

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 Sections 5, 10, 15, 20, 25, 30, 50, and  
6 60 as follows:

7 (310 ILCS 67/5)

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

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

11 (2) it is imperative that action be taken to ensure  
12 ~~assure~~ the availability of housing for the State's  
13 workforce, retired persons, and low-income and  
14 moderate-income households, including households that have  
15 persons with disabilities ~~and retirement housing~~;

16 (3) it is necessary for local governments in the State  
17 that do not have sufficient affordable housing ~~are~~  
18 ~~encouraged~~ to assist in providing affordable housing  
19 opportunities to ensure ~~assure~~ the health, safety, and  
20 welfare of all citizens of the State;

21 (4) increasing the inventory and affordability of  
22 housing choices for people earning between 80% and 140% of  
23 household ~~the~~ ~~area~~ median income, termed the missing

1 middle, also helps preserve affordable housing, prevents  
2 homelessness, and encourages investment in more inclusive,  
3 mixed-income communities throughout the State; and

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

7 (Source: P.A. 104-319, eff. 1-1-26.)

8 (310 ILCS 67/10)

9 Sec. 10. Purpose. The purpose of this Act is to encourage  
10 counties and municipalities to incorporate affordable housing  
11 within their housing stock sufficient to meet the needs of  
12 their county or community. Further, affordable housing  
13 developers who believe that they have been unfairly treated  
14 due to the fact that a proposed ~~the~~ development contains  
15 affordable housing may seek relief from local ordinances and  
16 regulations that may inhibit the construction of affordable  
17 housing needed to serve low-income and moderate-income  
18 households in this State.

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

20 (310 ILCS 67/15)

21 Sec. 15. Definitions. As used in this Act:

22 "Affordable housing" means housing that has a value or  
23 cost or rental amount that is within the means of a household  
24 that may occupy moderate-income or low-income housing. In the

1 case of owner-occupied dwelling units, housing that is  
2 affordable means housing in which mortgage, amortization,  
3 taxes, insurance, and condominium or association fees, if any,  
4 constitute no more than 30% of the gross annual household  
5 income for a household of the size that may occupy the unit. In  
6 the case of dwelling units for rent, housing that is  
7 affordable means housing for which the rent and utilities  
8 constitute no more than 30% of the gross annual household  
9 income for a household of the size that may occupy the unit. In  
10 the case of dwelling units for rent, the costs of any required  
11 parking, maintenance, or landlord-imposed fees are to be  
12 included in the calculation of affordable housing if available  
13 from the U.S. Census Bureau.

14 "Affordable housing developer" means a nonprofit entity,  
15 limited equity cooperative or public agency, or private  
16 individual, firm, corporation, or other entity seeking to  
17 build an affordable housing development.

18 "Affordable housing development" means (i) any housing  
19 that is subsidized by the federal or State government or (ii)  
20 any housing in which at least 20% of the dwelling units are  
21 subject to covenants or restrictions that require that the  
22 dwelling units be sold or rented at prices that preserve them  
23 as affordable housing for a period of at least 15 years, in the  
24 case of owner-occupied housing, and at least 30 years, in the  
25 case of rental housing.

26 "Approving authority" means the governing body of the

1 county or municipality.

2 "Area median household income" means the median household  
3 income adjusted for family size for applicable income limit  
4 areas as determined annually by the federal Department of  
5 Housing and Urban Development under Section 8 of the United  
6 States Housing Act of 1937.

7 "Community-integrated living arrangement" has the meaning  
8 ascribed to that term in Section 3 of the Community-Integrated  
9 Living Arrangements Licensure and Certification Act.

10 "Community land trust" means a private, not-for-profit  
11 corporation organized exclusively for charitable, cultural,  
12 and other purposes and created to acquire and own land for the  
13 benefit of the local government, including the creation and  
14 preservation of affordable housing.

15 "Development" means any building, construction,  
16 renovation, or excavation or any material change in any  
17 structure or land, or change in the use of such structure or  
18 land, that results in a net increase in the number of dwelling  
19 units in a structure or on a parcel of land by more than one  
20 dwelling unit.

21 "Exempt local government" means any local government in  
22 which at least 25% ~~10%~~ of its total year-round housing units  
23 are affordable, as determined by the Illinois Housing  
24 Development Authority in accordance with Section 20, or any  
25 municipality with a population under 2,000 ~~1,000~~.

26 "Household" means the person or persons occupying a

1 dwelling unit.

2 "Housing organization" means a trade or industry group  
3 engaged in the construction or management of housing units, or  
4 a nonprofit organization whose mission includes providing or  
5 advocating for increased access to housing for low or  
6 moderate-income households.

7 "Housing trust fund" means a separate fund, either within  
8 a local government or between local governments pursuant to  
9 intergovernmental agreement, established solely for the  
10 purposes authorized in subsection (d) of Section 25,  
11 including, without limitation, the holding and disbursing of  
12 financial resources to address the affordable housing needs of  
13 individuals or households that may occupy low-income or  
14 moderate-income housing.

15 "Local government" means a county or municipality.

16 "Low-income housing" means housing that is affordable,  
17 according to the federal Department of Housing and Urban  
18 Development, for either home ownership or rental, and that is  
19 occupied, reserved, or marketed for occupancy by households  
20 with a gross household income that does not exceed 50% of the  
21 area median household income.

22 "Moderate-income housing" means housing that is  
23 affordable, according to the federal Department of Housing and  
24 Urban Development, for either home ownership or rental, and  
25 that is occupied, reserved, or marketed for occupancy by  
26 households with a gross household income that is greater than

1 50% but does not exceed 80% of the area median household  
2 income.

3 "Non-appealable local government requirements" means all  
4 essential requirements that protect the public health and  
5 safety, including any local building, electrical, fire, or  
6 plumbing code requirements or those requirements that are  
7 critical to the protection or preservation of the environment.

8 "Special needs populations" means the special needs  
9 populations described in subsection (e) of Section 8 of the  
10 Illinois Affordable Housing Act.

11 "Supportive housing" means permanent or transitional  
12 housing with access to the needed supportive services which  
13 enable special needs populations to live as independently as  
14 possible.

15 (Source: P.A. 102-175, eff. 7-29-21; 103-487, eff. 1-1-24.)

16 (310 ILCS 67/20)

17 Sec. 20. Determination of exempt local governments.

18 (a) Beginning October 1, 2028 ~~2004~~, the Illinois Housing  
19 Development Authority shall determine which local governments  
20 are exempt and not exempt from the operation of this Act based  
21 on an identification of the total number of year-round housing  
22 units in the most recent data from the U.S. Census Bureau for  
23 each local government within the State and by an inventory of  
24 owner-occupied and rental affordable housing units, as defined  
25 in this Act, for each local government from the U.S. Census

1 Bureau and other relevant sources.

2 (b) The Illinois Housing Development Authority shall make  
3 this determination by:

4 (i) totaling the number of owner-occupied housing  
5 units in each local government that are affordable to  
6 households with a gross household income that is less than  
7 80% of the median household income within the county or  
8 primary metropolitan statistical area;

9 (ii) totaling the number of rental units in each local  
10 government that are affordable to households with a gross  
11 household income that is less than 60% of the median  
12 household income within the county or primary metropolitan  
13 statistical area;

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

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

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

20 (ii) totaling the number of rental units in each local  
21 government that are affordable to households with a gross  
22 household income that is at or below 30% of the median  
23 household income within the county or primary metropolitan  
24 statistical area;

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

1           (iv) dividing the sum of (iii) above by the total  
2           number of year-round housing units in the local government  
3           as contained in the latest U.S. Census Bureau and  
4           multiplying the result by 100 to determine the percentage  
5           of extremely low-income affordable housing units within  
6           the jurisdiction of the local government;

7           (v) totaling the number of owner-occupied housing  
8           units in each local government that are affordable to  
9           households with a gross household income that is between  
10          80% and 140% of the median household income within the  
11          county or primary metropolitan statistical area;

12          (vi) totaling the number of rental units in each local  
13          government that are affordable to households with a gross  
14          household income that is between 60% and 80% of the median  
15          household income within the county or primary metropolitan  
16          statistical area;

17          (vii) totaling the number of rental units in each  
18          local government that are affordable to households with a  
19          gross household income that is between 80% and 140% of the  
20          median household income within the county or primary  
21          metropolitan statistical area;

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

25          (ix) dividing the sum of (viii) above by the total  
26          number of year-round housing units in the local government

1 as contained in the latest U.S. Census Bureau and  
2 multiplying the result by 100 to determine the percentage  
3 of affordable middle housing units within the jurisdiction  
4 of the local government.

5 (f) Beginning on the effective date of this amendatory Act  
6 of the 104th General Assembly, the Illinois Housing  
7 Development Authority shall publish the data collected under  
8 paragraphs (i) through (ix) of subsection (e). The data shall  
9 be shown for each local government in the State and for the  
10 State as a whole and shall be published at least once every 5  
11 years. The Illinois Housing Development Authority shall also  
12 compile the collected data into a report and submit the report  
13 to the General Assembly.

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

17 (Source: P.A. 104-319, eff. 1-1-26.)

18 (310 ILCS 67/25)

19 Sec. 25. Affordable housing plan.

20 (a) ~~Prior to April 1, 2005, all non-exempt local~~  
21 ~~governments must approve an affordable housing plan.~~ Any local  
22 government that is determined by the Illinois Housing  
23 Development Authority under Section 20 to be non-exempt ~~for~~  
24 ~~the first time based on the recalculation of U.S. Census~~  
25 ~~Bureau data after 2010~~ shall have 18 months from the date of

1 notification of its non-exempt status to approve an affordable  
2 housing plan under this Act. A non-exempt local government  
3 must provide ~~On and after the effective date of this~~  
4 ~~amendatory Act of the 102nd General Assembly, an affordable~~  
5 ~~housing plan, or any revision thereof, shall not be adopted by~~  
6 ~~a non exempt local government until~~ notice to residents and  
7 the opportunity for comment at a public hearing in accordance  
8 with the Open Meetings Act prior to adopting its affordable  
9 housing plan ~~have first been afforded.~~

10 (b) For the purposes of this Act, the affordable housing  
11 plan shall consist of at least the following:

12 (i) a statement of the total number of affordable  
13 housing units that are necessary to exempt the local  
14 government from the operation of this Act as defined in  
15 Section 15 and Section 20;

16 (ii) an identification of specific lands within the  
17 jurisdiction that are most appropriate for the  
18 construction of affordable housing and of existing  
19 structures most appropriate for conversion to, or  
20 rehabilitation for, affordable housing, including a  
21 consideration of affordable housing for both  
22 owner-occupied dwelling units and dwelling units for rent,  
23 lands and structures of developers who have expressed a  
24 commitment to provide affordable housing, and lands and  
25 structures that are publicly or semi-publicly owned;

26 (iii) incentives, including, but not limited to, the

1 measures outlined in subsection (d), that the local  
2 government intends to ~~local governments may~~ provide for  
3 the purpose of attracting affordable housing to its ~~their~~  
4 jurisdiction;

5 (iv) a description of any housing market conditions,  
6 infrastructure limitations, local government ordinances,  
7 including zoning and land use ordinances, local government  
8 policies or practices that do not affirmatively further  
9 fair housing ~~as defined in the federal Fair Housing Act,~~  
10 and other factors that may constrain the local  
11 government's ability to create and preserve affordable  
12 housing;

13 (v) a plan or potential strategies to eliminate or  
14 mitigate the ~~these~~ constraints identified in item (iv);

15 (vi) one or more of the following goals: a minimum of  
16 15% of all new development or redevelopment within the  
17 local government that would be defined as affordable  
18 housing in this Act; a minimum of a 5 percentage point  
19 increase in the overall percentage of affordable housing  
20 within its jurisdiction, as described in subsection (b) of  
21 Section 20 of this Act; or a minimum of a total of 25% ~~10%~~  
22 affordable housing within its jurisdiction as described in  
23 subsection (b) of Section 20 of this Act. These goals may  
24 be met, in whole or in part, through the creation of  
25 affordable housing units under intergovernmental  
26 agreements as described in subsection (e) of this Section;

1 and

2 (vii) proposed timelines, to commence, within the  
3 first 24 months after the date upon which the affordable  
4 housing plan was adopted, for specific actions and  
5 deadlines to implement the components of the affordable  
6 housing plan.

7 Local governments that have previously been determined as  
8 a non-exempt municipality and that have submitted an  
9 affordable housing plan shall also include a summary of  
10 actions taken to implement the previously submitted plan, as  
11 well as a summary of progress made toward achieving the goals  
12 of the plan.

13 To comply with the affordable housing plan requirements,  
14 no later than 4 years after adopting or updating an affordable  
15 housing plan the local government shall submit a report to the  
16 Illinois Housing Development Authority summarizing actions  
17 taken to implement the current plan.

18 (c) Within 60 days after the adoption of an affordable  
19 housing plan or revisions to its affordable housing plan, the  
20 local government must submit a copy of that plan to the  
21 Illinois Housing Development Authority. The non-exempt local  
22 government shall provide proof of compliance with the notice  
23 and other requirements described in subsection (a) as part of  
24 its submission.

25 (d) In order to promote the goals of this Act and to  
26 maximize the creation, establishment, or preservation of

1 affordable housing throughout the State of Illinois, a local  
2 government, whether exempt or non-exempt under this Act, may  
3 adopt the following measures to address the need for  
4 affordable housing:

5 (1) Local governments may individually or jointly  
6 create or participate in a housing trust fund or otherwise  
7 provide whole or partial funding or support for the  
8 purpose of supporting affordable housing, including,  
9 without limitation, to support the following affordable  
10 housing activities:

11 (A) Housing production, including, without  
12 limitation, new construction, rehabilitation, and  
13 adaptive re-use.

14 (B) Acquisition, including, without limitation, of  
15 lands ~~and~~, single-family homes, multi-unit buildings,  
16 and other existing structures that may be used in  
17 whole or in part for residential use.

18 (C) Rental payment assistance.

19 (D) Home-ownership purchase assistance.

20 (E) Preservation of existing affordable housing, and  
21 including home modifications to support accessibility.

22 (F) Weatherization.

23 (G) Emergency repairs.

24 (H) Housing related support services, including  
25 homeownership education and financial counseling.

26 (I) Grants or loans to not-for-profit

1 organizations engaged in addressing the affordable  
2 housing needs of low-income and moderate-income  
3 households.

4 (J) Participation in affordable housing special  
5 assessment programs as authorized under Section 15-178  
6 of the Property Tax Code.

7 Local governments may authorize housing trust funds to  
8 accept and utilize funds, property, and other resources  
9 from all proper and lawful public and private sources so  
10 long as those funds are used solely for addressing the  
11 affordable housing needs of individuals or households that  
12 may occupy low-income or moderate-income housing.

13 (2) A local government may create a community land  
14 trust, which may: acquire developed or undeveloped  
15 interests in real property and hold them for affordable  
16 housing purposes; convey such interests under long-term  
17 leases, including ground leases; convey such interests for  
18 affordable housing purposes; and retain an option to  
19 reacquire any such real property interests at a price  
20 determined by a formula ensuring that such interests may  
21 be utilized for affordable housing purposes.

22 (3) A local government may use its zoning powers to  
23 require the creation and preservation of affordable  
24 housing as authorized under Section 5-12001 of the  
25 Counties Code and Section 11-13-1 of the Illinois  
26 Municipal Code.

1           (4) A local government may accept donations of money  
2           or land for the purpose of addressing the affordable  
3           housing needs of individuals or households that may occupy  
4           low-income or moderate-income housing. These donations may  
5           include, without limitation, donations of money or land  
6           from persons, as long as the donations are demonstrably  
7           used to preserve, create, or subsidize low-income housing  
8           or moderate-income housing within the jurisdiction.

9           (e) In order to encourage regional cooperation and the  
10          maximum creation of affordable housing in areas lacking such  
11          housing in the State of Illinois, any non-exempt local  
12          government may enter into intergovernmental agreements under  
13          subsection (e) of Section 25 with local governments within 10  
14          miles of its corporate boundaries in order to create  
15          affordable housing units to meet the goals of this Act. A  
16          non-exempt local government may not enter into an  
17          intergovernmental agreement, however, with any local  
18          government that contains more than 25% affordable housing as  
19          determined under Section 20 of this Act. All intergovernmental  
20          agreements entered into to create affordable housing units to  
21          meet the goals of this Act must also specify the basis for  
22          determining how many of the affordable housing units created  
23          will be credited to each local government participating in the  
24          agreement for purposes of complying with this Act. All  
25          intergovernmental agreements entered into to create affordable  
26          housing units to meet the goals of this Act must also specify

1 the anticipated number of newly created affordable housing  
2 units that are to be credited to each local government  
3 participating in the agreement for purposes of complying with  
4 this Act. In specifying how many affordable housing units will  
5 be credited to each local government, the same affordable  
6 housing unit may not be counted by more than one local  
7 government.

8 (f) To enforce compliance with the provisions of this  
9 Section, and to encourage local governments to submit their  
10 affordable housing plans to the Illinois Housing Development  
11 Authority in a timely manner, the Illinois Housing Development  
12 Authority shall notify any local government and ~~may notify~~ the  
13 Office of the Attorney General that the local government is in  
14 violation of State law if the Illinois Housing Development  
15 Authority finds that the affordable housing plan submitted is  
16 not in substantial compliance with this Section or that the  
17 local government failed to submit an affordable housing plan.  
18 The Attorney General may enforce this provision of the Act by  
19 an action for mandamus or injunction or by means of other  
20 appropriate relief.

21 (g) The Illinois Housing Development Authority shall post  
22 each affordable housing plan submitted by a local government  
23 on the Illinois Housing Development Authority's website.

24 (Source: P.A. 102-175, eff. 7-29-21; 103-487, eff. 1-1-24.)

1 Sec. 30. Appeal to State Housing Appeals Board.

2 (a) (Blank).

3 (b) (Blank).

4 (b-5) ~~Any Beginning January 1, 2026, any~~ of the following  
5 parties may file an appeal as an appellant to the State Housing  
6 Appeals Board against a non-exempt municipality if the  
7 proposed affordable housing development was denied by the  
8 municipality, or approved with conditions that in the  
9 appellant's judgment render the provision of affordable  
10 housing infeasible:

11 (1) the affordable housing developer of the proposed  
12 affordable housing development;

13 (2) a person who would be eligible to apply for  
14 residency in the proposed affordable housing development;

15 ~~or~~

16 (3) a housing organization whose geographic focus area  
17 includes the municipality, or county if in an  
18 unincorporated area, where the proposed affordable housing  
19 development is located; or -

20 (4) a service provider that is under contract to  
21 provide services for potential residents of a proposed  
22 supportive housing project or community-integrated living  
23 arrangement that otherwise meets this Act's definition of  
24 "affordable housing development".

25 Appeals must be filed within 45 days after the final  
26 action or decision by the municipality. The appellant must

1 submit information regarding why the appellant believes the  
2 affordable housing development was unfairly denied or  
3 unreasonable conditions were placed upon the tentative  
4 approval of the development. In the case of local governments  
5 that are determined by the Illinois Housing Development  
6 Authority under Section 20 to be non-exempt for the first time  
7 based on the recalculation of U.S. Census Bureau data after  
8 the effective date of this amendatory Act of the 103rd General  
9 Assembly, no appellant may appeal to the State Housing Appeals  
10 Board until 6 months after a local government has been  
11 notified of its non-exempt status.

12 (b-6) A final action or decision of an approving authority  
13 may include, but is not limited to:

14 (1) voting to formally deny a proposal;

15 (2) denying land use approvals or entitlements  
16 necessary for the issuing of a building permit;

17 (3) refusing to take final legislative or  
18 administrative action;

19 (4) determining an application incomplete which  
20 complies with all criteria as specified by local land use  
21 codes; or

22 (5) rendering a proposal financially infeasible by  
23 imposing conditions or fees which are not required by  
24 local land use codes or extensive delay which causes a  
25 source of funding to expire.

26 (c) ~~The Beginning on the effective date of this amendatory~~

1 ~~Act of the 98th General Assembly,~~ the Board shall, whenever  
2 possible, render a decision on the appeal within 120 days  
3 after the appeal is filed. The Board may extend the time by  
4 which it will render a decision where circumstances outside  
5 the Board's control make it infeasible for the Board to render  
6 a decision within 120 days. In any proceeding before the  
7 Board, the local government ~~appellant~~ bears the burden of  
8 demonstrating by the preponderance of the evidence that:

9 (1) the denial, or approval with conditions, of the  
10 proposed affordable housing development is necessary to  
11 protect substantial public interests regarding health and  
12 safety; (i) has been unfairly denied or (ii) has had  
13 unreasonable conditions placed upon it by the decision of  
14 the local government.

15 (2) the public interests implicated clearly outweigh  
16 the need for affordable housing; and

17 (3) the public interests cannot be protected through  
18 reasonable modification to the affordable housing  
19 proposal.

20 (c-5) The Board shall take into consideration the failure  
21 to submit a compliant affordable housing plan in connection  
22 with any appeal before the Board.

23 (d) The Board shall dismiss any appeal if:

24 (i) the local government has adopted an affordable  
25 housing plan as defined in Section 25 of this Act and  
26 submitted that plan to the Illinois Housing Development

1 Authority within the time frame required by this Act; and

2 (ii) the local government has implemented its  
3 affordable housing plan and has met its goal as  
4 established in its affordable housing plan as defined in  
5 Section 25 of this Act.

6 (e) The Board shall dismiss any appeal if the reason for  
7 denying the application or placing conditions upon the  
8 approval is a non-appealable local government requirement  
9 under Section 15 of this Act.

10 (f) The Board may affirm, reverse, or modify the  
11 conditions of, or add conditions to, a decision made by the  
12 approving authority. The decision of the Board constitutes an  
13 order directed to the approving authority and is binding on  
14 the local government.

15 (g) The Appellate Court ~~appellate court~~ has the exclusive  
16 jurisdiction to review decisions of the Board. Any appeal to  
17 the Appellate Court of a final ruling by the ~~State Housing~~  
18 ~~Appeals~~ Board may be heard only in the Appellate Court for the  
19 District in which the local government involved in the appeal  
20 is located. The Appellate Court ~~appellate court~~ shall apply  
21 the "clearly erroneous" standard when reviewing such appeals.  
22 An appeal of a final ruling of the Board shall be filed within  
23 35 days after the Board's decision and in all respects shall be  
24 in accordance with Section 3-113 of the Code of Civil  
25 Procedure.

26 (h) The Board shall award reasonable attorney's fees and

1 costs of appeal to the appellant; however, the Board shall not  
2 award attorney's fees if it determines, under extraordinary  
3 circumstances, that awarding attorney's fees would not further  
4 the purposes of this Act.

5 (Source: P.A. 103-487, eff. 1-1-24.)

6 (310 ILCS 67/50)

7 Sec. 50. Housing Appeals Board.

8 (a) On and after the effective date of this amendatory Act  
9 of the 103rd General Assembly, the Housing Appeals Board  
10 consists of 7 members appointed by the Governor as follows:

11 (1) a retired circuit judge, a retired appellate  
12 judge, a current or retired administrative law judge, or a  
13 practicing or retired attorney with experience in the area  
14 of land use law or related field, who shall act as  
15 chairperson;

16 (2) 4 members selected from among the following  
17 categories:

18 (A) county or municipal zoning board of appeals  
19 members;

20 (B) county or municipal planning board members;

21 (C) a mayor or municipal council or board member;

22 (D) a county board member;

23 (3) an affordable housing developer; and

24 (4) an affordable housing advocate.

25 In addition, the Chairman of the Illinois Housing

1 Development Authority, ex officio, shall serve as a non-voting  
2 member. At least 2 of the appointments under paragraph (2)  
3 shall be from a local government that is non-exempt under this  
4 Act.

5 (b) Initial terms of 4 members designated by the Governor  
6 under this amendatory Act of the 103rd General Assembly shall  
7 be for 2 years. Initial terms of 3 members designated by the  
8 Governor under this amendatory Act of the 103rd General  
9 Assembly shall be for one year. Thereafter, members shall be  
10 appointed for terms of 2 years. After a member's term expires,  
11 the member shall continue to serve until a successor is  
12 appointed. There shall be no limit to the number of terms an  
13 appointee may serve. A member shall receive no compensation  
14 for his or her services, but shall be reimbursed by the State  
15 for all reasonable expenses actually and necessarily incurred  
16 in the performance of his or her official duties. The Board  
17 shall hear all petitions for review filed under this Act and  
18 shall conduct all hearings in accordance with the rules and  
19 regulations established by the chairperson. The Illinois  
20 Housing Development Authority shall provide space and clerical  
21 and other assistance that the Board may require.

22 (c) (Blank).

23 (d) To the extent possible, any vacancies in the Housing  
24 Appeals Board shall be filled within 90 days of the vacancy.

25 (e) (Blank). ~~The terms of members serving before the~~  
26 ~~effective date of this amendatory Act of the 103rd General~~

1 ~~Assembly expire on the effective date of this amendatory Act~~  
2 ~~of the 103rd General Assembly.~~

3 (Source: P.A. 102-175, eff. 7-29-21; 103-487, eff. 1-1-24.)

4 (310 ILCS 67/60)

5 Sec. 60. Rulemaking authority. The Illinois Housing  
6 Development Authority shall adopt other rules and regulations  
7 as needed to carry out the Board's responsibilities under this  
8 Act and to provide direction to local governments, ~~and~~  
9 affordable housing developers, and other appellants. This  
10 includes, but is not limited to, rules and regulations  
11 concerning the substance of affordable housing plans as  
12 described in Section 25.

13 (Source: P.A. 94-303, eff. 7-21-05.)