



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2896

Introduced 1/16/2026, by Sen. Michael W. Halpin

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-74.4-3  
70 ILCS 2105/11.5

from Ch. 24, par. 11-74.4-3

Amends the Illinois Municipal Code. Provides that, on and after the effective date of the amendatory Act, a redevelopment project area and any amendment adding an additional area to any existing redevelopment project areas created under the Tax Increment Allocation Redevelopment Act of the Municipal Code may include areas within the Big Island River Conservancy District created under the River Conservancy Districts Act only if the municipality receives unanimous consent from both (1) the board of trustees of the Big Island River Conservancy District and (2) the joint review board created to review the proposed redevelopment project area and any proposed amendment of any existing redevelopment area. Amends the River Conservancy Districts Act to make conforming changes. Effective immediately.

LRB104 16065 RTM 29341 b

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Municipal Code is amended by  
5 changing Section 11-74.4-3 as follows:

6 (65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)

7 Sec. 11-74.4-3. Definitions. The following terms, wherever  
8 used or referred to in this Division 74.4 shall have the  
9 following respective meanings, unless in any case a different  
10 meaning clearly appears from the context.

11 (a) For any redevelopment project area that has been  
12 designated pursuant to this Section by an ordinance adopted  
13 prior to November 1, 1999 (the effective date of Public Act  
14 91-478), "blighted area" shall have the meaning set forth in  
15 this Section prior to that date.

16 On and after November 1, 1999, "blighted area" means any  
17 improved or vacant area within the boundaries of a  
18 redevelopment project area located within the territorial  
19 limits of the municipality where:

20 (1) If improved, industrial, commercial, and  
21 residential buildings or improvements are detrimental to  
22 the public safety, health, or welfare because of a  
23 combination of 5 or more of the following factors, each of

1           which is (i) present, with that presence documented, to a  
2           meaningful extent so that a municipality may reasonably  
3           find that the factor is clearly present within the intent  
4           of the Act and (ii) reasonably distributed throughout the  
5           improved part of the redevelopment project area:

6                   (A) Dilapidation. An advanced state of disrepair  
7                   or neglect of necessary repairs to the primary  
8                   structural components of buildings or improvements in  
9                   such a combination that a documented building  
10                  condition analysis determines that major repair is  
11                  required or the defects are so serious and so  
12                  extensive that the buildings must be removed.

13                  (B) Obsolescence. The condition or process of  
14                  falling into disuse. Structures have become ill-suited  
15                  for the original use.

16                  (C) Deterioration. With respect to buildings,  
17                  defects including, but not limited to, major defects  
18                  in the secondary building components such as doors,  
19                  windows, porches, gutters and downspouts, and fascia.  
20                  With respect to surface improvements, that the  
21                  condition of roadways, alleys, curbs, gutters,  
22                  sidewalks, off-street parking, and surface storage  
23                  areas evidence deterioration, including, but not  
24                  limited to, surface cracking, crumbling, potholes,  
25                  depressions, loose paving material, and weeds  
26                  protruding through paved surfaces.

1 (D) Presence of structures below minimum code  
2 standards. All structures that do not meet the  
3 standards of zoning, subdivision, building, fire, and  
4 other governmental codes applicable to property, but  
5 not including housing and property maintenance codes.

6 (E) Illegal use of individual structures. The use  
7 of structures in violation of applicable federal,  
8 State, or local laws, exclusive of those applicable to  
9 the presence of structures below minimum code  
10 standards.

11 (F) Excessive vacancies. The presence of buildings  
12 that are unoccupied or under-utilized and that  
13 represent an adverse influence on the area because of  
14 the frequency, extent, or duration of the vacancies.

15 (G) Lack of ventilation, light, or sanitary  
16 facilities. The absence of adequate ventilation for  
17 light or air circulation in spaces or rooms without  
18 windows, or that require the removal of dust, odor,  
19 gas, smoke, or other noxious airborne materials.  
20 Inadequate natural light and ventilation means the  
21 absence of skylights or windows for interior spaces or  
22 rooms and improper window sizes and amounts by room  
23 area to window area ratios. Inadequate sanitary  
24 facilities refers to the absence or inadequacy of  
25 garbage storage and enclosure, bathroom facilities,  
26 hot water and kitchens, and structural inadequacies

1 preventing ingress and egress to and from all rooms  
2 and units within a building.

3 (H) Inadequate utilities. Underground and overhead  
4 utilities such as storm sewers and storm drainage,  
5 sanitary sewers, water lines, and gas, telephone, and  
6 electrical services that are shown to be inadequate.  
7 Inadequate utilities are those that are: (i) of  
8 insufficient capacity to serve the uses in the  
9 redevelopment project area, (ii) deteriorated,  
10 antiquated, obsolete, or in disrepair, or (iii)  
11 lacking within the redevelopment project area.

12 (I) Excessive land coverage and overcrowding of  
13 structures and community facilities. The  
14 over-intensive use of property and the crowding of  
15 buildings and accessory facilities onto a site.  
16 Examples of problem conditions warranting the  
17 designation of an area as one exhibiting excessive  
18 land coverage are: (i) the presence of buildings  
19 either improperly situated on parcels or located on  
20 parcels of inadequate size and shape in relation to  
21 present-day standards of development for health and  
22 safety and (ii) the presence of multiple buildings on  
23 a single parcel. For there to be a finding of excessive  
24 land coverage, these parcels must exhibit one or more  
25 of the following conditions: insufficient provision  
26 for light and air within or around buildings,

1 increased threat of spread of fire due to the close  
2 proximity of buildings, lack of adequate or proper  
3 access to a public right-of-way, lack of reasonably  
4 required off-street parking, or inadequate provision  
5 for loading and service.

6 (J) Deleterious land use or layout. The existence  
7 of incompatible land-use relationships, buildings  
8 occupied by inappropriate mixed-uses, or uses  
9 considered to be noxious, offensive, or unsuitable for  
10 the surrounding area.

11 (K) Environmental clean-up. The proposed  
12 redevelopment project area has incurred Illinois  
13 Environmental Protection Agency or United States  
14 Environmental Protection Agency remediation costs for,  
15 or a study conducted by an independent consultant  
16 recognized as having expertise in environmental  
17 remediation has determined a need for, the clean-up of  
18 hazardous waste, hazardous substances, or underground  
19 storage tanks required by State or federal law,  
20 provided that the remediation costs constitute a  
21 material impediment to the development or  
22 redevelopment of the redevelopment project area.

23 (L) Lack of community planning. The proposed  
24 redevelopment project area was developed prior to or  
25 without the benefit or guidance of a community plan.  
26 This means that the development occurred prior to the

1 adoption by the municipality of a comprehensive or  
2 other community plan or that the plan was not followed  
3 at the time of the area's development. This factor  
4 must be documented by evidence of adverse or  
5 incompatible land-use relationships, inadequate street  
6 layout, improper subdivision, parcels of inadequate  
7 shape and size to meet contemporary development  
8 standards, or other evidence demonstrating an absence  
9 of effective community planning.

10 (M) The total equalized assessed value of the  
11 proposed redevelopment project area has declined for 3  
12 of the last 5 calendar years prior to the year in which  
13 the redevelopment project area is designated or is  
14 increasing at an annual rate that is less than the  
15 balance of the municipality for 3 of the last 5  
16 calendar years for which information is available or  
17 is increasing at an annual rate that is less than the  
18 Consumer Price Index for All Urban Consumers published  
19 by the United States Department of Labor or successor  
20 agency for 3 of the last 5 calendar years prior to the  
21 year in which the redevelopment project area is  
22 designated.

23 (2) If vacant, the sound growth of the redevelopment  
24 project area is impaired by a combination of 2 or more of  
25 the following factors, each of which is (i) present, with  
26 that presence documented, to a meaningful extent so that a

1 municipality may reasonably find that the factor is  
2 clearly present within the intent of the Act and (ii)  
3 reasonably distributed throughout the vacant part of the  
4 redevelopment project area to which it pertains:

5 (A) Obsolete platting of vacant land that results  
6 in parcels of limited or narrow size or configurations  
7 of parcels of irregular size or shape that would be  
8 difficult to develop on a planned basis and in a manner  
9 compatible with contemporary standards and  
10 requirements, or platting that failed to create  
11 rights-of-ways for streets or alleys or that created  
12 inadequate right-of-way widths for streets, alleys, or  
13 other public rights-of-way or that omitted easements  
14 for public utilities.

15 (B) Diversity of ownership of parcels of vacant  
16 land sufficient in number to retard or impede the  
17 ability to assemble the land for development.

18 (C) Tax and special assessment delinquencies exist  
19 or the property has been the subject of tax sales under  
20 the Property Tax Code within the last 5 years.

21 (D) Deterioration of structures or site  
22 improvements in neighboring areas adjacent to the  
23 vacant land.

24 (E) The area has incurred Illinois Environmental  
25 Protection Agency or United States Environmental  
26 Protection Agency remediation costs for, or a study

1 conducted by an independent consultant recognized as  
2 having expertise in environmental remediation has  
3 determined a need for, the clean-up of hazardous  
4 waste, hazardous substances, or underground storage  
5 tanks required by State or federal law, provided that  
6 the remediation costs constitute a material impediment  
7 to the development or redevelopment of the  
8 redevelopment project area.

9 (F) The total equalized assessed value of the  
10 proposed redevelopment project area has declined for 3  
11 of the last 5 calendar years prior to the year in which  
12 the redevelopment project area is designated or is  
13 increasing at an annual rate that is less than the  
14 balance of the municipality for 3 of the last 5  
15 calendar years for which information is available or  
16 is increasing at an annual rate that is less than the  
17 Consumer Price Index for All Urban Consumers published  
18 by the United States Department of Labor or successor  
19 agency for 3 of the last 5 calendar years prior to the  
20 year in which the redevelopment project area is  
21 designated.

22 (3) If vacant, the sound growth of the redevelopment  
23 project area is impaired by one of the following factors  
24 that (i) is present, with that presence documented, to a  
25 meaningful extent so that a municipality may reasonably  
26 find that the factor is clearly present within the intent

1 of the Act and (ii) is reasonably distributed throughout  
2 the vacant part of the redevelopment project area to which  
3 it pertains:

4 (A) The area consists of one or more unused  
5 quarries, mines, or strip mine ponds.

6 (B) The area consists of unused rail yards, rail  
7 tracks, or railroad rights-of-way.

8 (C) The area, prior to its designation, is subject  
9 to (i) chronic flooding that adversely impacts on real  
10 property in the area as certified by a registered  
11 professional engineer or appropriate regulatory agency  
12 or (ii) surface water that discharges from all or a  
13 part of the area and contributes to flooding within  
14 the same watershed, but only if the redevelopment  
15 project provides for facilities or improvements to  
16 contribute to the alleviation of all or part of the  
17 flooding.

18 (D) The area consists of an unused or illegal  
19 disposal site containing earth, stone, building  
20 debris, or similar materials that were removed from  
21 construction, demolition, excavation, or dredge sites.

22 (E) Prior to November 1, 1999, the area is not less  
23 than 50 nor more than 100 acres and 75% of which is  
24 vacant (notwithstanding that the area has been used  
25 for commercial agricultural purposes within 5 years  
26 prior to the designation of the redevelopment project

1 area), and the area meets at least one of the factors  
2 itemized in paragraph (1) of this subsection, the area  
3 has been designated as a town or village center by  
4 ordinance or comprehensive plan adopted prior to  
5 January 1, 1982, and the area has not been developed  
6 for that designated purpose.

7 (F) The area qualified as a blighted improved area  
8 immediately prior to becoming vacant, unless there has  
9 been substantial private investment in the immediately  
10 surrounding area.

11 (b) For any redevelopment project area that has been  
12 designated pursuant to this Section by an ordinance adopted  
13 prior to November 1, 1999 (the effective date of Public Act  
14 91-478), "conservation area" shall have the meaning set forth  
15 in this Section prior to that date.

16 On and after November 1, 1999, "conservation area" means  
17 any improved area within the boundaries of a redevelopment  
18 project area located within the territorial limits of the  
19 municipality in which 50% or more of the structures in the area  
20 have an age of 35 years or more. Such an area is not yet a  
21 blighted area but because of a combination of 3 or more of the  
22 following factors is detrimental to the public safety, health,  
23 morals or welfare and such an area may become a blighted area:

24 (1) Dilapidation. An advanced state of disrepair or  
25 neglect of necessary repairs to the primary structural  
26 components of buildings or improvements in such a

1 combination that a documented building condition analysis  
2 determines that major repair is required or the defects  
3 are so serious and so extensive that the buildings must be  
4 removed.

5 (2) Obsolescence. The condition or process of falling  
6 into disuse. Structures have become ill-suited for the  
7 original use.

8 (3) Deterioration. With respect to buildings, defects  
9 including, but not limited to, major defects in the  
10 secondary building components such as doors, windows,  
11 porches, gutters and downspouts, and fascia. With respect  
12 to surface improvements, that the condition of roadways,  
13 alleys, curbs, gutters, sidewalks, off-street parking, and  
14 surface storage areas evidence deterioration, including,  
15 but not limited to, surface cracking, crumbling, potholes,  
16 depressions, loose paving material, and weeds protruding  
17 through paved surfaces.

18 (4) Presence of structures below minimum code  
19 standards. All structures that do not meet the standards  
20 of zoning, subdivision, building, fire, and other  
21 governmental codes applicable to property, but not  
22 including housing and property maintenance codes.

23 (5) Illegal use of individual structures. The use of  
24 structures in violation of applicable federal, State, or  
25 local laws, exclusive of those applicable to the presence  
26 of structures below minimum code standards.

1           (6) Excessive vacancies. The presence of buildings  
2 that are unoccupied or under-utilized and that represent  
3 an adverse influence on the area because of the frequency,  
4 extent, or duration of the vacancies.

5           (7) Lack of ventilation, light, or sanitary  
6 facilities. The absence of adequate ventilation for light  
7 or air circulation in spaces or rooms without windows, or  
8 that require the removal of dust, odor, gas, smoke, or  
9 other noxious airborne materials. Inadequate natural light  
10 and ventilation means the absence or inadequacy of  
11 skylights or windows for interior spaces or rooms and  
12 improper window sizes and amounts by room area to window  
13 area ratios. Inadequate sanitary facilities refers to the  
14 absence or inadequacy of garbage storage and enclosure,  
15 bathroom facilities, hot water and kitchens, and  
16 structural inadequacies preventing ingress and egress to  
17 and from all rooms and units within a building.

18           (8) Inadequate utilities. Underground and overhead  
19 utilities such as storm sewers and storm drainage,  
20 sanitary sewers, water lines, and gas, telephone, and  
21 electrical services that are shown to be inadequate.  
22 Inadequate utilities are those that are: (i) of  
23 insufficient capacity to serve the uses in the  
24 redevelopment project area, (ii) deteriorated, antiquated,  
25 obsolete, or in disrepair, or (iii) lacking within the  
26 redevelopment project area.

1           (9) Excessive land coverage and overcrowding of  
2 structures and community facilities. The over-intensive  
3 use of property and the crowding of buildings and  
4 accessory facilities onto a site. Examples of problem  
5 conditions warranting the designation of an area as one  
6 exhibiting excessive land coverage are: the presence of  
7 buildings either improperly situated on parcels or located  
8 on parcels of inadequate size and shape in relation to  
9 present-day standards of development for health and safety  
10 and the presence of multiple buildings on a single parcel.  
11 For there to be a finding of excessive land coverage,  
12 these parcels must exhibit one or more of the following  
13 conditions: insufficient provision for light and air  
14 within or around buildings, increased threat of spread of  
15 fire due to the close proximity of buildings, lack of  
16 adequate or proper access to a public right-of-way, lack  
17 of reasonably required off-street parking, or inadequate  
18 provision for loading and service.

19           (10) Deleterious land use or layout. The existence of  
20 incompatible land-use relationships, buildings occupied by  
21 inappropriate mixed-uses, or uses considered to be  
22 noxious, offensive, or unsuitable for the surrounding  
23 area.

24           (11) Lack of community planning. The proposed  
25 redevelopment project area was developed prior to or  
26 without the benefit or guidance of a community plan. This

1 means that the development occurred prior to the adoption  
2 by the municipality of a comprehensive or other community  
3 plan or that the plan was not followed at the time of the  
4 area's development. This factor must be documented by  
5 evidence of adverse or incompatible land-use  
6 relationships, inadequate street layout, improper  
7 subdivision, parcels of inadequate shape and size to meet  
8 contemporary development standards, or other evidence  
9 demonstrating an absence of effective community planning.

10 (12) The area has incurred Illinois Environmental  
11 Protection Agency or United States Environmental  
12 Protection Agency remediation costs for, or a study  
13 conducted by an independent consultant recognized as  
14 having expertise in environmental remediation has  
15 determined a need for, the clean-up of hazardous waste,  
16 hazardous substances, or underground storage tanks  
17 required by State or federal law, provided that the  
18 remediation costs constitute a material impediment to the  
19 development or redevelopment of the redevelopment project  
20 area.

21 (13) The total equalized assessed value of the  
22 proposed redevelopment project area has declined for 3 of  
23 the last 5 calendar years for which information is  
24 available or is increasing at an annual rate that is less  
25 than the balance of the municipality for 3 of the last 5  
26 calendar years for which information is available or is

1 increasing at an annual rate that is less than the  
2 Consumer Price Index for All Urban Consumers published by  
3 the United States Department of Labor or successor agency  
4 for 3 of the last 5 calendar years for which information is  
5 available.

6 (c) "Industrial park" means an area in a blighted or  
7 conservation area suitable for use by any manufacturing,  
8 industrial, research or transportation enterprise, of  
9 facilities to include but not be limited to factories, mills,  
10 processing plants, assembly plants, packing plants,  
11 fabricating plants, industrial distribution centers,  
12 warehouses, repair overhaul or service facilities, freight  
13 terminals, research facilities, test facilities or railroad  
14 facilities.

15 (d) "Industrial park conservation area" means an area  
16 within the boundaries of a redevelopment project area located  
17 within the territorial limits of a municipality that is a  
18 labor surplus municipality or within 1 1/2 miles of the  
19 territorial limits of a municipality that is a labor surplus  
20 municipality if the area is annexed to the municipality; which  
21 area is zoned as industrial no later than at the time the  
22 municipality by ordinance designates the redevelopment project  
23 area, and which area includes both vacant land suitable for  
24 use as an industrial park and a blighted area or conservation  
25 area contiguous to such vacant land.

26 (e) "Labor surplus municipality" means a municipality in

1 which, at any time during the 6 months before the municipality  
2 by ordinance designates an industrial park conservation area,  
3 the unemployment rate was over 6% and was also 100% or more of  
4 the national average unemployment rate for that same time as  
5 published in the United States Department of Labor Bureau of  
6 Labor Statistics publication entitled "The Employment  
7 Situation" or its successor publication. For the purpose of  
8 this subsection, if unemployment rate statistics for the  
9 municipality are not available, the unemployment rate in the  
10 municipality shall be deemed to be the same as the  
11 unemployment rate in the principal county in which the  
12 municipality is located.

13 (f) "Municipality" shall mean a city, village,  
14 incorporated town, or a township that is located in the  
15 unincorporated portion of a county with 3 million or more  
16 inhabitants, if the county adopted an ordinance that approved  
17 the township's redevelopment plan.

18 (g) "Initial Sales Tax Amounts" means the amount of taxes  
19 paid under the Retailers' Occupation Tax Act, Use Tax Act,  
20 Service Use Tax Act, the Service Occupation Tax Act, the  
21 Municipal Retailers' Occupation Tax Act, and the Municipal  
22 Service Occupation Tax Act by retailers and servicemen on  
23 transactions at places located in a State Sales Tax Boundary  
24 during the calendar year 1985.

25 (g-1) "Revised Initial Sales Tax Amounts" means the amount  
26 of taxes paid under the Retailers' Occupation Tax Act, Use Tax

1 Act, Service Use Tax Act, the Service Occupation Tax Act, the  
2 Municipal Retailers' Occupation Tax Act, and the Municipal  
3 Service Occupation Tax Act by retailers and servicemen on  
4 transactions at places located within the State Sales Tax  
5 Boundary revised pursuant to Section 11-74.4-8a(9) of this  
6 Act.

7 (h) "Municipal Sales Tax Increment" means an amount equal  
8 to the increase in the aggregate amount of taxes paid to a  
9 municipality from the Local Government Tax Fund arising from  
10 sales by retailers and servicemen within the redevelopment  
11 project area or State Sales Tax Boundary, as the case may be,  
12 for as long as the redevelopment project area or State Sales  
13 Tax Boundary, as the case may be, exist over and above the  
14 aggregate amount of taxes as certified by the Illinois  
15 Department of Revenue and paid under the Municipal Retailers'  
16 Occupation Tax Act and the Municipal Service Occupation Tax  
17 Act by retailers and servicemen, on transactions at places of  
18 business located in the redevelopment project area or State  
19 Sales Tax Boundary, as the case may be, during the base year  
20 which shall be the calendar year immediately prior to the year  
21 in which the municipality adopted tax increment allocation  
22 financing. For purposes of computing the aggregate amount of  
23 such taxes for base years occurring prior to 1985, the  
24 Department of Revenue shall determine the Initial Sales Tax  
25 Amounts for such taxes and deduct therefrom an amount equal to  
26 4% of the aggregate amount of taxes per year for each year the

1 base year is prior to 1985, but not to exceed a total deduction  
2 of 12%. The amount so determined shall be known as the  
3 "Adjusted Initial Sales Tax Amounts". For purposes of  
4 determining the Municipal Sales Tax Increment, the Department  
5 of Revenue shall for each period subtract from the amount paid  
6 to the municipality from the Local Government Tax Fund arising  
7 from sales by retailers and servicemen on transactions located  
8 in the redevelopment project area or the State Sales Tax  
9 Boundary, as the case may be, the certified Initial Sales Tax  
10 Amounts, the Adjusted Initial Sales Tax Amounts or the Revised  
11 Initial Sales Tax Amounts for the Municipal Retailers'  
12 Occupation Tax Act and the Municipal Service Occupation Tax  
13 Act. For the State Fiscal Year 1989, this calculation shall be  
14 made by utilizing the calendar year 1987 to determine the tax  
15 amounts received. For the State Fiscal Year 1990, this  
16 calculation shall be made by utilizing the period from January  
17 1, 1988, until September 30, 1988, to determine the tax  
18 amounts received from retailers and servicemen pursuant to the  
19 Municipal Retailers' Occupation Tax and the Municipal Service  
20 Occupation Tax Act, which shall have deducted therefrom  
21 nine-twelfths of the certified Initial Sales Tax Amounts, the  
22 Adjusted Initial Sales Tax Amounts or the Revised Initial  
23 Sales Tax Amounts as appropriate. For the State Fiscal Year  
24 1991, this calculation shall be made by utilizing the period  
25 from October 1, 1988, to June 30, 1989, to determine the tax  
26 amounts received from retailers and servicemen pursuant to the

1 Municipal Retailers' Occupation Tax and the Municipal Service  
2 Occupation Tax Act which shall have deducted therefrom  
3 nine-twelfths of the certified Initial Sales Tax Amounts,  
4 Adjusted Initial Sales Tax Amounts or the Revised Initial  
5 Sales Tax Amounts as appropriate. For every State Fiscal Year  
6 thereafter, the applicable period shall be the 12 months  
7 beginning July 1 and ending June 30 to determine the tax  
8 amounts received which shall have deducted therefrom the  
9 certified Initial Sales Tax Amounts, the Adjusted Initial  
10 Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as  
11 the case may be.

12 (i) "Net State Sales Tax Increment" means the sum of the  
13 following: (a) 80% of the first \$100,000 of State Sales Tax  
14 Increment annually generated within a State Sales Tax  
15 Boundary; (b) 60% of the amount in excess of \$100,000 but not  
16 exceeding \$500,000 of State Sales Tax Increment annually  
17 generated within a State Sales Tax Boundary; and (c) 40% of all  
18 amounts in excess of \$500,000 of State Sales Tax Increment  
19 annually generated within a State Sales Tax Boundary. If,  
20 however, a municipality established a tax increment financing  
21 district in a county with a population in excess of 3,000,000  
22 before January 1, 1986, and the municipality entered into a  
23 contract or issued bonds after January 1, 1986, but before  
24 December 31, 1986, to finance redevelopment project costs  
25 within a State Sales Tax Boundary, then the Net State Sales Tax  
26 Increment means, for the fiscal years beginning July 1, 1990,

1 and July 1, 1991, 100% of the State Sales Tax Increment  
2 annually generated within a State Sales Tax Boundary; and  
3 notwithstanding any other provision of this Act, for those  
4 fiscal years the Department of Revenue shall distribute to  
5 those municipalities 100% of their Net State Sales Tax  
6 Increment before any distribution to any other municipality  
7 and regardless of whether or not those other municipalities  
8 will receive 100% of their Net State Sales Tax Increment. For  
9 Fiscal Year 1999, and every year thereafter until the year  
10 2007, for any municipality that has not entered into a  
11 contract or has not issued bonds prior to June 1, 1988 to  
12 finance redevelopment project costs within a State Sales Tax  
13 Boundary, the Net State Sales Tax Increment shall be  
14 calculated as follows: By multiplying the Net State Sales Tax  
15 Increment by 90% in the State Fiscal Year 1999; 80% in the  
16 State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60%  
17 in the State Fiscal Year 2002; 50% in the State Fiscal Year  
18 2003; 40% in the State Fiscal Year 2004; 30% in the State  
19 Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in  
20 the State Fiscal Year 2007. No payment shall be made for State  
21 Fiscal Year 2008 and thereafter.

22 Municipalities that issued bonds in connection with a  
23 redevelopment project in a redevelopment project area within  
24 the State Sales Tax Boundary prior to July 29, 1991, or that  
25 entered into contracts in connection with a redevelopment  
26 project in a redevelopment project area before June 1, 1988,

1 shall continue to receive their proportional share of the  
2 Illinois Tax Increment Fund distribution until the date on  
3 which the redevelopment project is completed or terminated.  
4 If, however, a municipality that issued bonds in connection  
5 with a redevelopment project in a redevelopment project area  
6 within the State Sales Tax Boundary prior to July 29, 1991  
7 retires the bonds prior to June 30, 2007 or a municipality that  
8 entered into contracts in connection with a redevelopment  
9 project in a redevelopment project area before June 1, 1988  
10 completes the contracts prior to June 30, 2007, then so long as  
11 the redevelopment project is not completed or is not  
12 terminated, the Net State Sales Tax Increment shall be  
13 calculated, beginning on the date on which the bonds are  
14 retired or the contracts are completed, as follows: By  
15 multiplying the Net State Sales Tax Increment by 60% in the  
16 State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40%  
17 in the State Fiscal Year 2004; 30% in the State Fiscal Year  
18 2005; 20% in the State Fiscal Year 2006; and 10% in the State  
19 Fiscal Year 2007. No payment shall be made for State Fiscal  
20 Year 2008 and thereafter. Refunding of any bonds issued prior  
21 to July 29, 1991, shall not alter the Net State Sales Tax  
22 Increment.

23 (j) "State Utility Tax Increment Amount" means an amount  
24 equal to the aggregate increase in State electric and gas tax  
25 charges imposed on owners and tenants, other than residential  
26 customers, of properties located within the redevelopment

1 project area under Section 9-222 of the Public Utilities Act,  
2 over and above the aggregate of such charges as certified by  
3 the Department of Revenue and paid by owners and tenants,  
4 other than residential customers, of properties within the  
5 redevelopment project area during the base year, which shall  
6 be the calendar year immediately prior to the year of the  
7 adoption of the ordinance authorizing tax increment allocation  
8 financing.

9 (k) "Net State Utility Tax Increment" means the sum of the  
10 following: (a) 80% of the first \$100,000 of State Utility Tax  
11 Increment annually generated by a redevelopment project area;  
12 (b) 60% of the amount in excess of \$100,000 but not exceeding  
13 \$500,000 of the State Utility Tax Increment annually generated  
14 by a redevelopment project area; and (c) 40% of all amounts in  
15 excess of \$500,000 of State Utility Tax Increment annually  
16 generated by a redevelopment project area. For the State  
17 Fiscal Year 1999, and every year thereafter until the year  
18 2007, for any municipality that has not entered into a  
19 contract or has not issued bonds prior to June 1, 1988 to  
20 finance redevelopment project costs within a redevelopment  
21 project area, the Net State Utility Tax Increment shall be  
22 calculated as follows: By multiplying the Net State Utility  
23 Tax Increment by 90% in the State Fiscal Year 1999; 80% in the  
24 State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60%  
25 in the State Fiscal Year 2002; 50% in the State Fiscal Year  
26 2003; 40% in the State Fiscal Year 2004; 30% in the State

1 Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in  
2 the State Fiscal Year 2007. No payment shall be made for the  
3 State Fiscal Year 2008 and thereafter.

4 Municipalities that issue bonds in connection with the  
5 redevelopment project during the period from June 1, 1988  
6 until 3 years after the effective date of this Amendatory Act  
7 of 1988 shall receive the Net State Utility Tax Increment,  
8 subject to appropriation, for 15 State Fiscal Years after the  
9 issuance of such bonds. For the 16th through the 20th State  
10 Fiscal Years after issuance of the bonds, the Net State  
11 Utility Tax Increment shall be calculated as follows: By  
12 multiplying the Net State Utility Tax Increment by 90% in year  
13 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in  
14 year 20. Refunding of any bonds issued prior to June 1, 1988,  
15 shall not alter the revised Net State Utility Tax Increment  
16 payments set forth above.

17 (l) "Obligations" mean bonds, loans, debentures, notes,  
18 special certificates or other evidence of indebtedness issued  
19 by the municipality to carry out a redevelopment project or to  
20 refund outstanding obligations.

21 (m) "Payment in lieu of taxes" means those estimated tax  
22 revenues from real property in a redevelopment project area  
23 derived from real property that has been acquired by a  
24 municipality which according to the redevelopment project or  
25 plan is to be used for a private use which taxing districts  
26 would have received had a municipality not acquired the real

1 property and adopted tax increment allocation financing and  
2 which would result from levies made after the time of the  
3 adoption of tax increment allocation financing to the time the  
4 current equalized value of real property in the redevelopment  
5 project area exceeds the total initial equalized value of real  
6 property in said area.

7 (n) "Redevelopment plan" means the comprehensive program  
8 of the municipality for development or redevelopment intended  
9 by the payment of redevelopment project costs to reduce or  
10 eliminate those conditions the existence of which qualified  
11 the redevelopment project area as a "blighted area" or  
12 "conservation area" or combination thereof or "industrial park  
13 conservation area," and thereby to enhance the tax bases of  
14 the taxing districts which extend into the redevelopment  
15 project area, provided that, with respect to redevelopment  
16 project areas described in subsections (p-1) and (p-2),  
17 "redemption plan" means the comprehensive program of the  
18 affected municipality for the development of qualifying  
19 transit facilities. On and after November 1, 1999 (the  
20 effective date of Public Act 91-478), no redevelopment plan  
21 may be approved or amended that includes the development of  
22 vacant land (i) with a golf course and related clubhouse and  
23 other facilities or (ii) designated by federal, State, county,  
24 or municipal government as public land for outdoor  
25 recreational activities or for nature preserves and used for  
26 that purpose within 5 years prior to the adoption of the

1 redevelopment plan. For the purpose of this subsection,  
2 "recreational activities" is limited to mean camping and  
3 hunting. Each redevelopment plan shall set forth in writing  
4 the program to be undertaken to accomplish the objectives and  
5 shall include but not be limited to:

6 (A) an itemized list of estimated redevelopment  
7 project costs;

8 (B) evidence indicating that the redevelopment project  
9 area on the whole has not been subject to growth and  
10 development through investment by private enterprise,  
11 provided that such evidence shall not be required for any  
12 redevelopment project area located within a transit  
13 facility improvement area established pursuant to Section  
14 11-74.4-3.3;

15 (C) an assessment of any financial impact of the  
16 redevelopment project area on or any increased demand for  
17 services from any taxing district affected by the plan and  
18 any program to address such financial impact or increased  
19 demand;

20 (D) the sources of funds to pay costs;

21 (E) the nature and term of the obligations to be  
22 issued;

23 (F) the most recent equalized assessed valuation of  
24 the redevelopment project area;

25 (G) an estimate as to the equalized assessed valuation  
26 after redevelopment and the general land uses to apply in

1 the redevelopment project area;

2 (H) a commitment to fair employment practices and an  
3 affirmative action plan;

4 (I) if it concerns an industrial park conservation  
5 area, the plan shall also include a general description of  
6 any proposed developer, user and tenant of any property, a  
7 description of the type, structure and general character  
8 of the facilities to be developed, a description of the  
9 type, class and number of new employees to be employed in  
10 the operation of the facilities to be developed; and

11 (J) if property is to be annexed to the municipality,  
12 the plan shall include the terms of the annexation  
13 agreement.

14 The provisions of items (B) and (C) of this subsection (n)  
15 shall not apply to a municipality that before March 14, 1994  
16 (the effective date of Public Act 88-537) had fixed, either by  
17 its corporate authorities or by a commission designated under  
18 subsection (k) of Section 11-74.4-4, a time and place for a  
19 public hearing as required by subsection (a) of Section  
20 11-74.4-5. No redevelopment plan shall be adopted unless a  
21 municipality complies with all of the following requirements:

22 (1) The municipality finds that the redevelopment  
23 project area on the whole has not been subject to growth  
24 and development through investment by private enterprise  
25 and would not reasonably be anticipated to be developed  
26 without the adoption of the redevelopment plan, provided,

1           however, that such a finding shall not be required with  
2           respect to any redevelopment project area located within a  
3           transit facility improvement area established pursuant to  
4           Section 11-74.4-3.3.

5           (2) The municipality finds that the redevelopment plan  
6           and project conform to the comprehensive plan for the  
7           development of the municipality as a whole, or, for  
8           municipalities with a population of 100,000 or more,  
9           regardless of when the redevelopment plan and project was  
10          adopted, the redevelopment plan and project either: (i)  
11          conforms to the strategic economic development or  
12          redevelopment plan issued by the designated planning  
13          authority of the municipality, or (ii) includes land uses  
14          that have been approved by the planning commission of the  
15          municipality.

16          (3) The redevelopment plan establishes the estimated  
17          dates of completion of the redevelopment project and  
18          retirement of obligations issued to finance redevelopment  
19          project costs. Those dates may not be later than the dates  
20          set forth under Section 11-74.4-3.5.

21          A municipality may by municipal ordinance amend an  
22          existing redevelopment plan to conform to this paragraph  
23          (3) as amended by Public Act 91-478, which municipal  
24          ordinance may be adopted without further hearing or notice  
25          and without complying with the procedures provided in this  
26          Act pertaining to an amendment to or the initial approval

1 of a redevelopment plan and project and designation of a  
2 redevelopment project area.

3 (3.5) The municipality finds, in the case of an  
4 industrial park conservation area, also that the  
5 municipality is a labor surplus municipality and that the  
6 implementation of the redevelopment plan will reduce  
7 unemployment, create new jobs and by the provision of new  
8 facilities enhance the tax base of the taxing districts  
9 that extend into the redevelopment project area.

10 (4) If any incremental revenues are being utilized  
11 under Section 8(a)(1) or 8(a)(2) of this Act in  
12 redevelopment project areas approved by ordinance after  
13 January 1, 1986, the municipality finds: (a) that the  
14 redevelopment project area would not reasonably be  
15 developed without the use of such incremental revenues,  
16 and (b) that such incremental revenues will be exclusively  
17 utilized for the development of the redevelopment project  
18 area.

19 (5) If: (a) the redevelopment plan will not result in  
20 displacement of residents from 10 or more inhabited  
21 residential units, and the municipality certifies in the  
22 plan that such displacement will not result from the plan;  
23 or (b) the redevelopment plan is for a redevelopment  
24 project area or a qualifying transit facility located  
25 within a transit facility improvement area established  
26 pursuant to Section 11-74.4-3.3, and the applicable

1 project is subject to the process for evaluation of  
2 environmental effects under the National Environmental  
3 Policy Act of 1969, 42 U.S.C. 4321 et seq., then a housing  
4 impact study need not be performed. If, however, the  
5 redevelopment plan would result in the displacement of  
6 residents from 10 or more inhabited residential units, or  
7 if the redevelopment project area contains 75 or more  
8 inhabited residential units and no certification is made,  
9 then the municipality shall prepare, as part of the  
10 separate feasibility report required by subsection (a) of  
11 Section 11-74.4-5, a housing impact study.

12 Part I of the housing impact study shall include (i)  
13 data as to whether the residential units are single family  
14 or multi-family units, (ii) the number and type of rooms  
15 within the units, if that information is available, (iii)  
16 whether the units are inhabited or uninhabited, as  
17 determined not less than 45 days before the date that the  
18 ordinance or resolution required by subsection (a) of  
19 Section 11-74.4-5 is passed, and (iv) data as to the  
20 racial and ethnic composition of the residents in the  
21 inhabited residential units. The data requirement as to  
22 the racial and ethnic composition of the residents in the  
23 inhabited residential units shall be deemed to be fully  
24 satisfied by data from the most recent federal census.

25 Part II of the housing impact study shall identify the  
26 inhabited residential units in the proposed redevelopment

1 project area that are to be or may be removed. If inhabited  
2 residential units are to be removed, then the housing  
3 impact study shall identify (i) the number and location of  
4 those units that will or may be removed, (ii) the  
5 municipality's plans for relocation assistance for those  
6 residents in the proposed redevelopment project area whose  
7 residences are to be removed, (iii) the availability of  
8 replacement housing for those residents whose residences  
9 are to be removed, and shall identify the type, location,  
10 and cost of the housing, and (iv) the type and extent of  
11 relocation assistance to be provided.

12 (6) On and after November 1, 1999, the housing impact  
13 study required by paragraph (5) shall be incorporated in  
14 the redevelopment plan for the redevelopment project area.

15 (7) On and after November 1, 1999, no redevelopment  
16 plan shall be adopted, nor an existing plan amended, nor  
17 shall residential housing that is occupied by households  
18 of low-income and very low-income persons in currently  
19 existing redevelopment project areas be removed after  
20 November 1, 1999 unless the redevelopment plan provides,  
21 with respect to inhabited housing units that are to be  
22 removed for households of low-income and very low-income  
23 persons, affordable housing and relocation assistance not  
24 less than that which would be provided under the federal  
25 Uniform Relocation Assistance and Real Property  
26 Acquisition Policies Act of 1970 and the regulations under

1 that Act, including the eligibility criteria. Affordable  
2 housing may be either existing or newly constructed  
3 housing. For purposes of this paragraph (7), "low-income  
4 households", "very low-income households", and "affordable  
5 housing" have the meanings set forth in the Illinois  
6 Affordable Housing Act. The municipality shall make a good  
7 faith effort to ensure that this affordable housing is  
8 located in or near the redevelopment project area within  
9 the municipality.

10 (8) On and after November 1, 1999, if, after the  
11 adoption of the redevelopment plan for the redevelopment  
12 project area, any municipality desires to amend its  
13 redevelopment plan to remove more inhabited residential  
14 units than specified in its original redevelopment plan,  
15 that change shall be made in accordance with the  
16 procedures in subsection (c) of Section 11-74.4-5.

17 (9) For redevelopment project areas designated prior  
18 to November 1, 1999, the redevelopment plan may be amended  
19 without further joint review board meeting or hearing,  
20 provided that the municipality shall give notice of any  
21 such changes by mail to each affected taxing district and  
22 registrant on the interested party registry, to authorize  
23 the municipality to expend tax increment revenues for  
24 redevelopment project costs defined by paragraphs (5) and  
25 (7.5), subparagraphs (E) and (F) of paragraph (11), and  
26 paragraph (11.5) of subsection (q) of Section 11-74.4-3,

1           so long as the changes do not increase the total estimated  
2           redevelopment project costs set out in the redevelopment  
3           plan by more than 5% after adjustment for inflation from  
4           the date the plan was adopted.

5           (o) "Redevelopment project" means any public and private  
6           development project in furtherance of the objectives of a  
7           redevelopment plan. On and after November 1, 1999 (the  
8           effective date of Public Act 91-478), no redevelopment plan  
9           may be approved or amended that includes the development of  
10          vacant land (i) with a golf course and related clubhouse and  
11          other facilities or (ii) designated by federal, State, county,  
12          or municipal government as public land for outdoor  
13          recreational activities or for nature preserves and used for  
14          that purpose within 5 years prior to the adoption of the  
15          redevelopment plan. For the purpose of this subsection,  
16          "recreational activities" is limited to mean camping and  
17          hunting.

18          (p) "Redevelopment project area" means an area designated  
19          by the municipality, which is not less in the aggregate than 1  
20          1/2 acres and in respect to which the municipality has made a  
21          finding that there exist conditions which cause the area to be  
22          classified as an industrial park conservation area or a  
23          blighted area or a conservation area, or a combination of both  
24          blighted areas and conservation areas.

25          (p-1) Notwithstanding any provision of this Act to the  
26          contrary, on and after August 25, 2009 (the effective date of

1 Public Act 96-680), a redevelopment project area may include  
2 areas within a one-half mile radius of an existing or proposed  
3 Regional Transportation Authority Suburban Transit Access  
4 Route (STAR Line) station without a finding that the area is  
5 classified as an industrial park conservation area, a blighted  
6 area, a conservation area, or a combination thereof, but only  
7 if the municipality receives unanimous consent from the joint  
8 review board created to review the proposed redevelopment  
9 project area.

10 (p-2) Notwithstanding any provision of this Act to the  
11 contrary, on and after the effective date of this amendatory  
12 Act of the 99th General Assembly, a redevelopment project area  
13 may include areas within a transit facility improvement area  
14 that has been established pursuant to Section 11-74.4-3.3  
15 without a finding that the area is classified as an industrial  
16 park conservation area, a blighted area, a conservation area,  
17 or any combination thereof.

18 (p-3) Notwithstanding any provision of this Act to the  
19 contrary, on and after the effective date of this amendatory  
20 Act of the 104th General Assembly, a redevelopment project  
21 area and any amendment adding one or more additional areas to  
22 an existing redevelopment project area created under this  
23 Division may include areas within the Big Island River  
24 Conservancy District created under the River Conservancy  
25 Districts Act only if the municipality receives unanimous  
26 consent from both (1) the board of trustees of the Big Island

1 River Conservancy District and (2) the joint review board  
2 created to review the proposed redevelopment project area and  
3 any proposed amendment of any existing redevelopment project  
4 area.

5 (q) "Redevelopment project costs", except for  
6 redevelopment project areas created pursuant to subsection  
7 (p-1) or (p-2), means and includes the sum total of all  
8 reasonable or necessary costs incurred or estimated to be  
9 incurred, and any such costs incidental to a redevelopment  
10 plan and a redevelopment project. Such costs include, without  
11 limitation, the following:

12 (1) Costs of studies, surveys, development of plans,  
13 and specifications, implementation and administration of  
14 the redevelopment plan including but not limited to staff  
15 and professional service costs for architectural,  
16 engineering, legal, financial, planning or other services,  
17 provided however that no charges for professional services  
18 may be based on a percentage of the tax increment  
19 collected; except that on and after November 1, 1999 (the  
20 effective date of Public Act 91-478), no contracts for  
21 professional services, excluding architectural and  
22 engineering services, may be entered into if the terms of  
23 the contract extend beyond a period of 3 years. In  
24 addition, "redevelopment project costs" shall not include  
25 lobbying expenses. After consultation with the  
26 municipality, each tax increment consultant or advisor to

1 a municipality that plans to designate or has designated a  
2 redevelopment project area shall inform the municipality  
3 in writing of any contracts that the consultant or advisor  
4 has entered into with entities or individuals that have  
5 received, or are receiving, payments financed by tax  
6 increment revenues produced by the redevelopment project  
7 area with respect to which the consultant or advisor has  
8 performed, or will be performing, service for the  
9 municipality. This requirement shall be satisfied by the  
10 consultant or advisor before the commencement of services  
11 for the municipality and thereafter whenever any other  
12 contracts with those individuals or entities are executed  
13 by the consultant or advisor;

14 (1.5) After July 1, 1999, annual administrative costs  
15 shall not include general overhead or administrative costs  
16 of the municipality that would still have been incurred by  
17 the municipality if the municipality had not designated a  
18 redevelopment project area or approved a redevelopment  
19 plan;

20 (1.6) The cost of marketing sites within the  
21 redevelopment project area to prospective businesses,  
22 developers, and investors;

23 (2) Property assembly costs, including but not limited  
24 to acquisition of land and other property, real or  
25 personal, or rights or interests therein, demolition of  
26 buildings, site preparation, site improvements that serve

1 as an engineered barrier addressing ground level or below  
2 ground environmental contamination, including, but not  
3 limited to parking lots and other concrete or asphalt  
4 barriers, and the clearing and grading of land;

5 (3) Costs of rehabilitation, reconstruction or repair  
6 or remodeling of existing public or private buildings,  
7 fixtures, and leasehold improvements; and the cost of  
8 replacing an existing public building if pursuant to the  
9 implementation of a redevelopment project the existing  
10 public building is to be demolished to use the site for  
11 private investment or devoted to a different use requiring  
12 private investment; including any direct or indirect costs  
13 relating to Green Globes or LEED certified construction  
14 elements or construction elements with an equivalent  
15 certification;

16 (4) Costs of the construction of public works or  
17 improvements, including any direct or indirect costs  
18 relating to Green Globes or LEED certified construction  
19 elements or construction elements with an equivalent  
20 certification, except that on and after November 1, 1999,  
21 redevelopment project costs shall not include the cost of  
22 constructing a new municipal public building principally  
23 used to provide offices, storage space, or conference  
24 facilities or vehicle storage, maintenance, or repair for  
25 administrative, public safety, or public works personnel  
26 and that is not intended to replace an existing public

1 building as provided under paragraph (3) of subsection (q)  
2 of Section 11-74.4-3 unless either (i) the construction of  
3 the new municipal building implements a redevelopment  
4 project that was included in a redevelopment plan that was  
5 adopted by the municipality prior to November 1, 1999,  
6 (ii) the municipality makes a reasonable determination in  
7 the redevelopment plan, supported by information that  
8 provides the basis for that determination, that the new  
9 municipal building is required to meet an increase in the  
10 need for public safety purposes anticipated to result from  
11 the implementation of the redevelopment plan, or (iii) the  
12 new municipal public building is for the storage,  
13 maintenance, or repair of transit vehicles and is located  
14 in a transit facility improvement area that has been  
15 established pursuant to Section 11-74.4-3.3;

16 (5) Costs of job training and retraining projects,  
17 including the cost of "welfare to work" programs  
18 implemented by businesses located within the redevelopment  
19 project area;

20 (6) Financing costs, including but not limited to all  
21 necessary and incidental expenses related to the issuance  
22 of obligations and which may include payment of interest  
23 on any obligations issued hereunder including interest  
24 accruing during the estimated period of construction of  
25 any redevelopment project for which such obligations are  
26 issued and for not exceeding 36 months thereafter and

1 including reasonable reserves related thereto;

2 (7) To the extent the municipality by written  
3 agreement accepts and approves the same, all or a portion  
4 of a taxing district's capital costs resulting from the  
5 redevelopment project necessarily incurred or to be  
6 incurred within a taxing district in furtherance of the  
7 objectives of the redevelopment plan and project;

8 (7.5) For redevelopment project areas designated (or  
9 redevelopment project areas amended to add or increase the  
10 number of tax-increment-financing assisted housing units)  
11 on or after November 1, 1999, an elementary, secondary, or  
12 unit school district's increased costs attributable to  
13 assisted housing units located within the redevelopment  
14 project area for which the developer or redeveloper  
15 receives financial assistance through an agreement with  
16 the municipality or because the municipality incurs the  
17 cost of necessary infrastructure improvements within the  
18 boundaries of the assisted housing sites necessary for the  
19 completion of that housing as authorized by this Act, and  
20 which costs shall be paid by the municipality from the  
21 Special Tax Allocation Fund when the tax increment revenue  
22 is received as a result of the assisted housing units and  
23 shall be calculated annually as follows:

24 (A) for foundation districts, excluding any school  
25 district in a municipality with a population in excess  
26 of 1,000,000, by multiplying the district's increase

1 in attendance resulting from the net increase in new  
2 students enrolled in that school district who reside  
3 in housing units within the redevelopment project area  
4 that have received financial assistance through an  
5 agreement with the municipality or because the  
6 municipality incurs the cost of necessary  
7 infrastructure improvements within the boundaries of  
8 the housing sites necessary for the completion of that  
9 housing as authorized by this Act since the  
10 designation of the redevelopment project area by the  
11 most recently available per capita tuition cost as  
12 defined in Section 10-20.12a of the School Code less  
13 any increase in general State aid as defined in  
14 Section 18-8.05 of the School Code or evidence-based  
15 funding as defined in Section 18-8.15 of the School  
16 Code attributable to these added new students subject  
17 to the following annual limitations:

18 (i) for unit school districts with a district  
19 average 1995-96 Per Capita Tuition Charge of less  
20 than \$5,900, no more than 25% of the total amount  
21 of property tax increment revenue produced by  
22 those housing units that have received tax  
23 increment finance assistance under this Act;

24 (ii) for elementary school districts with a  
25 district average 1995-96 Per Capita Tuition Charge  
26 of less than \$5,900, no more than 17% of the total

1 amount of property tax increment revenue produced  
2 by those housing units that have received tax  
3 increment finance assistance under this Act; and

4 (iii) for secondary school districts with a  
5 district average 1995-96 Per Capita Tuition Charge  
6 of less than \$5,900, no more than 8% of the total  
7 amount of property tax increment revenue produced  
8 by those housing units that have received tax  
9 increment finance assistance under this Act.

10 (B) For alternate method districts, flat grant  
11 districts, and foundation districts with a district  
12 average 1995-96 Per Capita Tuition Charge equal to or  
13 more than \$5,900, excluding any school district with a  
14 population in excess of 1,000,000, by multiplying the  
15 district's increase in attendance resulting from the  
16 net increase in new students enrolled in that school  
17 district who reside in housing units within the  
18 redevelopment project area that have received  
19 financial assistance through an agreement with the  
20 municipality or because the municipality incurs the  
21 cost of necessary infrastructure improvements within  
22 the boundaries of the housing sites necessary for the  
23 completion of that housing as authorized by this Act  
24 since the designation of the redevelopment project  
25 area by the most recently available per capita tuition  
26 cost as defined in Section 10-20.12a of the School

1 Code less any increase in general state aid as defined  
2 in Section 18-8.05 of the School Code or  
3 evidence-based funding as defined in Section 18-8.15  
4 of the School Code attributable to these added new  
5 students subject to the following annual limitations:

6 (i) for unit school districts, no more than  
7 40% of the total amount of property tax increment  
8 revenue produced by those housing units that have  
9 received tax increment finance assistance under  
10 this Act;

11 (ii) for elementary school districts, no more  
12 than 27% of the total amount of property tax  
13 increment revenue produced by those housing units  
14 that have received tax increment finance  
15 assistance under this Act; and

16 (iii) for secondary school districts, no more  
17 than 13% of the total amount of property tax  
18 increment revenue produced by those housing units  
19 that have received tax increment finance  
20 assistance under this Act.

21 (C) For any school district in a municipality with  
22 a population in excess of 1,000,000, the following  
23 restrictions shall apply to the reimbursement of  
24 increased costs under this paragraph (7.5):

25 (i) no increased costs shall be reimbursed  
26 unless the school district certifies that each of

1 the schools affected by the assisted housing  
2 project is at or over its student capacity;

3 (ii) the amount reimbursable shall be reduced  
4 by the value of any land donated to the school  
5 district by the municipality or developer, and by  
6 the value of any physical improvements made to the  
7 schools by the municipality or developer; and

8 (iii) the amount reimbursed may not affect  
9 amounts otherwise obligated by the terms of any  
10 bonds, notes, or other funding instruments, or the  
11 terms of any redevelopment agreement.

12 Any school district seeking payment under this  
13 paragraph (7.5) shall, after July 1 and before  
14 September 30 of each year, provide the municipality  
15 with reasonable evidence to support its claim for  
16 reimbursement before the municipality shall be  
17 required to approve or make the payment to the school  
18 district. If the school district fails to provide the  
19 information during this period in any year, it shall  
20 forfeit any claim to reimbursement for that year.  
21 School districts may adopt a resolution waiving the  
22 right to all or a portion of the reimbursement  
23 otherwise required by this paragraph (7.5). By  
24 acceptance of this reimbursement the school district  
25 waives the right to directly or indirectly set aside,  
26 modify, or contest in any manner the establishment of

1           the redevelopment project area or projects;

2           (7.7) For redevelopment project areas designated (or  
3           redevelopment project areas amended to add or increase the  
4           number of tax-increment-financing assisted housing units)  
5           on or after January 1, 2005 (the effective date of Public  
6           Act 93-961), a public library district's increased costs  
7           attributable to assisted housing units located within the  
8           redevelopment project area for which the developer or  
9           redeveloper receives financial assistance through an  
10          agreement with the municipality or because the  
11          municipality incurs the cost of necessary infrastructure  
12          improvements within the boundaries of the assisted housing  
13          sites necessary for the completion of that housing as  
14          authorized by this Act shall be paid to the library  
15          district by the municipality from the Special Tax  
16          Allocation Fund when the tax increment revenue is received  
17          as a result of the assisted housing units. This paragraph  
18          (7.7) applies only if (i) the library district is located  
19          in a county that is subject to the Property Tax Extension  
20          Limitation Law or (ii) the library district is not located  
21          in a county that is subject to the Property Tax Extension  
22          Limitation Law but the district is prohibited by any other  
23          law from increasing its tax levy rate without a prior  
24          voter referendum.

25          The amount paid to a library district under this  
26          paragraph (7.7) shall be calculated by multiplying (i) the

1 net increase in the number of persons eligible to obtain a  
2 library card in that district who reside in housing units  
3 within the redevelopment project area that have received  
4 financial assistance through an agreement with the  
5 municipality or because the municipality incurs the cost  
6 of necessary infrastructure improvements within the  
7 boundaries of the housing sites necessary for the  
8 completion of that housing as authorized by this Act since  
9 the designation of the redevelopment project area by (ii)  
10 the per-patron cost of providing library services so long  
11 as it does not exceed \$120. The per-patron cost shall be  
12 the Total Operating Expenditures Per Capita for the  
13 library in the previous fiscal year. The municipality may  
14 deduct from the amount that it must pay to a library  
15 district under this paragraph any amount that it has  
16 voluntarily paid to the library district from the tax  
17 increment revenue. The amount paid to a library district  
18 under this paragraph (7.7) shall be no more than 2% of the  
19 amount produced by the assisted housing units and  
20 deposited into the Special Tax Allocation Fund.

21 A library district is not eligible for any payment  
22 under this paragraph (7.7) unless the library district has  
23 experienced an increase in the number of patrons from the  
24 municipality that created the tax-increment-financing  
25 district since the designation of the redevelopment  
26 project area.

1           Any library district seeking payment under this  
2 paragraph (7.7) shall, after July 1 and before September  
3 30 of each year, provide the municipality with convincing  
4 evidence to support its claim for reimbursement before the  
5 municipality shall be required to approve or make the  
6 payment to the library district. If the library district  
7 fails to provide the information during this period in any  
8 year, it shall forfeit any claim to reimbursement for that  
9 year. Library districts may adopt a resolution waiving the  
10 right to all or a portion of the reimbursement otherwise  
11 required by this paragraph (7.7). By acceptance of such  
12 reimbursement, the library district shall forfeit any  
13 right to directly or indirectly set aside, modify, or  
14 contest in any manner whatsoever the establishment of the  
15 redevelopment project area or projects;

16           (8) Relocation costs to the extent that a municipality  
17 determines that relocation costs shall be paid or is  
18 required to make payment of relocation costs by federal or  
19 State law or in order to satisfy subparagraph (7) of  
20 subsection (n);

21           (9) Payment in lieu of taxes;

22           (10) Costs of job training, retraining, advanced  
23 vocational education or career education, including but  
24 not limited to courses in occupational, semi-technical or  
25 technical fields leading directly to employment, incurred  
26 by one or more taxing districts, provided that such costs

1 (i) are related to the establishment and maintenance of  
2 additional job training, advanced vocational education or  
3 career education programs for persons employed or to be  
4 employed by employers located in a redevelopment project  
5 area; and (ii) when incurred by a taxing district or  
6 taxing districts other than the municipality, are set  
7 forth in a written agreement by or among the municipality  
8 and the taxing district or taxing districts, which  
9 agreement describes the program to be undertaken,  
10 including but not limited to the number of employees to be  
11 trained, a description of the training and services to be  
12 provided, the number and type of positions available or to  
13 be available, itemized costs of the program and sources of  
14 funds to pay for the same, and the term of the agreement.  
15 Such costs include, specifically, the payment by community  
16 college districts of costs pursuant to Sections 3-37,  
17 3-38, 3-40 and 3-40.1 of the Public Community College Act  
18 and by school districts of costs pursuant to Sections  
19 10-22.20a and 10-23.3a of the School Code;

20 (11) Interest cost incurred by a redeveloper related  
21 to the construction, renovation or rehabilitation of a  
22 redevelopment project provided that:

23 (A) such costs are to be paid directly from the  
24 special tax allocation fund established pursuant to  
25 this Act;

26 (B) such payments in any one year may not exceed

1 30% of the annual interest costs incurred by the  
2 redeveloper with regard to the redevelopment project  
3 during that year;

4 (C) if there are not sufficient funds available in  
5 the special tax allocation fund to make the payment  
6 pursuant to this paragraph (11) then the amounts so  
7 due shall accrue and be payable when sufficient funds  
8 are available in the special tax allocation fund;

9 (D) the total of such interest payments paid  
10 pursuant to this Act may not exceed 30% of the total  
11 (i) cost paid or incurred by the redeveloper for the  
12 redevelopment project plus (ii) redevelopment project  
13 costs excluding any property assembly costs and any  
14 relocation costs incurred by a municipality pursuant  
15 to this Act;

16 (E) the cost limits set forth in subparagraphs (B)  
17 and (D) of paragraph (11) shall be modified for the  
18 financing of rehabilitated or new housing units for  
19 low-income households and very low-income households,  
20 as defined in Section 3 of the Illinois Affordable  
21 Housing Act. The percentage of 75% shall be  
22 substituted for 30% in subparagraphs (B) and (D) of  
23 paragraph (11); and

24 (F) instead of the eligible costs provided by  
25 subparagraphs (B) and (D) of paragraph (11), as  
26 modified by this subparagraph, and notwithstanding any

1 other provisions of this Act to the contrary, the  
2 municipality may pay from tax increment revenues up to  
3 50% of the cost of construction of new housing units to  
4 be occupied by low-income households and very  
5 low-income households as defined in Section 3 of the  
6 Illinois Affordable Housing Act. The cost of  
7 construction of those units may be derived from the  
8 proceeds of bonds issued by the municipality under  
9 this Act or other constitutional or statutory  
10 authority or from other sources of municipal revenue  
11 that may be reimbursed from tax increment revenues or  
12 the proceeds of bonds issued to finance the  
13 construction of that housing.

14 The eligible costs provided under this  
15 subparagraph (F) of paragraph (11) shall be an  
16 eligible cost for the construction, renovation, and  
17 rehabilitation of all low and very low-income housing  
18 units, as defined in Section 3 of the Illinois  
19 Affordable Housing Act, within the redevelopment  
20 project area. If the low and very low-income units are  
21 part of a residential redevelopment project that  
22 includes units not affordable to low and very  
23 low-income households, only the low and very  
24 low-income units shall be eligible for benefits under  
25 this subparagraph (F) of paragraph (11). The standards  
26 for maintaining the occupancy by low-income households

1 and very low-income households, as defined in Section  
2 3 of the Illinois Affordable Housing Act, of those  
3 units constructed with eligible costs made available  
4 under the provisions of this subparagraph (F) of  
5 paragraph (11) shall be established by guidelines  
6 adopted by the municipality. The responsibility for  
7 annually documenting the initial occupancy of the  
8 units by low-income households and very low-income  
9 households, as defined in Section 3 of the Illinois  
10 Affordable Housing Act, shall be that of the then  
11 current owner of the property. For ownership units,  
12 the guidelines will provide, at a minimum, for a  
13 reasonable recapture of funds, or other appropriate  
14 methods designed to preserve the original  
15 affordability of the ownership units. For rental  
16 units, the guidelines will provide, at a minimum, for  
17 the affordability of rent to low and very low-income  
18 households. As units become available, they shall be  
19 rented to income-eligible tenants. The municipality  
20 may modify these guidelines from time to time; the  
21 guidelines, however, shall be in effect for as long as  
22 tax increment revenue is being used to pay for costs  
23 associated with the units or for the retirement of  
24 bonds issued to finance the units or for the life of  
25 the redevelopment project area, whichever is later;  
26 (11.5) If the redevelopment project area is located

1 within a municipality with a population of more than  
2 100,000, the cost of day care services for children of  
3 employees from low-income families working for businesses  
4 located within the redevelopment project area and all or a  
5 portion of the cost of operation of day care centers  
6 established by redevelopment project area businesses to  
7 serve employees from low-income families working in  
8 businesses located in the redevelopment project area. For  
9 the purposes of this paragraph, "low-income families"  
10 means families whose annual income does not exceed 80% of  
11 the municipal, county, or regional median income, adjusted  
12 for family size, as the annual income and municipal,  
13 county, or regional median income are determined from time  
14 to time by the United States Department of Housing and  
15 Urban Development.

16 (12) Costs relating to the development of urban  
17 agricultural areas under Division 15.2 of the Illinois  
18 Municipal Code.

19 Unless explicitly stated herein the cost of construction  
20 of new privately-owned buildings shall not be an eligible  
21 redevelopment project cost.

22 After November 1, 1999 (the effective date of Public Act  
23 91-478), none of the redevelopment project costs enumerated in  
24 this subsection shall be eligible redevelopment project costs  
25 if those costs would provide direct financial support to a  
26 retail entity initiating operations in the redevelopment

1 project area while terminating operations at another Illinois  
2 location within 10 miles of the redevelopment project area but  
3 outside the boundaries of the redevelopment project area  
4 municipality. For purposes of this paragraph, termination  
5 means a closing of a retail operation that is directly related  
6 to the opening of the same operation or like retail entity  
7 owned or operated by more than 50% of the original ownership in  
8 a redevelopment project area, but it does not mean closing an  
9 operation for reasons beyond the control of the retail entity,  
10 as documented by the retail entity, subject to a reasonable  
11 finding by the municipality that the current location  
12 contained inadequate space, had become economically obsolete,  
13 or was no longer a viable location for the retailer or  
14 serviceman.

15 No cost shall be a redevelopment project cost in a  
16 redevelopment project area if used to demolish, remove, or  
17 substantially modify a historic resource, after August 26,  
18 2008 (the effective date of Public Act 95-934), unless no  
19 prudent and feasible alternative exists. "Historic resource"  
20 for the purpose of this paragraph means (i) a place or  
21 structure that is included or eligible for inclusion on the  
22 National Register of Historic Places or (ii) a contributing  
23 structure in a district on the National Register of Historic  
24 Places. This paragraph does not apply to a place or structure  
25 for which demolition, removal, or modification is subject to  
26 review by the preservation agency of a Certified Local

1 Government designated as such by the National Park Service of  
2 the United States Department of the Interior.

3 If a special service area has been established pursuant to  
4 the Special Service Area Tax Act or Special Service Area Tax  
5 Law, then any tax increment revenues derived from the tax  
6 imposed pursuant to the Special Service Area Tax Act or  
7 Special Service Area Tax Law may be used within the  
8 redevelopment project area for the purposes permitted by that  
9 Act or Law as well as the purposes permitted by this Act.

10 (q-1) For redevelopment project areas created pursuant to  
11 subsection (p-1), redevelopment project costs are limited to  
12 those costs in paragraph (q) that are related to the existing  
13 or proposed Regional Transportation Authority Suburban Transit  
14 Access Route (STAR Line) station.

15 (q-2) For a transit facility improvement area established  
16 prior to, on, or after the effective date of this amendatory  
17 Act of the 102nd General Assembly: (i) "redevelopment project  
18 costs" means those costs described in subsection (q) that are  
19 related to the construction, reconstruction, rehabilitation,  
20 remodeling, or repair of any existing or proposed transit  
21 facility, whether that facility is located within or outside  
22 the boundaries of a redevelopment project area established  
23 within that transit facility improvement area (and, to the  
24 extent a redevelopment project cost is described in subsection  
25 (q) as incurred or estimated to be incurred with respect to a  
26 redevelopment project area, then it shall apply with respect

1 to such transit facility improvement area); and (ii) the  
2 provisions of Section 11-74.4-8 regarding tax increment  
3 allocation financing for a redevelopment project area located  
4 in a transit facility improvement area shall apply only to the  
5 lots, blocks, tracts and parcels of real property that are  
6 located within the boundaries of that redevelopment project  
7 area and not to the lots, blocks, tracts, and parcels of real  
8 property that are located outside the boundaries of that  
9 redevelopment project area.

10 (r) "State Sales Tax Boundary" means the redevelopment  
11 project area or the amended redevelopment project area  
12 boundaries which are determined pursuant to subsection (9) of  
13 Section 11-74.4-8a of this Act. The Department of Revenue  
14 shall certify pursuant to subsection (9) of Section 11-74.4-8a  
15 the appropriate boundaries eligible for the determination of  
16 State Sales Tax Increment.

17 (s) "State Sales Tax Increment" means an amount equal to  
18 the increase in the aggregate amount of taxes paid by  
19 retailers and servicemen, other than retailers and servicemen  
20 subject to the Public Utilities Act, on transactions at places  
21 of business located within a State Sales Tax Boundary pursuant  
22 to the Retailers' Occupation Tax Act, the Use Tax Act, the  
23 Service Use Tax Act, and the Service Occupation Tax Act,  
24 except such portion of such increase that is paid into the  
25 State and Local Sales Tax Reform Fund, the Local Government  
26 Distributive Fund, the Local Government Tax Fund and the

1 County and Mass Transit District Fund, for as long as State  
2 participation exists, over and above the Initial Sales Tax  
3 Amounts, Adjusted Initial Sales Tax Amounts or the Revised  
4 Initial Sales Tax Amounts for such taxes as certified by the  
5 Department of Revenue and paid under those Acts by retailers  
6 and servicemen on transactions at places of business located  
7 within the State Sales Tax Boundary during the base year which  
8 shall be the calendar year immediately prior to the year in  
9 which the municipality adopted tax increment allocation  
10 financing, less 3.0% of such amounts generated under the  
11 Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax  
12 Act and the Service Occupation Tax Act, which sum shall be  
13 appropriated to the Department of Revenue to cover its costs  
14 of administering and enforcing this Section. For purposes of  
15 computing the aggregate amount of such taxes for base years  
16 occurring prior to 1985, the Department of Revenue shall  
17 compute the Initial Sales Tax Amount for such taxes and deduct  
18 therefrom an amount equal to 4% of the aggregate amount of  
19 taxes per year for each year the base year is prior to 1985,  
20 but not to exceed a total deduction of 12%. The amount so  
21 determined shall be known as the "Adjusted Initial Sales Tax  
22 Amount". For purposes of determining the State Sales Tax  
23 Increment the Department of Revenue shall for each period  
24 subtract from the tax amounts received from retailers and  
25 servicemen on transactions located in the State Sales Tax  
26 Boundary, the certified Initial Sales Tax Amounts, Adjusted

1 Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts  
2 for the Retailers' Occupation Tax Act, the Use Tax Act, the  
3 Service Use Tax Act and the Service Occupation Tax Act. For the  
4 State Fiscal Year 1989 this calculation shall be made by  
5 utilizing the calendar year 1987 to determine the tax amounts  
6 received. For the State Fiscal Year 1990, this calculation  
7 shall be made by utilizing the period from January 1, 1988,  
8 until September 30, 1988, to determine the tax amounts  
9 received from retailers and servicemen, which shall have  
10 deducted therefrom nine-twelfths of the certified Initial  
11 Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the  
12 Revised Initial Sales Tax Amounts as appropriate. For the  
13 State Fiscal Year 1991, this calculation shall be made by  
14 utilizing the period from October 1, 1988, until June 30,  
15 1989, to determine the tax amounts received from retailers and  
16 servicemen, which shall have deducted therefrom nine-twelfths  
17 of the certified Initial State Sales Tax Amounts, Adjusted  
18 Initial Sales Tax Amounts or the Revised Initial Sales Tax  
19 Amounts as appropriate. For every State Fiscal Year  
20 thereafter, the applicable period shall be the 12 months  
21 beginning July 1 and ending on June 30, to determine the tax  
22 amounts received which shall have deducted therefrom the  
23 certified Initial Sales Tax Amounts, Adjusted Initial Sales  
24 Tax Amounts or the Revised Initial Sales Tax Amounts.  
25 Municipalities intending to receive a distribution of State  
26 Sales Tax Increment must report a list of retailers to the

1 Department of Revenue by October 31, 1988 and by July 31, of  
2 each year thereafter.

3 (t) "Taxing districts" means counties, townships, cities  
4 and incorporated towns and villages, school, road, park,  
5 sanitary, mosquito abatement, forest preserve, public health,  
6 fire protection, river conservancy, tuberculosis sanitarium  
7 and any other municipal corporations or districts with the  
8 power to levy taxes.

9 (u) "Taxing districts' capital costs" means those costs of  
10 taxing districts for capital improvements that are found by  
11 the municipal corporate authorities to be necessary and  
12 directly result from the redevelopment project.

13 (v) As used in subsection (a) of Section 11-74.4-3 of this  
14 Act, "vacant land" means any parcel or combination of parcels  
15 of real property without industrial, commercial, and  
16 residential buildings which has not been used for commercial  
17 agricultural purposes within 5 years prior to the designation  
18 of the redevelopment project area, unless the parcel is  
19 included in an industrial park conservation area or the parcel  
20 has been subdivided; provided that if the parcel was part of a  
21 larger tract that has been divided into 3 or more smaller  
22 tracts that were accepted for recording during the period from  
23 1950 to 1990, then the parcel shall be deemed to have been  
24 subdivided, and all proceedings and actions of the  
25 municipality taken in that connection with respect to any  
26 previously approved or designated redevelopment project area

1 or amended redevelopment project area are hereby validated and  
2 hereby declared to be legally sufficient for all purposes of  
3 this Act. For purposes of this Section and only for land  
4 subject to the subdivision requirements of the Plat Act, land  
5 is subdivided when the original plat of the proposed  
6 Redevelopment Project Area or relevant portion thereof has  
7 been properly certified, acknowledged, approved, and recorded  
8 or filed in accordance with the Plat Act and a preliminary  
9 plat, if any, for any subsequent phases of the proposed  
10 Redevelopment Project Area or relevant portion thereof has  
11 been properly approved and filed in accordance with the  
12 applicable ordinance of the municipality.

13 (w) "Annual Total Increment" means the sum of each  
14 municipality's annual Net Sales Tax Increment and each  
15 municipality's annual Net Utility Tax Increment. The ratio of  
16 the Annual Total Increment of each municipality to the Annual  
17 Total Increment for all municipalities, as most recently  
18 calculated by the Department, shall determine the proportional  
19 shares of the Illinois Tax Increment Fund to be distributed to  
20 each municipality.

21 (x) "LEED certified" means any certification level of  
22 construction elements by a qualified Leadership in Energy and  
23 Environmental Design Accredited Professional as determined by  
24 the U.S. Green Building Council.

25 (y) "Green Globes certified" means any certification level  
26 of construction elements by a qualified Green Globes

1 Professional as determined by the Green Building Initiative.

2 (Source: P.A. 102-627, eff. 8-27-21.)

3 Section 10. The River Conservancy Districts Act is amended  
4 by changing Section 11.5 as follows:

5 (70 ILCS 2105/11.5)

6 Sec. 11.5. Public development projects.

7 (a) The board of trustees of a river conservancy district  
8 located in one or more counties may enter into lease  
9 agreements for the development of projects that are intended  
10 to enhance economic development, create jobs, and increase  
11 tourism (i) when the aggregate unemployment rate, as  
12 determined by the United States Department of Labor, for the  
13 county or counties served by the district exceeded 12% during  
14 any month of the first quarter of 1993 and (ii) in the case of  
15 a river conservancy district serving a county that is  
16 contiguous with 2 or more counties, when the aggregate  
17 unemployment rate for those contiguous counties exceeded 18%  
18 during any month of the first quarter of 1993. These projects  
19 include tourism development projects including, but not  
20 limited to, resorts, motels, and other related service and  
21 tourism development, built by private developers under the  
22 conditions set forth in this Section.

23 (b) The board of trustees of a river conservancy district  
24 may enter into future agreements for the transfer of certain

1 lands between a State agency or agencies and a river  
2 conservancy district when (i) a basic agreement providing for  
3 the transfer of certain lands was entered into on or before  
4 January 1, 1993, between a State agency or agencies and a river  
5 conservancy district meeting the unemployment guidelines set  
6 forth in this Section and (ii) a river conservancy district  
7 obtains the land from a State agency or agencies for the  
8 purposes of economic development or job creation projects.

9 (c) A board of trustees authorized to enter into lease  
10 agreements under the requirements of subsection (a) may lease  
11 land to a responsible person, firm, or corporation for a  
12 period not longer than 50 years for development as authorized  
13 in this Section and grant the person, firm, or corporation the  
14 option to extend the lease for subsequent periods not longer  
15 than 50 years.

16 (d) A board of trustees authorized to enter into lease  
17 agreements under the requirements of subsection (a) shall take  
18 appropriate steps to insure that, within 5 years after the  
19 board enters into a lease agreement, (i) at least 50% of the  
20 land for the proposed development is available and developed  
21 for public use, and (ii) at least 50% of the buildings  
22 constructed for the proposed development are available for  
23 public use.

24 (e) Beginning on the effective date of this amendatory Act  
25 of the 104th General Assembly, a redevelopment project area  
26 and any amendment adding one or more additional areas to any

1 existing redevelopment project area created under the Tax  
2 Increment Allocation Redevelopment Act of the Illinois  
3 Municipal Code may include areas within the Big Island River  
4 Conservancy District only if the municipality receives  
5 unanimous consent from both (1) the board of trustees of the  
6 Big Island River Conservancy District and (2) the joint review  
7 board created to review the proposed redevelopment project  
8 area and any proposed amendment of any existing redevelopment  
9 project area.

10 (Source: P.A. 88-472.)

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