



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB2938

Introduced 2/4/2020, by Sen. Ann Gillespie

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-74.4-3	from Ch. 24, par. 11-74.4-3
65 ILCS 5/11-74.4-3.5	
65 ILCS 5/11-74.4-5	from Ch. 24, par. 11-74.4-5
65 ILCS 5/11-74.4-7	from Ch. 24, par. 11-74.4-7

Amends the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code. Adds two factors to the determination of a "blighted area" for improved, industrial, commercial, and residential buildings or improvements: (i) if the redevelopment project area has had an annual average unemployment rate of at least 120% of the State's annual average unemployment rate; and (ii) if the redevelopment project area has a poverty rate of at least 20%, 50% or more of children in the redevelopment project area participate in the federal free lunch program, or 20% or more households in the redevelopment project area receive food stamps. Removes or modifies various factors from the definitions of "blighted area" and "conservation area" for improved and vacant areas. Provides that a new redevelopment project shall have a completion date no later than December 31st of the 10th year after the ordinance was adopted (rather than the 23rd year) and may be extended to 15 years (rather than 35 years). Provides that the joint review board and municipality shall approve surplus funds and extensions of redevelopment project area completion dates. Provides that surplus funds shall be distributed annually within 90 days (rather than 180 days) after the close of a municipality's fiscal year. Provides that a new or modified redevelopment project area that overlaps with any existing redevelopment project area shall not be approved. Effective July 1, 2020.

LRB101 16904 AWJ 69238 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 Sections 11-74.4-3, 11-74.4-3.5, 11-74.4-5, and  
6 11-74.4-7 as follows:

7 (65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)

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

12 (a) For any redevelopment project area that has been  
13 designated pursuant to this Section by an ordinance adopted  
14 prior to July 1, 2020 ~~November 1, 1999~~ (the effective date of  
15 ~~Public Act 91-478~~), "blighted area" shall have the meaning set  
16 forth in this Section prior to that date.

17 On and after July 1, 2020 ~~November 1, 1999~~, "blighted area"  
18 means any improved or vacant area within the boundaries of a  
19 redevelopment project area located within the territorial  
20 limits of the municipality where:

21 (1) If improved, industrial, commercial, and  
22 residential buildings or improvements are detrimental to  
23 the public safety, health, or welfare because of a

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

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

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

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

1 ~~material, and weeds protruding through paved surfaces.~~

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

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

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

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

1 ~~hot water and kitchens, and structural inadequacies~~  
2 ~~preventing ingress and egress to and from all rooms and~~  
3 ~~units within a building.~~

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

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

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

6 (J) (Blank). ~~Deleterious land use or layout. The~~  
7 ~~existence of incompatible land use relationships,~~  
8 ~~buildings occupied by inappropriate mixed uses, or~~  
9 ~~uses considered to be noxious, offensive, or~~  
10 ~~unsuitable for 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) (Blank). ~~Lack of community planning. The~~  
24 ~~proposed redevelopment project area was developed~~  
25 ~~prior to or without the benefit or guidance of a~~  
26 ~~community plan. This means that the development~~

1 ~~occurred prior to the adoption by the municipality of a~~  
2 ~~comprehensive or other community plan or that the plan~~  
3 ~~was not followed at the time of the area's development.~~  
4 ~~This factor must be documented by evidence of adverse~~  
5 ~~or incompatible land use relationships, inadequate~~  
6 ~~street layout, improper subdivision, parcels of~~  
7 ~~inadequate shape and size to meet contemporary~~  
8 ~~development standards, or other evidence demonstrating~~  
9 ~~an absence 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 is~~  
17 ~~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 (N) The proposed redevelopment project area has  
24 had an annual average unemployment rate of at least  
25 120% of the State's annual average unemployment rate  
26 for the most recent calendar year that immediately

1           preceded the calendar year last reported by the  
2           Department of Employment Security.

3           (O) The proposed redevelopment project area has a  
4           poverty rate of at least: 20% according to the latest  
5           federal decennial census; 50% or more of children in  
6           the proposed redevelopment project area participate in  
7           the federal free lunch program according to reported  
8           statistics from the State Board of Education; or 20% or  
9           more households in the proposed redevelopment project  
10           area receive food stamps according to the latest  
11           federal decennial census.

12           (2) If vacant, the sound growth of the redevelopment  
13 project area is impaired by a combination of 2 or more of  
14 the following factors, each of which is (i) present, with  
15 that presence documented, to a meaningful extent so that a  
16 municipality may reasonably find that the factor is clearly  
17 present within the intent of the Act and (ii) reasonably  
18 distributed throughout the vacant part of the  
19 redevelopment project area to which it pertains:

20           (A) (Blank). ~~Obsolete platting of vacant land that~~  
21 ~~results in parcels of limited or narrow size or~~  
22 ~~configurations of parcels of irregular size or shape~~  
23 ~~that would be difficult to develop on a planned basis~~  
24 ~~and in a manner compatible with contemporary standards~~  
25 ~~and requirements, or platting that failed to create~~  
26 ~~rights of ways for streets or alleys or that created~~



1 ~~inadequate right-of-way widths for streets, alleys, or~~  
2 ~~other public rights-of-way or that omitted easements~~  
3 ~~for public utilities.~~

4 (B) (Blank). ~~Diversity of ownership of parcels of~~  
5 ~~vacant land sufficient in number to retard or impede~~  
6 ~~the ability to assemble the land for development.~~

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

10 (D) (Blank). ~~Deterioration of structures or site~~  
11 ~~improvements in neighboring areas adjacent to the~~  
12 ~~vacant land.~~

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

24 (F) The total equalized assessed value of the  
25 proposed redevelopment project area has declined for 3  
26 of the last 5 calendar years prior to the year in which

1 the redevelopment project area is designated. ~~or is~~  
2 ~~increasing at an annual rate that is less than the~~  
3 ~~balance of the municipality for 3 of the last 5~~  
4 ~~calendar years for which information is available or is~~  
5 ~~increasing at an annual rate that is less than the~~  
6 ~~Consumer Price Index for All Urban Consumers published~~  
7 ~~by the United States Department of Labor or successor~~  
8 ~~agency for 3 of the last 5 calendar years prior to the~~  
9 ~~year in which the redevelopment project area is~~  
10 ~~designated.~~

11 (3) If vacant, the sound growth of the redevelopment  
12 project area is impaired by one of the following factors  
13 that (i) is present, with that presence documented, to a  
14 meaningful extent so that a municipality may reasonably  
15 find that the factor is clearly present within the intent  
16 of the Act and (ii) is reasonably distributed throughout  
17 the vacant part of the redevelopment project area to which  
18 it pertains:

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

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

23 (C) The area, prior to its designation, is subject  
24 to (i) chronic flooding that adversely impacts on real  
25 property in the area as certified by a registered  
26 professional engineer or appropriate regulatory agency

1 or (ii) surface water that discharges from all or a  
2 part of the area and contributes to flooding within the  
3 same watershed, but only if the redevelopment project  
4 provides for facilities or improvements to contribute  
5 to the alleviation of all or part of the flooding.

6 (D) The area consists of an unused or illegal  
7 disposal site containing earth, stone, building  
8 debris, or similar materials that were removed from  
9 construction, demolition, excavation, or dredge sites.

10 (E) Prior to November 1, 1999, the area is not less  
11 than 50 nor more than 100 acres and 75% of which is  
12 vacant (notwithstanding that the area has been used for  
13 commercial agricultural purposes within 5 years prior  
14 to the designation of the redevelopment project area),  
15 and the area meets at least one of the factors itemized  
16 in paragraph (1) of this subsection, the area has been  
17 designated as a town or village center by ordinance or  
18 comprehensive plan adopted prior to January 1, 1982,  
19 and the area has not been developed for that designated  
20 purpose.

21 (F) (Blank). ~~The area qualified as a blighted~~  
22 ~~improved area immediately prior to becoming vacant,~~  
23 ~~unless there has been substantial private investment~~  
24 ~~in the immediately surrounding area.~~

25 (b) For any redevelopment project area that has been  
26 designated pursuant to this Section by an ordinance adopted

1 prior to July 1, 2020 ~~November 1, 1999~~ (the effective date of  
2 ~~Public Act 91-478~~), "conservation area" shall have the meaning  
3 set forth in this Section prior to that date.

4 On and after July 1, 2020 ~~November 1, 1999~~, "conservation  
5 area" means any improved area within the boundaries of a  
6 redevelopment project area located within the territorial  
7 limits of the municipality in which 50% or more of the  
8 structures in the area have an age of 35 years or more. Such an  
9 area is not yet a blighted area but because of a combination of  
10 3 or more of the following factors is detrimental to the public  
11 safety, health, morals or welfare and such an area may become a  
12 blighted area:

13 (1) (Blank). ~~Dilapidation. An advanced state of~~  
14 ~~disrepair or neglect of necessary repairs to the primary~~  
15 ~~structural components of buildings or improvements in such~~  
16 ~~a combination that a documented building condition~~  
17 ~~analysis determines that major repair is required or the~~  
18 ~~defects are so serious and so extensive that the buildings~~  
19 ~~must be removed.~~

20 (2) Obsolescence. The condition or process of falling  
21 into disuse. Structures have become ill-suited for the  
22 original use.

23 (3) (Blank). ~~Deterioration. With respect to buildings,~~  
24 ~~defects including, but not limited to, major defects in the~~  
25 ~~secondary building components such as doors, windows,~~  
26 ~~porches, gutters and downspouts, and fascia. With respect~~

1 ~~to surface improvements, that the condition of roadways,~~  
2 ~~alleys, curbs, gutters, sidewalks, off-street parking, and~~  
3 ~~surface storage areas evidence deterioration, including,~~  
4 ~~but not limited to, surface cracking, crumbling, potholes,~~  
5 ~~depressions, loose paving material, and weeds protruding~~  
6 ~~through paved surfaces.~~

7 (4) (Blank). ~~Presence of structures below minimum code~~  
8 ~~standards. All structures that do not meet the standards of~~  
9 ~~zoning, subdivision, building, fire, and other~~  
10 ~~governmental codes applicable to property, but not~~  
11 ~~including housing and property maintenance codes.~~

12 (5) Illegal use of individual structures. The use of  
13 structures in violation of applicable federal, State, or  
14 local laws, exclusive of those applicable to the presence  
15 of structures below minimum code standards.

16 (6) (Blank). ~~Excessive vacancies. The presence of~~  
17 ~~buildings that are unoccupied or under utilized and that~~  
18 ~~represent an adverse influence on the area because of the~~  
19 ~~frequency, extent, or duration of the vacancies.~~

20 (7) (Blank). ~~Lack of ventilation, light, or sanitary~~  
21 ~~facilities. The absence of adequate ventilation for light~~  
22 ~~or air circulation in spaces or rooms without windows, or~~  
23 ~~that require the removal of dust, odor, gas, smoke, or~~  
24 ~~other noxious airborne materials. Inadequate natural light~~  
25 ~~and ventilation means the absence or inadequacy of~~  
26 ~~skylights or windows for interior spaces or rooms and~~

~~improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.~~

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

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following

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

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

12 (11) (Blank). ~~Lack of community planning. The proposed~~  
13 ~~redevelopment project area was developed prior to or~~  
14 ~~without the benefit or guidance of a community plan. This~~  
15 ~~means that the development occurred prior to the adoption~~  
16 ~~by the municipality of a comprehensive or other community~~  
17 ~~plan or that the plan was not followed at the time of the~~  
18 ~~area's development. This factor must be documented by~~  
19 ~~evidence of adverse or incompatible land use~~  
20 ~~relationships, inadequate street layout, improper~~  
21 ~~subdivision, parcels of inadequate shape and size to meet~~  
22 ~~contemporary development standards, or other evidence~~  
23 ~~demonstrating an absence of effective community planning.~~

24 (12) 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 waste,  
4 hazardous substances, or underground storage tanks  
5 required by State or federal law, provided that the  
6 remediation costs constitute a material impediment to the  
7 development or redevelopment of the redevelopment project  
8 area.

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

19 (c) "Industrial park" means an area in a blighted or  
20 conservation area suitable for use by any manufacturing,  
21 industrial, research or transportation enterprise, of  
22 facilities to include but not be limited to factories, mills,  
23 processing plants, assembly plants, packing plants,  
24 fabricating plants, industrial distribution centers,  
25 warehouses, repair overhaul or service facilities, freight  
26 terminals, research facilities, test facilities or railroad



1 facilities.

2 (d) "Industrial park conservation area" means an area  
3 within the boundaries of a redevelopment project area located  
4 within the territorial limits of a municipality that is a labor  
5 surplus municipality or within 1 1/2 miles of the territorial  
6 limits of a municipality that is a labor surplus municipality  
7 if the area is annexed to the municipality; which area is zoned  
8 as industrial no later than at the time the municipality by  
9 ordinance designates the redevelopment project area, and which  
10 area includes both vacant land suitable for use as an  
11 industrial park and a blighted area or conservation area  
12 contiguous to such vacant land.

13 (e) "Labor surplus municipality" means a municipality in  
14 which, at any time during the 6 months before the municipality  
15 by ordinance designates an industrial park conservation area,  
16 the unemployment rate was over 6% and was also 100% or more of  
17 the national average unemployment rate for that same time as  
18 published in the United States Department of Labor Bureau of  
19 Labor Statistics publication entitled "The Employment  
20 Situation" or its successor publication. For the purpose of  
21 this subsection, if unemployment rate statistics for the  
22 municipality are not available, the unemployment rate in the  
23 municipality shall be deemed to be the same as the unemployment  
24 rate in the principal county in which the municipality is  
25 located.

26 (f) "Municipality" shall mean a city, village,

1 incorporated town, or a township that is located in the  
2 unincorporated portion of a county with 3 million or more  
3 inhabitants, if the county adopted an ordinance that approved  
4 the township's redevelopment plan.

5 (g) "Initial Sales Tax Amounts" means the amount of taxes  
6 paid under the Retailers' Occupation Tax Act, Use Tax Act,  
7 Service Use Tax Act, the Service Occupation Tax Act, the  
8 Municipal Retailers' Occupation Tax Act, and the Municipal  
9 Service Occupation Tax Act by retailers and servicemen on  
10 transactions at places located in a State Sales Tax Boundary  
11 during the calendar year 1985.

12 (g-1) "Revised Initial Sales Tax Amounts" means the amount  
13 of taxes paid under the Retailers' Occupation Tax Act, Use Tax  
14 Act, Service Use Tax Act, the Service Occupation Tax Act, the  
15 Municipal Retailers' Occupation Tax Act, and the Municipal  
16 Service Occupation Tax Act by retailers and servicemen on  
17 transactions at places located within the State Sales Tax  
18 Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

19 (h) "Municipal Sales Tax Increment" means an amount equal  
20 to the increase in the aggregate amount of taxes paid to a  
21 municipality from the Local Government Tax Fund arising from  
22 sales by retailers and servicemen within the redevelopment  
23 project area or State Sales Tax Boundary, as the case may be,  
24 for as long as the redevelopment project area or State Sales  
25 Tax Boundary, as the case may be, exist over and above the  
26 aggregate amount of taxes as certified by the Illinois

1 Department of Revenue and paid under the Municipal Retailers'  
2 Occupation Tax Act and the Municipal Service Occupation Tax Act  
3 by retailers and servicemen, on transactions at places of  
4 business located in the redevelopment project area or State  
5 Sales Tax Boundary, as the case may be, during the base year  
6 which shall be the calendar year immediately prior to the year  
7 in which the municipality adopted tax increment allocation  
8 financing. For purposes of computing the aggregate amount of  
9 such taxes for base years occurring prior to 1985, the  
10 Department of Revenue shall determine the Initial Sales Tax  
11 Amounts for such taxes and deduct therefrom an amount equal to  
12 4% of the aggregate amount of taxes per year for each year the  
13 base year is prior to 1985, but not to exceed a total deduction  
14 of 12%. The amount so determined shall be known as the  
15 "Adjusted Initial Sales Tax Amounts". For purposes of  
16 determining the Municipal Sales Tax Increment, the Department  
17 of Revenue shall for each period subtract from the amount paid  
18 to the municipality from the Local Government Tax Fund arising  
19 from sales by retailers and servicemen on transactions located  
20 in the redevelopment project area or the State Sales Tax  
21 Boundary, as the case may be, the certified Initial Sales Tax  
22 Amounts, the Adjusted Initial Sales Tax Amounts or the Revised  
23 Initial Sales Tax Amounts for the Municipal Retailers'  
24 Occupation Tax Act and the Municipal Service Occupation Tax  
25 Act. For the State Fiscal Year 1989, this calculation shall be  
26 made by utilizing the calendar year 1987 to determine the tax

1 amounts received. For the State Fiscal Year 1990, this  
2 calculation shall be made by utilizing the period from January  
3 1, 1988, until September 30, 1988, to determine the tax amounts  
4 received from retailers and servicemen pursuant to the  
5 Municipal Retailers' Occupation Tax and the Municipal Service  
6 Occupation Tax Act, which shall have deducted therefrom  
7 nine-twelfths of the certified Initial Sales Tax Amounts, the  
8 Adjusted Initial Sales Tax Amounts or the Revised Initial Sales  
9 Tax Amounts as appropriate. For the State Fiscal Year 1991,  
10 this calculation shall be made by utilizing the period from  
11 October 1, 1988, to June 30, 1989, to determine the tax amounts  
12 received from retailers and servicemen pursuant to the  
13 Municipal Retailers' Occupation Tax and the Municipal Service  
14 Occupation Tax Act which shall have deducted therefrom  
15 nine-twelfths of the certified Initial Sales Tax Amounts,  
16 Adjusted Initial Sales Tax Amounts or the Revised Initial Sales  
17 Tax Amounts as appropriate. For every State Fiscal Year  
18 thereafter, the applicable period shall be the 12 months  
19 beginning July 1 and ending June 30 to determine the tax  
20 amounts received which shall have deducted therefrom the  
21 certified Initial Sales Tax Amounts, the Adjusted Initial Sales  
22 Tax Amounts or the Revised Initial Sales Tax Amounts, as the  
23 case may be.

24 (i) "Net State Sales Tax Increment" means the sum of the  
25 following: (a) 80% of the first \$100,000 of State Sales Tax  
26 Increment annually generated within a State Sales Tax Boundary;

1 (b) 60% of the amount in excess of \$100,000 but not exceeding  
2 \$500,000 of State Sales Tax Increment annually generated within  
3 a State Sales Tax Boundary; and (c) 40% of all amounts in  
4 excess of \$500,000 of State Sales Tax Increment annually  
5 generated within a State Sales Tax Boundary. If, however, a  
6 municipality established a tax increment financing district in  
7 a county with a population in excess of 3,000,000 before  
8 January 1, 1986, and the municipality entered into a contract  
9 or issued bonds after January 1, 1986, but before December 31,  
10 1986, to finance redevelopment project costs within a State  
11 Sales Tax Boundary, then the Net State Sales Tax Increment  
12 means, for the fiscal years beginning July 1, 1990, and July 1,  
13 1991, 100% of the State Sales Tax Increment annually generated  
14 within a State Sales Tax Boundary; and notwithstanding any  
15 other provision of this Act, for those fiscal years the  
16 Department of Revenue shall distribute to those municipalities  
17 100% of their Net State Sales Tax Increment before any  
18 distribution to any other municipality and regardless of  
19 whether or not those other municipalities will receive 100% of  
20 their Net State Sales Tax Increment. For Fiscal Year 1999, and  
21 every year thereafter until the year 2007, for any municipality  
22 that has not entered into a contract or has not issued bonds  
23 prior to June 1, 1988 to finance redevelopment project costs  
24 within a State Sales Tax Boundary, the Net State Sales Tax  
25 Increment shall be calculated as follows: By multiplying the  
26 Net State Sales Tax Increment by 90% in the State Fiscal Year

1 1999; 80% in the State Fiscal Year 2000; 70% in the State  
2 Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the  
3 State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30%  
4 in the State Fiscal Year 2005; 20% in the State Fiscal Year  
5 2006; and 10% in the State Fiscal Year 2007. No payment shall  
6 be made for State Fiscal Year 2008 and thereafter.

7 Municipalities that issued bonds in connection with a  
8 redevelopment project in a redevelopment project area within  
9 the State Sales Tax Boundary prior to July 29, 1991, or that  
10 entered into contracts in connection with a redevelopment  
11 project in a redevelopment project area before June 1, 1988,  
12 shall continue to receive their proportional share of the  
13 Illinois Tax Increment Fund distribution until the date on  
14 which the redevelopment project is completed or terminated. If,  
15 however, a municipality that issued bonds in connection with a  
16 redevelopment project in a redevelopment project area within  
17 the State Sales Tax Boundary prior to July 29, 1991 retires the  
18 bonds prior to June 30, 2007 or a municipality that entered  
19 into contracts in connection with a redevelopment project in a  
20 redevelopment project area before June 1, 1988 completes the  
21 contracts prior to June 30, 2007, then so long as the  
22 redevelopment project is not completed or is not terminated,  
23 the Net State Sales Tax Increment shall be calculated,  
24 beginning on the date on which the bonds are retired or the  
25 contracts are completed, as follows: By multiplying the Net  
26 State Sales Tax Increment by 60% in the State Fiscal Year 2002;

1 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year  
2 2004; 30% in the State Fiscal Year 2005; 20% in the State  
3 Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No  
4 payment shall be made for State Fiscal Year 2008 and  
5 thereafter. Refunding of any bonds issued prior to July 29,  
6 1991, shall not alter the Net State Sales Tax Increment.

7 (j) "State Utility Tax Increment Amount" means an amount  
8 equal to the aggregate increase in State electric and gas tax  
9 charges imposed on owners and tenants, other than residential  
10 customers, of properties located within the redevelopment  
11 project area under Section 9-222 of the Public Utilities Act,  
12 over and above the aggregate of such charges as certified by  
13 the Department of Revenue and paid by owners and tenants, other  
14 than residential customers, of properties within the  
15 redevelopment project area during the base year, which shall be  
16 the calendar year immediately prior to the year of the adoption  
17 of the ordinance authorizing tax increment allocation  
18 financing.

19 (k) "Net State Utility Tax Increment" means the sum of the  
20 following: (a) 80% of the first \$100,000 of State Utility Tax  
21 Increment annually generated by a redevelopment project area;  
22 (b) 60% of the amount in excess of \$100,000 but not exceeding  
23 \$500,000 of the State Utility Tax Increment annually generated  
24 by a redevelopment project area; and (c) 40% of all amounts in  
25 excess of \$500,000 of State Utility Tax Increment annually  
26 generated by a redevelopment project area. For the State Fiscal

1 Year 1999, and every year thereafter until the year 2007, for  
2 any municipality that has not entered into a contract or has  
3 not issued bonds prior to June 1, 1988 to finance redevelopment  
4 project costs within a redevelopment project area, the Net  
5 State Utility Tax Increment shall be calculated as follows: By  
6 multiplying the Net State Utility Tax Increment by 90% in the  
7 State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70%  
8 in the State Fiscal Year 2001; 60% in the State Fiscal Year  
9 2002; 50% in the State Fiscal Year 2003; 40% in the State  
10 Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the  
11 State Fiscal Year 2006; and 10% in the State Fiscal Year 2007.  
12 No payment shall be made for the State Fiscal Year 2008 and  
13 thereafter.

14 Municipalities that issue bonds in connection with the  
15 redevelopment project during the period from June 1, 1988 until  
16 3 years after the effective date of this Amendatory Act of 1988  
17 shall receive the Net State Utility Tax Increment, subject to  
18 appropriation, for 15 State Fiscal Years after the issuance of  
19 such bonds. For the 16th through the 20th State Fiscal Years  
20 after issuance of the bonds, the Net State Utility Tax  
21 Increment shall be calculated as follows: By multiplying the  
22 Net State Utility Tax Increment by 90% in year 16; 80% in year  
23 17; 70% in year 18; 60% in year 19; and 50% in year 20.  
24 Refunding of any bonds issued prior to June 1, 1988, shall not  
25 alter the revised Net State Utility Tax Increment payments set  
26 forth above.



1           (1) "Obligations" mean bonds, loans, debentures, notes,  
2 special certificates or other evidence of indebtedness issued  
3 by the municipality to carry out a redevelopment project or to  
4 refund outstanding obligations.

5           (m) "Payment in lieu of taxes" means those estimated tax  
6 revenues from real property in a redevelopment project area  
7 derived from real property that has been acquired by a  
8 municipality which according to the redevelopment project or  
9 plan is to be used for a private use which taxing districts  
10 would have received had a municipality not acquired the real  
11 property and adopted tax increment allocation financing and  
12 which would result from levies made after the time of the  
13 adoption of tax increment allocation financing to the time the  
14 current equalized value of real property in the redevelopment  
15 project area exceeds the total initial equalized value of real  
16 property in said area.

17           (n) "Redevelopment plan" means the comprehensive program  
18 of the municipality for development or redevelopment intended  
19 by the payment of redevelopment project costs to reduce or  
20 eliminate those conditions the existence of which qualified the  
21 redevelopment project area as a "blighted area" or  
22 "conservation area" or combination thereof or "industrial park  
23 conservation area," and thereby to enhance the tax bases of the  
24 taxing districts which extend into the redevelopment project  
25 area, provided that, with respect to redevelopment project  
26 areas described in subsections (p-1) and (p-2), "redevelopment

1 plan" means the comprehensive program of the affected  
2 municipality for the development of qualifying transit  
3 facilities. On and after November 1, 1999 (the effective date  
4 of Public Act 91-478), no redevelopment plan may be approved or  
5 amended that includes the development of vacant land (i) with a  
6 golf course and related clubhouse and other facilities or (ii)  
7 designated by federal, State, county, or municipal government  
8 as public land for outdoor recreational activities or for  
9 nature preserves and used for that purpose within 5 years prior  
10 to the adoption of the redevelopment plan. For the purpose of  
11 this subsection, "recreational activities" is limited to mean  
12 camping and hunting. Each redevelopment plan shall set forth in  
13 writing the program to be undertaken to accomplish the  
14 objectives and shall include but not be limited to:

15 (A) an itemized list of estimated redevelopment  
16 project costs;

17 (B) evidence indicating that the redevelopment project  
18 area on the whole has not been subject to growth and  
19 development through investment by private enterprise,  
20 provided that such evidence shall not be required for any  
21 redevelopment project area located within a transit  
22 facility improvement area established pursuant to Section  
23 11-74.4-3.3;

24 (C) an assessment of any financial impact of the  
25 redevelopment project area on or any increased demand for  
26 services from any taxing district affected by the plan and

1 any program to address such financial impact or increased  
2 demand;

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

4 (E) the nature and term of the obligations to be  
5 issued;

6 (F) the most recent equalized assessed valuation of the  
7 redevelopment project area;

8 (G) an estimate as to the equalized assessed valuation  
9 after redevelopment and the general land uses to apply in  
10 the redevelopment project area;

11 (H) a commitment to fair employment practices and an  
12 affirmative action plan;

13 (I) if it concerns an industrial park conservation  
14 area, the plan shall also include a general description of  
15 any proposed developer, user and tenant of any property, a  
16 description of the type, structure and general character of  
17 the facilities to be developed, a description of the type,  
18 class and number of new employees to be employed in the  
19 operation of the facilities to be developed; and

20 (J) if property is to be annexed to the municipality,  
21 the plan shall include the terms of the annexation  
22 agreement.

23 The provisions of items (B) and (C) of this subsection (n)  
24 shall not apply to a municipality that before March 14, 1994  
25 (the effective date of Public Act 88-537) had fixed, either by  
26 its corporate authorities or by a commission designated under

1 subsection (k) of Section 11-74.4-4, a time and place for a  
2 public hearing as required by subsection (a) of Section  
3 11-74.4-5. No redevelopment plan shall be adopted unless a  
4 municipality complies with all of the following requirements:

5 (1) The municipality finds that the redevelopment  
6 project area on the whole has not been subject to growth  
7 and development through investment by private enterprise  
8 and would not reasonably be anticipated to be developed  
9 without the adoption of the redevelopment plan, provided,  
10 however, that such a finding shall not be required with  
11 respect to any redevelopment project area located within a  
12 transit facility improvement area established pursuant to  
13 Section 11-74.4-3.3.

14 (2) The municipality finds that the redevelopment plan  
15 and project conform to the comprehensive plan for the  
16 development of the municipality as a whole, or, for  
17 municipalities with a population of 100,000 or more,  
18 regardless of when the redevelopment plan and project was  
19 adopted, the redevelopment plan and project either: (i)  
20 conforms to the strategic economic development or  
21 redevelopment plan issued by the designated planning  
22 authority of the municipality, or (ii) includes land uses  
23 that have been approved by the planning commission of the  
24 municipality.

25 (3) The redevelopment plan establishes the estimated  
26 dates of completion of the redevelopment project and

1 retirement of obligations issued to finance redevelopment  
2 project costs. Those dates may not be later than the dates  
3 set forth under Section 11-74.4-3.5.

4 A municipality may by municipal ordinance amend an  
5 existing redevelopment plan to conform to this paragraph  
6 (3) as amended by Public Act 91-478, which municipal  
7 ordinance may be adopted without further hearing or notice  
8 and without complying with the procedures provided in this  
9 Act pertaining to an amendment to or the initial approval  
10 of a redevelopment plan and project and designation of a  
11 redevelopment project area.

12 (3.5) The municipality finds, in the case of an  
13 industrial park conservation area, also that the  
14 municipality is a labor surplus municipality and that the  
15 implementation of the redevelopment plan will reduce  
16 unemployment, create new jobs and by the provision of new  
17 facilities enhance the tax base of the taxing districts  
18 that extend into the redevelopment project area.

19 (4) If any incremental revenues are being utilized  
20 under Section 8(a)(1) or 8(a)(2) of this Act in  
21 redevelopment project areas approved by ordinance after  
22 January 1, 1986, the municipality finds: (a) that the  
23 redevelopment project area would not reasonably be  
24 developed without the use of such incremental revenues, and  
25 (b) that such incremental revenues will be exclusively  
26 utilized for the development of the redevelopment project

1 area.

2 (5) If: (a) the redevelopment plan will not result in  
3 displacement of residents from 10 or more inhabited  
4 residential units, and the municipality certifies in the  
5 plan that such displacement will not result from the plan;  
6 or (b) the redevelopment plan is for a redevelopment  
7 project area located within a transit facility improvement  
8 area established pursuant to Section 11-74.4-3.3, and the  
9 applicable project is subject to the process for evaluation  
10 of environmental effects under the National Environmental  
11 Policy Act of 1969, 42 U.S.C. 4321 et seq., then a housing  
12 impact study need not be performed. If, however, the  
13 redevelopment plan would result in the displacement of  
14 residents from 10 or more inhabited residential units, or  
15 if the redevelopment project area contains 75 or more  
16 inhabited residential units and no certification is made,  
17 then the municipality shall prepare, as part of the  
18 separate feasibility report required by subsection (a) of  
19 Section 11-74.4-5, a housing impact study.

20 Part I of the housing impact study shall include (i)  
21 data as to whether the residential units are single family  
22 or multi-family units, (ii) the number and type of rooms  
23 within the units, if that information is available, (iii)  
24 whether the units are inhabited or uninhabited, as  
25 determined not less than 45 days before the date that the  
26 ordinance or resolution required by subsection (a) of

1 Section 11-74.4-5 is passed, and (iv) data as to the racial  
2 and ethnic composition of the residents in the inhabited  
3 residential units. The data requirement as to the racial  
4 and ethnic composition of the residents in the inhabited  
5 residential units shall be deemed to be fully satisfied by  
6 data from the most recent federal census.

7 Part II of the housing impact study shall identify the  
8 inhabited residential units in the proposed redevelopment  
9 project area that are to be or may be removed. If inhabited  
10 residential units are to be removed, then the housing  
11 impact study shall identify (i) the number and location of  
12 those units that will or may be removed, (ii) the  
13 municipality's plans for relocation assistance for those  
14 residents in the proposed redevelopment project area whose  
15 residences are to be removed, (iii) the availability of  
16 replacement housing for those residents whose residences  
17 are to be removed, and shall identify the type, location,  
18 and cost of the housing, and (iv) the type and extent of  
19 relocation assistance to be provided.

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

23 (7) On and after November 1, 1999, no redevelopment  
24 plan shall be adopted, nor an existing plan amended, nor  
25 shall residential housing that is occupied by households of  
26 low-income and very low-income persons in currently

1 existing redevelopment project areas be removed after  
2 November 1, 1999 unless the redevelopment plan provides,  
3 with respect to inhabited housing units that are to be  
4 removed for households of low-income and very low-income  
5 persons, affordable housing and relocation assistance not  
6 less than that which would be provided under the federal  
7 Uniform Relocation Assistance and Real Property  
8 Acquisition Policies Act of 1970 and the regulations under  
9 that Act, including the eligibility criteria. Affordable  
10 housing may be either existing or newly constructed  
11 housing. For purposes of this paragraph (7), "low-income  
12 households", "very low-income households", and "affordable  
13 housing" have the meanings set forth in the Illinois  
14 Affordable Housing Act. The municipality shall make a good  
15 faith effort to ensure that this affordable housing is  
16 located in or near the redevelopment project area within  
17 the municipality.

18 (8) On and after November 1, 1999, if, after the  
19 adoption of the redevelopment plan for the redevelopment  
20 project area, any municipality desires to amend its  
21 redevelopment plan to remove more inhabited residential  
22 units than specified in its original redevelopment plan,  
23 that change shall be made in accordance with the procedures  
24 in subsection (c) of Section 11-74.4-5.

25 (9) For redevelopment project areas designated prior  
26 to November 1, 1999, the redevelopment plan may be amended



1 without further joint review board meeting or hearing,  
2 provided that the municipality shall give notice of any  
3 such changes by mail to each affected taxing district and  
4 registrant on the interested party registry, to authorize  
5 the municipality to expend tax increment revenues for  
6 redevelopment project costs defined by paragraphs (5) and  
7 (7.5), subparagraphs (E) and (F) of paragraph (11), and  
8 paragraph (11.5) of subsection (q) of Section 11-74.4-3, so  
9 long as the changes do not increase the total estimated  
10 redevelopment project costs set out in the redevelopment  
11 plan by more than 5% after adjustment for inflation from  
12 the date the plan was adopted.

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

25 (p) "Redevelopment project area" means an area designated  
26 by the municipality, which is not less in the aggregate than 1

1 1/2 acres and in respect to which the municipality has made a  
2 finding that there exist conditions which cause the area to be  
3 classified as an industrial park conservation area or a  
4 blighted area or a conservation area, or a combination of both  
5 blighted areas and conservation areas.

6 (p-1) Notwithstanding any provision of this Act to the  
7 contrary, on and after August 25, 2009 (the effective date of  
8 Public Act 96-680), a redevelopment project area may include  
9 areas within a one-half mile radius of an existing or proposed  
10 Regional Transportation Authority Suburban Transit Access  
11 Route (STAR Line) station without a finding that the area is  
12 classified as an industrial park conservation area, a blighted  
13 area, a conservation area, or a combination thereof, but only  
14 if the municipality receives unanimous consent from the joint  
15 review board created to review the proposed redevelopment  
16 project area.

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

25 (q) "Redevelopment project costs", except for  
26 redevelopment project areas created pursuant to subsection

1 (p-1) or (p-2), means and includes the sum total of all  
2 reasonable or necessary costs incurred or estimated to be  
3 incurred, and any such costs incidental to a redevelopment plan  
4 and a redevelopment project. Such costs include, without  
5 limitation, the following:

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

1 area with respect to which the consultant or advisor has  
2 performed, or will be performing, service for the  
3 municipality. This requirement shall be satisfied by the  
4 consultant or advisor before the commencement of services  
5 for the municipality and thereafter whenever any other  
6 contracts with those individuals or entities are executed  
7 by the consultant or advisor;

8 (1.5) After July 1, 1999, annual administrative costs  
9 shall not include general overhead or administrative costs  
10 of the municipality that would still have been incurred by  
11 the municipality if the municipality had not designated a  
12 redevelopment project area or approved a redevelopment  
13 plan;

14 (1.6) The cost of marketing sites within the  
15 redevelopment project area to prospective businesses,  
16 developers, and investors;

17 (2) Property assembly costs, including but not limited  
18 to acquisition of land and other property, real or  
19 personal, or rights or interests therein, demolition of  
20 buildings, site preparation, site improvements that serve  
21 as an engineered barrier addressing ground level or below  
22 ground environmental contamination, including, but not  
23 limited to parking lots and other concrete or asphalt  
24 barriers, and the clearing and grading of land;

25 (3) Costs of rehabilitation, reconstruction or repair  
26 or remodeling of existing public or private buildings,

1 fixtures, and leasehold improvements; and the cost of  
2 replacing an existing public building if pursuant to the  
3 implementation of a redevelopment project the existing  
4 public building is to be demolished to use the site for  
5 private investment or devoted to a different use requiring  
6 private investment; including any direct or indirect costs  
7 relating to Green Globes or LEED certified construction  
8 elements or construction elements with an equivalent  
9 certification;

10 (4) Costs of the construction of public works or  
11 improvements, including any direct or indirect costs  
12 relating to Green Globes or LEED certified construction  
13 elements or construction elements with an equivalent  
14 certification, except that on and after November 1, 1999,  
15 redevelopment project costs shall not include the cost of  
16 constructing a new municipal public building principally  
17 used to provide offices, storage space, or conference  
18 facilities or vehicle storage, maintenance, or repair for  
19 administrative, public safety, or public works personnel  
20 and that is not intended to replace an existing public  
21 building as provided under paragraph (3) of subsection (q)  
22 of Section 11-74.4-3 unless either (i) the construction of  
23 the new municipal building implements a redevelopment  
24 project that was included in a redevelopment plan that was  
25 adopted by the municipality prior to November 1, 1999, (ii)  
26 the municipality makes a reasonable determination in the

1 redevelopment plan, supported by information that provides  
2 the basis for that determination, that the new municipal  
3 building is required to meet an increase in the need for  
4 public safety purposes anticipated to result from the  
5 implementation of the redevelopment plan, or (iii) the new  
6 municipal public building is for the storage, maintenance,  
7 or repair of transit vehicles and is located in a transit  
8 facility improvement area that has been established  
9 pursuant to Section 11-74.4-3.3;

10 (5) Costs of job training and retraining projects,  
11 including the cost of "welfare to work" programs  
12 implemented by businesses located within the redevelopment  
13 project area;

14 (6) Financing costs, including but not limited to all  
15 necessary and incidental expenses related to the issuance  
16 of obligations and which may include payment of interest on  
17 any obligations issued hereunder including interest  
18 accruing during the estimated period of construction of any  
19 redevelopment project for which such obligations are  
20 issued and for not exceeding 36 months thereafter and  
21 including reasonable reserves related thereto;

22 (7) To the extent the municipality by written agreement  
23 accepts and approves the same, all or a portion of a taxing  
24 district's capital costs resulting from the redevelopment  
25 project necessarily incurred or to be incurred within a  
26 taxing district in furtherance of the objectives of the

1 redevelopment plan and project;

2 (7.5) 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 November 1, 1999, an elementary, secondary, or  
6 unit school district's increased costs attributable to  
7 assisted housing units located within the redevelopment  
8 project area for which the developer or redeveloper  
9 receives financial assistance through an agreement with  
10 the municipality or because the municipality incurs the  
11 cost of necessary infrastructure improvements within the  
12 boundaries of the assisted housing sites necessary for the  
13 completion of that housing as authorized by this Act, and  
14 which costs shall be paid by the municipality from the  
15 Special Tax Allocation Fund when the tax increment revenue  
16 is received as a result of the assisted housing units and  
17 shall be calculated annually as follows:

18 (A) for foundation districts, excluding any school  
19 district in a municipality with a population in excess  
20 of 1,000,000, by multiplying the district's increase  
21 in attendance resulting from the net increase in new  
22 students enrolled in that school district who reside in  
23 housing units within the redevelopment project area  
24 that have received financial assistance through an  
25 agreement with the municipality or because the  
26 municipality incurs the cost of necessary

1 infrastructure improvements within the boundaries of  
2 the housing sites necessary for the completion of that  
3 housing as authorized by this Act since the designation  
4 of the redevelopment project area by the most recently  
5 available per capita tuition cost as defined in Section  
6 10-20.12a of the School Code less any increase in  
7 general State aid as defined in Section 18-8.05 of the  
8 School Code or evidence-based funding as defined in  
9 Section 18-8.15 of the School Code attributable to  
10 these added new students subject to the following  
11 annual limitations:

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

18 (ii) for elementary school districts with a  
19 district average 1995-96 Per Capita Tuition Charge  
20 of less than \$5,900, no more than 17% of the total  
21 amount of property tax increment revenue produced  
22 by those housing units that have received tax  
23 increment finance assistance under this Act; and

24 (iii) for secondary school districts with a  
25 district average 1995-96 Per Capita Tuition Charge  
26 of less than \$5,900, no more than 8% 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.

4 (B) For alternate method districts, flat grant  
5 districts, and foundation districts with a district  
6 average 1995-96 Per Capita Tuition Charge equal to or  
7 more than \$5,900, excluding any school district with a  
8 population in excess of 1,000,000, by multiplying the  
9 district's increase in attendance resulting from the  
10 net increase in new students enrolled in that school  
11 district who reside in housing units within the  
12 redevelopment project area that have received  
13 financial assistance through an agreement with the  
14 municipality or because the municipality incurs the  
15 cost of necessary infrastructure improvements within  
16 the boundaries of the housing sites necessary for the  
17 completion of that housing as authorized by this Act  
18 since the designation of the redevelopment project  
19 area by the most recently available per capita tuition  
20 cost as defined in Section 10-20.12a of the School Code  
21 less any increase in general state aid as defined in  
22 Section 18-8.05 of the School Code or evidence-based  
23 funding as defined in Section 18-8.15 of the School  
24 Code attributable to these added new students subject  
25 to the following annual limitations:

26 (i) for unit school districts, no more than 40%

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

5 (ii) for elementary school districts, no more  
6 than 27% of the total amount of property tax  
7 increment revenue produced by those housing units  
8 that have received tax increment finance  
9 assistance under this Act; and

10 (iii) for secondary school districts, no more  
11 than 13% of the total amount of property tax  
12 increment revenue produced by those housing units  
13 that have received tax increment finance  
14 assistance under this Act.

15 (C) For any school district in a municipality with  
16 a population in excess of 1,000,000, the following  
17 restrictions shall apply to the reimbursement of  
18 increased costs under this paragraph (7.5):

19 (i) no increased costs shall be reimbursed  
20 unless the school district certifies that each of  
21 the schools affected by the assisted housing  
22 project is at or over its student capacity;

23 (ii) the amount reimbursable shall be reduced  
24 by the value of any land donated to the school  
25 district by the municipality or developer, and by  
26 the value of any physical improvements made to the

1 schools by the municipality or developer; and  
2 (iii) the amount reimbursed may not affect  
3 amounts otherwise obligated by the terms of any  
4 bonds, notes, or other funding instruments, or the  
5 terms of any redevelopment agreement.

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

22 (7.7) For redevelopment project areas designated (or  
23 redevelopment project areas amended to add or increase the  
24 number of tax-increment-financing assisted housing units)  
25 on or after January 1, 2005 (the effective date of Public  
26 Act 93-961), a public library district's increased costs

1       attributable to assisted housing units located within the  
2       redevelopment project area for which the developer or  
3       redeveloper receives financial assistance through an  
4       agreement with the municipality or because the  
5       municipality incurs the cost of necessary infrastructure  
6       improvements within the boundaries of the assisted housing  
7       sites necessary for the completion of that housing as  
8       authorized by this Act shall be paid to the library  
9       district by the municipality from the Special Tax  
10      Allocation Fund when the tax increment revenue is received  
11      as a result of the assisted housing units. This paragraph  
12      (7.7) applies only if (i) the library district is located  
13      in a county that is subject to the Property Tax Extension  
14      Limitation Law or (ii) the library district is not located  
15      in a county that is subject to the Property Tax Extension  
16      Limitation Law but the district is prohibited by any other  
17      law from increasing its tax levy rate without a prior voter  
18      referendum.

19       The amount paid to a library district under this  
20      paragraph (7.7) shall be calculated by multiplying (i) the  
21      net increase in the number of persons eligible to obtain a  
22      library card in that district who reside in housing units  
23      within the redevelopment project area that have received  
24      financial assistance through an agreement with the  
25      municipality or because the municipality incurs the cost of  
26      necessary infrastructure improvements within the

1 boundaries of the housing sites necessary for the  
2 completion of that housing as authorized by this Act since  
3 the designation of the redevelopment project area by (ii)  
4 the per-patron cost of providing library services so long  
5 as it does not exceed \$120. The per-patron cost shall be  
6 the Total Operating Expenditures Per Capita for the library  
7 in the previous fiscal year. The municipality may deduct  
8 from the amount that it must pay to a library district  
9 under this paragraph any amount that it has voluntarily  
10 paid to the library district from the tax increment  
11 revenue. The amount paid to a library district under this  
12 paragraph (7.7) shall be no more than 2% of the amount  
13 produced by the assisted housing units and deposited into  
14 the Special Tax Allocation Fund.

15 A library district is not eligible for any payment  
16 under this paragraph (7.7) unless the library district has  
17 experienced an increase in the number of patrons from the  
18 municipality that created the tax-increment-financing  
19 district since the designation of the redevelopment  
20 project area.

21 Any library district seeking payment under this  
22 paragraph (7.7) shall, after July 1 and before September 30  
23 of each year, provide the municipality with convincing  
24 evidence to support its claim for reimbursement before the  
25 municipality shall be required to approve or make the  
26 payment to the library district. If the library district

1 fails to provide the information during this period in any  
2 year, it shall forfeit any claim to reimbursement for that  
3 year. Library districts may adopt a resolution waiving the  
4 right to all or a portion of the reimbursement otherwise  
5 required by this paragraph (7.7). By acceptance of such  
6 reimbursement, the library district shall forfeit any  
7 right to directly or indirectly set aside, modify, or  
8 contest in any manner whatsoever the establishment of the  
9 redevelopment project area or projects;

10 (8) Relocation costs to the extent that a municipality  
11 determines that relocation costs shall be paid or is  
12 required to make payment of relocation costs by federal or  
13 State law or in order to satisfy subparagraph (7) of  
14 subsection (n);

15 (9) Payment in lieu of taxes;

16 (10) Costs of job training, retraining, advanced  
17 vocational education or career education, including but  
18 not limited to courses in occupational, semi-technical or  
19 technical fields leading directly to employment, incurred  
20 by one or more taxing districts, provided that such costs  
21 (i) are related to the establishment and maintenance of  
22 additional job training, advanced vocational education or  
23 career education programs for persons employed or to be  
24 employed by employers located in a redevelopment project  
25 area; and (ii) when incurred by a taxing district or taxing  
26 districts other than the municipality, are set forth in a

1 written agreement by or among the municipality and the  
2 taxing district or taxing districts, which agreement  
3 describes the program to be undertaken, including but not  
4 limited to the number of employees to be trained, a  
5 description of the training and services to be provided,  
6 the number and type of positions available or to be  
7 available, itemized costs of the program and sources of  
8 funds to pay for the same, and the term of the agreement.  
9 Such costs include, specifically, the payment by community  
10 college districts of costs pursuant to Sections 3-37, 3-38,  
11 3-40 and 3-40.1 of the Public Community College Act and by  
12 school districts of costs pursuant to Sections 10-22.20a  
13 and 10-23.3a of the School Code;

14 (11) Interest cost incurred by a redeveloper related to  
15 the construction, renovation or rehabilitation of a  
16 redevelopment project provided that:

17 (A) such costs are to be paid directly from the  
18 special tax allocation fund established pursuant to  
19 this Act;

20 (B) such payments in any one year may not exceed  
21 30% of the annual interest costs incurred by the  
22 redeveloper with regard to the redevelopment project  
23 during that year;

24 (C) if there are not sufficient funds available in  
25 the special tax allocation fund to make the payment  
26 pursuant to this paragraph (11) then the amounts so due

1 shall accrue and be payable when sufficient funds are  
2 available in the special tax allocation fund;

3 (D) the total of such interest payments paid  
4 pursuant to this Act may not exceed 30% of the total  
5 (i) cost paid or incurred by the redeveloper for the  
6 redevelopment project plus (ii) redevelopment project  
7 costs excluding any property assembly costs and any  
8 relocation costs incurred by a municipality pursuant  
9 to this Act;

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

18 (F) instead of the eligible costs provided by  
19 subparagraphs (B) and (D) of paragraph (11), as  
20 modified by this subparagraph, and notwithstanding any  
21 other provisions of this Act to the contrary, the  
22 municipality may pay from tax increment revenues up to  
23 50% of the cost of construction of new housing units to  
24 be occupied by low-income households and very  
25 low-income households as defined in Section 3 of the  
26 Illinois Affordable Housing Act. The cost of



1 construction of those units may be derived from the  
2 proceeds of bonds issued by the municipality under this  
3 Act or other constitutional or statutory authority or  
4 from other sources of municipal revenue that may be  
5 reimbursed from tax increment revenues or the proceeds  
6 of bonds issued to finance the construction of that  
7 housing.

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

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

20          (11.5) If the redevelopment project area is located  
21          within a municipality with a population of more than  
22          100,000, the cost of day care services for children of  
23          employees from low-income families working for businesses  
24          located within the redevelopment project area and all or a  
25          portion of the cost of operation of day care centers  
26          established by redevelopment project area businesses to

1           serve employees from low-income families working in  
2           businesses located in the redevelopment project area. For  
3           the purposes of this paragraph, "low-income families"  
4           means families whose annual income does not exceed 80% of  
5           the municipal, county, or regional median income, adjusted  
6           for family size, as the annual income and municipal,  
7           county, or regional median income are determined from time  
8           to time by the United States Department of Housing and  
9           Urban Development.

10           (12) Costs relating to the development of urban  
11           agricultural areas under Division 15.2 of the Illinois  
12           Municipal Code.

13           Unless explicitly stated herein the cost of construction of  
14           new privately-owned buildings shall not be an eligible  
15           redevelopment project cost.

16           After November 1, 1999 (the effective date of Public Act  
17           91-478), none of the redevelopment project costs enumerated in  
18           this subsection shall be eligible redevelopment project costs  
19           if those costs would provide direct financial support to a  
20           retail entity initiating operations in the redevelopment  
21           project area while terminating operations at another Illinois  
22           location within 10 miles of the redevelopment project area but  
23           outside the boundaries of the redevelopment project area  
24           municipality. For purposes of this paragraph, termination  
25           means a closing of a retail operation that is directly related  
26           to the opening of the same operation or like retail entity

1 owned or operated by more than 50% of the original ownership in  
2 a redevelopment project area, but it does not mean closing an  
3 operation for reasons beyond the control of the retail entity,  
4 as documented by the retail entity, subject to a reasonable  
5 finding by the municipality that the current location contained  
6 inadequate space, had become economically obsolete, or was no  
7 longer a viable location for the retailer or serviceman.

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

22 If a special service area has been established pursuant to  
23 the Special Service Area Tax Act or Special Service Area Tax  
24 Law, then any tax increment revenues derived from the tax  
25 imposed pursuant to the Special Service Area Tax Act or Special  
26 Service Area Tax Law may be used within the redevelopment

1 project area for the purposes permitted by that Act or Law as  
2 well as the purposes permitted by this Act.

3 (q-1) For redevelopment project areas created pursuant to  
4 subsection (p-1), redevelopment project costs are limited to  
5 those costs in paragraph (q) that are related to the existing  
6 or proposed Regional Transportation Authority Suburban Transit  
7 Access Route (STAR Line) station.

8 (q-2) For a redevelopment project area located within a  
9 transit facility improvement area established pursuant to  
10 Section 11-74.4-3.3, redevelopment project costs means those  
11 costs described in subsection (q) that are related to the  
12 construction, reconstruction, rehabilitation, remodeling, or  
13 repair of any existing or proposed transit facility.

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

21 (s) "State Sales Tax Increment" means an amount equal to  
22 the increase in the aggregate amount of taxes paid by retailers  
23 and servicemen, other than retailers and servicemen subject to  
24 the Public Utilities Act, on transactions at places of business  
25 located within a State Sales Tax Boundary pursuant to the  
26 Retailers' Occupation Tax Act, the Use Tax Act, the Service Use

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

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

1 Initial Sales Tax Amounts. Municipalities intending to receive  
2 a distribution of State Sales Tax Increment must report a list  
3 of retailers to the Department of Revenue by October 31, 1988  
4 and by July 31, of each year thereafter.

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

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

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



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

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

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

1 (y) "Green Globes certified" means any certification level  
2 of construction elements by a qualified Green Globes  
3 Professional as determined by the Green Building Initiative.  
4 (Source: P.A. 99-792, eff. 8-12-16; 100-201, eff. 8-18-17;  
5 100-465, eff. 8-31-17; 100-1133, eff. 1-1-19.)

6 (65 ILCS 5/11-74.4-3.5)

7 Sec. 11-74.4-3.5. Completion dates for redevelopment  
8 projects.

9 (a) Unless otherwise stated in this Section and before July  
10 1, 2020, the estimated dates of completion of the redevelopment  
11 project and retirement of obligations issued to finance  
12 redevelopment project costs (including refunding bonds under  
13 Section 11-74.4-7) may not be later than December 31 of the  
14 year in which the payment to the municipal treasurer, as  
15 provided in subsection (b) of Section 11-74.4-8 of this Act, is  
16 to be made with respect to ad valorem taxes levied in the 23rd  
17 calendar year after the year in which the ordinance approving  
18 the redevelopment project area was adopted if the ordinance was  
19 adopted on or after January 15, 1981.

20 (a-3) After July 1, 2020, the estimated dates of completion  
21 of the redevelopment project and retirement of obligations  
22 issued to finance redevelopment project costs (including  
23 refunding bonds under Section 11-74.4-7) may not be later than  
24 December 31 of the year in which the payment to the municipal  
25 treasurer, as provided in subsection (b) of Section 11-74.4-8

1 of this Act, is to be made with respect to ad valorem taxes  
2 levied in the 10th calendar year after the year in which the  
3 ordinance approving the redevelopment project area was adopted  
4 if the ordinance was adopted on or after July 1, 2020.

5 (a-5) If the redevelopment project area is located within a  
6 transit facility improvement area established pursuant to  
7 Section 11-74.4-3, the estimated dates of completion of the  
8 redevelopment project and retirement of obligations issued to  
9 finance redevelopment project costs (including refunding bonds  
10 under Section 11-74.4-7) may not be later than December 31 of  
11 the year in which the payment to the municipal treasurer, as  
12 provided in subsection (b) of Section 11-74.4-8 of this Act, is  
13 to be made with respect to ad valorem taxes levied in the 35th  
14 calendar year after the year in which the ordinance approving  
15 the redevelopment project area was adopted.

16 (a-7) A municipality may adopt tax increment financing for  
17 a redevelopment project area located in a transit facility  
18 improvement area that also includes real property located  
19 within an existing redevelopment project area established  
20 prior to August 12, 2016 (the effective date of Public Act  
21 99-792). In such case: (i) the provisions of this Division  
22 shall apply with respect to the previously established  
23 redevelopment project area until the municipality adopts, as  
24 required in accordance with applicable provisions of this  
25 Division, an ordinance dissolving the special tax allocation  
26 fund for such redevelopment project area and terminating the

1 designation of such redevelopment project area as a  
2 redevelopment project area; and (ii) after the effective date  
3 of the ordinance described in (i), the provisions of this  
4 Division shall apply with respect to the subsequently  
5 established redevelopment project area located in a transit  
6 facility improvement area.

7 (b) The estimated dates of completion of the redevelopment  
8 project and retirement of obligations issued to finance  
9 redevelopment project costs (including refunding bonds under  
10 Section 11-74.4-7) may not be later than December 31 of the  
11 year in which the payment to the municipal treasurer as  
12 provided in subsection (b) of Section 11-74.4-8 of this Act is  
13 to be made with respect to ad valorem taxes levied in the 32nd  
14 calendar year after the year in which the ordinance approving  
15 the redevelopment project area was adopted if the ordinance was  
16 adopted on September 9, 1999 by the Village of Downs.

17 The estimated dates of completion of the redevelopment  
18 project and retirement of obligations issued to finance  
19 redevelopment project costs (including refunding bonds under  
20 Section 11-74.4-7) may not be later than December 31 of the  
21 year in which the payment to the municipal treasurer as  
22 provided in subsection (b) of Section 11-74.4-8 of this Act is  
23 to be made with respect to ad valorem taxes levied in the 33rd  
24 calendar year after the year in which the ordinance approving  
25 the redevelopment project area was adopted if the ordinance was  
26 adopted on May 20, 1985 by the Village of Wheeling.



1           (3) If the ordinance was adopted in December 1987 and  
2           the redevelopment project is located within one mile of  
3           Midway Airport.

4           (4) If the ordinance was adopted before January 1, 1987  
5           by a municipality in Mason County.

6           (5) If the municipality is subject to the Local  
7           Government Financial Planning and Supervision Act or the  
8           Financially Distressed City Law.

9           (6) If the ordinance was adopted in December 1984 by  
10          the Village of Rosemont.

11          (7) If the ordinance was adopted on December 31, 1986  
12          by a municipality located in Clinton County for which at  
13          least \$250,000 of tax increment bonds were authorized on  
14          June 17, 1997, or if the ordinance was adopted on December  
15          31, 1986 by a municipality with a population in 1990 of  
16          less than 3,600 that is located in a county with a  
17          population in 1990 of less than 34,000 and for which at  
18          least \$250,000 of tax increment bonds were authorized on  
19          June 17, 1997.

20          (8) If the ordinance was adopted on October 5, 1982 by  
21          the City of Kankakee, or if the ordinance was adopted on  
22          December 29, 1986 by East St. Louis.

23          (9) If the ordinance was adopted on November 12, 1991  
24          by the Village of Sauget.

25          (10) If the ordinance was adopted on February 11, 1985  
26          by the City of Rock Island.

1           (11) If the ordinance was adopted before December 18,  
2           1986 by the City of Moline.

3           (12) If the ordinance was adopted in September 1988 by  
4           Sauk Village.

5           (13) If the ordinance was adopted in October 1993 by  
6           Sauk Village.

7           (14) If the ordinance was adopted on December 29, 1986  
8           by the City of Galva.

9           (15) If the ordinance was adopted in March 1991 by the  
10          City of Centreville.

11          (16) If the ordinance was adopted on January 23, 1991  
12          by the City of East St. Louis.

13          (17) If the ordinance was adopted on December 22, 1986  
14          by the City of Aledo.

15          (18) If the ordinance was adopted on February 5, 1990  
16          by the City of Clinton.

17          (19) If the ordinance was adopted on September 6, 1994  
18          by the City of Freeport.

19          (20) If the ordinance was adopted on December 22, 1986  
20          by the City of Tuscola.

21          (21) If the ordinance was adopted on December 23, 1986  
22          by the City of Sparta.

23          (22) If the ordinance was adopted on December 23, 1986  
24          by the City of Beardstown.

25          (23) If the ordinance was adopted on April 27, 1981,  
26          October 21, 1985, or December 30, 1986 by the City of

1 Belleville.

2 (24) If the ordinance was adopted on December 29, 1986  
3 by the City of Collinsville.

4 (25) If the ordinance was adopted on September 14, 1994  
5 by the City of Alton.

6 (26) If the ordinance was adopted on November 11, 1996  
7 by the City of Lexington.

8 (27) If the ordinance was adopted on November 5, 1984  
9 by the City of LeRoy.

10 (28) If the ordinance was adopted on April 3, 1991 or  
11 June 3, 1992 by the City of Markham.

12 (29) If the ordinance was adopted on November 11, 1986  
13 by the City of Pekin.

14 (30) If the ordinance was adopted on December 15, 1981  
15 by the City of Champaign.

16 (31) If the ordinance was adopted on December 15, 1986  
17 by the City of Urbana.

18 (32) If the ordinance was adopted on December 15, 1986  
19 by the Village of Heyworth.

20 (33) If the ordinance was adopted on February 24, 1992  
21 by the Village of Heyworth.

22 (34) If the ordinance was adopted on March 16, 1995 by  
23 the Village of Heyworth.

24 (35) If the ordinance was adopted on December 23, 1986  
25 by the Town of Cicero.

26 (36) If the ordinance was adopted on December 30, 1986



1 by the City of Effingham.

2 (37) If the ordinance was adopted on May 9, 1991 by the  
3 Village of Tilton.

4 (38) If the ordinance was adopted on October 20, 1986  
5 by the City of Elmhurst.

6 (39) If the ordinance was adopted on January 19, 1988  
7 by the City of Waukegan.

8 (40) If the ordinance was adopted on September 21, 1998  
9 by the City of Waukegan.

10 (41) If the ordinance was adopted on December 31, 1986  
11 by the City of Sullivan.

12 (42) If the ordinance was adopted on December 23, 1991  
13 by the City of Sullivan.

14 (43) If the ordinance was adopted on December 31, 1986  
15 by the City of Oglesby.

16 (44) If the ordinance was adopted on July 28, 1987 by  
17 the City of Marion.

18 (45) If the ordinance was adopted on April 23, 1990 by  
19 the City of Marion.

20 (46) If the ordinance was adopted on August 20, 1985 by  
21 the Village of Mount Prospect.

22 (47) If the ordinance was adopted on February 2, 1998  
23 by the Village of Woodhull.

24 (48) If the ordinance was adopted on April 20, 1993 by  
25 the Village of Princeville.

26 (49) If the ordinance was adopted on July 1, 1986 by

1 the City of Granite City.

2 (50) If the ordinance was adopted on February 2, 1989  
3 by the Village of Lombard.

4 (51) If the ordinance was adopted on December 29, 1986  
5 by the Village of Gardner.

6 (52) If the ordinance was adopted on July 14, 1999 by  
7 the Village of Paw Paw.

8 (53) If the ordinance was adopted on November 17, 1986  
9 by the Village of Franklin Park.

10 (54) If the ordinance was adopted on November 20, 1989  
11 by the Village of South Holland.

12 (55) If the ordinance was adopted on July 14, 1992 by  
13 the Village of Riverdale.

14 (56) If the ordinance was adopted on December 29, 1986  
15 by the City of Galesburg.

16 (57) If the ordinance was adopted on April 1, 1985 by  
17 the City of Galesburg.

18 (58) If the ordinance was adopted on May 21, 1990 by  
19 the City of West Chicago.

20 (59) If the ordinance was adopted on December 16, 1986  
21 by the City of Oak Forest.

22 (60) If the ordinance was adopted in 1999 by the City  
23 of Villa Grove.

24 (61) If the ordinance was adopted on January 13, 1987  
25 by the Village of Mt. Zion.

26 (62) If the ordinance was adopted on December 30, 1986

1 by the Village of Manteno.

2 (63) If the ordinance was adopted on April 3, 1989 by  
3 the City of Chicago Heights.

4 (64) If the ordinance was adopted on January 6, 1999 by  
5 the Village of Rosemont.

6 (65) If the ordinance was adopted on December 19, 2000  
7 by the Village of Stone Park.

8 (66) If the ordinance was adopted on December 22, 1986  
9 by the City of DeKalb.

10 (67) If the ordinance was adopted on December 2, 1986  
11 by the City of Aurora.

12 (68) If the ordinance was adopted on December 31, 1986  
13 by the Village of Milan.

14 (69) If the ordinance was adopted on September 8, 1994  
15 by the City of West Frankfort.

16 (70) If the ordinance was adopted on December 23, 1986  
17 by the Village of Libertyville.

18 (71) If the ordinance was adopted on December 22, 1986  
19 by the Village of Hoffman Estates.

20 (72) If the ordinance was adopted on September 17, 1986  
21 by the Village of Sherman.

22 (73) If the ordinance was adopted on December 16, 1986  
23 by the City of Macomb.

24 (74) If the ordinance was adopted on June 11, 2002 by  
25 the City of East Peoria to create the West Washington  
26 Street TIF.

1           (75) If the ordinance was adopted on June 11, 2002 by  
2 the City of East Peoria to create the Camp Street TIF.

3           (76) If the ordinance was adopted on August 7, 2000 by  
4 the City of Des Plaines.

5           (77) If the ordinance was adopted on December 22, 1986  
6 by the City of Washington to create the Washington Square  
7 TIF #2.

8           (78) If the ordinance was adopted on December 29, 1986  
9 by the City of Morris.

10          (79) If the ordinance was adopted on July 6, 1998 by  
11 the Village of Steeleville.

12          (80) If the ordinance was adopted on December 29, 1986  
13 by the City of Pontiac to create TIF I (the Main St TIF).

14          (81) If the ordinance was adopted on December 29, 1986  
15 by the City of Pontiac to create TIF II (the Interstate  
16 TIF).

17          (82) If the ordinance was adopted on November 6, 2002  
18 by the City of Chicago to create the Madden/Wells TIF  
19 District.

20          (83) If the ordinance was adopted on November 4, 1998  
21 by the City of Chicago to create the Roosevelt/Racine TIF  
22 District.

23          (84) If the ordinance was adopted on June 10, 1998 by  
24 the City of Chicago to create the Stony Island  
25 Commercial/Burnside Industrial Corridors TIF District.

26          (85) If the ordinance was adopted on November 29, 1989

1 by the City of Chicago to create the Englewood Mall TIF  
2 District.

3 (86) If the ordinance was adopted on December 27, 1986  
4 by the City of Mendota.

5 (87) If the ordinance was adopted on December 31, 1986  
6 by the Village of Cahokia.

7 (88) If the ordinance was adopted on September 20, 1999  
8 by the City of Belleville.

9 (89) If the ordinance was adopted on December 30, 1986  
10 by the Village of Bellevue to create the Bellevue TIF  
11 District 1.

12 (90) If the ordinance was adopted on December 13, 1993  
13 by the Village of Crete.

14 (91) If the ordinance was adopted on February 12, 2001  
15 by the Village of Crete.

16 (92) If the ordinance was adopted on April 23, 2001 by  
17 the Village of Crete.

18 (93) If the ordinance was adopted on December 16, 1986  
19 by the City of Champaign.

20 (94) If the ordinance was adopted on December 20, 1986  
21 by the City of Charleston.

22 (95) If the ordinance was adopted on June 6, 1989 by  
23 the Village of Romeoville.

24 (96) If the ordinance was adopted on October 14, 1993  
25 and amended on August 2, 2010 by the City of Venice.

26 (97) If the ordinance was adopted on June 1, 1994 by

1 the City of Markham.

2 (98) If the ordinance was adopted on May 19, 1998 by  
3 the Village of Bensenville.

4 (99) If the ordinance was adopted on November 12, 1987  
5 by the City of Dixon.

6 (100) If the ordinance was adopted on December 20, 1988  
7 by the Village of Lansing.

8 (101) If the ordinance was adopted on October 27, 1998  
9 by the City of Moline.

10 (102) If the ordinance was adopted on May 21, 1991 by  
11 the Village of Glenwood.

12 (103) If the ordinance was adopted on January 28, 1992  
13 by the City of East Peoria.

14 (104) If the ordinance was adopted on December 14, 1998  
15 by the City of Carlyle.

16 (105) If the ordinance was adopted on May 17, 2000, as  
17 subsequently amended, by the City of Chicago to create the  
18 Midwest Redevelopment TIF District.

19 (106) If the ordinance was adopted on September 13,  
20 1989 by the City of Chicago to create the Michigan/Cermak  
21 Area TIF District.

22 (107) If the ordinance was adopted on March 30, 1992 by  
23 the Village of Ohio.

24 (108) If the ordinance was adopted on July 6, 1998 by  
25 the Village of Orangeville.

26 (109) If the ordinance was adopted on December 16, 1997

1 by the Village of Germantown.

2 (110) If the ordinance was adopted on April 28, 2003 by  
3 Gibson City.

4 (111) If the ordinance was adopted on December 18, 1990  
5 by the Village of Washington Park, but only after the  
6 Village of Washington Park becomes compliant with the  
7 reporting requirements under subsection (d) of Section  
8 11-74.4-5, and after the State Comptroller's certification  
9 of such compliance.

10 (112) If the ordinance was adopted on February 28, 2000  
11 by the City of Harvey.

12 (113) If the ordinance was adopted on January 11, 1991  
13 by the City of Chicago to create the Read/Dunning TIF  
14 District.

15 (114) If the ordinance was adopted on July 24, 1991 by  
16 the City of Chicago to create the Sanitary and Ship Canal  
17 TIF District.

18 (115) If the ordinance was adopted on December 4, 2007  
19 by the City of Naperville.

20 (116) If the ordinance was adopted on July 1, 2002 by  
21 the Village of Arlington Heights.

22 (117) If the ordinance was adopted on February 11, 1991  
23 by the Village of Machesney Park.

24 (118) If the ordinance was adopted on December 29, 1993  
25 by the City of Ottawa.

26 (119) If the ordinance was adopted on June 4, 1991 by

1 the Village of Lansing.

2 (120) If the ordinance was adopted on February 10, 2004  
3 by the Village of Fox Lake.

4 (121) If the ordinance was adopted on December 22, 1992  
5 by the City of Fairfield.

6 (122) If the ordinance was adopted on February 10, 1992  
7 by the City of Mt. Sterling.

8 (123) If the ordinance was adopted on March 15, 2004 by  
9 the City of Batavia.

10 (124) If the ordinance was adopted on March 18, 2002 by  
11 the Village of Lake Zurich.

12 (125) If the ordinance was adopted on September 23,  
13 1997 by the City of Granite City.

14 (126) If the ordinance was adopted on May 8, 2013 by  
15 the Village of Rosemont to create the Higgins Road/River  
16 Road TIF District No. 6.

17 (127) If the ordinance was adopted on November 22, 1993  
18 by the City of Arcola.

19 (128) If the ordinance was adopted on September 7, 2004  
20 by the City of Arcola.

21 (129) If the ordinance was adopted on November 29, 1999  
22 by the City of Paris.

23 (130) If the ordinance was adopted on September 20,  
24 1994 by the City of Ottawa to create the U.S. Route 6 East  
25 Ottawa TIF.

26 (131) If the ordinance was adopted on May 2, 2002 by



1 the Village of Crestwood.

2 (132) If the ordinance was adopted on October 27, 1992  
3 by the City of Blue Island.

4 (133) If the ordinance was adopted on December 23, 1993  
5 by the City of Lacon.

6 (134) If the ordinance was adopted on May 4, 1998 by  
7 the Village of Bradford.

8 (135) If the ordinance was adopted on June 11, 2002 by  
9 the City of Oak Forest.

10 (136) If the ordinance was adopted on November 16, 1992  
11 by the City of Pinckneyville.

12 (137) If the ordinance was adopted on March 1, 2001 by  
13 the Village of South Jacksonville.

14 (138) If the ordinance was adopted on February 26, 1992  
15 by the City of Chicago to create the Stockyards Southeast  
16 Quadrant TIF District.

17 (139) If the ordinance was adopted on January 25, 1993  
18 by the City of LaSalle.

19 (140) If the ordinance was adopted on December 23, 1997  
20 by the Village of Dieterich.

21 (141) If the ordinance was adopted on February 10, 2016  
22 by the Village of Rosemont to create the Balmoral/Pearl TIF  
23 No. 8 Tax Increment Financing Redevelopment Project Area.

24 (142) If the ordinance was adopted on June 11, 2002 by  
25 the City of Oak Forest.

26 (143) If the ordinance was adopted on January 31, 1995

1 by the Village of Milledgeville.

2 (144) If the ordinance was adopted on February 5, 1996  
3 by the Village of Pearl City.

4 (145) If the ordinance was adopted on December 21, 1994  
5 by the City of Calumet City.

6 (146) If the ordinance was adopted on May 5, 2003 by  
7 the Town of Normal.

8 (147) If the ordinance was adopted on June 2, 1998 by  
9 the City of Litchfield.

10 (148) If the ordinance was adopted on October 23, 1995  
11 by the City of Marion.

12 (149) If the ordinance was adopted on May 24, 2001 by  
13 the Village of Hanover Park.

14 (150) If the ordinance was adopted on May 30, 1995 by  
15 the Village of Dalzell.

16 (151) If the ordinance was adopted on April 15, 1997 by  
17 the City of Edwardsville.

18 (152) If the ordinance was adopted on September 5, 1995  
19 by the City of Granite City.

20 (153) If the ordinance was adopted on June 21, 1999 by  
21 the Village of Table Grove.

22 (154) If the ordinance was adopted on February 23, 1995  
23 by the City of Springfield.

24 (155) If the ordinance was adopted on August 11, 1999  
25 by the City of Monmouth.

26 (156) If the ordinance was adopted on December 26, 1995

1 by the Village of Posen.

2 (157) If the ordinance was adopted on July 1, 1995 by  
3 the Village of Caseyville.

4 (158) If the ordinance was adopted on January 30, 1996  
5 by the City of Madison.

6 (159) If the ordinance was adopted on February 2, 1996  
7 by the Village of Hartford.

8 (160) If the ordinance was adopted on July 2, 1996 by  
9 the Village of Manlius.

10 (161) If the ordinance was adopted on March 21, 2000 by  
11 the City of Hoopeston.

12 (162) If the ordinance was adopted on March 22, 2005 by  
13 the City of Hoopeston.

14 (163) If the ordinance was adopted on July 10, 1996 by  
15 the City of Chicago to create the Goose Island TIF  
16 District.

17 (164) If the ordinance was adopted on December 11, 1996  
18 by the City of Chicago to create the Bryn Mawr/Broadway TIF  
19 District.

20 (165) If the ordinance was adopted on December 31, 1995  
21 by the City of Chicago to create the 95th/Western TIF  
22 District.

23 (166) If the ordinance was adopted on October 7, 1998  
24 by the City of Chicago to create the 71st and Stony Island  
25 TIF District.

26 (167) If the ordinance was adopted on April 19, 1995 by

1 the Village of North Utica.

2 (168) If the ordinance was adopted on April 22, 1996 by  
3 the City of LaSalle.

4 (169) If the ordinance was adopted on June 9, 2008 by  
5 the City of Country Club Hills.

6 (170) If the ordinance was adopted on July 3, 1996 by  
7 the Village of Phoenix.

8 (171) If the ordinance was adopted on May 19, 1997 by  
9 the Village of Swansea.

10 (172) If the ordinance was adopted on August 13, 2001  
11 by the Village of Saunemin.

12 (173) If the ordinance was adopted on January 10, 2005  
13 by the Village of Romeoville.

14 (174) If the ordinance was adopted on January 28, 1997  
15 by the City of Berwyn for the South Berwyn Corridor Tax  
16 Increment Financing District.

17 (175) If the ordinance was adopted on January 28, 1997  
18 by the City of Berwyn for the Roosevelt Road Tax Increment  
19 Financing District.

20 (176) If the ordinance was adopted on May 3, 2001 by  
21 the Village of Hanover Park for the Village Center Tax  
22 Increment Financing Redevelopment Project Area (TIF # 3).

23 (177) If the ordinance was adopted on January 1, 1996  
24 by the City of Savanna.

25 On or after July 1, 2020, before the completion date may be  
26 extended under this subsection to the 15th calendar year after

1 the year in which the ordinance approving the redevelopment  
2 project area was adopted, the municipality shall request that  
3 the joint review board convene and issue a written report  
4 describing its decision whether or not to extend the completion  
5 date of the redevelopment project area. If the joint review  
6 board does not file a report, it shall be presumed that the  
7 taxing bodies approve the extension of the life of the  
8 redevelopment project area. If both the municipality and the  
9 joint review board elects to extend the completion date under  
10 this subsection, the municipality shall give at least 30 days'  
11 written notice to the taxing bodies before the adoption of the  
12 ordinance approving the extension of the completion date.

13 (d) For redevelopment project areas for which bonds were  
14 issued before July 29, 1991, or for which contracts were  
15 entered into before June 1, 1988, in connection with a  
16 redevelopment project in the area within the State Sales Tax  
17 Boundary, the estimated dates of completion of the  
18 redevelopment project and retirement of obligations to finance  
19 redevelopment project costs (including refunding bonds under  
20 Section 11-74.4-7) may be extended by municipal ordinance to  
21 December 31, 2013. The termination procedures of subsection (b)  
22 of Section 11-74.4-8 are not required for these redevelopment  
23 project areas in 2009 but are required in 2013. The extension  
24 allowed by Public Act 87-1272 shall not apply to real property  
25 tax increment allocation financing under Section 11-74.4-8.

26 (e) Those dates, for purposes of real property tax

1 increment allocation financing pursuant to Section 11-74.4-8  
2 only, shall be not more than 35 years for redevelopment project  
3 areas that were adopted on or after December 16, 1986 and for  
4 which at least \$8 million worth of municipal bonds were  
5 authorized on or after December 19, 1989 but before January 1,  
6 1990; provided that the municipality elects to extend the life  
7 of the redevelopment project area to 35 years by the adoption  
8 of an ordinance after at least 14 but not more than 30 days'  
9 written notice to the taxing bodies, that would otherwise  
10 constitute the joint review board for the redevelopment project  
11 area, before the adoption of the ordinance.

12 (f) Those dates, for purposes of real property tax  
13 increment allocation financing pursuant to Section 11-74.4-8  
14 only, shall be not more than 35 years for redevelopment project  
15 areas that were established on or after December 1, 1981 but  
16 before January 1, 1982 and for which at least \$1,500,000 worth  
17 of tax increment revenue bonds were authorized on or after  
18 September 30, 1990 but before July 1, 1991; provided that the  
19 municipality elects to extend the life of the redevelopment  
20 project area to 35 years by the adoption of an ordinance after  
21 at least 14 but not more than 30 days' written notice to the  
22 taxing bodies, that would otherwise constitute the joint review  
23 board for the redevelopment project area, before the adoption  
24 of the ordinance.

25 (f-5) Those dates, for purposes of real property tax  
26 increment allocation financing pursuant to Section 11-74.4-8

1 only, shall be not more than 47 years for redevelopment project  
2 areas that were established on December 29, 1981 by the City of  
3 Springfield; provided that (i) the City of Springfield adopts  
4 an ordinance extending the life of the redevelopment project  
5 area to 47 years and (ii) the City of Springfield provides  
6 notice to the taxing bodies that would otherwise constitute the  
7 joint review board for the redevelopment project area not more  
8 than 30 and not less than 14 days prior to the adoption of that  
9 ordinance.

10 (g) In consolidating the material relating to completion  
11 dates from Sections 11-74.4-3 and 11-74.4-7 into this Section,  
12 it is not the intent of the General Assembly to make any  
13 substantive change in the law, except for the extension of the  
14 completion dates for the City of Aurora, the Village of Milan,  
15 the City of West Frankfort, the Village of Libertyville, and  
16 the Village of Hoffman Estates set forth under items (67),  
17 (68), (69), (70), and (71) of subsection (c) of this Section.

18 (Source: P.A. 100-201, eff. 8-18-17; 100-214, eff. 8-18-17;  
19 100-249, eff. 8-22-17; 100-510, eff. 9-15-17; 100-591, eff.  
20 6-21-18; 100-609, eff. 7-17-18; 100-836, eff. 8-13-18;  
21 100-853, eff. 8-14-18; 100-859, eff. 8-14-18; 100-863, eff.  
22 8-14-18; 100-873, eff. 8-14-18; 100-899, eff. 8-17-18;  
23 100-928, eff. 8-17-18; 100-967, eff. 8-19-18; 100-1031, eff.  
24 8-22-18; 100-1032, eff. 8-22-18; 100-1164, eff. 12-27-18;  
25 101-274, eff. 8-9-19; 101-618, eff. 12-20-19.)

1 (65 ILCS 5/11-74.4-5) (from Ch. 24, par. 11-74.4-5)

2 Sec. 11-74.4-5. Public hearing; joint review board.

3 (a) The changes made by this amendatory Act of the 91st  
4 General Assembly do not apply to a municipality that, (i)  
5 before the effective date of this amendatory Act of the 91st  
6 General Assembly, has adopted an ordinance or resolution fixing  
7 a time and place for a public hearing under this Section or  
8 (ii) before July 1, 1999, has adopted an ordinance or  
9 resolution providing for a feasibility study under Section  
10 11-74.4-4.1, but has not yet adopted an ordinance approving  
11 redevelopment plans and redevelopment projects or designating  
12 redevelopment project areas under Section 11-74.4-4, until  
13 after that municipality adopts an ordinance approving  
14 redevelopment plans and redevelopment projects or designating  
15 redevelopment project areas under Section 11-74.4-4;  
16 thereafter the changes made by this amendatory Act of the 91st  
17 General Assembly apply to the same extent that they apply to  
18 redevelopment plans and redevelopment projects that were  
19 approved and redevelopment projects that were designated  
20 before the effective date of this amendatory Act of the 91st  
21 General Assembly.

22 Prior to the adoption of an ordinance proposing the  
23 designation of a redevelopment project area, or approving a  
24 redevelopment plan or redevelopment project, the municipality  
25 by its corporate authorities, or as it may determine by any  
26 commission designated under subsection (k) of Section



1 11-74.4-4 shall adopt an ordinance or resolution fixing a time  
2 and place for public hearing. At least 10 days prior to the  
3 adoption of the ordinance or resolution establishing the time  
4 and place for the public hearing, the municipality shall make  
5 available for public inspection a redevelopment plan or a  
6 separate report that provides in reasonable detail the basis  
7 for the eligibility of the redevelopment project area. The  
8 report along with the name of a person to contact for further  
9 information shall be sent within a reasonable time after the  
10 adoption of such ordinance or resolution to the affected taxing  
11 districts by certified mail. On and after the effective date of  
12 this amendatory Act of the 91st General Assembly, the  
13 municipality shall print in a newspaper of general circulation  
14 within the municipality a notice that interested persons may  
15 register with the municipality in order to receive information  
16 on the proposed designation of a redevelopment project area or  
17 the approval of a redevelopment plan. The notice shall state  
18 the place of registration and the operating hours of that  
19 place. The municipality shall have adopted reasonable rules to  
20 implement this registration process under Section 11-74.4-4.2.  
21 The municipality shall provide notice of the availability of  
22 the redevelopment plan and eligibility report, including how to  
23 obtain this information, by mail within a reasonable time after  
24 the adoption of the ordinance or resolution, to all residential  
25 addresses that, after a good faith effort, the municipality  
26 determines are located outside the proposed redevelopment

1 project area and within 750 feet of the boundaries of the  
2 proposed redevelopment project area. This requirement is  
3 subject to the limitation that in a municipality with a  
4 population of over 100,000, if the total number of residential  
5 addresses outside the proposed redevelopment project area and  
6 within 750 feet of the boundaries of the proposed redevelopment  
7 project area exceeds 750, the municipality shall be required to  
8 provide the notice to only the 750 residential addresses that,  
9 after a good faith effort, the municipality determines are  
10 outside the proposed redevelopment project area and closest to  
11 the boundaries of the proposed redevelopment project area.  
12 Notwithstanding the foregoing, notice given after August 7,  
13 2001 (the effective date of Public Act 92-263) and before the  
14 effective date of this amendatory Act of the 92nd General  
15 Assembly to residential addresses within 750 feet of the  
16 boundaries of a proposed redevelopment project area shall be  
17 deemed to have been sufficiently given in compliance with this  
18 Act if given only to residents outside the boundaries of the  
19 proposed redevelopment project area. The notice shall also be  
20 provided by the municipality, regardless of its population, to  
21 those organizations and residents that have registered with the  
22 municipality for that information in accordance with the  
23 registration guidelines established by the municipality under  
24 Section 11-74.4-4.2.

25 At the public hearing any interested person or affected  
26 taxing district may file with the municipal clerk written

1 objections to and may be heard orally in respect to any issues  
2 embodied in the notice. The municipality shall hear all  
3 protests and objections at the hearing and the hearing may be  
4 adjourned to another date without further notice other than a  
5 motion to be entered upon the minutes fixing the time and place  
6 of the subsequent hearing. At the public hearing or at any time  
7 prior to the adoption by the municipality of an ordinance  
8 approving a redevelopment plan, the municipality may make  
9 changes in the redevelopment plan. Changes which (1) add  
10 additional parcels of property to the proposed redevelopment  
11 project area, (2) substantially affect the general land uses  
12 proposed in the redevelopment plan, (3) substantially change  
13 the nature of or extend the life of the redevelopment project,  
14 or (4) increase the number of inhabited residential units to be  
15 displaced from the redevelopment project area, as measured from  
16 the time of creation of the redevelopment project area, to a  
17 total of more than 10, shall be made only after the  
18 municipality gives notice, convenes a joint review board, and  
19 conducts a public hearing pursuant to the procedures set forth  
20 in this Section and in Section 11-74.4-6 of this Act. Changes  
21 which do not (1) add additional parcels of property to the  
22 proposed redevelopment project area, (2) substantially affect  
23 the general land uses proposed in the redevelopment plan, (3)  
24 substantially change the nature of or extend the life of the  
25 redevelopment project, or (4) increase the number of inhabited  
26 residential units to be displaced from the redevelopment

1 project area, as measured from the time of creation of the  
2 redevelopment project area, to a total of more than 10, may be  
3 made without further hearing, provided that the municipality  
4 shall give notice of any such changes by mail to each affected  
5 taxing district and registrant on the interested parties  
6 registry, provided for under Section 11-74.4-4.2, and by  
7 publication in a newspaper of general circulation within the  
8 affected taxing district. Such notice by mail and by  
9 publication shall each occur not later than 10 days following  
10 the adoption by ordinance of such changes. Hearings with regard  
11 to a redevelopment project area, project or plan may be held  
12 simultaneously.

13 (b) Prior to holding a public hearing to approve or amend a  
14 redevelopment plan or to designate or add additional parcels of  
15 property to a redevelopment project area, the municipality  
16 shall convene a joint review board. The board shall consist of  
17 a representative selected by each community college district,  
18 local elementary school district and high school district or  
19 each local community unit school district, park district,  
20 library district, township, fire protection district, and  
21 county that will have the authority to directly levy taxes on  
22 the property within the proposed redevelopment project area at  
23 the time that the proposed redevelopment project area is  
24 approved, a representative selected by the municipality and a  
25 public member. The public member shall first be selected and  
26 then the board's chairperson shall be selected by a majority of

1 the board members present and voting.

2 For redevelopment project areas with redevelopment plans  
3 or proposed redevelopment plans that would result in the  
4 displacement of residents from 10 or more inhabited residential  
5 units or that include 75 or more inhabited residential units,  
6 the public member shall be a person who resides in the  
7 redevelopment project area. If, as determined by the housing  
8 impact study provided for in paragraph (5) of subsection (n) of  
9 Section 11-74.4-3, or if no housing impact study is required  
10 then based on other reasonable data, the majority of  
11 residential units are occupied by very low, low, or moderate  
12 income households, as defined in Section 3 of the Illinois  
13 Affordable Housing Act, the public member shall be a person who  
14 resides in very low, low, or moderate income housing within the  
15 redevelopment project area. Municipalities with fewer than  
16 15,000 residents shall not be required to select a person who  
17 lives in very low, low, or moderate income housing within the  
18 redevelopment project area, provided that the redevelopment  
19 plan or project will not result in displacement of residents  
20 from 10 or more inhabited units, and the municipality so  
21 certifies in the plan. If no person satisfying these  
22 requirements is available or if no qualified person will serve  
23 as the public member, then the joint review board is relieved  
24 of this paragraph's selection requirements for the public  
25 member.

26 Within 90 days of the effective date of this amendatory Act

1 of the 91st General Assembly, each municipality that designated  
2 a redevelopment project area for which it was not required to  
3 convene a joint review board under this Section shall convene a  
4 joint review board to perform the duties specified under  
5 paragraph (e) of this Section.

6 All board members shall be appointed and the first board  
7 meeting shall be held at least 14 days but not more than 28  
8 days after the mailing of notice by the municipality to the  
9 taxing districts as required by Section 11-74.4-6(c).  
10 Notwithstanding the preceding sentence, a municipality that  
11 adopted either a public hearing resolution or a feasibility  
12 resolution between July 1, 1999 and July 1, 2000 that called  
13 for the meeting of the joint review board within 14 days of  
14 notice of public hearing to affected taxing districts is deemed  
15 to be in compliance with the notice, meeting, and public  
16 hearing provisions of the Act. Such notice shall also advise  
17 the taxing bodies represented on the joint review board of the  
18 time and place of the first meeting of the board. Additional  
19 meetings of the board shall be held upon the call of any  
20 member. The municipality seeking designation of the  
21 redevelopment project area shall provide administrative  
22 support to the board.

23 The board shall review (i) the public record, planning  
24 documents and proposed ordinances approving the redevelopment  
25 plan and project and (ii) proposed amendments to the  
26 redevelopment plan or additions of parcels of property to the

1 redevelopment project area to be adopted by the municipality.  
2 As part of its deliberations, the board may hold additional  
3 hearings on the proposal. A board's recommendation shall be an  
4 advisory, non-binding recommendation. The recommendation shall  
5 be adopted by a majority of those members present and voting.  
6 The recommendations shall be submitted to the municipality  
7 within 30 days after convening of the board. Failure of the  
8 board to submit its report on a timely basis shall not be cause  
9 to delay the public hearing or any other step in the process of  
10 designating or amending the redevelopment project area but  
11 shall be deemed to constitute approval by the joint review  
12 board of the matters before it.

13 The board shall base its recommendation to approve or  
14 disapprove the redevelopment plan and the designation of the  
15 redevelopment project area or the amendment of the  
16 redevelopment plan or addition of parcels of property to the  
17 redevelopment project area on the basis of the redevelopment  
18 project area and redevelopment plan satisfying the plan  
19 requirements, the eligibility criteria defined in Section  
20 11-74.4-3, and the objectives of this Act.

21 The board shall issue a written report describing why the  
22 redevelopment plan and project area or the amendment thereof  
23 meets or fails to meet one or more of the objectives of this  
24 Act and both the plan requirements and the eligibility criteria  
25 defined in Section 11-74.4-3. In the event the Board does not  
26 file a report it shall be presumed that these taxing bodies

1 find the redevelopment project area and redevelopment plan  
2 satisfy the objectives of this Act and the plan requirements  
3 and eligibility criteria.

4 If the board recommends rejection of the matters before it,  
5 the municipality will have 30 days within which to resubmit the  
6 plan or amendment. During this period, the municipality will  
7 meet and confer with the board and attempt to resolve those  
8 issues set forth in the board's written report that led to the  
9 rejection of the plan or amendment.

10 Notwithstanding the resubmission set forth above, the  
11 municipality may commence the scheduled public hearing and  
12 either adjourn the public hearing or continue the public  
13 hearing until a date certain. Prior to continuing any public  
14 hearing to a date certain, the municipality shall announce  
15 during the public hearing the time, date, and location for the  
16 reconvening of the public hearing. Any changes to the  
17 redevelopment plan necessary to satisfy the issues set forth in  
18 the joint review board report shall be the subject of a public  
19 hearing before the hearing is adjourned if the changes would  
20 (1) substantially affect the general land uses proposed in the  
21 redevelopment plan, (2) substantially change the nature of or  
22 extend the life of the redevelopment project, or (3) increase  
23 the number of inhabited residential units to be displaced from  
24 the redevelopment project area, as measured from the time of  
25 creation of the redevelopment project area, to a total of more  
26 than 10. Changes to the redevelopment plan necessary to satisfy



1 the issues set forth in the joint review board report shall not  
2 require any further notice or convening of a joint review board  
3 meeting, except that any changes to the redevelopment plan that  
4 would add additional parcels of property to the proposed  
5 redevelopment project area shall be subject to the notice,  
6 public hearing, and joint review board meeting requirements  
7 established for such changes by subsection (a) of Section  
8 11-74.4-5.

9 In the event that the municipality and the board are unable  
10 to resolve these differences, or in the event that the  
11 resubmitted plan or amendment is rejected by the board, the  
12 municipality may proceed with the plan or amendment, but only  
13 upon a three-fifths vote of the corporate authority responsible  
14 for approval of the plan or amendment, excluding positions of  
15 members that are vacant and those members that are ineligible  
16 to vote because of conflicts of interest.

17 After the effective date of this amendatory Act of the  
18 101st General Assembly, a new redevelopment project area that  
19 overlaps with any existing redevelopment project area or an  
20 expansion of a redevelopment project area so that the expanded  
21 area will overlap with any existing redevelopment project area  
22 may not be approved.

23 (c) After a municipality has by ordinance approved a  
24 redevelopment plan and designated a redevelopment project  
25 area, the plan may be amended and additional properties may be  
26 added to the redevelopment project area only as herein

1 provided. Amendments which (1) add additional parcels of  
2 property to the proposed redevelopment project area, (2)  
3 substantially affect the general land uses proposed in the  
4 redevelopment plan, (3) substantially change the nature of the  
5 redevelopment project, (4) increase the total estimated  
6 redevelopment project costs set out in the redevelopment plan  
7 by more than 5% after adjustment for inflation from the date  
8 the plan was adopted, (5) add additional redevelopment project  
9 costs to the itemized list of redevelopment project costs set  
10 out in the redevelopment plan, or (6) increase the number of  
11 inhabited residential units to be displaced from the  
12 redevelopment project area, as measured from the time of  
13 creation of the redevelopment project area, to a total of more  
14 than 10, shall be made only after the municipality gives  
15 notice, convenes a joint review board, and conducts a public  
16 hearing pursuant to the procedures set forth in this Section  
17 and in Section 11-74.4-6 of this Act. Changes which do not (1)  
18 add additional parcels of property to the proposed  
19 redevelopment project area, (2) substantially affect the  
20 general land uses proposed in the redevelopment plan, (3)  
21 substantially change the nature of the redevelopment project,  
22 (4) increase the total estimated redevelopment project cost set  
23 out in the redevelopment plan by more than 5% after adjustment  
24 for inflation from the date the plan was adopted, (5) add  
25 additional redevelopment project costs to the itemized list of  
26 redevelopment project costs set out in the redevelopment plan,

1 or (6) increase the number of inhabited residential units to be  
2 displaced from the redevelopment project area, as measured from  
3 the time of creation of the redevelopment project area, to a  
4 total of more than 10, may be made without further public  
5 hearing and related notices and procedures including the  
6 convening of a joint review board as set forth in Section  
7 11-74.4-6 of this Act, provided that the municipality shall  
8 give notice of any such changes by mail to each affected taxing  
9 district and registrant on the interested parties registry,  
10 provided for under Section 11-74.4-4.2, and by publication in a  
11 newspaper of general circulation within the affected taxing  
12 district. Such notice by mail and by publication shall each  
13 occur not later than 10 days following the adoption by  
14 ordinance of such changes.

15 (d) After the effective date of this amendatory Act of the  
16 91st General Assembly, a municipality shall submit in an  
17 electronic format the following information for each  
18 redevelopment project area (i) to the State Comptroller under  
19 Section 8-8-3.5 of the Illinois Municipal Code, subject to any  
20 extensions or exemptions provided at the Comptroller's  
21 discretion under that Section, and (ii) to all taxing districts  
22 overlapping the redevelopment project area no later than 180  
23 days after the close of each municipal fiscal year or as soon  
24 thereafter as the audited financial statements become  
25 available and, in any case, shall be submitted before the  
26 annual meeting of the Joint Review Board to each of the taxing

1 districts that overlap the redevelopment project area:

2 (1) Any amendments to the redevelopment plan, the  
3 redevelopment project area, or the State Sales Tax  
4 Boundary.

5 (1.5) A list of the redevelopment project areas  
6 administered by the municipality and, if applicable, the  
7 date each redevelopment project area was designated or  
8 terminated by the municipality.

9 (2) Audited financial statements of the special tax  
10 allocation fund once a cumulative total of \$100,000 has  
11 been deposited in the fund.

12 (3) Certification of the Chief Executive Officer of the  
13 municipality that the municipality has complied with all of  
14 the requirements of this Act during the preceding fiscal  
15 year.

16 (4) An opinion of legal counsel that the municipality  
17 is in compliance with this Act.

18 (5) An analysis of the special tax allocation fund  
19 which sets forth:

20 (A) the balance in the special tax allocation fund  
21 at the beginning of the fiscal year;

22 (B) all amounts deposited in the special tax  
23 allocation fund by source;

24 (C) an itemized list of all expenditures from the  
25 special tax allocation fund by category of permissible  
26 redevelopment project cost; and

1 (D) the balance in the special tax allocation fund  
2 at the end of the fiscal year including a breakdown of  
3 that balance by source and a breakdown of that balance  
4 identifying any portion of the balance that is  
5 required, pledged, earmarked, or otherwise designated  
6 for payment of or securing of obligations and  
7 anticipated redevelopment project costs. Any portion  
8 of such ending balance that has not been identified or  
9 is not identified as being required, pledged,  
10 earmarked, or otherwise designated for payment of or  
11 securing of obligations or anticipated redevelopment  
12 projects costs shall be designated as surplus as set  
13 forth in Section 11-74.4-7 hereof.

14 (6) A description of all property purchased by the  
15 municipality within the redevelopment project area  
16 including:

17 (A) Street address.

18 (B) Approximate size or description of property.

19 (C) Purchase price.

20 (D) Seller of property.

21 (7) A statement setting forth all activities  
22 undertaken in furtherance of the objectives of the  
23 redevelopment plan, including:

24 (A) Any project implemented in the preceding  
25 fiscal year.

26 (B) A description of the redevelopment activities

1           undertaken.

2           (C) A description of any agreements entered into by  
3           the municipality with regard to the disposition or  
4           redevelopment of any property within the redevelopment  
5           project area or the area within the State Sales Tax  
6           Boundary.

7           (D) Additional information on the use of all funds  
8           received under this Division and steps taken by the  
9           municipality to achieve the objectives of the  
10          redevelopment plan.

11          (E) Information regarding contracts that the  
12          municipality's tax increment advisors or consultants  
13          have entered into with entities or persons that have  
14          received, or are receiving, payments financed by tax  
15          increment revenues produced by the same redevelopment  
16          project area.

17          (F) Any reports submitted to the municipality by  
18          the joint review board.

19          (G) A review of public and, to the extent possible,  
20          private investment actually undertaken to date after  
21          the effective date of this amendatory Act of the 91st  
22          General Assembly and estimated to be undertaken during  
23          the following year. This review shall, on a  
24          project-by-project basis, set forth the estimated  
25          amounts of public and private investment incurred  
26          after the effective date of this amendatory Act of the

1           91st General Assembly and provide the ratio of private  
2           investment to public investment to the date of the  
3           report and as estimated to the completion of the  
4           redevelopment project.

5           (8) With regard to any obligations issued by the  
6           municipality:

7                     (A) copies of any official statements; and

8                     (B) an analysis prepared by financial advisor or  
9           underwriter setting forth: (i) nature and term of  
10          obligation; and (ii) projected debt service including  
11          required reserves and debt coverage.

12          (9) For special tax allocation funds that have  
13          experienced cumulative deposits of incremental tax  
14          revenues of \$100,000 or more, a certified audit report  
15          reviewing compliance with this Act performed by an  
16          independent public accountant certified and licensed by  
17          the authority of the State of Illinois. The financial  
18          portion of the audit must be conducted in accordance with  
19          Standards for Audits of Governmental Organizations,  
20          Programs, Activities, and Functions adopted by the  
21          Comptroller General of the United States (1981), as  
22          amended, or the standards specified by Section 8-8-5 of the  
23          Illinois Municipal Auditing Law of the Illinois Municipal  
24          Code. The audit report shall contain a letter from the  
25          independent certified public accountant indicating  
26          compliance or noncompliance with the requirements of

1 subsection (q) of Section 11-74.4-3. For redevelopment  
2 plans or projects that would result in the displacement of  
3 residents from 10 or more inhabited residential units or  
4 that contain 75 or more inhabited residential units, notice  
5 of the availability of the information, including how to  
6 obtain the report, required in this subsection shall also  
7 be sent by mail to all residents or organizations that  
8 operate in the municipality that register with the  
9 municipality for that information according to  
10 registration procedures adopted under Section 11-74.4-4.2.  
11 All municipalities are subject to this provision.

12 (10) A list of all intergovernmental agreements in  
13 effect during the fiscal year to which the municipality is  
14 a party and an accounting of any moneys transferred or  
15 received by the municipality during that fiscal year  
16 pursuant to those intergovernmental agreements.

17 (d-1) Prior to the effective date of this amendatory Act of  
18 the 91st General Assembly, municipalities with populations of  
19 over 1,000,000 shall, after adoption of a redevelopment plan or  
20 project, make available upon request to any taxing district in  
21 which the redevelopment project area is located the following  
22 information:

23 (1) Any amendments to the redevelopment plan, the  
24 redevelopment project area, or the State Sales Tax  
25 Boundary; and

26 (2) In connection with any redevelopment project area



1 for which the municipality has outstanding obligations  
2 issued to provide for redevelopment project costs pursuant  
3 to Section 11-74.4-7, audited financial statements of the  
4 special tax allocation fund.

5 (e) The joint review board shall meet annually 180 days  
6 after the close of the municipal fiscal year or as soon as the  
7 redevelopment project audit for that fiscal year becomes  
8 available to review the effectiveness and status of the  
9 redevelopment project area up to that date.

10 (f) (Blank).

11 (g) In the event that a municipality has held a public  
12 hearing under this Section prior to March 14, 1994 (the  
13 effective date of Public Act 88-537), the requirements imposed  
14 by Public Act 88-537 relating to the method of fixing the time  
15 and place for public hearing, the materials and information  
16 required to be made available for public inspection, and the  
17 information required to be sent after adoption of an ordinance  
18 or resolution fixing a time and place for public hearing shall  
19 not be applicable.

20 (h) On and after the effective date of this amendatory Act  
21 of the 96th General Assembly, the State Comptroller must post  
22 on the State Comptroller's official website the information  
23 submitted by a municipality pursuant to subsection (d) of this  
24 Section. The information must be posted no later than 45 days  
25 after the State Comptroller receives the information from the  
26 municipality. The State Comptroller must also post a list of

1 the municipalities not in compliance with the reporting  
2 requirements set forth in subsection (d) of this Section.

3 (i) No later than 10 years after the corporate authorities  
4 of a municipality adopt an ordinance to establish a  
5 redevelopment project area, the municipality must compile a  
6 status report concerning the redevelopment project area. The  
7 status report must detail without limitation the following: (i)  
8 the amount of revenue generated within the redevelopment  
9 project area, (ii) any expenditures made by the municipality  
10 for the redevelopment project area including without  
11 limitation expenditures from the special tax allocation fund,  
12 (iii) the status of planned activities, goals, and objectives  
13 set forth in the redevelopment plan including details on new or  
14 planned construction within the redevelopment project area,  
15 (iv) the amount of private and public investment within the  
16 redevelopment project area, and (v) any other relevant  
17 evaluation or performance data. Within 30 days after the  
18 municipality compiles the status report, the municipality must  
19 hold at least one public hearing concerning the report. The  
20 municipality must provide 20 days' public notice of the  
21 hearing.

22 (j) Beginning in fiscal year 2011 and in each fiscal year  
23 thereafter, a municipality must detail in its annual budget (i)  
24 the revenues generated from redevelopment project areas by  
25 source and (ii) the expenditures made by the municipality for  
26 redevelopment project areas.

1 (Source: P.A. 98-922, eff. 8-15-14.)

2 (65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

3 Sec. 11-74.4-7. Obligations secured by the special tax  
4 allocation fund set forth in Section 11-74.4-8 for the  
5 redevelopment project area may be issued to provide for  
6 redevelopment project costs. Such obligations, when so issued,  
7 shall be retired in the manner provided in the ordinance  
8 authorizing the issuance of such obligations by the receipts of  
9 taxes levied as specified in Section 11-74.4-9 against the  
10 taxable property included in the area, by revenues as specified  
11 by Section 11-74.4-8a and other revenue designated by the  
12 municipality. A municipality may in the ordinance pledge all or  
13 any part of the funds in and to be deposited in the special tax  
14 allocation fund created pursuant to Section 11-74.4-8 to the  
15 payment of the redevelopment project costs and obligations. Any  
16 pledge of funds in the special tax allocation fund shall  
17 provide for distribution to the taxing districts and to the  
18 Illinois Department of Revenue of moneys not required, pledged,  
19 earmarked, or otherwise designated for payment and securing of  
20 the obligations and anticipated redevelopment project costs  
21 and such excess funds shall be calculated annually and deemed  
22 to be "surplus" funds. In the event a municipality only applies  
23 or pledges a portion of the funds in the special tax allocation  
24 fund for the payment or securing of anticipated redevelopment  
25 project costs or of obligations, any such funds remaining in

1 the special tax allocation fund after complying with the  
2 requirements of the application or pledge, shall also be  
3 calculated annually and deemed "surplus" funds. The joint  
4 review board and the municipality shall review all funds in the  
5 special tax allocation fund and shall designate and approve  
6 surplus funds no later than 30 days after the close of the  
7 municipality's fiscal year. The joint review board and  
8 municipality shall issue a joint written report describing why  
9 they designated certain funds surplus funds and why other funds  
10 were not designated surplus funds under the requirements of  
11 this paragraph. All surplus funds in the special tax allocation  
12 fund shall be distributed annually within 90 ~~180~~ days after the  
13 close of the municipality's fiscal year, but not before the  
14 joint written report is issued under this paragraph, by being  
15 paid by the municipal treasurer to the County Collector, to the  
16 Department of Revenue and to the municipality in direct  
17 proportion to the tax incremental revenue received as a result  
18 of an increase in the equalized assessed value of property in  
19 the redevelopment project area, tax incremental revenue  
20 received from the State and tax incremental revenue received  
21 from the municipality, but not to exceed as to each such source  
22 the total incremental revenue received from that source. The  
23 County Collector shall thereafter make distribution to the  
24 respective taxing districts in the same manner and proportion  
25 as the most recent distribution by the county collector to the  
26 affected districts of real property taxes from real property in

1 the redevelopment project area.

2 Without limiting the foregoing in this Section, the  
3 municipality may in addition to obligations secured by the  
4 special tax allocation fund pledge for a period not greater  
5 than the term of the obligations towards payment of such  
6 obligations any part or any combination of the following: (a)  
7 net revenues of all or part of any redevelopment project; (b)  
8 taxes levied and collected on any or all property in the  
9 municipality; (c) the full faith and credit of the  
10 municipality; (d) a mortgage on part or all of the  
11 redevelopment project; (d-5) repayment of bonds issued  
12 pursuant to subsection (p-130) of Section 19-1 of the School  
13 Code; or (e) any other taxes or anticipated receipts that the  
14 municipality may lawfully pledge.

15 Such obligations may be issued in one or more series  
16 bearing interest at such rate or rates as the corporate  
17 authorities of the municipality shall determine by ordinance.  
18 Such obligations shall bear such date or dates, mature at such  
19 time or times not exceeding 20 years from their respective  
20 dates, be in such denomination, carry such registration  
21 privileges, be executed in such manner, be payable in such  
22 medium of payment at such place or places, contain such  
23 covenants, terms and conditions, and be subject to redemption  
24 as such ordinance shall provide. Obligations issued pursuant to  
25 this Act may be sold at public or private sale at such price as  
26 shall be determined by the corporate authorities of the

1 municipalities. No referendum approval of the electors shall be  
2 required as a condition to the issuance of obligations pursuant  
3 to this Division except as provided in this Section.

4 In the event the municipality authorizes issuance of  
5 obligations pursuant to the authority of this Division secured  
6 by the full faith and credit of the municipality, which  
7 obligations are other than obligations which may be issued  
8 under home rule powers provided by Article VII, Section 6 of  
9 the Illinois Constitution, or pledges taxes pursuant to (b) or  
10 (c) of the second paragraph of this section, the ordinance  
11 authorizing the issuance of such obligations or pledging such  
12 taxes shall be published within 10 days after such ordinance  
13 has been passed in one or more newspapers, with general  
14 circulation within such municipality. The publication of the  
15 ordinance shall be accompanied by a notice of (1) the specific  
16 number of voters required to sign a petition requesting the  
17 question of the issuance of such obligations or pledging taxes  
18 to be submitted to the electors; (2) the time in which such  
19 petition must be filed; and (3) the date of the prospective  
20 referendum. The municipal clerk shall provide a petition form  
21 to any individual requesting one.

22 If no petition is filed with the municipal clerk, as  
23 hereinafter provided in this Section, within 30 days after the  
24 publication of the ordinance, the ordinance shall be in effect.  
25 But, if within that 30 day period a petition is filed with the  
26 municipal clerk, signed by electors in the municipality

1 numbering 10% or more of the number of registered voters in the  
2 municipality, asking that the question of issuing obligations  
3 using full faith and credit of the municipality as security for  
4 the cost of paying for redevelopment project costs, or of  
5 pledging taxes for the payment of such obligations, or both, be  
6 submitted to the electors of the municipality, the corporate  
7 authorities of the municipality shall call a special election  
8 in the manner provided by law to vote upon that question, or,  
9 if a general, State or municipal election is to be held within  
10 a period of not less than 30 or more than 90 days from the date  
11 such petition is filed, shall submit the question at the next  
12 general, State or municipal election. If it appears upon the  
13 canvass of the election by the corporate authorities that a  
14 majority of electors voting upon the question voted in favor  
15 thereof, the ordinance shall be in effect, but if a majority of  
16 the electors voting upon the question are not in favor thereof,  
17 the ordinance shall not take effect.

18 The ordinance authorizing the obligations may provide that  
19 the obligations shall contain a recital that they are issued  
20 pursuant to this Division, which recital shall be conclusive  
21 evidence of their validity and of the regularity of their  
22 issuance.

23 In the event the municipality authorizes issuance of  
24 obligations pursuant to this Section secured by the full faith  
25 and credit of the municipality, the ordinance authorizing the  
26 obligations may provide for the levy and collection of a direct

1 annual tax upon all taxable property within the municipality  
2 sufficient to pay the principal thereof and interest thereon as  
3 it matures, which levy may be in addition to and exclusive of  
4 the maximum of all other taxes authorized to be levied by the  
5 municipality, which levy, however, shall be abated to the  
6 extent that monies from other sources are available for payment  
7 of the obligations and the municipality certifies the amount of  
8 said monies available to the county clerk.

9 A certified copy of such ordinance shall be filed with the  
10 county clerk of each county in which any portion of the  
11 municipality is situated, and shall constitute the authority  
12 for the extension and collection of the taxes to be deposited  
13 in the special tax allocation fund.

14 A municipality may also issue its obligations to refund in  
15 whole or in part, obligations theretofore issued by such  
16 municipality under the authority of this Act, whether at or  
17 prior to maturity, provided however, that the last maturity of  
18 the refunding obligations may not be later than the dates set  
19 forth under Section 11-74.4-3.5.

20 In the event a municipality issues obligations under home  
21 rule powers or other legislative authority the proceeds of  
22 which are pledged to pay for redevelopment project costs, the  
23 municipality may, if it has followed the procedures in  
24 conformance with this division, retire said obligations from  
25 funds in the special tax allocation fund in amounts and in such  
26 manner as if such obligations had been issued pursuant to the



1 provisions of this division.

2 All obligations heretofore or hereafter issued pursuant to  
3 this Act shall not be regarded as indebtedness of the  
4 municipality issuing such obligations or any other taxing  
5 district for the purpose of any limitation imposed by law.

6 (Source: P.A. 100-531, eff. 9-22-17.)

7 Section 99. Effective date. This Act takes effect January  
8 1, 2021.