

1 AMENDMENT TO SENATE BILL 1650

2 AMENDMENT NO. _____. Amend Senate Bill 1650 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, 11-74.4-4.1, 11-74.4-5, and
6 11-74.4-7 as follows:

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

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

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

21 (1) If improved, industrial, commercial, and
22 residential buildings or improvements are detrimental to

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

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

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

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

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

1 codes.

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

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

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

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

1 or (iii) lacking within the redevelopment project
2 area.

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

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

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

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

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

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

34 (2) If vacant, the sound growth of the

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

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

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

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

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

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

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

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

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

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

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

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

1 registered professional engineer or appropriate
2 regulatory agency.

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

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

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

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

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

1 of the following factors is detrimental to the public safety,
2 health, morals or welfare and such an area may become a
3 blighted area:

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

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

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

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

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

33 (6) Excessive vacancies. The presence of buildings
34 that are unoccupied or under-utilized and that represent

1 an adverse influence on the area because of the
2 frequency, extent, or duration of the vacancies.

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

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

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

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

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

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

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

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

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

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

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

1 conservation area contiguous to such vacant land.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

34 (A) an itemized list of estimated redevelopment

1 project costs;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 subsection (b) of Section 11-74.4-8 of this Act is to be
2 made with respect to ad valorem taxes levied in the
3 thirty-fifth calendar year after the year in which the
4 ordinance approving the redevelopment project area is
5 adopted:

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

8 (B) if the ordinance was adopted in December
9 1983, April 1984, July 1985, or December 1989, or

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

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

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

19 (F) if the ordinance was adopted in December
20 1984 by the Village of Rosemont, or

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

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

- 1 (I) if the ordinance was adopted on November
- 2 12, 1991 by the Village of Sauget, or
- 3 (J) if the ordinance was adopted on February
- 4 11, 1985 by the City of Rock Island, or
- 5 (K) if the ordinance was adopted before
- 6 December 18, 1986 by the City of Moline, or
- 7 (L) if the ordinance was adopted in September
- 8 1988 by Sauk Village, or
- 9 (M) if the ordinance was adopted in October
- 10 1993 by Sauk Village, or
- 11 (N) if the ordinance was adopted on December
- 12 29, 1986 by the City of Galva, or
- 13 (O) if the ordinance was adopted in March 1991
- 14 by the City of Centreville, or
- 15 (P) (B) if the ordinance was adopted on
- 16 January 23, 1991 by the City of East St. Louis, or
- 17 (Q) if the ordinance was adopted on December
- 18 22, 1986 by the City of Aledo, or
- 19 (R) if the ordinance was adopted on February
- 20 5, 1990 by the City of Clinton, or
- 21 (S) if the ordinance was adopted on September
- 22 6, 1994 by the City of Freeport, or
- 23 (T) if the ordinance was adopted on December
- 24 22, 1986 by the City of Tuscola, or
- 25 (U) if the ordinance was adopted on December
- 26 23, 1986 by the City of Sparta, or
- 27 (V) if the ordinance was adopted on December
- 28 23, 1986 by the City of Beardstown, or
- 29 (W) if the ordinance was adopted on April 27,
- 30 1981, October 21, 1985, or December 30, 1986 by the
- 31 City of Belleville.

32 However, for redevelopment project areas for which
33 bonds were issued before July 29, 1991, or for which
34 contracts were entered into before June 1, 1988, in

1 connection with a redevelopment project in the area
2 within the State Sales Tax Boundary, the estimated dates
3 of completion of the redevelopment project and retirement
4 of obligations to finance redevelopment project costs may
5 be extended by municipal ordinance to December 31, 2013.
6 The extension allowed by this amendatory Act of 1993
7 shall not apply to real property tax increment allocation
8 financing under Section 11-74.4-8.

9 A municipality may by municipal ordinance amend an
10 existing redevelopment plan to conform to this paragraph
11 (3) as amended by Public Act 91-478, which municipal
12 ordinance may be adopted without further hearing or
13 notice and without complying with the procedures provided
14 in this Act pertaining to an amendment to or the initial
15 approval of a redevelopment plan and project and
16 designation of a redevelopment project area.

17 Those dates, for purposes of real property tax
18 increment allocation financing pursuant to Section
19 11-74.4-8 only, shall be not more than 35 years for
20 redevelopment project areas that were adopted on or after
21 December 16, 1986 and for which at least \$8 million worth
22 of municipal bonds were authorized on or after December
23 19, 1989 but before January 1, 1990; provided that the
24 municipality elects to extend the life of the
25 redevelopment project area to 35 years by the adoption of
26 an ordinance after at least 14 but not more than 30 days'
27 written notice to the taxing bodies, that would otherwise
28 constitute the joint review board for the redevelopment
29 project area, before the adoption of the ordinance.

30 Those dates, for purposes of real property tax
31 increment allocation financing pursuant to Section
32 11-74.4-8 only, shall be not more than 35 years for
33 redevelopment project areas that were established on or
34 after December 1, 1981 but before January 1, 1982 and for

1 which at least \$1,500,000 worth of tax increment revenue
 2 bonds were authorized on or after September 30, 1990 but
 3 before July 1, 1991; provided that the municipality
 4 elects to extend the life of the redevelopment project
 5 area to 35 years by the adoption of an ordinance after at
 6 least 14 but not more than 30 days' written notice to the
 7 taxing bodies, that would otherwise constitute the joint
 8 review board for the redevelopment project area, before
 9 the adoption of the ordinance.

10 (3.5) The municipality finds, in the case of an
 11 industrial park conservation area, also that the
 12 municipality is a labor surplus municipality and that the
 13 implementation of the redevelopment plan will reduce
 14 unemployment, create new jobs and by the provision of new
 15 facilities enhance the tax base of the taxing districts
 16 that extend into the redevelopment project area.

17 (4) If any incremental revenues are being utilized
 18 under Section 8(a)(1) or 8(a)(2) of this Act in
 19 redevelopment project areas approved by ordinance after
 20 January 1, 1986, the municipality finds: (a) that the
 21 redevelopment project area would not reasonably be
 22 developed without the use of such incremental revenues,
 23 and (b) that such incremental revenues will be
 24 exclusively utilized for the development of the
 25 redevelopment project area.

26 (5) ~~On---and---after---November--17--1997~~ If the
 27 redevelopment plan will not result in displacement of 10
 28 ~~or--more~~ residents from 10 or more inhabited residential
 29 units, and the municipality certifies in the plan that
 30 such displacement will not result from the plan, a
 31 housing impact study need not be performed. If, however,
 32 the redevelopment plan would result in the displacement
 33 of residents from 10 or more inhabited residential units,
 34 or if the redevelopment project area contains 75 or more

1 inhabited residential units and no certification is made,
2 then the municipality shall prepare, as part of the
3 separate feasibility report required by subsection (a) of
4 Section 11-74.4-5, a housing impact study.

5 Part I of the housing impact study shall include (i)
6 data as to whether the residential units are single
7 family or multi-family units, (ii) the number and type of
8 rooms within the units, if that information is available,
9 (iii) whether the units are inhabited or uninhabited, as
10 determined not less than 45 days before the date that the
11 ordinance or resolution required by subsection (a) of
12 Section 11-74.4-5 is passed, and (iv) data as to the
13 racial and ethnic composition of the residents in the
14 inhabited residential units. The data requirement as to
15 the racial and ethnic composition of the residents in the
16 inhabited residential units shall be deemed to be fully
17 satisfied by data from the most recent federal census.

18 Part II of the housing impact study shall identify
19 the inhabited residential units in the proposed
20 redevelopment project area that are to be or may be
21 removed. If inhabited residential units are to be
22 removed, then the housing impact study shall identify (i)
23 the number and location of those units that will or may
24 be removed, (ii) the municipality's plans for relocation
25 assistance for those residents in the proposed
26 redevelopment project area whose residences are to be
27 removed, (iii) the availability of replacement housing
28 for those residents whose residences are to be removed,
29 and shall identify the type, location, and cost of the
30 housing, and (iv) the type and extent of relocation
31 assistance to be provided.

32 (6) On and after November 1, 1999, the housing
33 impact study required by paragraph (5) shall be
34 incorporated in the redevelopment plan for the

1 redevelopment project area.

2 (7) On and after November 1, 1999, no redevelopment
3 plan shall be adopted, nor an existing plan amended, nor
4 shall residential housing that is occupied by households
5 of low-income and very low-income persons in currently
6 existing redevelopment project areas be removed after
7 November 1, 1999 unless the redevelopment plan provides,
8 with respect to inhabited housing units that are to be
9 removed for households of low-income and very low-income
10 persons, affordable housing and relocation assistance not
11 less than that which would be provided under the federal
12 Uniform Relocation Assistance and Real Property
13 Acquisition Policies Act of 1970 and the regulations
14 under that Act, including the eligibility criteria.
15 Affordable housing may be either existing or newly
16 constructed housing. For purposes of this paragraph (7),
17 "low-income households", "very low-income households",
18 and "affordable housing" have the meanings set forth in
19 the Illinois Affordable Housing Act. The municipality
20 shall make a good faith effort to ensure that this
21 affordable housing is located in or near the
22 redevelopment project area within the municipality.

23 (8) On and after November 1, 1999, if, after the
24 adoption of the redevelopment plan for the redevelopment
25 project area, any municipality desires to amend its
26 redevelopment plan to remove more inhabited residential
27 units than specified in its original redevelopment plan,
28 that change shall be made in accordance with the
29 procedures in subsection (c) of Section 11-74.4-5
30 ~~increase--in--the--number--of--units--to--be--removed--shall--be~~
31 ~~deemed--to--be--a--change--in--the--nature--of--the--redevelopment~~
32 ~~plan--as--to--require--compliance--with--the--procedures--in--this~~
33 ~~Act--pertaining--to--the--initial--approval--of--a--redevelopment~~
34 ~~plan.~~

1 (9) For redevelopment project areas designated
2 prior to November 1, 1999, the redevelopment plan may be
3 amended without further joint review board meeting or
4 hearing, provided that the municipality shall give notice
5 of any such changes by mail to each affected taxing
6 district and registrant on the interested party registry,
7 to authorize the municipality to expend tax increment
8 revenues for redevelopment project costs defined by
9 paragraphs (5) and (7.5), subparagraphs (E) and (F) of
10 paragraph (11), and paragraph (11.5) of subsection (q) of
11 Section 11-74.4-3, so long as the changes do not increase
12 the total estimated redevelopment project costs set out
13 in the redevelopment plan by more than 5% after
14 adjustment for inflation from the date the plan was
15 adopted.

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

29 (p) "Redevelopment project area" means an area
30 designated by the municipality, which is not less in the
31 aggregate than 1 1/2 acres and in respect to which the
32 municipality has made a finding that there exist conditions
33 which cause the area to be classified as an industrial park
34 conservation area or a blighted area or a conservation area,

1 or a combination of both blighted areas and conservation
2 areas.

3 (q) "Redevelopment project costs" mean and include the
4 sum total of all reasonable or necessary costs incurred or
5 estimated to be incurred, and any such costs incidental to a
6 redevelopment plan and a redevelopment project. Such costs
7 include, without limitation, the following:

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

1 with those individuals or entities are executed by the
2 consultant or advisor;

3 (1.5) After July 1, 1999, annual administrative
4 costs shall not include general overhead or
5 administrative costs of the municipality that would still
6 have been incurred by the municipality if the
7 municipality had not designated a redevelopment project
8 area or approved a redevelopment plan;

9 (1.6) The cost of marketing sites within the
10 redevelopment project area to prospective businesses,
11 developers, and investors;

12 (2) Property assembly costs, including but not
13 limited to acquisition of land and other property, real
14 or personal, or rights or interests therein, demolition
15 of buildings, site preparation, site improvements that
16 serve as an engineered barrier addressing ground level or
17 below ground environmental contamination, including, but
18 not limited to parking lots and other concrete or asphalt
19 barriers, and the clearing and grading of land;

20 (3) Costs of rehabilitation, reconstruction or
21 repair or remodeling of existing public or private
22 buildings, fixtures, and leasehold improvements; and the
23 cost of replacing an existing public building if pursuant
24 to the implementation of a redevelopment project the
25 existing public building is to be demolished to use the
26 site for private investment or devoted to a different use
27 requiring private investment;

28 (4) Costs of the construction of public works or
29 improvements, except that on and after November 1, 1999,
30 redevelopment project costs shall not include the cost of
31 constructing a new municipal public building principally
32 used to provide offices, storage space, or conference
33 facilities or vehicle storage, maintenance, or repair for
34 administrative, public safety, or public works personnel

1 and that is not intended to replace an existing public
2 building as provided under paragraph (3) of subsection
3 (q) of Section 11-74.4-3 unless either (i) the
4 construction of the new municipal building implements a
5 redevelopment project that was included in a
6 redevelopment plan that was adopted by the municipality
7 prior to November 1, 1999 or (ii) the municipality makes
8 a reasonable determination in the redevelopment plan,
9 supported by information that provides the basis for that
10 determination, that the new municipal building is
11 required to meet an increase in the need for public
12 safety purposes anticipated to result from the
13 implementation of the redevelopment plan;

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

18 (6) Financing costs, including but not limited to
19 all necessary and incidental expenses related to the
20 issuance of obligations and which may include payment of
21 interest on any obligations issued hereunder including
22 interest accruing during the estimated period of
23 construction of any redevelopment project for which such
24 obligations are issued and for not exceeding 36 months
25 thereafter and including reasonable reserves related
26 thereto;

27 (7) To the extent the municipality by written
28 agreement accepts and approves the same, all or a portion
29 of a taxing district's capital costs resulting from the
30 redevelopment project necessarily incurred or to be
31 incurred within a taxing district in furtherance of the
32 objectives of the redevelopment plan and project.

33 (7.5) For redevelopment project areas designated
34 (or redevelopment project areas amended to add or

1 increase the number of tax-increment-financing assisted
2 housing units) on or after November 1, 1999, an
3 elementary, secondary, or unit school district's
4 increased costs attributable to assisted housing units
5 located within the redevelopment project area for which
6 the developer or redeveloper receives financial
7 assistance through an agreement with the municipality or
8 because the municipality incurs the cost of necessary
9 infrastructure improvements within the boundaries of the
10 assisted housing sites necessary for the completion of
11 that housing as authorized by this Act, and which costs
12 shall be paid by the municipality from the Special Tax
13 Allocation Fund when the tax increment revenue is
14 received as a result of the assisted housing units and
15 shall be calculated annually as follows:

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

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

8 (ii) for elementary school districts with
9 a district average 1995-96 Per Capita Tuition
10 Charge of less than \$5,900, no more than 17% of
11 the total amount of property tax increment
12 revenue produced by those housing units that
13 have received tax increment finance assistance
14 under this Act; and

15 (iii) for secondary school districts with
16 a district average 1995-96 Per Capita Tuition
17 Charge of less than \$5,900, no more than 8% of
18 the total amount of property tax increment
19 revenue produced by those housing units that
20 have received tax increment finance assistance
21 under this Act.

22 (B) For alternate method districts, flat grant
23 districts, and foundation districts with a district
24 average 1995-96 Per Capita Tuition Charge equal to
25 or more than \$5,900, excluding any school district
26 with a population in excess of 1,000,000, by
27 multiplying the district's increase in attendance
28 resulting from the net increase in new students
29 enrolled in that school district who reside in
30 housing units within the redevelopment project area
31 that have received financial assistance through an
32 agreement with the municipality or because the
33 municipality incurs the cost of necessary
34 infrastructure improvements within the boundaries of

1 the housing sites necessary for the completion of
2 that housing as authorized by this Act since the
3 designation of the redevelopment project area by the
4 most recently available per capita tuition cost as
5 defined in Section 10-20.12a of the School Code less
6 any increase in general state aid as defined in
7 Section 18-8.05 of the School Code attributable to
8 these added new students subject to the following
9 annual limitations:

10 (i) for unit school districts, no more
11 than 40% of the total amount of property tax
12 increment revenue produced by those housing
13 units that have received tax increment finance
14 assistance under this Act;

15 (ii) for elementary school districts, no
16 more than 27% of the total amount of property
17 tax increment revenue produced by those housing
18 units that have received tax increment finance
19 assistance under this Act; and

20 (iii) for secondary school districts, no
21 more than 13% of the total amount of property
22 tax increment revenue produced by those housing
23 units that have received tax increment finance
24 assistance under this Act.

25 (C) For any school district in a municipality
26 with a population in excess of 1,000,000, the
27 following restrictions shall apply to the
28 reimbursement of increased costs under this
29 paragraph (7.5):

30 (i) no increased costs shall be
31 reimbursed unless the school district certifies
32 that each of the schools affected by the
33 assisted housing project is at or over its
34 student capacity;

1 (ii) the amount reimburseable shall be
2 reduced by the value of any land donated to the
3 school district by the municipality or
4 developer, and by the value of any physical
5 improvements made to the schools by the
6 municipality or developer; and

7 (iii) the amount reimbursed may not
8 affect amounts otherwise obligated by the terms
9 of any bonds, notes, or other funding
10 instruments, or the terms of any redevelopment
11 agreement.

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

29 (8) Relocation costs to the extent that a
30 municipality determines that relocation costs shall be
31 paid or is required to make payment of relocation costs
32 by federal or State law or in order to satisfy
33 subparagraph (7) of subsection (n);

34 (9) Payment in lieu of taxes;

1 (10) Costs of job training, retraining, advanced
2 vocational education or career education, including but
3 not limited to courses in occupational, semi-technical or
4 technical fields leading directly to employment, incurred
5 by one or more taxing districts, provided that such costs
6 (i) are related to the establishment and maintenance of
7 additional job training, advanced vocational education or
8 career education programs for persons employed or to be
9 employed by employers located in a redevelopment project
10 area; and (ii) when incurred by a taxing district or
11 taxing districts other than the municipality, are set
12 forth in a written agreement by or among the municipality
13 and the taxing district or taxing districts, which
14 agreement describes the program to be undertaken,
15 including but not limited to the number of employees to
16 be trained, a description of the training and services to
17 be provided, the number and type of positions available
18 or to be available, itemized costs of the program and
19 sources of funds to pay for the same, and the term of the
20 agreement. Such costs include, specifically, the payment
21 by community college districts of costs pursuant to
22 Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public
23 Community College Act and by school districts of costs
24 pursuant to Sections 10-22.20a and 10-23.3a of The School
25 Code;

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

29 (A) such costs are to be paid directly from
30 the special tax allocation fund established pursuant
31 to this Act;

32 (B) such payments in any one year may not
33 exceed 30% of the annual interest costs incurred by
34 the redeveloper with regard to the redevelopment

1 project during that year;

2 (C) if there are not sufficient funds
3 available in the special tax allocation fund to make
4 the payment pursuant to this paragraph (11) then the
5 amounts so due shall accrue and be payable when
6 sufficient funds are available in the special tax
7 allocation fund;

8 (D) the total of such interest payments paid
9 pursuant to this Act may not exceed 30% of the total
10 (i) cost paid or incurred by the redeveloper for the
11 redevelopment project plus (ii) redevelopment
12 project costs excluding any property assembly costs
13 and any relocation costs incurred by a municipality
14 pursuant to this Act; and

15 (E) the cost limits set forth in subparagraphs
16 (B) and (D) of paragraph (11) shall be modified for
17 the financing of rehabilitated or new housing units
18 for low-income households and very low-income
19 households, as defined in Section 3 of the Illinois
20 Affordable Housing Act. The percentage of 75% shall
21 be substituted for 30% in subparagraphs (B) and (D)
22 of paragraph (11).

23 (F) Instead of the eligible costs provided by
24 subparagraphs (B) and (D) of paragraph (11), as
25 modified by this subparagraph, and notwithstanding
26 any other provisions of this Act to the contrary,
27 the municipality may pay from tax increment revenues
28 up to 50% of the cost of construction of new housing
29 units to be occupied by low-income households and
30 very low-income households as defined in Section 3
31 of the Illinois Affordable Housing Act. The cost of
32 construction of those units may be derived from the
33 proceeds of bonds issued by the municipality under
34 this Act or other constitutional or statutory

1 authority or from other sources of municipal revenue
2 that may be reimbursed from tax increment revenues
3 or the proceeds of bonds issued to finance the
4 construction of that housing.

5 The eligible costs provided under this
6 subparagraph (F) of paragraph (11) shall be an
7 eligible cost for the construction, renovation, and
8 rehabilitation of all low and very low-income
9 housing units, as defined in Section 3 of the
10 Illinois Affordable Housing Act, within the
11 redevelopment project area. If the low and very
12 low-income units are part of a residential
13 redevelopment project that includes units not
14 affordable to low and very low-income households,
15 only the low and very low-income units shall be
16 eligible for benefits under subparagraph (F) of
17 paragraph (11). The standards for maintaining the
18 occupancy by low-income households and very
19 low-income households, as defined in Section 3 of
20 the Illinois Affordable Housing Act, of those units
21 constructed with eligible costs made available under
22 the provisions of this subparagraph (F) of paragraph
23 (11) shall be established by guidelines adopted by
24 the municipality. The responsibility for annually
25 documenting the initial occupancy of the units by
26 low-income households and very low-income
27 households, as defined in Section 3 of the Illinois
28 Affordable Housing Act, shall be that of the then
29 current owner of the property. For ownership units,
30 the guidelines will provide, at a minimum, for a
31 reasonable recapture of funds, or other appropriate
32 methods designed to preserve the original
33 affordability of the ownership units. For rental
34 units, the guidelines will provide, at a minimum,

1 for the affordability of rent to low and very
2 low-income households. As units become available,
3 they shall be rented to income-eligible tenants. The
4 municipality may modify these guidelines from time
5 to time; the guidelines, however, shall be in effect
6 for as long as tax increment revenue is being used
7 to pay for costs associated with the units or for
8 the retirement of bonds issued to finance the units
9 or for the life of the redevelopment project area,
10 whichever is later.

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

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

30 (13) After November 1, 1999 (the effective date of
31 Public Act 91-478), none of the redevelopment project
32 costs enumerated in this subsection shall be eligible
33 redevelopment project costs if those costs would provide
34 direct financial support to a retail entity initiating

1 operations in the redevelopment project area while
2 terminating operations at another Illinois location
3 within 10 miles of the redevelopment project area but
4 outside the boundaries of the redevelopment project area
5 municipality. For purposes of this paragraph,
6 termination means a closing of a retail operation that is
7 directly related to the opening of the same operation or
8 like retail entity owned or operated by more than 50% of
9 the original ownership in a redevelopment project area,
10 but it does not mean closing an operation for reasons
11 beyond the control of the retail entity, as documented by
12 the retail entity, subject to a reasonable finding by the
13 municipality that the current location contained
14 inadequate space, had become economically obsolete, or
15 was no longer a viable location for the retailer or
16 serviceman.

17 If a special service area has been established pursuant
18 to the Special Service Area Tax Act or Special Service Area
19 Tax Law, then any tax increment revenues derived from the tax
20 imposed pursuant to the Special Service Area Tax Act or
21 Special Service Area Tax Law may be used within the
22 redevelopment project area for the purposes permitted by that
23 Act or Law as well as the purposes permitted by this Act.

24 (r) "State Sales Tax Boundary" means the redevelopment
25 project area or the amended redevelopment project area
26 boundaries which are determined pursuant to subsection (9) of
27 Section 11-74.4-8a of this Act. The Department of Revenue
28 shall certify pursuant to subsection (9) of Section
29 11-74.4-8a the appropriate boundaries eligible for the
30 determination of State Sales Tax Increment.

31 (s) "State Sales Tax Increment" means an amount equal to
32 the increase in the aggregate amount of taxes paid by
33 retailers and servicemen, other than retailers and servicemen
34 subject to the Public Utilities Act, on transactions at

1 places of business located within a State Sales Tax Boundary
2 pursuant to the Retailers' Occupation Tax Act, the Use Tax
3 Act, the Service Use Tax Act, and the Service Occupation Tax
4 Act, except such portion of such increase that is paid into
5 the State and Local Sales Tax Reform Fund, the Local
6 Government Distributive Fund, the Local Government Tax
7 Fund and the County and Mass Transit District Fund, for as
8 long as State participation exists, over and above the
9 Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts
10 or the Revised Initial Sales Tax Amounts for such taxes as
11 certified by the Department of Revenue and paid under those
12 Acts by retailers and servicemen on transactions at places of
13 business located within the State Sales Tax Boundary during
14 the base year which shall be the calendar year immediately
15 prior to the year in which the municipality adopted tax
16 increment allocation financing, less 3.0% of such amounts
17 generated under the Retailers' Occupation Tax Act, Use Tax
18 Act and Service Use Tax Act and the Service Occupation Tax
19 Act, which sum shall be appropriated to the Department of
20 Revenue to cover its costs of administering and enforcing
21 this Section. For purposes of computing the aggregate amount
22 of such taxes for base years occurring prior to 1985, the
23 Department of Revenue shall compute the Initial Sales Tax
24 Amount for such taxes and deduct therefrom an amount equal to
25 4% of the aggregate amount of taxes per year for each year
26 the base year is prior to 1985, but not to exceed a total
27 deduction of 12%. The amount so determined shall be known as
28 the "Adjusted Initial Sales Tax Amount". For purposes of
29 determining the State Sales Tax Increment the Department of
30 Revenue shall for each period subtract from the tax amounts
31 received from retailers and servicemen on transactions
32 located in the State Sales Tax Boundary, the certified
33 Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts
34 or Revised Initial Sales Tax Amounts for the Retailers'

1 Occupation Tax Act, the Use Tax Act, the Service Use Tax Act
2 and the Service Occupation Tax Act. For the State Fiscal
3 Year 1989 this calculation shall be made by utilizing the
4 calendar year 1987 to determine the tax amounts received. For
5 the State Fiscal Year 1990, this calculation shall be made by
6 utilizing the period from January 1, 1988, until September
7 30, 1988, to determine the tax amounts received from
8 retailers and servicemen, which shall have deducted therefrom
9 nine-twelfths of the certified Initial Sales Tax Amounts,
10 Adjusted Initial Sales Tax Amounts or the Revised Initial
11 Sales Tax Amounts as appropriate. For the State Fiscal Year
12 1991, this calculation shall be made by utilizing the period
13 from October 1, 1988, until June 30, 1989, to determine the
14 tax amounts received from retailers and servicemen, which
15 shall have deducted therefrom nine-twelfths of the certified
16 Initial State Sales Tax Amounts, Adjusted Initial Sales Tax
17 Amounts or the Revised Initial Sales Tax Amounts as
18 appropriate. For every State Fiscal Year thereafter, the
19 applicable period shall be the 12 months beginning July 1 and
20 ending on June 30, to determine the tax amounts received
21 which shall have deducted therefrom the certified Initial
22 Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the
23 Revised Initial Sales Tax Amounts. Municipalities intending
24 to receive a distribution of State Sales Tax Increment must
25 report a list of retailers to the Department of Revenue by
26 October 31, 1988 and by July 31, of each year thereafter.

27 (t) "Taxing districts" means counties, townships, cities
28 and incorporated towns and villages, school, road, park,
29 sanitary, mosquito abatement, forest preserve, public health,
30 fire protection, river conservancy, tuberculosis sanitarium
31 and any other municipal corporations or districts with the
32 power to levy taxes.

33 (u) "Taxing districts' capital costs" means those costs
34 of taxing districts for capital improvements that are found

1 by the municipal corporate authorities to be necessary and
2 directly result from the redevelopment project.

3 (v) As used in subsection (a) of Section 11-74.4-3 of
4 this Act, "vacant land" means any parcel or combination of
5 parcels of real property without industrial, commercial, and
6 residential buildings which has not been used for commercial
7 agricultural purposes within 5 years prior to the designation
8 of the redevelopment project area, unless the parcel is
9 included in an industrial park conservation area or the
10 parcel has been subdivided; provided that if the parcel was
11 part of a larger tract that has been divided into 3 or more
12 smaller tracts that were accepted for recording during the
13 period from 1950 to 1990, then the parcel shall be deemed to
14 have been subdivided, and all proceedings and actions of the
15 municipality taken in that connection with respect to any
16 previously approved or designated redevelopment project area
17 or amended redevelopment project area are hereby validated
18 and hereby declared to be legally sufficient for all purposes
19 of this Act. For purposes of this Section and only for land
20 subject to the subdivision requirements of the Plat Act, land
21 is subdivided when the original plat of the proposed
22 Redevelopment Project Area or relevant portion thereof has
23 been properly certified, acknowledged, approved, and recorded
24 or filed in accordance with the Plat Act and a preliminary
25 plat, if any, for any subsequent phases of the proposed
26 Redevelopment Project Area or relevant portion thereof has
27 been properly approved and filed in accordance with the
28 applicable ordinance of the municipality.

29 (w) "Annual Total Increment" means the sum of each
30 municipality's annual Net Sales Tax Increment and each
31 municipality's annual Net Utility Tax Increment. The ratio
32 of the Annual Total Increment of each municipality to the
33 Annual Total Increment for all municipalities, as most
34 recently calculated by the Department, shall determine the

1 proportional shares of the Illinois Tax Increment Fund to be
2 distributed to each municipality.

3 (Source: P.A. 91-261, eff. 7-23-99; 91-477, eff. 8-11-99;
4 91-478, eff. 11-1-99; 91-642, eff. 8-20-99; 91-763, eff.
5 6-9-00; 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; revised
6 9-19-01.)

7 (65 ILCS 5/11-74.4-4.1)

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

9 (a) If a municipality by its corporate authorities, or
10 as it may determine by any commission designated under
11 subsection (k) of Section 11-74.4-4, adopts an ordinance or
12 resolution providing for a feasibility study on the
13 designation of an area as a redevelopment project area, a
14 copy of the ordinance or resolution shall immediately be sent
15 to all taxing districts that would be affected by the
16 designation.

17 On and after the effective date of this amendatory Act of
18 the 91st General Assembly, the ordinance or resolution shall
19 include:

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

22 (2) The purpose or purposes of the proposed
23 redevelopment plan and project.

24 (3) A general description of tax increment
25 allocation financing under this Act.

26 (4) The name, phone number, and address of the
27 municipal officer who can be contacted for additional
28 information about the proposed redevelopment project area
29 and who should receive all comments and suggestions
30 regarding the redevelopment of the area to be studied.

31 (b) If one of the purposes of the planned redevelopment
32 project area should reasonably be expected to result in the
33 displacement of residents from 10 or more inhabited

1 residential units, the municipality shall adopt a resolution
2 or ordinance providing for the feasibility study described in
3 subsection (a). The ordinance or resolution shall also
4 require that the feasibility study include the preparation of
5 the housing impact study set forth in paragraph (5) of
6 subsection (n) of Section 11-74.4-3. If the redevelopment
7 plan will not result in displacement of ~~10 or more~~ residents
8 from 10 or more inhabited residential units, and the
9 municipality certifies in the plan that such displacement
10 will not result from the plan, then a resolution or ordinance
11 need not be adopted.

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

13 (65 ILCS 5/11-74.4-5) (from Ch. 24, par. 11-74.4-5)

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

33 Prior to the adoption of an ordinance proposing the

1 designation of a redevelopment project area, or approving a
2 redevelopment plan or redevelopment project, the municipality
3 by its corporate authorities, or as it may determine by any
4 commission designated under subsection (k) of Section
5 11-74.4-4 shall adopt an ordinance or resolution fixing a
6 time and place for public hearing. At least 10 days prior to
7 the adoption of the ordinance or resolution establishing the
8 time and place for the public hearing, the municipality shall
9 make available for public inspection a redevelopment plan or
10 a separate report that provides in reasonable detail the
11 basis for the eligibility of the redevelopment project area.
12 The report along with the name of a person to contact for
13 further information shall be sent within a reasonable time
14 after the adoption of such ordinance or resolution to the
15 affected taxing districts by certified mail. On and after the
16 effective date of this amendatory Act of the 91st General
17 Assembly, the municipality shall print in a newspaper of
18 general circulation within the municipality a notice that
19 interested persons may register with the municipality in
20 order to receive information on the proposed designation of a
21 redevelopment project area or the approval of a redevelopment
22 plan. The notice shall state the place of registration and
23 the operating hours of that place. The municipality shall
24 have adopted reasonable rules to implement this registration
25 process under Section 11-74.4-4.2. The municipality shall
26 provide notice of the availability of the redevelopment plan
27 and eligibility report, including how to obtain this
28 information, by mail within a reasonable time after the
29 adoption of the ordinance or resolution, to all residential
30 addresses that, after a good faith effort, the municipality
31 determines are located outside the proposed redevelopment
32 project area and within 750 feet of the boundaries of the
33 proposed redevelopment project area. This requirement is
34 subject to the limitation that in a municipality with a

1 population of over 100,000, if the total number of
2 residential addresses outside the proposed redevelopment
3 project area and within 750 feet of the boundaries of the
4 proposed redevelopment project area exceeds 750, the
5 municipality shall be required to provide the notice to only
6 the 750 residential addresses that, after a good faith
7 effort, the municipality determines are outside the proposed
8 redevelopment project area and closest to the boundaries of
9 the proposed redevelopment project area. Notwithstanding the
10 foregoing, notice given after August 7, 2001 (the effective
11 date of Public Act 92-263) and before the effective date of
12 this amendatory Act of the 92nd General Assembly to
13 residential addresses within 750 feet of the boundaries of a
14 proposed redevelopment project area shall be deemed to have
15 been sufficiently given in compliance with this Act if given
16 only to residents outside the boundaries of the proposed
17 redevelopment project area. The notice shall also be provided
18 by the municipality, regardless of its population, to those
19 organizations and residents that have registered with the
20 municipality for that information in accordance with the
21 registration guidelines established by the municipality under
22 Section 11-74.4-4.2.

23 At the public hearing any interested person or affected
24 taxing district may file with the municipal clerk written
25 objections to and may be heard orally in respect to any
26 issues embodied in the notice. The municipality shall hear
27 all protests and objections at the hearing and the hearing
28 may be adjourned to another date without further notice other
29 than a motion to be entered upon the minutes fixing the time
30 and place of the subsequent hearing. At the public hearing
31 or at any time prior to the adoption by the municipality of
32 an ordinance approving a redevelopment plan, the municipality
33 may make changes in the redevelopment plan. Changes which
34 (1) add additional parcels of property to the proposed

1 redevelopment project area, (2) substantially affect the
2 general land uses proposed in the redevelopment plan, (3)
3 substantially change the nature of or extend the life of the
4 redevelopment project, or (4) increase the number of
5 inhabited residential units low-or-very-low-income-households
6 to be displaced from the redevelopment project area, as
7 ~~provided-that~~ measured from the time of creation of the
8 redevelopment project area, to a the total of more than
9 ~~displacement-of-the-households-will-exceed~~ 10, shall be made
10 only after the municipality gives notice, convenes a joint
11 review board, and conducts a public hearing pursuant to the
12 procedures set forth in this Section and in Section 11-74.4-6
13 of this Act. Changes which do not (1) add additional parcels
14 of property to the proposed redevelopment project area, (2)
15 substantially affect the general land uses proposed in the
16 redevelopment plan, (3) substantially change the nature of or
17 extend the life of the redevelopment project, or (4) increase
18 the number of inhabited residential units low--or--very--low
19 income--households to be displaced from the redevelopment
20 project area, as ~~provided-that~~ measured from the time of
21 creation of the redevelopment project area, to a the total of
22 more than ~~displacement-of-the-households-will-exceed~~ 10, may
23 be made without further hearing, provided that the
24 municipality shall give notice of any such changes by mail to
25 each affected taxing district and registrant on the
26 interested parties registry, provided for under Section
27 11-74.4-4.2, and by publication in a newspaper of general
28 circulation within the affected taxing district. Such notice
29 by mail and by publication shall each occur not later than 10
30 days following the adoption by ordinance of such changes.
31 Hearings with regard to a redevelopment project area, project
32 or plan may be held simultaneously.

33 (b) Prior to holding a public hearing to approve or
34 amend a redevelopment plan or to designate or add additional

1 parcels of property to a redevelopment project area, the
2 municipality shall convene a joint review board. The board
3 shall consist of a representative selected by each community
4 college district, local elementary school district and high
5 school district or each local community unit school district,
6 park district, library district, township, fire protection
7 district, and county that will have the authority to directly
8 levy taxes on the property within the proposed redevelopment
9 project area at the time that the proposed redevelopment
10 project area is approved, a representative selected by the
11 municipality and a public member. The public member shall
12 first be selected and then the board's chairperson shall be
13 selected by a majority of the board members present and
14 voting.

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

1 plan. If no person satisfying these requirements is
2 available or if no qualified person will serve as the public
3 member, then the joint review board is relieved of this
4 paragraph's selection requirements for the public member.

5 Within 90 days of the effective date of this amendatory
6 Act of the 91st General Assembly, each municipality that
7 designated a redevelopment project area for which it was not
8 required to convene a joint review board under this Section
9 shall convene a joint review board to perform the duties
10 specified under paragraph (e) of this Section.

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

28 The board shall review (i) the public record, planning
29 documents and proposed ordinances approving the redevelopment
30 plan and project and (ii) proposed amendments to the
31 redevelopment plan or additions of parcels of property to the
32 redevelopment project area to be adopted by the municipality.
33 As part of its deliberations, the board may hold additional
34 hearings on the proposal. A board's recommendation shall be

1 an advisory, non-binding recommendation. The recommendation
2 shall be adopted by a majority of those members present and
3 voting. The recommendations shall be submitted to the
4 municipality within 30 days after convening of the board.
5 Failure of the board to submit its report on a timely basis
6 shall not be cause to delay the public hearing or any other
7 step in the process of designating or amending the
8 redevelopment project area but shall be deemed to constitute
9 approval by the joint review board of the matters before it.

10 The board shall base its recommendation to approve or
11 disapprove the redevelopment plan and the designation of the
12 redevelopment project area or the amendment of the
13 redevelopment plan or addition of parcels of property to the
14 redevelopment project area on the basis of the redevelopment
15 project area and redevelopment plan satisfying the plan
16 requirements, the eligibility criteria defined in Section
17 11-74.4-3, and the objectives of this Act.

18 The board shall issue a written report describing why the
19 redevelopment plan and project area or the amendment thereof
20 meets or fails to meet one or more of the objectives of this
21 Act and both the plan requirements and the eligibility
22 criteria defined in Section 11-74.4-3. In the event the Board
23 does not file a report it shall be presumed that these taxing
24 bodies find the redevelopment project area and redevelopment
25 plan satisfy the objectives of this Act and the plan
26 requirements and eligibility criteria.

27 If the board recommends rejection of the matters before
28 it, the municipality will have 30 days within which to
29 resubmit the plan or amendment. During this period, the
30 municipality will meet and confer with the board and attempt
31 to resolve those issues set forth in the board's written
32 report that led to the rejection of the plan or amendment.

33 Notwithstanding the resubmission set forth above, the
34 municipality may commence the scheduled public hearing and

1 either adjourn the public hearing or continue the public
2 hearing until a date certain. Prior to continuing any public
3 hearing to a date certain, the municipality shall announce
4 during the public hearing the time, date, and location for
5 the reconvening of the public hearing. Any changes to the
6 redevelopment plan necessary to satisfy the issues set forth
7 in the joint review board report shall be the subject of a
8 public hearing before the hearing is adjourned if the changes
9 would (1) substantially affect the general land uses proposed
10 in the redevelopment plan, (2) substantially change the
11 nature of or extend the life of the redevelopment project, or
12 (3) increase the number of inhabited residential units ~~low- or~~
13 ~~very---low---income--households~~ to be displaced from the
14 redevelopment project area, as provided--that measured from
15 the time of creation of the redevelopment project area, to a
16 the total of more than ~~displacement-of--the--households--will~~
17 exceed 10. Changes to the redevelopment plan necessary to
18 satisfy the issues set forth in the joint review board report
19 shall not require any further notice or convening of a joint
20 review board meeting, except that any changes to the
21 redevelopment plan that would add additional parcels of
22 property to the proposed redevelopment project area shall be
23 subject to the notice, public hearing, and joint review board
24 meeting requirements established for such changes by
25 subsection (a) of Section 11-74.4-5.

26 In the event that the municipality and the board are
27 unable to resolve these differences, or in the event that the
28 resubmitted plan or amendment is rejected by the board, the
29 municipality may proceed with the plan or amendment, but only
30 upon a three-fifths vote of the corporate authority
31 responsible for approval of the plan or amendment, excluding
32 positions of members that are vacant and those members that
33 are ineligible to vote because of conflicts of interest.

34 (c) After a municipality has by ordinance approved a

1 redevelopment plan and designated a redevelopment project
2 area, the plan may be amended and additional properties may
3 be added to the redevelopment project area only as herein
4 provided. Amendments which (1) add additional parcels of
5 property to the proposed redevelopment project area, (2)
6 substantially affect the general land uses proposed in the
7 redevelopment plan, (3) substantially change the nature of
8 the redevelopment project, (4) increase the total estimated
9 redevelopment project costs set out in the redevelopment plan
10 by more than 5% after adjustment for inflation from the date
11 the plan was adopted, (5) add additional redevelopment
12 project costs to the itemized list of redevelopment project
13 costs set out in the redevelopment plan, or (6) increase the
14 number of inhabited residential units low-or-very-low-income
15 households to be displaced from the redevelopment project
16 area, ~~as provided that~~ measured from the time of creation of
17 the redevelopment project area, to a the total of more than
18 ~~displacement-of-the-households-will-exceed~~ 10, shall be made
19 only after the municipality gives notice, convenes a joint
20 review board, and conducts a public hearing pursuant to the
21 procedures set forth in this Section and in Section 11-74.4-6
22 of this Act. Changes which do not (1) add additional parcels
23 of property to the proposed redevelopment project area, (2)
24 substantially affect the general land uses proposed in the
25 redevelopment plan, (3) substantially change the nature of
26 the redevelopment project, (4) increase the total estimated
27 redevelopment project cost set out in the redevelopment plan
28 by more than 5% after adjustment for inflation from the date
29 the plan was adopted, (5) add additional redevelopment
30 project costs to the itemized list of redevelopment project
31 costs set out in the redevelopment plan, or (6) increase the
32 number of inhabited residential units low-or-very-low-income
33 households to be displaced from the redevelopment project
34 area, ~~as provided that~~ measured from the time of creation of

1 the redevelopment project area, to a the total of more than
 2 ~~displacement--of--the--households--will--exceed~~ 10, may be made
 3 without further public hearing and related notices and
 4 procedures including the convening of a joint review board as
 5 set forth in Section 11-74.4-6 of this Act, provided that the
 6 municipality shall give notice of any such changes by mail to
 7 each affected taxing district and registrant on the
 8 interested parties registry, provided for under Section
 9 11-74.4-4.2, and by publication in a newspaper of general
 10 circulation within the affected taxing district. Such notice
 11 by mail and by publication shall each occur not later than 10
 12 days following the adoption by ordinance of such changes.

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

24 (1) Any amendments to the redevelopment plan, the
 25 redevelopment project area, or the State Sales Tax
 26 Boundary.

27 (1.5) A list of the redevelopment project areas
 28 administered by the municipality and, if applicable, the
 29 date each redevelopment project area was designated or
 30 terminated by the municipality.

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

34 (3) Certification of the Chief Executive Officer of

1 the municipality that the municipality has complied with
2 all of the requirements of this Act during the preceding
3 fiscal year.

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

6 (5) An analysis of the special tax allocation fund
7 which sets forth:

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

10 (B) all amounts deposited in the special tax
11 allocation fund by source;

12 (C) an itemized list of all expenditures from
13 the special tax allocation fund by category of
14 permissible redevelopment project cost; and

15 (D) the balance in the special tax allocation
16 fund at the end of the fiscal year including a
17 breakdown of that balance by source and a breakdown
18 of that balance identifying any portion of the
19 balance that is required, pledged, earmarked, or
20 otherwise designated for payment of or securing of
21 obligations and anticipated redevelopment project
22 costs. Any portion of such ending balance that has
23 not been identified or is not identified as being
24 required, pledged, earmarked, or otherwise
25 designated for payment of or securing of obligations
26 or anticipated redevelopment projects costs shall be
27 designated as surplus as set forth in Section
28 11-74.4-7 hereof.

29 (6) A description of all property purchased by the
30 municipality within the redevelopment project area
31 including:

32 (A) Street address.

33 (B) Approximate size or description of
34 property.

1 (C) Purchase price.

2 (D) Seller of property.

3 (7) A statement setting forth all activities
4 undertaken in furtherance of the objectives of the
5 redevelopment plan, including:

6 (A) Any project implemented in the preceding
7 fiscal year.

8 (B) A description of the redevelopment
9 activities undertaken.

10 (C) A description of any agreements entered
11 into by the municipality with regard to the
12 disposition or redevelopment of any property within
13 the redevelopment project area or the area within
14 the State Sales Tax Boundary.

15 (D) Additional information on the use of all
16 funds received under this Division and steps taken
17 by the municipality to achieve the objectives of the
18 redevelopment plan.

19 (E) Information regarding contracts that the
20 municipality's tax increment advisors or consultants
21 have entered into with entities or persons that have
22 received, or are receiving, payments financed by tax
23 increment revenues produced by the same
24 redevelopment project area.

25 (F) Any reports submitted to the municipality
26 by the joint review board.

27 (G) A review of public and, to the extent
28 possible, private investment actually undertaken to
29 date after the effective date of this amendatory Act
30 of the 91st General Assembly and estimated to be
31 undertaken during the following year. This review
32 shall, on a project-by-project basis, set forth the
33 estimated amounts of public and private investment
34 incurred after the effective date of this amendatory

1 Act of the 91st General Assembly and provide the
2 ratio of private investment to public investment to
3 the date of the report and as estimated to the
4 completion of the redevelopment project.

5 (8) With regard to any obligations issued by the
6 municipality:

7 (A) copies of any official statements; and

8 (B) an analysis prepared by financial advisor
9 or underwriter setting forth: (i) nature and term of
10 obligation; and (ii) projected debt service
11 including required reserves and debt coverage.

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

1 municipality that register with the municipality for that
2 information according to registration procedures adopted
3 under Section 11-74.4-4.2. All municipalities are
4 subject to this provision.

5 (d-1) Prior to the effective date of this amendatory Act
6 of the 91st General Assembly, municipalities with populations
7 of over 1,000,000 shall, after adoption of a redevelopment
8 plan or project, make available upon request to any taxing
9 district in which the redevelopment project area is located
10 the following information:

11 (1) Any amendments to the redevelopment plan, the
12 redevelopment project area, or the State Sales Tax
13 Boundary; and

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

19 (e) The joint review board shall meet annually 180 days
20 after the close of the municipal fiscal year or as soon as
21 the redevelopment project audit for that fiscal year becomes
22 available to review the effectiveness and status of the
23 redevelopment project area up to that date.

24 (f) (Blank).

25 (g) In the event that a municipality has held a public
26 hearing under this Section prior to March 14, 1994 (the
27 effective date of Public Act 88-537), the requirements
28 imposed by Public Act 88-537 relating to the method of fixing
29 the time and place for public hearing, the materials and
30 information required to be made available for public
31 inspection, and the information required to be sent after
32 adoption of an ordinance or resolution fixing a time and
33 place for public hearing shall not be applicable.

34 (Source: P.A. 91-357, eff. 7-29-99; 91-478, eff. 11-1-99;

1 91-900, eff. 7-6-00; 92-263, eff. 8-7-01.)

2 (65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

3 Sec. 11-74.4-7. Obligations secured by the special tax
4 allocation fund set forth in Section 11-74.4-8 for the
5 redevelopment project area may be issued to provide for
6 redevelopment project costs. Such obligations, when so
7 issued, shall be retired in the manner provided in the
8 ordinance authorizing the issuance of such obligations by the
9 receipts of taxes levied as specified in Section 11-74.4-9
10 against the taxable property included in the area, by
11 revenues as specified by Section 11-74.4-8a and other revenue
12 designated by the municipality. A municipality may in the
13 ordinance pledge all or any part of the funds in and to be
14 deposited in the special tax allocation fund created pursuant
15 to Section 11-74.4-8 to the payment of the redevelopment
16 project costs and obligations. Any pledge of funds in the
17 special tax allocation fund shall provide for distribution to
18 the taxing districts and to the Illinois Department of
19 Revenue of moneys not required, pledged, earmarked, or
20 otherwise designated for payment and securing of the
21 obligations and anticipated redevelopment project costs and
22 such excess funds shall be calculated annually and deemed to
23 be "surplus" funds. In the event a municipality only applies
24 or pledges a portion of the funds in the special tax
25 allocation fund for the payment or securing of anticipated
26 redevelopment project costs or of obligations, any such funds
27 remaining in the special tax allocation fund after complying
28 with the requirements of the application or pledge, shall
29 also be calculated annually and deemed "surplus" funds. All
30 surplus funds in the special tax allocation fund shall be
31 distributed annually within 180 days after the close of the
32 municipality's fiscal year by being paid by the municipal
33 treasurer to the County Collector, to the Department of

1 Revenue and to the municipality in direct proportion to the
2 tax incremental revenue received as a result of an increase
3 in the equalized assessed value of property in the
4 redevelopment project area, tax incremental revenue received
5 from the State and tax incremental revenue received from the
6 municipality, but not to exceed as to each such source the
7 total incremental revenue received from that source. The
8 County Collector shall thereafter make distribution to the
9 respective taxing districts in the same manner and proportion
10 as the most recent distribution by the county collector to
11 the affected districts of real property taxes from real
12 property in the redevelopment project area.

13 Without limiting the foregoing in this Section, the
14 municipality may in addition to obligations secured by the
15 special tax allocation fund pledge for a period not greater
16 than the term of the obligations towards payment of such
17 obligations any part or any combination of the following: (a)
18 net revenues of all or part of any redevelopment project; (b)
19 taxes levied and collected on any or all property in the
20 municipality; (c) the full faith and credit of the
21 municipality; (d) a mortgage on part or all of the
22 redevelopment project; or (e) any other taxes or anticipated
23 receipts that the municipality may lawfully pledge.

24 Such obligations may be issued in one or more series
25 bearing interest at such rate or rates as the corporate
26 authorities of the municipality shall determine by ordinance.
27 Such obligations shall bear such date or dates, mature at
28 such time or times not exceeding 20 years from their
29 respective dates, be in such denomination, carry such
30 registration privileges, be executed in such manner, be
31 payable in such medium of payment at such place or places,
32 contain such covenants, terms and conditions, and be subject
33 to redemption as such ordinance shall provide. Obligations
34 issued pursuant to this Act may be sold at public or private

1 sale at such price as shall be determined by the corporate
2 authorities of the municipalities. No referendum approval of
3 the electors shall be required as a condition to the issuance
4 of obligations pursuant to this Division except as provided
5 in this Section.

6 In the event the municipality authorizes issuance of
7 obligations pursuant to the authority of this Division
8 secured by the full faith and credit of the municipality,
9 which obligations are other than obligations which may be
10 issued under home rule powers provided by Article VII,
11 Section 6 of the Illinois Constitution, or pledges taxes
12 pursuant to (b) or (c) of the second paragraph of this
13 section, the ordinance authorizing the issuance of such
14 obligations or pledging such taxes shall be published within
15 10 days after such ordinance has been passed in one or more
16 newspapers, with general circulation within such
17 municipality. The publication of the ordinance shall be
18 accompanied by a notice of (1) the specific number of voters
19 required to sign a petition requesting the question of the
20 issuance of such obligations or pledging taxes to be
21 submitted to the electors; (2) the time in which such
22 petition must be filed; and (3) the date of the prospective
23 referendum. The municipal clerk shall provide a petition
24 form to any individual requesting one.

25 If no petition is filed with the municipal clerk, as
26 hereinafter provided in this Section, within 30 days after
27 the publication of the ordinance, the ordinance shall be in
28 effect. But, if within that 30 day period a petition is
29 filed with the municipal clerk, signed by electors in the
30 municipality numbering 10% or more of the number of
31 registered voters in the municipality, asking that the
32 question of issuing obligations using full faith and credit
33 of the municipality as security for the cost of paying for
34 redevelopment project costs, or of pledging taxes for the

1 payment of such obligations, or both, be submitted to the
2 electors of the municipality, the corporate authorities of
3 the municipality shall call a special election in the manner
4 provided by law to vote upon that question, or, if a general,
5 State or municipal election is to be held within a period of
6 not less than 30 or more than 90 days from the date such
7 petition is filed, shall submit the question at the next
8 general, State or municipal election. If it appears upon the
9 canvass of the election by the corporate authorities that a
10 majority of electors voting upon the question voted in favor
11 thereof, the ordinance shall be in effect, but if a majority
12 of the electors voting upon the question are not in favor
13 thereof, the ordinance shall not take effect.

14 The ordinance authorizing the obligations may provide
15 that the obligations shall contain a recital that they are
16 issued pursuant to this Division, which recital shall be
17 conclusive evidence of their validity and of the regularity
18 of their issuance.

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

32 A certified copy of such ordinance shall be filed with
33 the county clerk of each county in which any portion of the
34 municipality is situated, and shall constitute the authority

1 for the extension and collection of the taxes to be deposited
2 in the special tax allocation fund.

3 A municipality may also issue its obligations to refund
4 in whole or in part, obligations theretofore issued by such
5 municipality under the authority of this Act, whether at or
6 prior to maturity, provided however, that the last maturity
7 of the refunding obligations shall not be expressed to mature
8 later than December 31 of the year in which the payment to
9 the municipal treasurer as provided in subsection (b) of
10 Section 11-74.4-8 of this Act is to be made with respect to
11 ad valorem taxes levied in the twenty-third calendar year
12 after the year in which the ordinance approving the
13 redevelopment project area is adopted if the ordinance was
14 adopted on or after January 15, 1981, and not later than
15 December 31 of the year in which the payment to the municipal
16 treasurer as provided in subsection (b) of Section 11-74.4-8
17 of this Act is to be made with respect to ad valorem taxes
18 levied in the thirty-fifth calendar year after the year in
19 which the ordinance approving the redevelopment project area
20 is adopted (A) if the ordinance was adopted before January
21 15, 1981, or (B) if the ordinance was adopted in December
22 1983, April 1984, July 1985, or December 1989, or (C) if the
23 ordinance was adopted in December, 1987 and the redevelopment
24 project is located within one mile of Midway Airport, or (D)
25 if the ordinance was adopted before January 1, 1987 by a
26 municipality in Mason County, or (E) if the municipality is
27 subject to the Local Government Financial Planning and
28 Supervision Act or the Financially Distressed City Law, or
29 (F) if the ordinance was adopted in December 1984 by the
30 Village of Rosemont, or (G) if the ordinance was adopted on
31 December 31, 1986 by a municipality located in Clinton County
32 for which at least \$250,000 of tax increment bonds were
33 authorized on June 17, 1997, or if the ordinance was adopted
34 on December 31, 1986 by a municipality with a population in

1 1990 of less than 3,600 that is located in a county with a
2 population in 1990 of less than 34,000 and for which at least
3 \$250,000 of tax increment bonds were authorized on June 17,
4 1997, or (H) if the ordinance was adopted on October 5, 1982
5 by the City of Kankakee, or (I) if the ordinance was adopted
6 on December 29, 1986 by East St. Louis, or if the ordinance
7 was adopted on November 12, 1991 by the Village of Sauget, or
8 (J) if the ordinance was adopted on February 11, 1985 by the
9 City of Rock Island, or (K) if the ordinance was adopted
10 before December 18, 1986 by the City of Moline, or (L) if the
11 ordinance was adopted in September 1988 by Sauk Village, or
12 (M) if the ordinance was adopted in October 1993 by Sauk
13 Village, or (N) if the ordinance was adopted on December 29,
14 1986 by the City of Galva, or (O) if the ordinance was
15 adopted in March 1991 by the City of Centreville, or (P) (L)
16 if the ordinance was adopted on January 23, 1991 by the City
17 of East St. Louis, or (Q) if the ordinance was adopted on
18 December 22, 1986 by the City of Aledo, or (R) if the
19 ordinance was adopted on February 5, 1990 by the City of
20 Clinton, or (S) if the ordinance was adopted on September 6,
21 1994 by the City of Freeport, or (T) if the ordinance was
22 adopted on December 22, 1986 by the City of Tuscola, or (U)
23 if the ordinance was adopted on December 23, 1986 by the City
24 of Sparta, or (V) if the ordinance was adopted on December
25 23, 1986 by the City of Beardstown, or (W) if the ordinance
26 was adopted on April 27, 1981, October 21, 1985, or December
27 30, 1986 by the City of Belleville and, for redevelopment
28 project areas for which bonds were issued before July 29,
29 1991, in connection with a redevelopment project in the area
30 within the State Sales Tax Boundary and which were extended
31 by municipal ordinance under subsection (n) of Section
32 11-74.4-3, the last maturity of the refunding obligations
33 shall not be expressed to mature later than the date on which
34 the redevelopment project area is terminated or December 31,

1 2013, whichever date occurs first.

2 In the event a municipality issues obligations under home
3 rule powers or other legislative authority the proceeds of
4 which are pledged to pay for redevelopment project costs, the
5 municipality may, if it has followed the procedures in
6 conformance with this division, retire said obligations from
7 funds in the special tax allocation fund in amounts and in
8 such manner as if such obligations had been issued pursuant
9 to the provisions of this division.

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

14 (Source: P.A. 91-261, eff. 7-23-99; 91-477, eff. 8-11-99;
15 91-478, eff. 11-1-99; 91-642, eff. 8-20-99; 91-763, eff.
16 6-9-00; 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; revised
17 10-10-01.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law."