



Sen. Graciela Guzmán

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10400HB3616sam001

LRB104 11342 KTG 25840 a

1 AMENDMENT TO HOUSE BILL 3616

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3616 by replacing  
3 everything after the enacting clause with the following:

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

6 (310 ILCS 67/5)

7 Sec. 5. Findings. The legislature finds and declares that:

8 (1) there exists a shortage of affordable, accessible,  
9 safe, and sanitary housing in the State;

10 (2) it is imperative that action be taken to assure  
11 the availability of workforce and retirement housing; ~~and~~

12 (3) local governments in the State that do not have  
13 sufficient affordable housing are encouraged to assist in  
14 providing affordable housing opportunities to assure the  
15 health, safety, and welfare of all citizens of the State;

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1           (4) increasing the inventory and affordability of  
2           housing choices for people earning between 80% and 140% of  
3           the area median income, termed the missing middle, also  
4           helps preserve affordable housing, prevents homelessness,  
5           and encourages investment in more inclusive, mixed-income  
6           communities throughout the State; and

7           (5) studying the inventory and affordability gaps that  
8           affect the missing middle is also crucial to ensuring  
9           workforce and retirement housing in the State.

10       (Source: P.A. 93-595, eff. 1-1-04.)

11           (310 ILCS 67/20)

12           Sec. 20. Determination of exempt local governments.

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

22           (b) The Illinois Housing Development Authority shall make  
23       this determination by:

24           (i) totaling the number of owner-occupied housing  
25       units in each local government that are affordable to

1 households with a gross household income that is less than  
2 80% of the median household income within the county or  
3 primary metropolitan statistical area;

4 (ii) totaling the number of rental units in each local  
5 government that are affordable to households with a gross  
6 household income that is less than 60% of the median  
7 household income within the county or primary metropolitan  
8 statistical area;

9 (iii) adding the number of owner-occupied and rental  
10 units for each local government from items (i) and (ii);  
11 and

12 (iv) dividing the sum of (iii) above by the total  
13 number of year-round housing units in the local government  
14 as contained in the latest U.S. Census Bureau and  
15 multiplying the result by 100 to determine the percentage  
16 of affordable housing units within the jurisdiction of the  
17 local government.

18 (c) Beginning on the effective date of this amendatory Act  
19 of the 98th General Assembly, the Illinois Housing Development  
20 Authority shall publish a list of exempt and non-exempt local  
21 governments and the data that it used to calculate its  
22 determination at least once every 5 years. The data shall be  
23 shown for each local government in the State and for the State  
24 as a whole. Upon publishing a list of exempt and non-exempt  
25 local governments, the Illinois Housing Development Authority  
26 shall notify a local government that it is not exempt from the

1 operation of this Act and provide to it the data used to  
2 calculate its determination.

3 (d) A local government or developer of affordable housing  
4 may appeal the determination of the Illinois Housing  
5 Development Authority as to whether the local government is  
6 exempt or non-exempt under this Act in connection with an  
7 appeal under Section 30 of this Act.

8 (e) Additionally, the Illinois Housing Development  
9 Authority shall make the following calculations:

10 (i) totaling the number of owner-occupied housing  
11 units in each local government that are affordable to  
12 households with a gross household income that is at or  
13 below 30% of the median household income within the county  
14 or primary metropolitan statistical area;

15 (ii) totaling the number of rental units in each local  
16 government that are affordable to households with a gross  
17 household income that is at or below 30% of the median  
18 household income within the county or primary metropolitan  
19 statistical area;

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

22 (iv) dividing the sum of (iii) above by the total  
23 number of year-round housing units in the local government  
24 as contained in the latest U.S. Census Bureau and  
25 multiplying the result by 100 to determine the percentage  
26 of extremely low-income affordable housing units within

1 the jurisdiction of the local government;

2 (v) totaling the number of owner-occupied housing  
3 units in each local government that are affordable to  
4 households with a gross household income that is between  
5 80% and 140% of the median household income within the  
6 county or primary metropolitan statistical area;

7 (vi) totaling the number of rental units in each local  
8 government that are affordable to households with a gross  
9 household income that is between 60% and 80% of the median  
10 household income within the county or primary metropolitan  
11 statistical area;

12 (vii) totaling the number of rental units in each  
13 local government that are affordable to households with a  
14 gross household income that is between 80% and 140% of the  
15 median household income within the county or primary  
16 metropolitan statistical area;

17 (viii) adding the number of owner-occupied and rental  
18 units for each local government from items (v), (vi), and  
19 (vii); and

20 (ix) dividing the sum of (viii) above by the total  
21 number of year-round housing units in the local government  
22 as contained in the latest U.S. Census Bureau and  
23 multiplying the result by 100 to determine the percentage  
24 of affordable middle housing units within the jurisdiction  
25 of the local government.

26 (f) Beginning on the effective date of this amendatory Act

1 of the 104th General Assembly, the Illinois Housing  
2 Development Authority shall publish the data collected under  
3 paragraphs (i) through (ix) of subsection (e). The data shall  
4 be shown for each local government in the State and for the  
5 State as a whole and shall be published at least once every 5  
6 years. The Illinois Housing Development Authority shall also  
7 compile the collected data into a report and submit the report  
8 to the General Assembly.

9 (g) The data collected under subsection (e) shall be for  
10 informational purposes only and shall not factor into the  
11 determination of exempt local governments.

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