



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB2334

Introduced 2/16/2005, by Rep. Bill Mitchell

SYNOPSIS AS INTRODUCED:

20 ILCS 655/3	from Ch. 67 1/2, par. 603
20 ILCS 655/11.2 new	
20 ILCS 655/12-2	from Ch. 67 1/2, par. 619

Amends the Illinois Enterprise Zone Act. Provides that areas of a county or a municipality that are qualified to become an enterprise zone shall also be qualified to become an agri-zone. Sets forth that an agribusiness located within an agri-zone shall be eligible to receive the same State and local incentives and assistance under the same circumstances as businesses in enterprise zones. Provides certain limitations on the agri-zones created under this Section. Makes other changes.

LRB094 08441 RSP 38646 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Enterprise Zone Act is amended by
5 changing Sections 3 and 12-2 and by adding Section 11.2 as
6 follows:

7 (20 ILCS 655/3) (from Ch. 67 1/2, par. 603)

8 Sec. 3. Definition. As used in this Act, the following
9 words shall have the meanings ascribed to them, unless the
10 context otherwise requires:

11 (a) "Department" means the Department of Commerce and
12 Economic Opportunity ~~Community Affairs~~.

13 (b) "Enterprise Zone" means an area of the State certified
14 by the Department as an Enterprise Zone pursuant to this Act.

15 (c) "Depressed Area" means an area in which pervasive
16 poverty, unemployment and economic distress exist.

17 (d) "Designated Zone Organization" means an association or
18 entity: (1) the members of which are substantially all
19 residents of the Enterprise Zone; (2) the board of directors of
20 which is elected by the members of the organization; (3) which
21 satisfies the criteria set forth in Section 501(c) (3) or
22 501(c) (4) of the Internal Revenue Code; and (4) which exists
23 primarily for the purpose of performing within such area or
24 zone for the benefit of the residents and businesses thereof
25 any of the functions set forth in Section 8 of this Act.

26 (e) "Agency" means each officer, board, commission and
27 agency created by the Constitution, in the executive branch of
28 State government, other than the State Board of Elections; each
29 officer, department, board, commission, agency, institution,
30 authority, university, body politic and corporate of the State;
31 and each administrative unit or corporate outgrowth of the
32 State government which is created by or pursuant to statute,

1 other than units of local government and their officers, school
2 districts and boards of election commissioners; each
3 administrative unit or corporate outgrowth of the above and as
4 may be created by executive order of the Governor. No entity
5 shall be considered an "agency" for the purposes of this Act
6 unless authorized by law to make rules or regulations.

7 (f) "Rule" means each agency statement of general
8 applicability that implements, applies, interprets or
9 prescribes law or policy, but does not include (i) statements
10 concerning only the internal management of an agency and not
11 affecting private rights or procedures available to persons or
12 entities outside the agency, (ii) intra-agency memoranda, or
13 (iii) the prescription of standardized forms.

14 (g) "Agribusiness" shall have the same meaning given to it
15 in 505 ILCS 19/5.

16 (Source: P.A. 85-162; revised 12-6-03.)

17 (20 ILCS 655/11.2 new)

18 Sec. 11.2. Creation of Agri-Zones.

19 (a) Notwithstanding the number of enterprise zones which
20 may be created pursuant to Section 5.3 of this Act, a
21 municipality or county may create by ordinance and the
22 Department may certify not more than 10 agri-zones whose
23 boundaries shall encompass the agribusiness or group of
24 agribusinesses for which the agri-zone has been created and
25 certified.

26 (b) Areas of a county or a municipality that are qualified
27 to become an enterprise zone shall also be qualified to become
28 an agri-zone and they shall be created by ordinance by a
29 municipality or county and shall be certified by the Department
30 in the same manner as enterprise zones. An agribusiness located
31 within an agri-zone shall be eligible to receive the same State
32 and local incentives and assistance under the same
33 circumstances as businesses in enterprise zones.

34 (c) In addition to the circumstances under which an
35 agri-zone may be created under subsection (b) of this Section,

1 an agri-zone may also be created by ordinance and certified by
2 the Department for an agribusiness or group of agribusinesses
3 that plan to locate within the zone and create jobs, or for an
4 agribusiness or group of agribusinesses seeking assistance to
5 retain jobs. In certification by the Department, preference
6 shall be given to agri-zones created for agribusinesses created
7 or expanded with assistance granted under the Illinois
8 AgriFIRST Program Act (505 ILCS 19), the Food and Agriculture
9 Research Act (505 ILCS 82), or that is using technology
10 transferred from a university that creating or retaining jobs.

11 (20 ILCS 655/12-2) (from Ch. 67 1/2, par. 619)

12 Sec. 12-2. Definitions. Unless the context clearly
13 requires otherwise:

14 (a) "Financial institution" means a trust company, a bank,
15 a savings bank, a credit union, an investment bank, a broker,
16 an investment trust, a pension fund, a building and loan
17 association, a savings and loan association, an insurance
18 company or any venture capital company which is authorized to
19 do business in the State.

20 (b) "Participating lender" means any trust company, bank,
21 savings bank, credit union, investment bank, broker,
22 investment trust, pension fund, building and loan association,
23 savings and loan association, insurance company or venture
24 capital company approved by the Department which assumes a
25 portion of the financing for a business project.

26 (c) "Department" means the Illinois Department of Commerce
27 and Economic Opportunity ~~Community Affairs~~.

28 (d) "Business" means a for-profit, legal entity located in
29 an Illinois Enterprise Zone or an Agri-Zone including, but not
30 limited to, any sole proprietorship, partnership, corporation,
31 joint venture, association or cooperative.

32 (e) "Loan" means an agreement or contract to provide a loan
33 or other financial aid to a business.

34 (f) "Project" means any specific economic development
35 activity of a commercial, industrial, manufacturing,

1 agricultural, scientific, service or other business in an
2 Enterprise Zone, the result of which yields an increase in jobs
3 and may include the purchase or lease of machinery and
4 equipment, the lease or purchase of real property or funds for
5 infrastructure necessitated by site preparation, building
6 construction or related purposes but does not include
7 refinancing current debt.

8 (g) "Fund" means the Enterprise Zone Loan Fund created in
9 Section 12-6.

10 (Source: P.A. 84-165; revised 12-6-03.)