area qualified as a blighted improved
20 area immediately prior to becoming vacant, unless
21 there has been substantial private investment in the
22 immediately surrounding area.

23 (b) For any redevelopment project area that has been
24 designated pursuant to this Section by an ordinance adopted
25 prior to November 1, 1999 (the effective date of Public Act
26 91-478), "conservation area" shall have the meaning set forth
27 in this Section prior to that date.

28 On and after November 1, 1999, "conservation area" means
29 any improved area within the boundaries of a redevelopment
30 project area located within the territorial limits of the
31 municipality in which 50% or more of the structures in the
32 area have an age of 35 years or more. Such an area is not
33 yet a blighted area but because of a combination of 3 or more
34 of the following factors is detrimental to the public safety,

1 health, morals or welfare and such an area may become a
2 blighted area:

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

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

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

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

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

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

1 frequency, extent, or duration of the vacancies.

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

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

25 (9) Excessive land coverage and overcrowding of
26 structures and community facilities. The over-intensive
27 use of property and the crowding of buildings and
28 accessory facilities onto a site. Examples of problem
29 conditions warranting the designation of an area as one
30 exhibiting excessive land coverage are: the presence of
31 buildings either improperly situated on parcels or
32 located on parcels of inadequate size and shape in
33 relation to present-day standards of development for
34 health and safety and the presence of multiple buildings

1 on a single parcel. For there to be a finding of
2 excessive land coverage, these parcels must exhibit one
3 or more of the following conditions: insufficient
4 provision for light and air within or around buildings,
5 increased threat of spread of fire due to the close
6 proximity of buildings, lack of adequate or proper access
7 to a public right-of-way, lack of reasonably required
8 off-street parking, or inadequate provision for loading
9 and service.

10 (10) Deleterious land use or layout. The existence
11 of incompatible land-use relationships, buildings
12 occupied by inappropriate mixed-uses, or uses considered
13 to be noxious, offensive, or unsuitable for the
14 surrounding area.

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

27 (12) The area has incurred Illinois Environmental
28 Protection Agency or United States Environmental
29 Protection Agency remediation costs for, or a study
30 conducted by an independent consultant recognized as
31 having expertise in environmental remediation has
32 determined a need for, the clean-up of hazardous waste,
33 hazardous substances, or underground storage tanks
34 required by State or federal law, provided that the

1 remediation costs constitute a material impediment to the
2 development or redevelopment of the redevelopment project
3 area.

4 (13) The total equalized assessed value of the
5 proposed redevelopment project area has declined for 3 of
6 the last 5 calendar years for which information is
7 available or is increasing at an annual rate that is less
8 than the balance of the municipality for 3 of the last 5
9 calendar years for which information is available or is
10 increasing at an annual rate that is less than the
11 Consumer Price Index for All Urban Consumers published by
12 the United States Department of Labor or successor agency
13 for 3 of the last 5 calendar years for which information
14 is available.

15 (c) "Industrial park" means an area in a blighted or
16 conservation area suitable for use by any manufacturing,
17 industrial, research or transportation enterprise, of
18 facilities to include but not be limited to factories, mills,
19 processing plants, assembly plants, packing plants,
20 fabricating plants, industrial distribution centers,
21 warehouses, repair overhaul or service facilities, freight
22 terminals, research facilities, test facilities or railroad
23 facilities.

24 (d) "Industrial park conservation area" means an area
25 within the boundaries of a redevelopment project area located
26 within the territorial limits of a municipality that is a
27 labor surplus municipality or within 1 1/2 miles of the
28 territorial limits of a municipality that is a labor surplus
29 municipality if the area is annexed to the municipality;
30 which area is zoned as industrial no later than at the time
31 the municipality by ordinance designates the redevelopment
32 project area, and which area includes both vacant land
33 suitable for use as an industrial park and a blighted area or
34 conservation area contiguous to such vacant land.

1 (e) "Labor surplus municipality" means a municipality in
2 which, at any time during the 6 months before the
3 municipality by ordinance designates an industrial park
4 conservation area, the unemployment rate was over 6% and was
5 also 100% or more of the national average unemployment rate
6 for that same time as published in the United States
7 Department of Labor Bureau of Labor Statistics publication
8 entitled "The Employment Situation" or its successor
9 publication. For the purpose of this subsection, if
10 unemployment rate statistics for the municipality are not
11 available, the unemployment rate in the municipality shall be
12 deemed to be the same as the unemployment rate in the
13 principal county in which the municipality is located.

14 (f) "Municipality" shall mean a city, village or
15 incorporated town.

16 (g) "Initial Sales Tax Amounts" means the amount of
17 taxes paid under the Retailers' Occupation Tax Act, Use Tax
18 Act, Service Use Tax Act, the Service Occupation Tax Act, the
19 Municipal Retailers' Occupation Tax Act, and the Municipal
20 Service Occupation Tax Act by retailers and servicemen on
21 transactions at places located in a State Sales Tax Boundary
22 during the calendar year 1985.

23 (g-1) "Revised Initial Sales Tax Amounts" means the
24 amount of taxes paid under the Retailers' Occupation Tax Act,
25 Use Tax Act, Service Use Tax Act, the Service Occupation Tax
26 Act, the Municipal Retailers' Occupation Tax Act, and the
27 Municipal Service Occupation Tax Act by retailers and
28 servicemen on transactions at places located within the State
29 Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9)
30 of this Act.

31 (h) "Municipal Sales Tax Increment" means an amount
32 equal to the increase in the aggregate amount of taxes paid
33 to a municipality from the Local Government Tax Fund arising
34 from sales by retailers and servicemen within the

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

1 determine the tax amounts received from retailers and
2 servicemen pursuant to the Municipal Retailers' Occupation
3 Tax and the Municipal Service Occupation Tax Act, which shall
4 have deducted therefrom nine-twelfths of the certified
5 Initial Sales Tax Amounts, the Adjusted Initial Sales Tax
6 Amounts or the Revised Initial Sales Tax Amounts as
7 appropriate. For the State Fiscal Year 1991, this calculation
8 shall be made by utilizing the period from October 1, 1988,
9 to June 30, 1989, to determine the tax amounts received from
10 retailers and servicemen pursuant to the Municipal Retailers'
11 Occupation Tax and the Municipal Service Occupation Tax Act
12 which shall have deducted therefrom nine-twelfths of the
13 certified Initial Sales Tax Amounts, Adjusted Initial Sales
14 Tax Amounts or the Revised Initial Sales Tax Amounts as
15 appropriate. For every State Fiscal Year thereafter, the
16 applicable period shall be the 12 months beginning July 1 and
17 ending June 30 to determine the tax amounts received which
18 shall have deducted therefrom the certified Initial Sales Tax
19 Amounts, the Adjusted Initial Sales Tax Amounts or the
20 Revised Initial Sales Tax Amounts, as the case may be.

21 (i) "Net State Sales Tax Increment" means the sum of the
22 following: (a) 80% of the first \$100,000 of State Sales Tax
23 Increment annually generated within a State Sales Tax
24 Boundary; (b) 60% of the amount in excess of \$100,000 but not
25 exceeding \$500,000 of State Sales Tax Increment annually
26 generated within a State Sales Tax Boundary; and (c) 40% of
27 all amounts in excess of \$500,000 of State Sales Tax
28 Increment annually generated within a State Sales Tax
29 Boundary. If, however, a municipality established a tax
30 increment financing district in a county with a population in
31 excess of 3,000,000 before January 1, 1986, and the
32 municipality entered into a contract or issued bonds after
33 January 1, 1986, but before December 31, 1986, to finance
34 redevelopment project costs within a State Sales Tax

1 Boundary, then the Net State Sales Tax Increment means, for
2 the fiscal years beginning July 1, 1990, and July 1, 1991,
3 100% of the State Sales Tax Increment annually generated
4 within a State Sales Tax Boundary; and notwithstanding any
5 other provision of this Act, for those fiscal years the
6 Department of Revenue shall distribute to those
7 municipalities 100% of their Net State Sales Tax Increment
8 before any distribution to any other municipality and
9 regardless of whether or not those other municipalities will
10 receive 100% of their Net State Sales Tax Increment. For
11 Fiscal Year 1999, and every year thereafter until the year
12 2007, for any municipality that has not entered into a
13 contract or has not issued bonds prior to June 1, 1988 to
14 finance redevelopment project costs within a State Sales Tax
15 Boundary, the Net State Sales Tax Increment shall be
16 calculated as follows: By multiplying the Net State Sales Tax
17 Increment by 90% in the State Fiscal Year 1999; 80% in the
18 State Fiscal Year 2000; 70% in the State Fiscal Year 2001;
19 60% in the State Fiscal Year 2002; 50% in the State Fiscal
20 Year 2003; 40% in the State Fiscal Year 2004; 30% in the
21 State Fiscal Year 2005; 20% in the State Fiscal Year 2006;
22 and 10% in the State Fiscal Year 2007. No payment shall be
23 made for State Fiscal Year 2008 and thereafter.

24 Municipalities that issued bonds in connection with a
25 redevelopment project in a redevelopment project area within
26 the State Sales Tax Boundary prior to July 29, 1991, or that
27 entered into contracts in connection with a redevelopment
28 project in a redevelopment project area before June 1, 1988,
29 shall continue to receive their proportional share of the
30 Illinois Tax Increment Fund distribution until the date on
31 which the redevelopment project is completed or terminated.
32 If, however, a municipality that issued bonds in connection
33 with a redevelopment project in a redevelopment project area
34 within the State Sales Tax Boundary prior to July 29, 1991

1 retires the bonds prior to June 30, 2007 or a municipality
2 that entered into contracts in connection with a
3 redevelopment project in a redevelopment project area before
4 June 1, 1988 completes the contracts prior to June 30, 2007,
5 then so long as the redevelopment project is not completed or
6 is not terminated, the Net State Sales Tax Increment shall be
7 calculated, beginning on the date on which the bonds are
8 retired or the contracts are completed, as follows: By
9 multiplying the Net State Sales Tax Increment by 60% in the
10 State Fiscal Year 2002; 50% in the State Fiscal Year 2003;
11 40% in the State Fiscal Year 2004; 30% in the State Fiscal
12 Year 2005; 20% in the State Fiscal Year 2006; and 10% in the
13 State Fiscal Year 2007. No payment shall be made for State
14 Fiscal Year 2008 and thereafter. Refunding of any bonds
15 issued prior to July 29, 1991, shall not alter the Net State
16 Sales Tax Increment.

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

29 (k) "Net State Utility Tax Increment" means the sum of
30 the following: (a) 80% of the first \$100,000 of State Utility
31 Tax Increment annually generated by a redevelopment project
32 area; (b) 60% of the amount in excess of \$100,000 but not
33 exceeding \$500,000 of the State Utility Tax Increment
34 annually generated by a redevelopment project area; and (c)

1 40% of all amounts in excess of \$500,000 of State Utility Tax
2 Increment annually generated by a redevelopment project area.
3 For the State Fiscal Year 1999, and every year thereafter
4 until the year 2007, for any municipality that has not
5 entered into a contract or has not issued bonds prior to June
6 1, 1988 to finance redevelopment project costs within a
7 redevelopment project area, the Net State Utility Tax
8 Increment shall be calculated as follows: By multiplying the
9 Net State Utility Tax Increment by 90% in the State Fiscal
10 Year 1999; 80% in the State Fiscal Year 2000; 70% in the
11 State Fiscal Year 2001; 60% in the State Fiscal Year 2002;
12 50% in the State Fiscal Year 2003; 40% in the State Fiscal
13 Year 2004; 30% in the State Fiscal Year 2005; 20% in the
14 State Fiscal Year 2006; and 10% in the State Fiscal Year
15 2007. No payment shall be made for the State Fiscal Year 2008
16 and thereafter.

17 Municipalities that issue bonds in connection with the
18 redevelopment project during the period from June 1, 1988
19 until 3 years after the effective date of this Amendatory Act
20 of 1988 shall receive the Net State Utility Tax Increment,
21 subject to appropriation, for 15 State Fiscal Years after the
22 issuance of such bonds. For the 16th through the 20th State
23 Fiscal Years after issuance of the bonds, the Net State
24 Utility Tax Increment shall be calculated as follows: By
25 multiplying the Net State Utility Tax Increment by 90% in
26 year 16; 80% in year 17; 70% in year 18; 60% in year 19; and
27 50% in year 20. Refunding of any bonds issued prior to June
28 1, 1988, shall not alter the revised Net State Utility Tax
29 Increment payments set forth above.

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

34 (m) "Payment in lieu of taxes" means those estimated tax

1 revenues from real property in a redevelopment project area
2 derived from real property that has been acquired by a
3 municipality which according to the redevelopment project or
4 plan is to be used for a private use which taxing districts
5 would have received had a municipality not acquired the real
6 property and adopted tax increment allocation financing and
7 which would result from levies made after the time of the
8 adoption of tax increment allocation financing to the time
9 the current equalized value of real property in the
10 redevelopment project area exceeds the total initial
11 equalized value of real property in said area.

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

33 (A) an itemized list of estimated redevelopment
34 project costs;

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

4 (C) an assessment of any financial impact of the
5 redevelopment project area on or any increased demand for
6 services from any taxing district affected by the plan
7 and any program to address such financial impact or
8 increased demand;

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

10 (E) the nature and term of the obligations to be
11 issued;

12 (F) the most recent equalized assessed valuation of
13 the redevelopment project area;

14 (G) an estimate as to the equalized assessed
15 valuation after redevelopment and the general land uses
16 to apply in the redevelopment project area;

17 (H) a commitment to fair employment practices and
18 an affirmative action plan;

19 (I) if it concerns an industrial park conservation
20 area, the plan shall also include a general description
21 of any proposed developer, user and tenant of any
22 property, a description of the type, structure and
23 general character of the facilities to be developed, a
24 description of the type, class and number of new
25 employees to be employed in the operation of the
26 facilities to be developed; and

27 (J) if property is to be annexed to the
28 municipality, the plan shall include the terms of the
29 annexation agreement.

30 The provisions of items (B) and (C) of this subsection
31 (n) shall not apply to a municipality that before March 14,
32 1994 (the effective date of Public Act 88-537) had fixed,
33 either by its corporate authorities or by a commission
34 designated under subsection (k) of Section 11-74.4-4, a time

1 and place for a public hearing as required by subsection (a)
2 of Section 11-74.4-5. No redevelopment plan shall be adopted
3 unless a municipality complies with all of the following
4 requirements:

5 (1) The municipality finds that the redevelopment
6 project area on the whole has not been subject to growth
7 and development through investment by private enterprise
8 and would not reasonably be anticipated to be developed
9 without the adoption of the redevelopment plan.

10 (2) The municipality finds that the redevelopment
11 plan and project conform to the comprehensive plan for
12 the development of the municipality as a whole, or, for
13 municipalities with a population of 100,000 or more,
14 regardless of when the redevelopment plan and project was
15 adopted, the redevelopment plan and project either: (i)
16 conforms to the strategic economic development or
17 redevelopment plan issued by the designated planning
18 authority of the municipality, or (ii) includes land uses
19 that have been approved by the planning commission of the
20 municipality.

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

1 made with respect to ad valorem taxes levied in the
2 thirty-fifth calendar year after the year in which the
3 ordinance approving the redevelopment project area is
4 adopted:

5 (A) if the ordinance was adopted before
6 January 15, 1981, or

7 (B) if the ordinance was adopted in December
8 1983, April 1984, July 1985, or December 1989, or

9 (C) if the ordinance was adopted in December
10 1987 and the redevelopment project is located within
11 one mile of Midway Airport, or

12 (D) if the ordinance was adopted before
13 January 1, 1987 by a municipality in Mason County,
14 or

15 (E) if the municipality is subject to the
16 Local Government Financial Planning and Supervision
17 Act or the Financially Distressed City Law, or

18 (F) if the ordinance was adopted in December
19 1984 by the Village of Rosemont, or

20 (G) if the ordinance was adopted on December
21 31, 1986 by a municipality located in Clinton County
22 for which at least \$250,000 of tax increment bonds
23 were authorized on June 17, 1997, or if the
24 ordinance was adopted on December 31, 1986 by a
25 municipality with a population in 1990 of less than
26 3,600 that is located in a county with a population
27 in 1990 of less than 34,000 and for which at least
28 \$250,000 of tax increment bonds were authorized on
29 June 17, 1997, or

30 (H) if the ordinance was adopted on October 5,
31 1982 by the City of Kankakee, or if the ordinance
32 was adopted on December 29, 1986 by East St. Louis,
33 or

34 (I) if the ordinance was adopted on November

- 1 12, 1991 by the Village of Sauget, or
- 2 (J) if the ordinance was adopted on February
- 3 11, 1985 by the City of Rock Island, or
- 4 (K) if the ordinance was adopted before
- 5 December 18, 1986 by the City of Moline, or
- 6 (L) if the ordinance was adopted in September
- 7 1988 by Sauk Village, or
- 8 (M) if the ordinance was adopted in October
- 9 1993 by Sauk Village, or
- 10 (N) if the ordinance was adopted on December
- 11 29, 1986 by the City of Galva, or
- 12 (O) if the ordinance was adopted in March 1991
- 13 by the City of Centreville, or
- 14 (P) (B) if the ordinance was adopted on
- 15 January 23, 1991 by the City of East St. Louis, or
- 16 (Q) if the ordinance was adopted on September
- 17 6, 1994 by the City of Freeport.

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

29 A municipality may by municipal ordinance amend an
 30 existing redevelopment plan to conform to this paragraph
 31 (3) as amended by Public Act 91-478, which municipal
 32 ordinance may be adopted without further hearing or
 33 notice and without complying with the procedures provided
 34 in this Act pertaining to an amendment to or the initial

1 approval of a redevelopment plan and project and
2 designation of a redevelopment project area.

3 Those dates, for purposes of real property tax
4 increment allocation financing pursuant to Section
5 11-74.4-8 only, shall be not more than 35 years for
6 redevelopment project areas that were adopted on or after
7 December 16, 1986 and for which at least \$8 million worth
8 of municipal bonds were authorized on or after December
9 19, 1989 but before January 1, 1990; provided that the
10 municipality elects to extend the life of the
11 redevelopment project area to 35 years by the adoption of
12 an ordinance after at least 14 but not more than 30 days'
13 written notice to the taxing bodies, that would otherwise
14 constitute the joint review board for the redevelopment
15 project area, before the adoption of the ordinance.

16 Those dates, for purposes of real property tax
17 increment allocation financing pursuant to Section
18 11-74.4-8 only, shall be not more than 35 years for
19 redevelopment project areas that were established on or
20 after December 1, 1981 but before January 1, 1982 and for
21 which at least \$1,500,000 worth of tax increment revenue
22 bonds were authorized on or after September 30, 1990 but
23 before July 1, 1991; provided that the municipality
24 elects to extend the life of the redevelopment project
25 area to 35 years by the adoption of an ordinance after at
26 least 14 but not more than 30 days' written notice to the
27 taxing bodies, that would otherwise constitute the joint
28 review board for the redevelopment project area, before
29 the adoption of the ordinance.

30 (3.5) The municipality finds, in the case of an
31 industrial park conservation area, also that the
32 municipality is a labor surplus municipality and that the
33 implementation of the redevelopment plan will reduce
34 unemployment, create new jobs and by the provision of new

1 facilities enhance the tax base of the taxing districts
2 that extend into the redevelopment project area.

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

12 (5) On and after November 1, 1999, if the
13 redevelopment plan will not result in displacement of 10
14 or more residents from inhabited units, and the
15 municipality certifies in the plan that such displacement
16 will not result from the plan, a housing impact study
17 need not be performed. If, however, the redevelopment
18 plan would result in the displacement of residents from
19 10 or more inhabited residential units, or if the
20 redevelopment project area contains 75 or more inhabited
21 residential units and no certification is made, then the
22 municipality shall prepare, as part of the separate
23 feasibility report required by subsection (a) of Section
24 11-74.4-5, a housing impact study.

25 Part I of the housing impact study shall include (i)
26 data as to whether the residential units are single
27 family or multi-family units, (ii) the number and type of
28 rooms within the units, if that information is available,
29 (iii) whether the units are inhabited or uninhabited, as
30 determined not less than 45 days before the date that the
31 ordinance or resolution required by subsection (a) of
32 Section 11-74.4-5 is passed, and (iv) data as to the
33 racial and ethnic composition of the residents in the
34 inhabited residential units. The data requirement as to

1 the racial and ethnic composition of the residents in the
2 inhabited residential units shall be deemed to be fully
3 satisfied by data from the most recent federal census.

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

18 (6) On and after November 1, 1999, the housing
19 impact study required by paragraph (5) shall be
20 incorporated in the redevelopment plan for the
21 redevelopment project area.

22 (7) On and after November 1, 1999, no redevelopment
23 plan shall be adopted, nor an existing plan amended, nor
24 shall residential housing that is occupied by households
25 of low-income and very low-income persons in currently
26 existing redevelopment project areas be removed after
27 November 1, 1999 unless the redevelopment plan provides,
28 with respect to inhabited housing units that are to be
29 removed for households of low-income and very low-income
30 persons, affordable housing and relocation assistance not
31 less than that which would be provided under the federal
32 Uniform Relocation Assistance and Real Property
33 Acquisition Policies Act of 1970 and the regulations
34 under that Act, including the eligibility criteria.

1 Affordable housing may be either existing or newly
2 constructed housing. For purposes of this paragraph (7),
3 "low-income households", "very low-income households",
4 and "affordable housing" have the meanings set forth in
5 the Illinois Affordable Housing Act. The municipality
6 shall make a good faith effort to ensure that this
7 affordable housing is located in or near the
8 redevelopment project area within the municipality.

9 (8) On and after November 1, 1999, if, after the
10 adoption of the redevelopment plan for the redevelopment
11 project area, any municipality desires to amend its
12 redevelopment plan to remove more inhabited residential
13 units than specified in its original redevelopment plan,
14 that increase in the number of units to be removed shall
15 be deemed to be a change in the nature of the
16 redevelopment plan as to require compliance with the
17 procedures in this Act pertaining to the initial approval
18 of a redevelopment plan.

19 (9) For redevelopment project areas designated
20 prior to November 1, 1999, the redevelopment plan may be
21 amended without further joint review board meeting or
22 hearing, provided that the municipality shall give notice
23 of any such changes by mail to each affected taxing
24 district and registrant on the interested party registry,
25 to authorize the municipality to expend tax increment
26 revenues for redevelopment project costs defined by
27 paragraphs (5) and (7.5), subparagraphs (E) and (F) of
28 paragraph (11), and paragraph (11.5) of subsection (q) of
29 Section 11-74.4-3, so long as the changes do not increase
30 the total estimated redevelopment project costs set out
31 in the redevelopment plan by more than 5% after
32 adjustment for inflation from the date the plan was
33 adopted.

34 (o) "Redevelopment project" means any public and private

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

13 (p) "Redevelopment project area" means an area
14 designated by the municipality, which is not less in the
15 aggregate than 1 1/2 acres and in respect to which the
16 municipality has made a finding that there exist conditions
17 which cause the area to be classified as an industrial park
18 conservation area or a blighted area or a conservation area,
19 or a combination of both blighted areas and conservation
20 areas.

21 (q) "Redevelopment project costs" mean and include the
22 sum total of all reasonable or necessary costs incurred or
23 estimated to be incurred, and any such costs incidental to a
24 redevelopment plan and a redevelopment project. Such costs
25 include, without limitation, the following:

26 (1) Costs of studies, surveys, development of
27 plans, and specifications, implementation and
28 administration of the redevelopment plan including but
29 not limited to staff and professional service costs for
30 architectural, engineering, legal, financial, planning or
31 other services, provided however that no charges for
32 professional services may be based on a percentage of the
33 tax increment collected; except that on and after
34 November 1, 1999 (the effective date of Public Act

1 91-478), no contracts for professional services,
2 excluding architectural and engineering services, may be
3 entered into if the terms of the contract extend beyond a
4 period of 3 years. In addition, "redevelopment project
5 costs" shall not include lobbying expenses. After
6 consultation with the municipality, each tax increment
7 consultant or advisor to a municipality that plans to
8 designate or has designated a redevelopment project area
9 shall inform the municipality in writing of any contracts
10 that the consultant or advisor has entered into with
11 entities or individuals that have received, or are
12 receiving, payments financed by tax increment revenues
13 produced by the redevelopment project area with respect
14 to which the consultant or advisor has performed, or will
15 be performing, service for the municipality. This
16 requirement shall be satisfied by the consultant or
17 advisor before the commencement of services for the
18 municipality and thereafter whenever any other contracts
19 with those individuals or entities are executed by the
20 consultant or advisor;

21 (1.5) After July 1, 1999, annual administrative
22 costs shall not include general overhead or
23 administrative costs of the municipality that would still
24 have been incurred by the municipality if the
25 municipality had not designated a redevelopment project
26 area or approved a redevelopment plan;

27 (1.6) The cost of marketing sites within the
28 redevelopment project area to prospective businesses,
29 developers, and investors;

30 (2) Property assembly costs, including but not
31 limited to acquisition of land and other property, real
32 or personal, or rights or interests therein, demolition
33 of buildings, site preparation, site improvements that
34 serve as an engineered barrier addressing ground level or

1 below ground environmental contamination, including, but
2 not limited to parking lots and other concrete or asphalt
3 barriers, and the clearing and grading of land;

4 (3) Costs of rehabilitation, reconstruction or
5 repair or remodeling of existing public or private
6 buildings, fixtures, and leasehold improvements; and the
7 cost of replacing an existing public building if pursuant
8 to the implementation of a redevelopment project the
9 existing public building is to be demolished to use the
10 site for private investment or devoted to a different use
11 requiring private investment;

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

32 (5) Costs of job training and retraining projects,
33 including the cost of "welfare to work" programs
34 implemented by businesses located within the

1 redevelopment project area;

2 (6) Financing costs, including but not limited to
3 all necessary and incidental expenses related to the
4 issuance of obligations and which may include payment of
5 interest on any obligations issued hereunder including
6 interest accruing during the estimated period of
7 construction of any redevelopment project for which such
8 obligations are issued and for not exceeding 36 months
9 thereafter and including reasonable reserves related
10 thereto;

11 (7) To the extent the municipality by written
12 agreement accepts and approves the same, all or a portion
13 of a taxing district's capital costs resulting from the
14 redevelopment project necessarily incurred or to be
15 incurred within a taxing district in furtherance of the
16 objectives of the redevelopment plan and project.

17 (7.5) For redevelopment project areas designated
18 (or redevelopment project areas amended to add or
19 increase the number of tax-increment-financing assisted
20 housing units) on or after November 1, 1999, an
21 elementary, secondary, or unit school district's
22 increased costs attributable to assisted housing units
23 located within the redevelopment project area for which
24 the developer or redeveloper receives financial
25 assistance through an agreement with the municipality or
26 because the municipality incurs the cost of necessary
27 infrastructure improvements within the boundaries of the
28 assisted housing sites necessary for the completion of
29 that housing as authorized by this Act, and which costs
30 shall be paid by the municipality from the Special Tax
31 Allocation Fund when the tax increment revenue is
32 received as a result of the assisted housing units and
33 shall be calculated annually as follows:

34 (A) for foundation districts, excluding any

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

19 (i) for unit school districts with a
20 district average 1995-96 Per Capita Tuition
21 Charge of less than \$5,900, no more than 25% of
22 the total amount of property tax increment
23 revenue produced by those housing units that
24 have received tax increment finance assistance
25 under this Act;

26 (ii) for elementary school districts with
27 a district average 1995-96 Per Capita Tuition
28 Charge of less than \$5,900, no more than 17% 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; and

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

1 Charge of less than \$5,900, no more than 8% 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.

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

28 (i) for unit school districts, no more
29 than 40% of the total amount of property tax
30 increment revenue produced by those housing
31 units that have received tax increment finance
32 assistance under this Act;

33 (ii) for elementary school districts, no
34 more than 27% of the total amount of property

1 tax increment revenue produced by those housing
2 units that have received tax increment finance
3 assistance under this Act; and

4 (iii) for secondary school districts, no
5 more than 13% of the total amount of property
6 tax increment revenue produced by those housing
7 units that have received tax increment finance
8 assistance under this Act.

9 (C) For any school district in a municipality
10 with a population in excess of 1,000,000, the
11 following restrictions shall apply to the
12 reimbursement of increased costs under this
13 paragraph (7.5):

14 (i) no increased costs shall be
15 reimbursed unless the school district certifies
16 that each of the schools affected by the
17 assisted housing project is at or over its
18 student capacity;

19 (ii) the amount reimburseable shall be
20 reduced by the value of any land donated to the
21 school district by the municipality or
22 developer, and by the value of any physical
23 improvements made to the schools by the
24 municipality or developer; and

25 (iii) the amount reimbursed may not
26 affect amounts otherwise obligated by the terms
27 of any bonds, notes, or other funding
28 instruments, or the terms of any redevelopment
29 agreement.

30 Any school district seeking payment under this
31 paragraph (7.5) shall, after July 1 and before
32 September 30 of each year, provide the municipality
33 with reasonable evidence to support its claim for
34 reimbursement before the municipality shall be

1 required to approve or make the payment to the
2 school district. If the school district fails to
3 provide the information during this period in any
4 year, it shall forfeit any claim to reimbursement
5 for that year. School districts may adopt a
6 resolution waiving the right to all or a portion of
7 the reimbursement otherwise required by this
8 paragraph (7.5). By acceptance of this
9 reimbursement the school district waives the right
10 to directly or indirectly set aside, modify, or
11 contest in any manner the establishment of the
12 redevelopment project area or projects;

13 (8) Relocation costs to the extent that a
14 municipality determines that relocation costs shall be
15 paid or is required to make payment of relocation costs
16 by federal or State law or in order to satisfy
17 subparagraph (7) of subsection (n);

18 (9) Payment in lieu of taxes;

19 (10) Costs of job training, retraining, advanced
20 vocational education or career education, including but
21 not limited to courses in occupational, semi-technical or
22 technical fields leading directly to employment, incurred
23 by one or more taxing districts, provided that such costs
24 (i) are related to the establishment and maintenance of
25 additional job training, advanced vocational education or
26 career education programs for persons employed or to be
27 employed by employers located in a redevelopment project
28 area; and (ii) when incurred by a taxing district or
29 taxing districts other than the municipality, are set
30 forth in a written agreement by or among the municipality
31 and the taxing district or taxing districts, which
32 agreement describes the program to be undertaken,
33 including but not limited to the number of employees to
34 be trained, a description of the training and services to

1 be provided, the number and type of positions available
2 or to be available, itemized costs of the program and
3 sources of funds to pay for the same, and the term of the
4 agreement. Such costs include, specifically, the payment
5 by community college districts of costs pursuant to
6 Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public
7 Community College Act and by school districts of costs
8 pursuant to Sections 10-22.20a and 10-23.3a of The School
9 Code;

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

13 (A) such costs are to be paid directly from
14 the special tax allocation fund established pursuant
15 to this Act;

16 (B) such payments in any one year may not
17 exceed 30% of the annual interest costs incurred by
18 the redeveloper with regard to the redevelopment
19 project during that year;

20 (C) if there are not sufficient funds
21 available in the special tax allocation fund to make
22 the payment pursuant to this paragraph (11) then the
23 amounts so due shall accrue and be payable when
24 sufficient funds are available in the special tax
25 allocation fund;

26 (D) the total of such interest payments paid
27 pursuant to this Act may not exceed 30% of the total
28 (i) cost paid or incurred by the redeveloper for the
29 redevelopment project plus (ii) redevelopment
30 project costs excluding any property assembly costs
31 and any relocation costs incurred by a municipality
32 pursuant to this Act; and

33 (E) the cost limits set forth in subparagraphs
34 (B) and (D) of paragraph (11) shall be modified for

1 the financing of rehabilitated or new housing units
2 for low-income households and very low-income
3 households, as defined in Section 3 of the Illinois
4 Affordable Housing Act. The percentage of 75% shall
5 be substituted for 30% in subparagraphs (B) and (D)
6 of paragraph (11).

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

23 The eligible costs provided under this
24 subparagraph (F) of paragraph (11) shall be an
25 eligible cost for the construction, renovation, and
26 rehabilitation of all low and very low-income
27 housing units, as defined in Section 3 of the
28 Illinois Affordable Housing Act, within the
29 redevelopment project area. If the low and very
30 low-income units are part of a residential
31 redevelopment project that includes units not
32 affordable to low and very low-income households,
33 only the low and very low-income units shall be
34 eligible for benefits under subparagraph (F) of

1 paragraph (11). The standards for maintaining the
2 occupancy by low-income households and very
3 low-income households, as defined in Section 3 of
4 the Illinois Affordable Housing Act, of those units
5 constructed with eligible costs made available under
6 the provisions of this subparagraph (F) of paragraph
7 (11) shall be established by guidelines adopted by
8 the municipality. The responsibility for annually
9 documenting the initial occupancy of the units by
10 low-income households and very low-income
11 households, as defined in Section 3 of the Illinois
12 Affordable Housing Act, shall be that of the then
13 current owner of the property. For ownership units,
14 the guidelines will provide, at a minimum, for a
15 reasonable recapture of funds, or other appropriate
16 methods designed to preserve the original
17 affordability of the ownership units. For rental
18 units, the guidelines will provide, at a minimum,
19 for the affordability of rent to low and very
20 low-income households. As units become available,
21 they shall be rented to income-eligible tenants. The
22 municipality may modify these guidelines from time
23 to time; the guidelines, however, shall be in effect
24 for as long as tax increment revenue is being used
25 to pay for costs associated with the units or for
26 the retirement of bonds issued to finance the units
27 or for the life of the redevelopment project area,
28 whichever is later.

29 (11.5) If the redevelopment project area is located
30 within a municipality with a population of more than
31 100,000, the cost of day care services for children of
32 employees from low-income families working for businesses
33 located within the redevelopment project area and all or
34 a portion of the cost of operation of day care centers

1 established by redevelopment project area businesses to
2 serve employees from low-income families working in
3 businesses located in the redevelopment project area.
4 For the purposes of this paragraph, "low-income families"
5 means families whose annual income does not exceed 80% of
6 the municipal, county, or regional median income,
7 adjusted for family size, as the annual income and
8 municipal, county, or regional median income are
9 determined from time to time by the United States
10 Department of Housing and Urban Development.

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

14 (13) After November 1, 1999 (the effective date of
15 Public Act 91-478), none of the redevelopment project
16 costs enumerated in this subsection shall be eligible
17 redevelopment project costs if those costs would provide
18 direct financial support to a retail entity initiating
19 operations in the redevelopment project area while
20 terminating operations at another Illinois location
21 within 10 miles of the redevelopment project area but
22 outside the boundaries of the redevelopment project area
23 municipality. For purposes of this paragraph,
24 termination means a closing of a retail operation that is
25 directly related to the opening of the same operation or
26 like retail entity owned or operated by more than 50% of
27 the original ownership in a redevelopment project area,
28 but it does not mean closing an operation for reasons
29 beyond the control of the retail entity, as documented by
30 the retail entity, subject to a reasonable finding by the
31 municipality that the current location contained
32 inadequate space, had become economically obsolete, or
33 was no longer a viable location for the retailer or
34 serviceman.

1 If a special service area has been established pursuant
2 to the Special Service Area Tax Act or Special Service Area
3 Tax Law, then any tax increment revenues derived from the tax
4 imposed pursuant to the Special Service Area Tax Act or
5 Special Service Area Tax Law may be used within the
6 redevelopment project area for the purposes permitted by that
7 Act or Law as well as the purposes permitted by this Act.

8 (r) "State Sales Tax Boundary" means the redevelopment
9 project area or the amended redevelopment project area
10 boundaries which are determined pursuant to subsection (9) of
11 Section 11-74.4-8a of this Act. The Department of Revenue
12 shall certify pursuant to subsection (9) of Section
13 11-74.4-8a the appropriate boundaries eligible for the
14 determination of State Sales Tax Increment.

15 (s) "State Sales Tax Increment" means an amount equal to
16 the increase in the aggregate amount of taxes paid by
17 retailers and servicemen, other than retailers and servicemen
18 subject to the Public Utilities Act, on transactions at
19 places of business located within a State Sales Tax Boundary
20 pursuant to the Retailers' Occupation Tax Act, the Use Tax
21 Act, the Service Use Tax Act, and the Service Occupation Tax
22 Act, except such portion of such increase that is paid into
23 the State and Local Sales Tax Reform Fund, the Local
24 Government Distributive Fund, the Local Government Tax
25 Fund and the County and Mass Transit District Fund, for as
26 long as State participation exists, over and above the
27 Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts
28 or the Revised Initial Sales Tax Amounts for such taxes as
29 certified by the Department of Revenue and paid under those
30 Acts by retailers and servicemen on transactions at places of
31 business located within the State Sales Tax Boundary during
32 the base year which shall be the calendar year immediately
33 prior to the year in which the municipality adopted tax
34 increment allocation financing, less 3.0% of such amounts

1 generated under the Retailers' Occupation Tax Act, Use Tax
2 Act and Service Use Tax Act and the Service Occupation Tax
3 Act, which sum shall be appropriated to the Department of
4 Revenue to cover its costs of administering and enforcing
5 this Section. For purposes of computing the aggregate amount
6 of such taxes for base years occurring prior to 1985, the
7 Department of Revenue shall compute the Initial Sales Tax
8 Amount for such taxes and deduct therefrom an amount equal to
9 4% of the aggregate amount of taxes per year for each year
10 the base year is prior to 1985, but not to exceed a total
11 deduction of 12%. The amount so determined shall be known as
12 the "Adjusted Initial Sales Tax Amount". For purposes of
13 determining the State Sales Tax Increment the Department of
14 Revenue shall for each period subtract from the tax amounts
15 received from retailers and servicemen on transactions
16 located in the State Sales Tax Boundary, the certified
17 Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts
18 or Revised Initial Sales Tax Amounts for the Retailers'
19 Occupation Tax Act, the Use Tax Act, the Service Use Tax Act
20 and the Service Occupation Tax Act. For the State Fiscal
21 Year 1989 this calculation shall be made by utilizing the
22 calendar year 1987 to determine the tax amounts received. For
23 the State Fiscal Year 1990, this calculation shall be made by
24 utilizing the period from January 1, 1988, until September
25 30, 1988, to determine the tax amounts received from
26 retailers and servicemen, which shall have deducted therefrom
27 nine-twelfths of the certified Initial Sales Tax Amounts,
28 Adjusted Initial Sales Tax Amounts or the Revised Initial
29 Sales Tax Amounts as appropriate. For the State Fiscal Year
30 1991, this calculation shall be made by utilizing the period
31 from October 1, 1988, until June 30, 1989, to determine the
32 tax amounts received from retailers and servicemen, which
33 shall have deducted therefrom nine-twelfths of the certified
34 Initial State Sales Tax Amounts, Adjusted Initial Sales Tax

1 Amounts or the Revised Initial Sales Tax Amounts as
2 appropriate. For every State Fiscal Year thereafter, the
3 applicable period shall be the 12 months beginning July 1 and
4 ending on June 30, to determine the tax amounts received
5 which shall have deducted therefrom the certified Initial
6 Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the
7 Revised Initial Sales Tax Amounts. Municipalities intending
8 to receive a distribution of State Sales Tax Increment must
9 report a list of retailers to the Department of Revenue by
10 October 31, 1988 and by July 31, of each year thereafter.

11 (t) "Taxing districts" means counties, townships, cities
12 and incorporated towns and villages, school, road, park,
13 sanitary, mosquito abatement, forest preserve, public health,
14 fire protection, river conservancy, tuberculosis sanitarium
15 and any other municipal corporations or districts with the
16 power to levy taxes.

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

21 (v) As used in subsection (a) of Section 11-74.4-3 of
22 this Act, "vacant land" means any parcel or combination of
23 parcels of real property without industrial, commercial, and
24 residential buildings which has not been used for commercial
25 agricultural purposes within 5 years prior to the designation
26 of the redevelopment project area, unless the parcel is
27 included in an industrial park conservation area or the
28 parcel has been subdivided; provided that if the parcel was
29 part of a larger tract that has been divided into 3 or more
30 smaller tracts that were accepted for recording during the
31 period from 1950 to 1990, then the parcel shall be deemed to
32 have been subdivided, and all proceedings and actions of the
33 municipality taken in that connection with respect to any
34 previously approved or designated redevelopment project area

1 or amended redevelopment project area are hereby validated
2 and hereby declared to be legally sufficient for all purposes
3 of this Act. For purposes of this Section and only for land
4 subject to the subdivision requirements of the Plat Act, land
5 is subdivided when the original plat of the proposed
6 Redevelopment Project Area or relevant portion thereof has
7 been properly certified, acknowledged, approved, and recorded
8 or filed in accordance with the Plat Act and a preliminary
9 plat, if any, for any subsequent phases of the proposed
10 Redevelopment Project Area or relevant portion thereof has
11 been properly approved and filed in accordance with the
12 applicable ordinance of the municipality.

13 (w) "Annual Total Increment" means the sum of each
14 municipality's annual Net Sales Tax Increment and each
15 municipality's annual Net Utility Tax Increment. The ratio
16 of the Annual Total Increment of each municipality to the
17 Annual Total Increment for all municipalities, as most
18 recently calculated by the Department, shall determine the
19 proportional shares of the Illinois Tax Increment Fund to be
20 distributed to each municipality.

21 (Source: P.A. 91-261, eff. 7-23-99; 91-477, eff. 8-11-99;
22 91-478, eff. 11-1-99; 91-642, eff. 8-20-99; 91-763, eff.
23 6-9-00; 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; revised
24 9-19-01.)

25 (65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

26 Sec. 11-74.4-7. Obligations secured by the special tax
27 allocation fund set forth in Section 11-74.4-8 for the
28 redevelopment project area may be issued to provide for
29 redevelopment project costs. Such obligations, when so
30 issued, shall be retired in the manner provided in the
31 ordinance authorizing the issuance of such obligations by the
32 receipts of taxes levied as specified in Section 11-74.4-9
33 against the taxable property included in the area, by

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

1 property in the redevelopment project area.

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

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

29 In the event the municipality authorizes issuance of
30 obligations pursuant to the authority of this Division
31 secured by the full faith and credit of the municipality,
32 which obligations are other than obligations which may be
33 issued under home rule powers provided by Article VII,
34 Section 6 of the Illinois Constitution, or pledges taxes

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

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

1 of the electors voting upon the question are not in favor
2 thereof, the ordinance shall not take effect.

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

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

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

26 A municipality may also issue its obligations to refund
27 in whole or in part, obligations theretofore issued by such
28 municipality under the authority of this Act, whether at or
29 prior to maturity, provided however, that the last maturity
30 of the refunding obligations shall not be expressed to mature
31 later than December 31 of the year in which the payment to
32 the municipal treasurer as provided in subsection (b) of
33 Section 11-74.4-8 of this Act is to be made with respect to
34 ad valorem taxes levied in the twenty-third calendar year

1 after the year in which the ordinance approving the
2 redevelopment project area is adopted if the ordinance was
3 adopted on or after January 15, 1981, and not later than
4 December 31 of the year in which the payment to the municipal
5 treasurer as provided in subsection (b) of Section 11-74.4-8
6 of this Act is to be made with respect to ad valorem taxes
7 levied in the thirty-fifth calendar year after the year in
8 which the ordinance approving the redevelopment project area
9 is adopted (A) if the ordinance was adopted before January
10 15, 1981, or (B) if the ordinance was adopted in December
11 1983, April 1984, July 1985, or December 1989, or (C) if the
12 ordinance was adopted in December, 1987 and the redevelopment
13 project is located within one mile of Midway Airport, or (D)
14 if the ordinance was adopted before January 1, 1987 by a
15 municipality in Mason County, or (E) if the municipality is
16 subject to the Local Government Financial Planning and
17 Supervision Act or the Financially Distressed City Law, or
18 (F) if the ordinance was adopted in December 1984 by the
19 Village of Rosemont, or (G) if the ordinance was adopted on
20 December 31, 1986 by a municipality located in Clinton County
21 for which at least \$250,000 of tax increment bonds were
22 authorized on June 17, 1997, or if the ordinance was adopted
23 on December 31, 1986 by a municipality with a population in
24 1990 of less than 3,600 that is located in a county with a
25 population in 1990 of less than 34,000 and for which at least
26 \$250,000 of tax increment bonds were authorized on June 17,
27 1997, or (H) if the ordinance was adopted on October 5, 1982
28 by the City of Kankakee, or (I) if the ordinance was adopted
29 on December 29, 1986 by East St. Louis, or if the ordinance
30 was adopted on November 12, 1991 by the Village of Sauget, or
31 (J) if the ordinance was adopted on February 11, 1985 by the
32 City of Rock Island, or (K) if the ordinance was adopted
33 before December 18, 1986 by the City of Moline, or (L) if the
34 ordinance was adopted in September 1988 by Sauk Village, or

1 (M) if the ordinance was adopted in October 1993 by Sauk
2 Village, or (N) if the ordinance was adopted on December 29,
3 1986 by the City of Galva, or (O) if the ordinance was
4 adopted in March 1991 by the City of Centreville, or (P) †B†
5 if the ordinance was adopted on January 23, 1991 by the City
6 of East St. Louis, or (Q) if the ordinance was adopted on
7 September 6, 1994 by the City of Freeport and, for
8 redevelopment project areas for which bonds were issued
9 before July 29, 1991, in connection with a redevelopment
10 project in the area within the State Sales Tax Boundary and
11 which were extended by municipal ordinance under subsection
12 (n) of Section 11-74.4-3, the last maturity of the refunding
13 obligations shall not be expressed to mature later than the
14 date on which the redevelopment project area is terminated or
15 December 31, 2013, whichever date occurs first.

16 In the event a municipality issues obligations under home
17 rule powers or other legislative authority the proceeds of
18 which are pledged to pay for redevelopment project costs, the
19 municipality may, if it has followed the procedures in
20 conformance with this division, retire said obligations from
21 funds in the special tax allocation fund in amounts and in
22 such manner as if such obligations had been issued pursuant
23 to the provisions of this division.

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

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 10-10-01.)

32 Section 99. Effective date. This Act takes effect upon
33 becoming law."