

1 AN ACT concerning commercial development.

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

4 Section 5. The Department of Commerce and Community  
5 Affairs Law of the Civil Administrative Code of Illinois is  
6 amended by changing Sections 605-65, 605-525, 605-900,  
7 605-905, 605-910, and 605-915 as follows:

8 (20 ILCS 605/605-65) (was 20 ILCS 605/46.52)

9 Sec. 605-65. Grants under Gang Control Grant Act. The  
10 Department may ~~Te~~ award grants to community-based groups, as  
11 defined in the Gang Control Grant Act.

12 (Source: P.A. 91-239, eff. 1-1-00.)

13 (20 ILCS 605/605-525) (was 20 ILCS 605/46.55)

14 Sec. 605-525. Minority Controlled and Female Controlled  
15 Business Loan Board. There is hereby created a Minority  
16 Controlled and Female Controlled Businesses Loan Board,  
17 hereinafter referred to as the Board, consisting of 6 members  
18 appointed by the Governor with the advice and consent of the  
19 Senate. No more than 3 members shall be of the same  
20 political party. For the initial appointments to the Board,  
21 3 members shall be appointed to serve a 2 year term and 3  
22 members shall be appointed to serve a 4 year term. Successor  
23 members shall serve for terms of 4 years.

24 The Board may ~~shall~~ maintain an office in each of the  
25 following areas: Alexander or Pulaski County, East St. Louis,  
26 and the City of Chicago. For the purpose of this Act, the  
27 terms "minority person", "female", "minority owned business"  
28 and "female owned business" shall have the definitions of  
29 those terms provided in Section 2 of the Business Enterprise  
30 for Minorities, Females, and Persons with Disabilities Act.

1           The Board may ~~shall--have-the-authority-to~~ make direct  
2 grants and low interest loans to minority controlled  
3 businesses and female controlled businesses in East St.  
4 Louis, the City of Chicago, and either Alexander County or  
5 Pulaski County from appropriations for that purpose to the  
6 Department. The Board may ~~shall~~ establish and publish  
7 guidelines to be followed in making the grants and loans.

8           Grant funds may ~~will~~ be allowed to reimburse businesses  
9 for expenses incurred in the preparation of proposals that  
10 are accepted for loan assistance and to maintain  
11 administering offices in each of the 4 target areas. Loan  
12 funds may ~~will~~ be awarded at a cost of no more than 3% per  
13 annum for up to 20 years to businesses that are existing or  
14 proposed.

15           (Source: P.A. 91-239, eff. 1-1-00.)

16           (20 ILCS 605/605-900) (was 20 ILCS 605/46.6b)

17           Sec. 605-900. Construction loans to local governments for  
18 revenue producing capital facilities. The Department may ~~Fe~~  
19 make loans to units of local government for construction of  
20 revenue producing capital facilities, subject to the terms  
21 and conditions it deems necessary to ensure repayment.

22           (Source: P.A. 91-239, eff. 1-1-00.)

23           (20 ILCS 605/605-905) (was 20 ILCS 605/46.41b)

24           Sec. 605-905. Grants to local governments in connection  
25 with federal prisons. The Department may ~~Fe~~ make grants to  
26 units of local government for (i) land acquisition and all  
27 necessary improvements upon or related thereto for the  
28 purpose of facilitating the location of federal prisons in  
29 Illinois and (ii) for the development of industrial or  
30 commercial parks, or both, that are adjacent to or abut any  
31 federal prison constructed in Illinois after January 9, 1990  
32 (the effective date of Public Act 86-1017).

1 (Source: P.A. 91-239, eff. 1-1-00.)

2 (20 ILCS 605/605-910) (was 20 ILCS 605/46.56)

3 Sec. 605-910. Grants to municipalities for site  
4 development along waterways. In cooperation with the  
5 Department of Transportation, the Department may ~~to~~ make  
6 grants and provide financial assistance to municipalities for  
7 site development along waterways in order to promote  
8 commercial and industrial development.

9 (Source: P.A. 91-239, eff. 1-1-00.)

10 (20 ILCS 605/605-915) (was 20 ILCS 605/46.45)

11 Sec. 605-915. Assisting local governments to achieve  
12 lower borrowing costs. The Department may ~~To~~ cooperate with  
13 the Illinois Development Finance Authority in assisting local  
14 governments to achieve overall lower borrowing costs and more  
15 favorable terms under Sections 7.50 through 7.61 of the  
16 Illinois Development Finance Authority Act, including using  
17 the Department's federally funded Community Development  
18 Assistance Program for those purposes.

19 (Source: P.A. 91-239, eff. 1-1-00.)

20 Section 10. The Rural Diversification Act is amended by  
21 changing Sections 4 and 5 as follows:

22 (20 ILCS 690/4) (from Ch. 5, par. 2254)

23 Sec. 4. Powers of the Office. The Office has the  
24 following powers, in addition to those granted to it by other  
25 law, which it may exercise at the discretion of the Director  
26 of Commerce and Community Affairs:

27 (a) To provide financing pursuant to the provisions of  
28 this Act, from appropriations made by the General Assembly  
29 from the General Revenue Fund, Federal trust funds, and the  
30 Rural Diversification Revolving Fund created herein, to or on

1     behalf of rural business and agribusiness to promote rural  
2     diversification.

3           (b) To provide financing in the form of direct loans and  
4     grants from State funds for qualifying agricultural and rural  
5     diversification projects independent of federal financial  
6     participation, except that no grants from State funds shall  
7     be made directly with a rural business.

8           (c) To provide financing in the form of direct loans,  
9     grants, and technical assistance contracts from State funds  
10    for qualifying agricultural and rural diversification  
11    projects in coordination with federal financial participation  
12    in the form of loan guarantees, direct loans, and grant and  
13    technical assistance contract reimbursements.

14          (d) To consider in the award of State funded financing  
15    the satisfaction of matching requirements associated with  
16    federal financing participation and the maximization of  
17    federal financing participation to the benefit of the rural  
18    Illinois economy.

19          (e) To enter into agreements or contracts, accept funds  
20    or grants, and cooperate with agencies of the Federal  
21    Government, State or Local Governments, the private sector or  
22    non-profit organizations to carry out the purposes of this  
23    Act;

24          (f) To enter into agreements or contracts for the  
25    promotion, application origination, analysis or servicing of  
26    the financings made by the Office pursuant to this Act;

27          (g) To receive and accept, from any source, aid or  
28    contributions of money, property or labor for the furtherance  
29    of this Act and collect fees, charges or advances as the  
30    Department may determine in connection with its financing;

31          (h) To establish application, notification, contract and  
32    other procedures and other procedures and rules deemed  
33    necessary and appropriate by the Office to carry out the  
34    provisions of this Act;

1 (i) To foreclose any mortgage, deed of trust, note,  
2 debenture, bond or other security interest held by the Office  
3 and to take all such actions as may be necessary to enforce  
4 any obligation held by the Office;

5 (j) To analyze opportunities and needs of rural  
6 communities, primarily those communities experiencing farm  
7 worker distress including consultation with regional  
8 commissions, governments, or diversification organizations,  
9 and work to strengthen the coordination of existing programs  
10 offered through the Office, the Department of Agriculture,  
11 the Department of Natural Resources, the Illinois Farm  
12 Development Authority, the Cooperative Extension Service and  
13 others for rural and agribusiness development and assistance;  
14 and

15 (k) To cooperate with an existing committee comprised of  
16 representatives from the Office, the Rural Affairs Council or  
17 its successor, the Department of Agriculture, the Illinois  
18 Farm Development Authority and others to coordinate  
19 departmental policies with other State agencies and to  
20 promote agricultural and rural diversification in the State.

21 (l) To exercise such other right, powers and duties as  
22 are necessary to fulfill the purposes of this Act.

23 (Source: P.A. 89-445, eff. 2-7-96.)

24 (20 ILCS 690/5) (from Ch. 5, par. 2255)

25 Sec. 5. Agricultural and rural diversification  
26 financing.

27 (a) The Office may provide ~~Office's~~ financing to or on  
28 behalf of rural businesses or agribusinesses in the State.  
29 The financing shall be for the purpose of assisting in the  
30 cost of agricultural and rural diversification projects  
31 including (i) acquisition, construction, reconstruction,  
32 replacement, repair, rehabilitation, alteration, expansion or  
33 extension of real property, buildings or machinery and

1 equipment but not the acquisition of unimproved land for the  
2 production of crops or livestock; (ii) working capital items  
3 including but not limited to, inventory, accounts receivable  
4 and prepaid expenses; (iii) organizational expenses  
5 including, but not limited to, architectural and engineering  
6 costs, legal services, marketing analyses, production  
7 analyses, or other professional services; (iv) needed  
8 leasehold improvements, easements, and other amenities  
9 required to prepare a site; (v) information, technical  
10 support and technical assistance contracts to local officials  
11 or not-for-profit agencies regarding private, state and  
12 federal resources, programs or grant assistances and the  
13 needs and opportunities for diversification; and (vi) when  
14 conducted in cooperation with federal reimbursement programs,  
15 financing costs including guarantee fees, packaging fees and  
16 origination fees but not debt refinancing.

17 (b) Agricultural or rural diversification financing to a  
18 rural business or agribusiness under this Act shall be used  
19 only where it can be shown that the agricultural or rural  
20 diversification project for which financing is being sought  
21 has the potential to achieve commercial success and will  
22 increase employment, directly or indirectly retain jobs, or  
23 promote local diversification.

24 (c) The Office ~~may~~ shall establish an internal review  
25 committee with the Director of the Rural Affairs Council, or  
26 his designee, the Director of the Department of Agriculture,  
27 or his designee, and the Director of the Illinois Farm  
28 Development Authority, or his designee, as members to assist  
29 in the review of all project applications.

30 (d) The Office shall not provide financing to a rural  
31 business or agribusiness unless the application includes  
32 convincing evidence that a specific agricultural or rural  
33 diversification project is ready to occur and will only occur  
34 if the financing is made. The Office shall also consider the

1 applicability of other state and federal programs prior to  
 2 financing any project.  
 3 (Source: P.A. 85-180.)

4 Section 15. The Local Government Debt Offering Act is  
 5 amended by changing Section 3 as follows:

6 (30 ILCS 375/3) (from Ch. 85, par. 843)

7 Sec. 3. The Department ~~is authorized and directed to~~  
 8 provide technical and advisory assistance regarding the  
 9 issuance of long-term debt to those local governments whose  
 10 governing bodies request such assistance. Such assistance may  
 11 ~~shall~~ include, but need not be limited to: (1) advice on the  
 12 marketing of bonds by local governments, (2) advisory review  
 13 of proposed local government debt issues, including the  
 14 rendering of opinions as to their legality, (3) conduct of  
 15 training courses in debt management for local financial  
 16 officers, and (4) promotion of the use by local government of  
 17 such tools for sound financial management as adequate systems  
 18 of budgeting, accounting, auditing, and reporting.  
 19 (Source: P.A. 77-1504.)

20 Section 99. Effective date. This Act takes effect upon  
 21 becoming law.