



Rep. Michael P. McAuliffe

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1 AMENDMENT TO SENATE BILL 368

2 AMENDMENT NO. _____. Amend Senate Bill 368, on page 1,
3 line 5, by replacing "Section 11-74.4-3.5" with "Sections
4 11-74.4-3.5 and 11-74.6-15"; and

5 on page 16, immediately after line 4, by inserting the
6 following:

7 "(65 ILCS 5/11-74.6-15)

8 Sec. 11-74.6-15. Municipal Powers and Duties. A
9 municipality may:

10 (a) By ordinance introduced in the governing body of the
11 municipality within 14 to 90 days from the final adjournment of
12 the hearing specified in Section 11-74.6-22, approve
13 redevelopment plans and redevelopment projects, and designate
14 redevelopment planning areas and redevelopment project areas
15 pursuant to notice and hearing required by this Act. No
16 redevelopment planning area or redevelopment project area

1 shall be designated unless a plan and project are approved
2 before the designation of the area and the area shall include
3 only those parcels of real property and improvements on those
4 parcels substantially benefited by the proposed redevelopment
5 project improvements. Upon adoption of the ordinances, the
6 municipality shall forthwith transmit to the county clerk of
7 the county or counties within which the redevelopment project
8 area is located a certified copy of the ordinances, a legal
9 description of the redevelopment project area, a map of the
10 redevelopment project area, identification of the year that the
11 county clerk shall use for determining the total initial
12 equalized assessed value of the redevelopment project area
13 consistent with subsection (a) of Section 11-74.6-40, and a
14 list of the parcel or tax identification number of each parcel
15 of property included in the redevelopment project area.

16 (b) Make and enter into all contracts necessary or
17 incidental to the implementation and furtherance of its
18 redevelopment plan and project.

19 (c) Within a redevelopment project area, acquire by
20 purchase, donation, lease or eminent domain; own, convey,
21 lease, mortgage or dispose of land and other property, real or
22 personal, or rights or interests therein, and grant or acquire
23 licenses, easements and options with respect to that property,
24 all in the manner and at a price that the municipality
25 determines is reasonably necessary to achieve the objectives of
26 the redevelopment plan and project. No conveyance, lease,

1 mortgage, disposition of land or other property owned by a
2 municipality, or agreement relating to the development of the
3 municipal property shall be made or executed except pursuant to
4 prior official action of the corporate authorities of the
5 municipality. No conveyance, lease, mortgage, or other
6 disposition of land owned by a municipality, and no agreement
7 relating to the development of the municipal property, shall be
8 made without making public disclosure of the terms and the
9 disposition of all bids and proposals submitted to the
10 municipality in connection therewith. The procedures for
11 obtaining the bids and proposals shall provide reasonable
12 opportunity for any person to submit alternative proposals or
13 bids.

14 (d) Within a redevelopment project area, clear any area by
15 demolition or removal of any existing buildings, structures,
16 fixtures, utilities or improvements, and to clear and grade
17 land.

18 (e) Within a redevelopment project area, renovate or
19 rehabilitate or construct any structure or building, as
20 permitted under this Law.

21 (f) Within or without a redevelopment project area,
22 install, repair, construct, reconstruct or relocate streets,
23 utilities and site improvements essential to the preparation of
24 the redevelopment area for use in accordance with a
25 redevelopment plan.

26 (g) Within a redevelopment project area, fix, charge and

1 collect fees, rents and charges for the use of all or any part
2 of any building or property owned or leased by it.

3 (h) Issue obligations as provided in this Act.

4 (i) Accept grants, guarantees and donations of property,
5 labor, or other things of value from a public or private source
6 for use within a project redevelopment area.

7 (j) Acquire and construct public facilities within a
8 redevelopment project area, as permitted under this Law.

9 (k) Incur, pay or cause to be paid redevelopment project
10 costs; provided, however, that on and after the effective date
11 of this amendatory Act of the 91st General Assembly, no
12 municipality shall incur redevelopment project costs (except
13 for planning and other eligible costs authorized by municipal
14 ordinance or resolution that are subsequently included in the
15 redevelopment plan for the area and are incurred after the
16 ordinance or resolution is adopted) that are not consistent
17 with the program for accomplishing the objectives of the
18 redevelopment plan as included in that plan and approved by the
19 municipality until the municipality has amended the
20 redevelopment plan as provided elsewhere in this Law. Any
21 payments to be made by the municipality to redevelopers or
22 other nongovernmental persons for redevelopment project costs
23 incurred by such redeveloper or other nongovernmental person
24 shall be made only pursuant to the prior official action of the
25 municipality evidencing an intent to pay or cause to be paid
26 such redevelopment project costs. A municipality is not

1 required to obtain any right, title or interest in any real or
2 personal property in order to pay redevelopment project costs
3 associated with such property. The municipality shall adopt
4 such accounting procedures as may be necessary to determine
5 that such redevelopment project costs are properly paid.

6 (l) Create a commission of not less than 5 or more than 15
7 persons to be appointed by the mayor or president of the
8 municipality with the consent of the majority of the governing
9 board of the municipality. Members of a commission appointed
10 after the effective date of this Law shall be appointed for
11 initial terms of 1, 2, 3, 4 and 5 years, respectively, in
12 numbers so that the terms of not more than 1/3 of all members
13 expire in any one year. Their successors shall be appointed for
14 a term of 5 years. The commission, subject to approval of the
15 corporate authorities of the municipality, may exercise the
16 powers enumerated in this Section. The commission shall also
17 have the power to hold the public hearings required by this Act
18 and make recommendations to the corporate authorities
19 concerning the adoption of redevelopment plans, redevelopment
20 projects and designation of redevelopment project areas.

21 (m) Make payment in lieu of all or a portion of real
22 property taxes due to taxing districts. If payments in lieu of
23 all or a portion of taxes are made to taxing districts, those
24 payments shall be made to all districts within a redevelopment
25 project area on a basis that is proportional to the current
26 collection of revenue which each taxing district receives from

1 real property in the redevelopment project area.

2 (n) Exercise any and all other powers necessary to
3 effectuate the purposes of this Act.

4 (o) In conjunction with other municipalities, undertake
5 and perform redevelopment plans and projects and utilize the
6 provisions of the Act wherever they have contiguous
7 redevelopment project areas or they determine to adopt tax
8 increment allocation financing with respect to a redevelopment
9 project area that includes contiguous real property within the
10 boundaries of the municipalities, and, by agreement between
11 participating municipalities, to issue obligations, separately
12 or jointly, and expend revenues received under this Act for
13 eligible expenses anywhere within contiguous redevelopment
14 project areas or as otherwise permitted in the Act. Two or more
15 municipalities may designate a joint redevelopment project
16 area under this subsection (o) for a single Industrial Park
17 Conservation Area comprising of property within or near the
18 boundaries of each municipality if: (i) both municipalities are
19 located within the same Metropolitan Statistical Area, as
20 defined by the United States Office of Management and Budget,
21 (ii) the 4-year average unemployment rate for that Metropolitan
22 Statistical Area was at least 11.3%, and (iii) at least one
23 participating municipality demonstrates that it has made
24 commitments to acquire capital assets to commence the project
25 and that the acquisition will occur on or before December 31,
26 2011. The joint redevelopment project area must encompass an

1 interstate highway exchange for access and be located, in part,
2 adjacent to a landfill or other solid waste disposal facility.

3 (p) Create an Industrial Jobs Recovery Advisory Committee
4 of not more than 15 members to be appointed by the mayor or
5 president of the municipality with the consent of the majority
6 of the governing board of the municipality. The members of that
7 Committee shall be appointed for initial terms of 1, 2, and 3
8 years respectively, in numbers so that the terms of not more
9 than 1/3 of all members expire in any one year. Their
10 successors shall be appointed for a term of 3 years. The
11 Committee shall have none of the powers enumerated in this
12 Section. The Committee shall serve in an advisory capacity
13 only. The Committee may advise the governing board of the
14 municipality and other municipal officials regarding
15 development issues and opportunities within the redevelopment
16 project area. The Committee may also promote and publicize
17 development opportunities in the redevelopment project area.

18 (q) If a redevelopment project has not been initiated in a
19 redevelopment project area within 5 years after the area was
20 designated by ordinance under subsection (a), the municipality
21 shall adopt an ordinance repealing the area's designation as a
22 redevelopment project area. Initiation of a redevelopment
23 project shall be evidenced by either a signed redevelopment
24 agreement or expenditures on eligible redevelopment project
25 costs associated with a redevelopment project.

26 (r) Within a redevelopment planning area, transfer or loan

1 tax increment revenues from one redevelopment project area to
2 another redevelopment project area for expenditure on eligible
3 costs in the receiving area.

4 (s) Use tax increment revenue produced in a redevelopment
5 project area created under this Law by transferring or loaning
6 such revenues to a redevelopment project area created under the
7 Tax Increment Allocation Redevelopment Act that is either
8 contiguous to, or separated only by a public right of way from,
9 the redevelopment project area that initially produced and
10 received those revenues.

11 (t) The estimated dates of completion of the redevelopment
12 project and retirement of obligations issued to finance
13 redevelopment project costs (including refunding bonds under
14 Section 11-74.6-30) may not be later than December 31 of the
15 year in which the payment to the municipal treasurer as
16 provided in subsection (b) of Section 11-74.6-35 of this Act is
17 to be made with respect to ad valorem taxes levied in the 35th
18 calendar year after the year in which the ordinance approving
19 the redevelopment project area was adopted if the ordinance was
20 adopted on September 23, 1997 by the City of Granite City.

21 (Source: P.A. 97-591, eff. 8-26-11.)".