



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB3489

Introduced 2/28/2007, by Rep. Brent Hassert

#### SYNOPSIS AS INTRODUCED:

55 ILCS 85/3  
55 ILCS 85/4

from Ch. 34, par. 7003  
from Ch. 34, par. 7004

Amends the County Economic Development Project Area Property Tax Allocation Act. Provides that any county may, by ordinance, propose the establishment of an economic development project area that shares a border with a county highway and does not extend more than 2 miles from the highway in any direction. Provides that, with respect to a county TIF district that borders a county highway, the term "economic development project costs" includes costs associated with reconstruction and expansion of a county highway. Provides that the project area may not extend into any municipal TIF district that exists on the date the ordinance is passed and may not extend outside of the boundaries of the county.

LRB095 07703 HLH 27859 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

1 AN ACT concerning local government.

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

4 Section 5. The County Economic Development Project Area  
5 Property Tax Allocation Act is amended by changing Sections 3  
6 and 4 as follows:

7 (55 ILCS 85/3) (from Ch. 34, par. 7003)

8 Sec. 3. Definitions. In this Act, words or terms shall have  
9 the following meanings unless the context usage clearly  
10 indicates that another meaning is intended.

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

13 (b) "Economic development plan" means the written plan of a  
14 county which sets forth an economic development program for an  
15 economic development project area. Each economic development  
16 plan shall include but not be limited to (1) estimated economic  
17 development project costs, (2) the sources of funds to pay such  
18 costs, (3) the nature and term of any obligations to be issued  
19 by the county to pay such costs, (4) the most recent equalized  
20 assessed valuation of the economic development project area,  
21 (5) an estimate of the equalized assessed valuation of the  
22 economic development project area after completion of the  
23 economic development plan, (6) the estimated date of completion

1 of any economic development project proposed to be undertaken,  
2 (7) a general description of any proposed developer, user, or  
3 tenant of any property to be located or improved within the  
4 economic development project area, (8) a description of the  
5 type, structure and general character of the facilities to be  
6 developed or improved in the economic development project area,  
7 (9) a description of the general land uses to apply in the  
8 economic development project area, (10) a description of the  
9 type, class and number of employees to be employed in the  
10 operation of the facilities to be developed or improved in the  
11 economic development project area and (11) a commitment by the  
12 county to fair employment practices and an affirmative action  
13 plan with respect to any economic development program to be  
14 undertaken by the county.

15 (c) "Economic development project" means any development  
16 project in furtherance of the objectives of this Act.

17 (d) "Economic development project area" means any improved  
18 or vacant area which is located within the corporate limits of  
19 a county and which (1) is within the unincorporated area of  
20 such county, or, with the consent of any affected municipality,  
21 is located partially within the unincorporated area of such  
22 county and partially within one or more municipalities, (2) is  
23 contiguous, (3) is not less in the aggregate than 100 acres,  
24 (4) is suitable for siting by any commercial, manufacturing,  
25 industrial, research or transportation enterprise of  
26 facilities to include but not be limited to commercial

1 businesses, offices, factories, mills, processing plants,  
2 assembly plants, packing plants, fabricating plants,  
3 industrial or commercial distribution centers, warehouses,  
4 repair overhaul or service facilities, freight terminals,  
5 research facilities, test facilities or transportation  
6 facilities, whether or not such area has been used at any time  
7 for such facilities and whether or not the area has been used  
8 or is suitable for such facilities and whether or not the area  
9 has been used or is suitable for other uses, including  
10 commercial agricultural purposes, and (5) which has been  
11 certified by the Department pursuant to this Act.

12 (e) "Economic development project costs" means and  
13 includes the sum total of all reasonable or necessary costs  
14 incurred by a county incidental to an economic development  
15 project, including, without limitation, the following:

16 (1) Costs of studies, surveys, development of plans and  
17 specifications, implementation and administration of an  
18 economic development plan, personnel and professional  
19 service costs for architectural, engineering, legal,  
20 marketing, financial, planning, sheriff, fire, public  
21 works or other services, provided that no charges for  
22 professional services may be based on a percentage of  
23 incremental tax revenue.†

24 (2) Property assembly costs within an economic  
25 development project area, including but not limited to  
26 acquisition of land and other real or personal property or

1 rights or interests therein, and specifically including  
2 payments to developers or other non-governmental persons  
3 as reimbursement for property assembly costs incurred by  
4 such developer or other non-governmental person.†

5 (3) Site preparation costs, including but not limited  
6 to clearance of any area within an economic development  
7 project area by demolition or removal of any existing  
8 buildings, structures, fixtures, utilities and  
9 improvements and clearing and grading; and including  
10 installation, repair, construction, reconstruction, or  
11 relocation of public streets, public utilities, and other  
12 public site improvements within or without an economic  
13 development project area which are essential to the  
14 preparation of the economic development project area for  
15 use in accordance with an economic development plan; and  
16 specifically including payments to developers or other  
17 non-governmental persons as reimbursement for site  
18 preparation costs incurred by such developer or  
19 non-governmental person.†

20 (4) Costs of renovation, rehabilitation,  
21 reconstruction, relocation, repair or remodeling of any  
22 existing buildings, improvements, and fixtures within an  
23 economic development project area, and specifically  
24 including payments to developers or other non-governmental  
25 persons as reimbursement for such costs incurred by such  
26 developer or non-governmental person.†

1           (5) Costs of construction within an economic  
2 development project area of public improvements, including  
3 but not limited to, buildings, structures, works,  
4 improvements, utilities or fixtures.†

5           (6) Financing costs, including but not limited to all  
6 necessary and incidental expenses related to the issuance  
7 of obligations, payment of any interest on any obligations  
8 issued hereunder which accrues during the estimated period  
9 of construction of any economic development project for  
10 which such obligations are issued and for not exceeding 36  
11 months thereafter, and any reasonable reserves related to  
12 the issuance of such obligations.†

13           (7) All or a portion of a taxing district's capital  
14 costs resulting from an economic development project  
15 necessarily incurred or estimated to be incurred by a  
16 taxing district in the furtherance of the objectives of an  
17 economic development project, to the extent that the county  
18 by written agreement accepts, approves and agrees to incur  
19 or to reimburse such costs.†

20           (8) Relocation costs to the extent that a county  
21 determines that relocation costs shall be paid or is  
22 required to make payment of relocation costs by federal or  
23 State law.†

24           (9) The estimated tax revenues from real property in an  
25 economic development project area acquired by a county  
26 which, according to the economic development plan, is to be

1 used for a private use and which any taxing district would  
2 have received had the county not adopted property tax  
3 allocation financing for an economic development project  
4 area and which would result from such taxing district's  
5 levies made after the time of the adoption by the county of  
6 property tax allocation financing to the time the current  
7 equalized assessed value of real property in the economic  
8 development project area exceeds the total initial  
9 equalized value of real property in that area.†

10 (10) Costs of rebating ad valorem taxes paid by any  
11 developer or other nongovernmental person in whose name the  
12 general taxes were paid for the last preceding year on any  
13 lot, block, tract or parcel of land in the economic  
14 development project area, provided that:

15 (i) such economic development project area is  
16 located in an enterprise zone created pursuant to the  
17 Illinois Enterprise Zone Act;

18 (ii) such ad valorem taxes shall be rebated only in  
19 such amounts and for such tax year or years as the  
20 county and any one or more affected taxing districts  
21 shall have agreed by prior written agreement;

22 (iii) any amount of rebate of taxes shall not  
23 exceed the portion, if any, of taxes levied by the  
24 county or such taxing district or districts which is  
25 attributable to the increase in the current equalized  
26 assessed valuation of each taxable lot, block, tract or

1 parcel of real property in the economic development  
2 project area over and above the initial equalized  
3 assessed value of each property existing at the time  
4 property tax allocation financing was adopted for said  
5 economic development project area; and

6 (iv) costs of rebating ad valorem taxes shall be  
7 paid by a county solely from the special tax allocation  
8 fund established pursuant to this Act and shall be paid  
9 from the proceeds of any obligations issued by a  
10 county.

11 (11) Costs of job training, advanced vocational  
12 education or career education programs, including but not  
13 limited to courses in occupational, semi-technical or  
14 technical fields leading directly to employment, incurred  
15 by one or more taxing districts, provided that such costs  
16 are related to the establishment and maintenance of  
17 additional job training, advanced vocational education or  
18 career education programs for persons employed or to be  
19 employed by employers located in an economic development  
20 project area, and further provided, that when such costs  
21 are incurred by a taxing district or taxing districts other  
22 than the county, they shall be set forth in a written  
23 agreement by or among the county and the taxing district or  
24 taxing districts, which agreement describes the program to  
25 be undertaken, including, but not limited to, the number of  
26 employees to be trained, a description of the training and



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

9 (12) Private financing costs incurred by developers or  
10 other non-governmental persons in connection with an  
11 economic development project, and specifically including  
12 payments to developers or other non-governmental persons  
13 as reimbursement for such costs incurred by such developer  
14 or other non-governmental persons provided that:

15 (A) private financing costs shall be paid or  
16 reimbursed by a county only pursuant to the prior  
17 official action of the county evidencing an intent to  
18 pay such private financing costs;

19 (B) except as provided in subparagraph (D) of this  
20 Section, the aggregate amount of such costs paid or  
21 reimbursed by a county in any one year shall not exceed  
22 30% of such costs paid or incurred by such developer or  
23 other non-governmental person in that year;

24 (C) private financing costs shall be paid or  
25 reimbursed by a county solely from the special tax  
26 allocation fund established pursuant to this Act and

1 shall not be paid or reimbursed from the proceeds of  
2 any obligations issued by a county;

3 (D) if there are not sufficient funds available in  
4 the special tax allocation fund in any year to make  
5 such payment or reimbursement in full, any amount of  
6 such private financing costs remaining to be paid or  
7 reimbursed by a county shall accrue and be payable when  
8 funds are available in the special tax allocation fund  
9 to make such payment; and

10 (E) in connection with its approval and  
11 certification of an economic development project  
12 pursuant to Section 5 of this Act, the Department shall  
13 review any agreement authorizing the payment or  
14 reimbursement by a county of private financing costs in  
15 its consideration of the impact on the revenues of the  
16 county and the affected taxing districts of the use of  
17 property tax allocation financing.

18 (13) In the case of an economic development project  
19 area established under subsection (a-15) of Section 4 of  
20 this Act, costs associated with reconstruction and  
21 expansion of a county highway.

22 (f) "Obligations" means any instrument evidencing the  
23 obligation of a county to pay money, including without  
24 limitation, bonds, notes, installment or financing contracts,  
25 certificates, tax anticipation warrants or notes, vouchers,  
26 and any other evidence of indebtedness.

1 (g) "Taxing districts" means municipalities, townships,  
2 counties, and school, road, park, sanitary, mosquito  
3 abatement, forest preserve, public health, fire protection,  
4 river conservancy, tuberculosis sanitarium and any other  
5 county corporations or districts with the power to levy taxes  
6 on real property.

7 (Source: P.A. 94-793, eff. 5-19-06.)

8 (55 ILCS 85/4) (from Ch. 34, par. 7004)

9 Sec. 4. Establishment of economic development project  
10 area; ordinance; joint review board; notice; hearing; changes  
11 in economic development plan; annual reporting requirements.  
12 Economic development project areas shall be established as  
13 follows:

14 (a) The corporate authorities of Whiteside County may by  
15 ordinance propose the establishment of an economic development  
16 project area and fix a time and place for a public hearing, and  
17 shall submit a certified copy of the ordinance as adopted to  
18 the Department.

19 (a-5) After the effective date of this amendatory Act of  
20 the 93rd General Assembly, the corporate authorities of  
21 Stephenson County may by ordinance propose the establishment of  
22 an economic development project area and fix a time and place  
23 for a public hearing, and shall submit a certified copy of the  
24 ordinance as adopted to the Department.

25 (a-10) The corporate authorities of Grundy County may, by

1 ordinance, propose the establishment of an economic  
2 development project and fix a time and place for a public  
3 hearing. Upon passage of the ordinance, the corporate  
4 authorities of Grundy County shall submit a certified copy of  
5 the ordinance, as adopted, to the Department.

6 (a-15) The corporate authorities of any county may, by  
7 ordinance, propose the establishment of an economic  
8 development project area and fix a time and place for a public  
9 hearing. An economic development project area established  
10 under this subsection shall share a border with a county  
11 highway, and shall not extend more than 2 miles from the county  
12 highway in any direction. The economic development project area  
13 may not extend into any municipal tax increment financing  
14 district that exists on the date the ordinance is passed. The  
15 proposed economic development project area shall not extend  
16 outside of the boundaries of the county.

17 (b) Any county which adopts an ordinance which fixes a  
18 date, time and place for a public hearing shall convene a joint  
19 review board as hereinafter provided. Not less than 45 days  
20 prior to the date fixed for the public hearing, the county  
21 shall give notice by mailing to the chief executive officer of  
22 each affected taxing district having taxable property included  
23 in the proposed economic development project area and, if the  
24 ordinance is adopted by Stephenson County, the chief executive  
25 officer of any municipality within Stephenson County having a  
26 population of more than 20,000 that such chief executive

1 officer or his designee is invited to participate in a joint  
2 review board. The designee shall serve at the discretion of the  
3 chief executive officer of the taxing district for a term not  
4 to exceed 2 years. Such notice shall advise each chief  
5 executive officer of the date, time and place of the first  
6 meeting of such joint review board, which shall occur not less  
7 than 30 days prior to the date of the public hearing. Such  
8 notice by mail shall be given by depositing such notice in the  
9 United States Postal Service by certified mail.

10 At or prior to the first meeting of such joint review board  
11 the county shall furnish to any member of such joint review  
12 board copies of the proposed economic development plan and any  
13 related documents which such member shall reasonably request. A  
14 majority of the members of such joint review board present at  
15 any meeting shall constitute a quorum. Additional meetings may  
16 be called by any member of a joint review board upon the giving  
17 of notice not less than 72 hours prior to the date of any  
18 additional meeting to all members of the joint review board.  
19 The joint review board shall review such information and  
20 material as its members reasonably deem relevant to the  
21 county's proposals to approve economic development plans and  
22 economic development projects and to designate economic  
23 development project areas. The county shall provide such  
24 information and material promptly upon the request of the joint  
25 review board and may also provide administrative support and  
26 facilities as the joint review board may reasonably require.

1           Within 30 days of its first meeting, a joint review board  
2 shall provide the county with a written report of its review of  
3 any proposal to approve an economic development plan and  
4 economic development project and to designate an economic  
5 development project area. Such written report shall include  
6 such information and advisory, nonbinding recommendations as a  
7 majority of the members of the joint review board shall deem  
8 relevant. Written reports of joint review boards may include  
9 information and advisory, nonbinding recommendations provided  
10 by a minority of the members thereof. Any joint review board  
11 which does not provide such written report within such 30-day  
12 period shall be deemed to have recommended that the county  
13 proceed with a proposal to approve an economic development plan  
14 and economic development project and to designate an economic  
15 development project area.

16           (c) Notice of the public hearing shall be given by  
17 publication and mailing.

18           (1) Notice by publication shall be given by publication  
19 at least twice, the first publication to be not more than  
20 30 nor less than 10 days prior to the hearing in a  
21 newspaper of general circulation within the taxing  
22 districts having property in the proposed economic  
23 development project area. Notice by mailing shall be given  
24 by depositing such notice together with a copy of the  
25 proposed economic development plan in the United States  
26 Postal Service by certified mail addressed to the person or

1 persons in whose name the general taxes for the last  
2 preceding year were paid on each lot, block, tract, or  
3 parcel of land lying within the proposed economic  
4 development project area. The notice shall be mailed not  
5 less than 10 days prior to the dates set for the public  
6 hearing. In the event taxes for the last preceding year  
7 were not paid, the notice shall also be sent to the persons  
8 last listed on the tax rolls within the preceding 3 years  
9 as the owners of the property.

10 (2) The notices issued pursuant to this Section shall  
11 include the following:

12 (A) The time and place of public hearing;

13 (B) The boundaries of the proposed economic  
14 development project area by legal description and by  
15 street location where possible;

16 (C) A notification that all interested persons  
17 will be given an opportunity to be heard at the public  
18 hearing;

19 (D) An invitation for any person to submit  
20 alternative proposals or bids for any proposed  
21 conveyance, lease, mortgage or other disposition of  
22 land within the proposed economic development project  
23 area;

24 (E) A description of the economic development plan  
25 or economic development project if a plan or project is  
26 a subject matter of the hearing; and

1           (F) Such other matters as the county may deem  
2           appropriate.

3           (3) Not less than 45 days prior to the date set for  
4           hearing, the county shall give notice by mail as provided  
5           in this subsection (c) to all taxing districts of which  
6           taxable property is included in the economic development  
7           project area, and to the Department. In addition to the  
8           other requirements under this subsection (c), the notice  
9           shall include an invitation to the Department and each  
10          taxing district to submit comments to the county concerning  
11          the subject matter of the hearing prior to the date of the  
12          hearing.

13          (d) At the public hearing any interested person, the  
14          Department or any affected taxing district may file written  
15          objections with the county clerk and may be heard orally with  
16          respect to any issues embodied in the notice. The county shall  
17          hear and determine all alternate proposals or bids for any  
18          proposed conveyance, lease, mortgage or other disposition of  
19          land and all protests and objections at the hearing, and the  
20          hearing may be adjourned to another date without further notice  
21          other than a motion to be entered upon the minutes fixing the  
22          time and place of the adjourned hearing. Public hearings with  
23          regard to an economic development plan, economic development  
24          project area, or economic development project may be held  
25          simultaneously.

26          (e) At the public hearing, or at any time prior to the



1 adoption by the county of an ordinance approving an economic  
2 development plan, the county may make changes in the economic  
3 development plan. Changes which (1) alter the exterior  
4 boundaries of the proposed economic development project area,  
5 (2) substantially affect the general land uses established in  
6 the proposed economic development plan, (3) substantially  
7 change the nature of the proposed economic development plan,  
8 (4) change the general description of any proposed developer,  
9 user or tenant of any property to be located or improved within  
10 the economic development project area, or (5) change the  
11 description of the type, class and number of employees to be  
12 employed in the operation of the facilities to be developed or  
13 improved within the economic development project area shall be  
14 made only after review by joint review board, notice and  
15 hearing pursuant to the procedures set forth in this Section.  
16 Changes which do not (1) alter the exterior boundaries of a  
17 proposed economic development project area, (2) substantially  
18 affect the general land uses established in the proposed plan,  
19 (3) substantially change the nature of the proposed economic  
20 development plan, (4) change the general description of any  
21 proposed developer, user or tenant of any property to be  
22 located or improved within the economic development project  
23 area, or (5) change the description of the type, class and  
24 number of employees to be employed in the operation of the  
25 facilities to be developed or improved within the economic  
26 development project area may be made without further notice or

1 hearing, provided that the county shall give notice of its  
2 changes by mail to the Department and to each affected taxing  
3 district and by publication in a newspaper or newspapers of  
4 general circulation with the affected taxing districts. Such  
5 notice by mail and by publication shall each occur not later  
6 than 10 days following the adoption by ordinance of such  
7 changes.

8 (f) At any time within 90 days of the final adjournment of  
9 the public hearing, a county may, by ordinance, approve the  
10 economic development plan, establish the economic development  
11 project area, and authorize property tax allocation financing  
12 for such economic development project area.

13 Any ordinance adopted by Whiteside County which approves  
14 the economic development plan shall contain findings that the  
15 economic development project is reasonably expected to create  
16 or retain not less than 500 full-time equivalent jobs, that  
17 private investment in an amount not less than \$25,000,000 is  
18 reasonably expected to occur in the economic development  
19 project area, that the economic development project will  
20 encourage the increase of commerce and industry within the  
21 State, thereby reducing the evils attendant upon unemployment  
22 and increasing opportunities for personal income, and that the  
23 economic development project will increase or maintain the  
24 property, sales and income tax bases of the county and of the  
25 State.

26 Any ordinance adopted by Grundy County that approves the

1 economic development plan shall contain findings that the  
2 economic development project is reasonably expected to create  
3 or retain not less than 250 full-time equivalent jobs, that  
4 private investment in an amount not less than \$50,000,000 is  
5 reasonably expected to occur in the economic development  
6 project area, that the economic development project will  
7 encourage the increase of commerce and industry within the  
8 State, thereby reducing the evils attendant upon unemployment  
9 and increasing opportunities for personal income, and that the  
10 economic development project will increase or maintain the  
11 property, sales, and income tax bases of the county and of the  
12 State.

13 Any ordinance adopted by Stephenson County that approves an  
14 economic development plan shall contain findings that (i) the  
15 economic development project is reasonably expected to create  
16 or retain not less than 500 full-time equivalent jobs; (ii)  
17 private investment in an amount not less than \$10,000,000 is  
18 reasonably expected to occur in the economic development area;  
19 (iii) the economic development project will encourage the  
20 increase of commerce and industry within the State, thereby  
21 reducing the evils attendant upon unemployment and increasing  
22 opportunities for personal income; and (iv) the economic  
23 development project will increase or maintain the property,  
24 sales, and income tax bases of the county and of the State.  
25 Before the economic development project area is established by  
26 Stephenson County, the following additional conditions must be

1 included in an intergovernmental agreement approved by both the  
2 Stephenson County Board and the corporate authorities of the  
3 City of Freeport: (i) the corporate authorities of the City of  
4 Freeport must concur by resolution with the findings of  
5 Stephenson County; (ii) both the corporate authorities of the  
6 City of Freeport and the Stephenson County Board shall approve  
7 any and all economic or redevelopment agreements and incentives  
8 for any economic development project within the economic  
9 development area; (iii) any economic development project that  
10 receives funds under this Act, except for any economic  
11 development project specifically excluded from annexation in  
12 the provisions of the intergovernmental agreement, shall agree  
13 to and must enter into an annexation agreement with the City of  
14 Freeport to annex property included in the economic development  
15 project area to the City of Freeport at the first point in time  
16 that the property becomes contiguous to the City of Freeport;  
17 (iv) the local share of all State occupation and use taxes  
18 allocable to the City of Freeport and Stephenson County and  
19 derived from commercial projects within the economic  
20 development project area shall be equally shared by and between  
21 the City of Freeport and Stephenson County for the duration of  
22 the economic development project; and (v) any development in  
23 the economic development project area shall be built in  
24 accordance with the building and related codes of both the City  
25 of Freeport and Stephenson County and the City of Freeport  
26 shall approve all provisions for water and sewer service.

1           The ordinance shall also state that the economic  
2 development project area shall not include parcels to be used  
3 for purposes of residential development. Any ordinance adopted  
4 which establishes an economic development project area shall  
5 contain the boundaries of such area by legal description and,  
6 where possible, by street location. Any ordinance adopted which  
7 authorizes property tax allocation financing shall provide  
8 that the ad valorem taxes, if any, arising from the levies upon  
9 taxable real property in such economic development project area  
10 by taxing districts and tax rates determined in the manner  
11 provided in subsection (b) of Section 6 of this Act each year  
12 after the effective date of the ordinance until economic  
13 development project costs and all county obligations financing  
14 economic development project costs incurred under this Act have  
15 been paid shall be divided as follows:

16           (1) That portion of taxes levied upon each taxable lot,  
17 block, tract or parcel of real property which is  
18 attributable to the lower of the current equalized assessed  
19 value or the initial equalized assessed value of each such  
20 taxable lot, block, tract or parcel of real property in the  
21 economic development project area shall be allocated to,  
22 and when collected, shall be paid by the county collector  
23 to the respective affected taxing districts in the manner  
24 required by law in the absence of the adoption of property  
25 tax allocation financing.

26           (2) That portion, if any, of such taxes which is

1           attributable to the increase in the current equalized  
2           assessed valuation of each taxable lot, block, tract or  
3           parcel of real property in the economic development project  
4           area over and above the initial equalized assessed value of  
5           each property in the economic development project area  
6           shall be allocated to and when collected shall be paid to  
7           the county treasurer who shall deposit those taxes into a  
8           special fund called the special tax allocation fund of the  
9           county for the purpose of paying economic development  
10          project costs and obligations incurred in the payment  
11          thereof.

12          (g) After a county has by ordinance approved an economic  
13          development plan and established an economic development  
14          project area, the plan may be amended and the boundaries of the  
15          area may be altered only as herein provided. Amendments which  
16          (1) alter the exterior boundaries of an economic development  
17          project area, (2) substantially affect the general land uses  
18          established pursuant to the economic development plan, (3)  
19          substantially change the nature of the economic development  
20          plan, (4) change the general description of any proposed  
21          developer, user, or tenant of any property to be located or  
22          improved within the economic development project area, or (5)  
23          change the description of the type, class and number of  
24          employees to be employed in the operation of the facilities to  
25          be developed or improved shall be made only after review by a  
26          joint review board, notice and hearing pursuant to the

1 procedures set forth in this Section. Amendments which do not  
2 (1) alter the exterior boundaries of an economic development  
3 project area, (2) substantially affect the general land uses  
4 established in the economic development plan, (3)  
5 substantially change the nature of the economic development  
6 plan, (4) change the description of any proposed developer,  
7 user, or tenant of any property to be located or improved  
8 within the economic development project area, or (5) change the  
9 description of the type, class and number of employees to be  
10 employed in the operation of the facilities to be developed or  
11 improved within the economic development project area may be  
12 made without further hearing or notice, provided that the  
13 county shall give notice of any amendment by mail to the  
14 Department and to each taxing district and by publication in a  
15 newspaper or newspapers of general circulation within the  
16 affected taxing districts. Such notices by mail and by  
17 publication shall each occur not later than 10 days following  
18 the adoption by ordinance of such amendments.

19 (h) After the adoption of an ordinance adopting property  
20 tax allocation financing for an economic development project  
21 area, the county shall annually report to each taxing district  
22 having taxable property within such economic development  
23 project area (i) any increase or decrease in the equalized  
24 assessed value of the real property located within such  
25 economic development project area above or below the initial  
26 equalized assessed value of such real property, (ii) that

1 portion, if any, of the ad valorem taxes arising from the  
2 levies upon taxable real property in such economic development  
3 project area by the taxing districts which is attributable to  
4 the increase in the current equalized assessed valuation of  
5 each lot, block, tract or parcel of real property in the  
6 economic development project area over and above the initial  
7 equalized value of each property and which has been allocated  
8 to the county in the current year, and (iii) such other  
9 information as the county may deem relevant.

10 (i) The county shall give notice by mail as provided in  
11 this Section and shall reconvene the joint review board not  
12 less than annually for each of the 2 years following its  
13 adoption of an ordinance adopting property tax allocation  
14 financing for an economic development project area and not less  
15 than once in each 3-year period thereafter. The county shall  
16 provide such information, and may provide administrative  
17 support and facilities as the joint review board may reasonably  
18 require for each of such meetings.

19 (Source: P.A. 93-959, eff. 8-20-04; 94-259, eff. 1-1-06.)