



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3616

Introduced 2/18/2025, by Rep. Will Guzzardi

SYNOPSIS AS INTRODUCED:

310 ILCS 67/20

Amends the Affordable Housing Planning and Appeal Act. In provisions requiring the Illinois Housing Development Authority to determine which local governments are exempt from the requirements of the Act, requires the Authority to collect data on owner-occupied and rental units for each local government as follows: (1) by totaling the number of owner-occupied housing units in each local government that are affordable to households with a gross household income that is less than 80% of the median household income and is between 80% and 140% of the median household income within the county or primary metropolitan statistical area; and (2) by totaling the number of rental units in each local government that are affordable to households with a gross household income that is less than 60% of the median household income and is between 80% and 140% of the median household income within the county or primary metropolitan statistical area. Provides that data collected for the 80% AMI to 140% AMI households is to be used for informational purposes and shall not factor into the determination of exempt local governments.

LRB104 11342 KTG 21430 b

1 AN ACT concerning Housing.

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

4 Section 5. The Affordable Housing Planning and Appeal Act
5 is amended by changing Section 20 as follows:

6 (310 ILCS 67/20)

7 Sec. 20. Determination of exempt local governments.

8 (a) Beginning October 1, 2004, the Illinois Housing
9 Development Authority shall determine which local governments
10 are exempt and not exempt from the operation of this Act based
11 on an identification of the total number of year-round housing
12 units in the most recent data from the U.S. Census Bureau for
13 each local government within the State and by an inventory of
14 owner-occupied and rental affordable housing units, as defined
15 in this Act, for each local government from the U.S. Census
16 Bureau and other relevant sources.

17 (b) The Illinois Housing Development Authority shall make
18 this determination by:

19 (i) totaling the number of owner-occupied housing
20 units in each local government that are affordable to
21 households with a gross household income that is less than
22 80% of the median household income and is between 80% and
23 140% of the median household income within the county or

1 primary metropolitan statistical area. Data collected for
2 the 80% AMI to 140% AMI households is to be used for
3 informational purposes and shall not factor into the
4 determination of exempt local governments;

5 (ii) totaling the number of rental units in each local
6 government that are affordable to households with a gross
7 household income that is less than 60% of the median
8 household income and is between 80% and 140% of the median
9 household income within the county or primary metropolitan
10 statistical area. Data collected for the 80% AMI to 140%
11 AMI households is to be used for informational purposes
12 and shall not factor into the determination of exempt
13 local governments;

14 (iii) adding the number of owner-occupied and rental
15 units for each local government from items (i) and (ii);
16 and

17 (iv) dividing the sum of (iii) above by the total
18 number of year-round housing units in the local government
19 as contained in the latest U.S. Census Bureau and
20 multiplying the result by 100 to determine the percentage
21 of affordable housing units within the jurisdiction of the
22 local government.

23 (c) Beginning on the effective date of this amendatory Act
24 of the 98th General Assembly, the Illinois Housing Development
25 Authority shall publish a list of exempt and non-exempt local
26 governments and the data that it used to calculate its

1 determination at least once every 5 years. The data shall be
2 shown for each local government in the State and for the State
3 as a whole. Upon publishing a list of exempt and non-exempt
4 local governments, the Illinois Housing Development Authority
5 shall notify a local government that it is not exempt from the
6 operation of this Act and provide to it the data used to
7 calculate its determination.

8 (d) A local government or developer of affordable housing
9 may appeal the determination of the Illinois Housing
10 Development Authority as to whether the local government is
11 exempt or non-exempt under this Act in connection with an
12 appeal under Section 30 of this Act.

13 (Source: P.A. 98-287, eff. 8-9-13.)