AN ACT concerning local government.

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

Section 5. The Counties Code is amended by adding Sections 5-1195 and 5-1196 as follows:

(55 ILCS 5/5-1195 new)

Sec. 5-1195. Powers of specified counties to create or preserve affordable housing. Counties having a population of greater than 750,000 residents and fewer than 2 million residents and counties having the county executive form of government and a population of greater than 650,000 and fewer than 2 million residents, according to the most recent federal decennial census, may:

(1) acquire real property for the purpose of creating or preserving affordable housing for households making up to 140% of the area median income annually;

(2) enter into agreements to transfer real property, with any unit of local government, including forest preserve districts created under the Downstate Forest Preserve District Act, any school district, or the State, for the purpose of creating or preserving affordable housing for households making up to 140% of the area median income annually;

(3) enter into agreements to donate, lease below market rate, or sell below market rate, real property for the purpose of the creation or preservation of affordable housing for households making up to 140% of the area median income annually;

(4) undertake any activity permitted by the Affordable Housing Planning and Appeal Act for the purpose of creating, developing, encouraging the development, or preservation of the development of affordable housing for households making up to 140% of the area median income annually; and

(5) select purchasers and lessors for properties held by the county, a county land bank, or county land trust.

The selection of purchasers and lessors under paragraph (5) shall be made in a manner designed to increase and maintain affordable housing within the county without regard to the fair market value of the real property.

(55 ILCS 5/5-1196 new)

Sec. 5-1196. Affordable housing grant programs.

(a) As used in this Section, "affordable housing" means housing for households making up to 140% of the area median income annually.

(b) Counties having a population of greater than 750,000 residents and fewer than 2 million residents and counties having the county executive form of government and a population of greater than 650,000 and fewer than 2 million residents, according to the most recent federal decennial census, may encourage and facilitate the creation of affordable housing within the geographic boundaries of the county, including areas within municipalities, by offering, to developers of affordable housing units, financial incentives, including, but not limited to, grants and loans, and infrastructure improvements, including, but not limited to, stormwater detention, public water and sewer improvements, and similar improvements that facilitate increasing the supply of affordable housing units. Improvements that facilitate increasing the supply of affordable housing units shall be considered improvements for a public purpose.

(c) Counties having a population of greater than 750,000 residents and fewer than 2 million residents and counties having the county executive form of government and a population of greater than 650,000 and fewer than 2 million residents, according to the most recent federal decennial census, may enter into agreements with developers relating to grants, loans, and similar incentives to facilitate affordable housing within the county. As part of an agreement or in return for an infrastructure improvement, the county may impose a restriction on the title of an affordable housing development, subject to the agreements under this subsection, that restricts the income level of inhabitants of all or part of the development. The income restrictions are limited to periods not to exceed 15 years. For purposes of deed restrictions, a county may use the United States Department of Housing and Urban Development fair market rent or other federally established rent tables to calculate the maximum allowable rent for units benefiting from grants, financial incentives, and infrastructure development under the program.

(d) Counties having a population of greater than 750,000 residents and fewer than 2 million residents and counties having the county executive form of government and a population of greater than 650,000 and fewer than 2 million residents, according to the most recent federal decennial census, may enter into agreements with property owners to engage in clearance and remediation activities, including the removal of buildings and improvements, the movement of structures to other sites, and the remediation of known or suspected environmental contamination.

Section 99. Effective date. This Act takes effect upon becoming law.