

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 11-74.3-5, 11-74.4-3.5, 11-74.4-4, and
6 11-74.6-10 as follows:

7 (65 ILCS 5/11-74.3-5)

8 Sec. 11-74.3-5. Definitions. The following terms as used
9 in this Law shall have the following meanings:

10 "Blighted area" means an area that is a blighted area
11 which, by reason of the predominance of defective,
12 non-existent, or inadequate street layout, unsanitary or
13 unsafe conditions, deterioration of site improvements,
14 improper subdivision or obsolete platting, or the existence of
15 conditions which endanger life or property by fire or other
16 causes, or any combination of those factors, retards the
17 provision of housing accommodations or constitutes an economic
18 or social liability, an economic underutilization of the area,
19 or a menace to the public health, safety, morals, or welfare.

20 "Business district" means a contiguous area which includes
21 only parcels of real property directly and substantially
22 benefited by the proposed business district plan. A business
23 district may, but need not be, a blighted area, but no

1 municipality shall be authorized to impose taxes pursuant to
2 subsection (10) or (11) of Section 11-74.3-3 in a business
3 district which has not been determined by ordinance to be a
4 blighted area under this Law. For purposes of this Division,
5 parcels are contiguous if they touch or join one another in a
6 reasonably substantial physical sense or if they meet the
7 criteria for annexation to a municipality under Section 7-1-1
8 of this Code. The changes made by this amendatory Act of the
9 102nd General Assembly, are declarative of existing law and
10 shall be applied retroactively when substantively applicable,
11 including all pending actions without regard to when the cause
12 of action accrued; however, this amendatory Act of the 102nd
13 General Assembly does not affect the rights of any party that
14 is subject to a final judgment entered pursuant to the
15 September 23, 2021 opinion of the Illinois Supreme Court in
16 Board of Education of Richland School District 88A v. City of
17 Crest Hill, 2021 IL 126444.

18 "Business district plan" shall mean the written plan for
19 the development or redevelopment of a business district. Each
20 business district plan shall set forth in writing: (i) a
21 specific description of the boundaries of the proposed
22 business district, including a map illustrating the
23 boundaries; (ii) a general description of each project
24 proposed to be undertaken within the business district,
25 including a description of the approximate location of each
26 project and a description of any developer, user, or tenant of

1 any property to be located or improved within the proposed
2 business district; (iii) the name of the proposed business
3 district; (iv) the estimated business district project costs;
4 (v) the anticipated source of funds to pay business district
5 project costs; (vi) the anticipated type and terms of any
6 obligations to be issued; and (vii) the rate of any tax to be
7 imposed pursuant to subsection (10) or (11) of Section
8 11-74.3-3 and the period of time for which the tax shall be
9 imposed.

10 "Business district project costs" shall mean and include
11 the sum total of all costs incurred by a municipality, other
12 governmental entity, or nongovernmental person in connection
13 with a business district, in the furtherance of a business
14 district plan, including, without limitation, the following:

15 (1) costs of studies, surveys, development of plans
16 and specifications, implementation and administration of a
17 business district plan, and personnel and professional
18 service costs including architectural, engineering, legal,
19 marketing, financial, planning, or other professional
20 services, provided that no charges for professional
21 services may be based on a percentage of tax revenues
22 received by the municipality;

23 (2) property assembly costs, including but not limited
24 to, acquisition of land and other real or personal
25 property or rights or interests therein, and specifically
26 including payments to developers or other nongovernmental

1 persons as reimbursement for property assembly costs
2 incurred by that developer or other nongovernmental
3 person;

4 (3) site preparation costs, including but not limited
5 to clearance, demolition or removal of any existing
6 buildings, structures, fixtures, utilities, and
7 improvements and clearing and grading of land;

8 (4) costs of installation, repair, construction,
9 reconstruction, extension, or relocation of public
10 streets, public utilities, and other public site
11 improvements within or without the business district which
12 are essential to the preparation of the business district
13 for use in accordance with the business district plan, and
14 specifically including payments to developers or other
15 nongovernmental persons as reimbursement for site
16 preparation costs incurred by the developer or
17 nongovernmental person;

18 (5) costs of renovation, rehabilitation,
19 reconstruction, relocation, repair, or remodeling of any
20 existing buildings, improvements, and fixtures within the
21 business district, and specifically including payments to
22 developers or other nongovernmental persons as
23 reimbursement for costs incurred by those developers or
24 nongovernmental persons;

25 (6) costs of installation or construction within the
26 business district of buildings, structures, works,

1 streets, improvements, equipment, utilities, or fixtures,
2 and specifically including payments to developers or other
3 nongovernmental persons as reimbursements for such costs
4 incurred by such developer or nongovernmental person;

5 (7) financing costs, including but not limited to all
6 necessary and incidental expenses related to the issuance
7 of obligations, payment of any interest on any obligations
8 issued under this Law that accrues during the estimated
9 period of construction of any development or redevelopment
10 project for which those obligations are issued and for not
11 exceeding 36 months thereafter, and any reasonable
12 reserves related to the issuance of those obligations; and

13 (8) relocation costs to the extent that a municipality
14 determines that relocation costs shall be paid or is
15 required to make payment of relocation costs by federal or
16 State law.

17 "Business district tax allocation fund" means the special
18 fund to be established by a municipality for a business
19 district as provided in Section 11-74.3-6.

20 "Dissolution date" means the date on which the business
21 district tax allocation fund shall be dissolved. The
22 dissolution date shall be not later than 270 days following
23 payment to the municipality of the last distribution of taxes
24 as provided in Section 11-74.3-6.

25 (Source: P.A. 99-452, eff. 1-1-16.)

1 (65 ILCS 5/11-74.4-3.5)

2 Sec. 11-74.4-3.5. Completion dates for redevelopment
3 projects.

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

15 (a-5) If the redevelopment project area is located within
16 a transit facility improvement area established pursuant to
17 Section 11-74.4-3, the estimated dates of completion of the
18 redevelopment project and retirement of obligations issued to
19 finance redevelopment project costs (including refunding bonds
20 under Section 11-74.4-7) may not be later than December 31 of
21 the year in which the payment to the municipal treasurer, as
22 provided in subsection (b) of Section 11-74.4-8 of this Act,
23 is to be made with respect to ad valorem taxes levied in the
24 35th calendar year after the year in which the ordinance
25 approving the redevelopment project area was adopted.

26 (a-7) A municipality may adopt tax increment financing for

1 a redevelopment project area located in a transit facility
2 improvement area that also includes real property located
3 within an existing redevelopment project area established
4 prior to August 12, 2016 (the effective date of Public Act
5 99-792). In such case: (i) the provisions of this Division
6 shall apply with respect to the previously established
7 redevelopment project area until the municipality adopts, as
8 required in accordance with applicable provisions of this
9 Division, an ordinance dissolving the special tax allocation
10 fund for such redevelopment project area and terminating the
11 designation of such redevelopment project area as a
12 redevelopment project area; and (ii) after the effective date
13 of the ordinance described in (i), the provisions of this
14 Division shall apply with respect to the subsequently
15 established redevelopment project area located in a transit
16 facility improvement area.

17 (b) 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 32nd
24 calendar year after the year in which the ordinance approving
25 the redevelopment project area was adopted if the ordinance
26 was adopted on September 9, 1999 by the Village of Downs.

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

11 The estimated dates of completion of the redevelopment
12 project and retirement of obligations issued to finance
13 redevelopment project costs (including refunding bonds under
14 Section 11-74.4-7) may not be later than December 31 of the
15 year in which the payment to the municipal treasurer as
16 provided in subsection (b) of Section 11-74.4-8 of this Act is
17 to be made with respect to ad valorem taxes levied in the 28th
18 calendar year after the year in which the ordinance approving
19 the redevelopment project area was adopted if the ordinance
20 was adopted on October 12, 1989 by the City of Lawrenceville.

21 (c) The estimated dates of completion of the redevelopment
22 project and retirement of obligations issued to finance
23 redevelopment project costs (including refunding bonds under
24 Section 11-74.4-7) may not be later than December 31 of the
25 year in which the payment to the municipal treasurer as
26 provided in subsection (b) of Section 11-74.4-8 of this Act is

1 to be made with respect to ad valorem taxes levied in the 35th
2 calendar year after the year in which the ordinance approving
3 the redevelopment project area was adopted:

4 (1) If the ordinance was adopted before January 15,
5 1981.

6 (2) If the ordinance was adopted in December 1983,
7 April 1984, July 1985, or December 1989.

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

11 (4) If the ordinance was adopted before January 1,
12 1987 by a municipality in Mason County.

13 (5) If the municipality is subject to the Local
14 Government Financial Planning and Supervision Act or the
15 Financially Distressed City Law.

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

18 (7) If the ordinance was adopted on December 31, 1986
19 by a municipality located in Clinton County for which at
20 least \$250,000 of tax increment bonds were authorized on
21 June 17, 1997, or if the ordinance was adopted on December
22 31, 1986 by a municipality with a population in 1990 of
23 less than 3,600 that is located in a county with a
24 population in 1990 of less than 34,000 and for which at
25 least \$250,000 of tax increment bonds were authorized on
26 June 17, 1997.

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

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

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

8 (11) If the ordinance was adopted before December 18,
9 1986 by the City of Moline.

10 (12) If the ordinance was adopted in September 1988 by
11 Sauk Village.

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

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

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

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

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

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

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

26 (20) If the ordinance was adopted on December 22, 1986

1 by the City of Tuscola.

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

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

6 (23) If the ordinance was adopted on April 27, 1981,
7 October 21, 1985, or December 30, 1986 by the City of
8 Belleville.

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

11 (25) If the ordinance was adopted on September 14,
12 1994 by the City of Alton.

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

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

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

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

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

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

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

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

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

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

7 (36) If the ordinance was adopted on December 30, 1986
8 by the City of Effingham.

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

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

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

15 (40) If the ordinance was adopted on September 21,
16 1998 by the City of Waukegan.

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

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

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

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

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

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

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

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

7 (49) If the ordinance was adopted on July 1, 1986 by
8 the City of Granite City.

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

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

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

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

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

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

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

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

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

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

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

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

7 (62) If the ordinance was adopted on December 30, 1986
8 by the Village of Manteno.

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

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

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

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

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

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

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

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

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

1 (72) If the ordinance was adopted on September 17,
2 1986 by the Village of Sherman.

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

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

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

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

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

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

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

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

21 (81) If the ordinance was adopted on December 29, 1986
22 by the City of Pontiac to create TIF II (the Interstate
23 TIF).

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

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

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

7 (85) If the ordinance was adopted on November 29, 1989
8 by the City of Chicago to create the Englewood Mall TIF
9 District.

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

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

14 (88) If the ordinance was adopted on September 20,
15 1999 by the City of Belleville.

16 (89) If the ordinance was adopted on December 30, 1986
17 by the Village of Bellevue to create the Bellevue TIF
18 District 1.

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

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

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

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

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

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

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

7 (97) If the ordinance was adopted on June 1, 1994 by
8 the City of Markham.

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

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

13 (100) If the ordinance was adopted on December 20,
14 1988 by the Village of Lansing.

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

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

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

21 (104) If the ordinance was adopted on December 14,
22 1998 by the City of Carlyle.

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

26 (106) If the ordinance was adopted on September 13,

1 1989 by the City of Chicago to create the Michigan/Cermak
2 Area TIF District.

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

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

7 (109) If the ordinance was adopted on December 16,
8 1997 by the Village of Germantown.

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

11 (111) If the ordinance was adopted on December 18,
12 1990 by the Village of Washington Park, but only after the
13 Village of Washington Park becomes compliant with the
14 reporting requirements under subsection (d) of Section
15 11-74.4-5, and after the State Comptroller's certification
16 of such compliance.

17 (112) If the ordinance was adopted on February 28,
18 2000 by the City of Harvey.

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

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

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

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

3 (117) If the ordinance was adopted on February 11,
4 1991 by the Village of Machesney Park.

5 (118) If the ordinance was adopted on December 29,
6 1993 by the City of Ottawa.

7 (119) If the ordinance was adopted on June 4, 1991 by
8 the Village of Lansing.

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

11 (121) If the ordinance was adopted on December 22,
12 1992 by the City of Fairfield.

13 (122) If the ordinance was adopted on February 10,
14 1992 by the City of Mt. Sterling.

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

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

19 (125) If the ordinance was adopted on September 23,
20 1997 by the City of Granite City.

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

24 (127) If the ordinance was adopted on November 22,
25 1993 by the City of Arcola.

26 (128) If the ordinance was adopted on September 7,

1 2004 by the City of Arcola.

2 (129) If the ordinance was adopted on November 29,
3 1999 by the City of Paris.

4 (130) If the ordinance was adopted on September 20,
5 1994 by the City of Ottawa to create the U.S. Route 6 East
6 Ottawa TIF.

7 (131) If the ordinance was adopted on May 2, 2002 by
8 the Village of Crestwood.

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

11 (133) If the ordinance was adopted on December 23,
12 1993 by the City of Lacon.

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

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

17 (136) If the ordinance was adopted on November 16,
18 1992 by the City of Pinckneyville.

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

21 (138) If the ordinance was adopted on February 26,
22 1992 by the City of Chicago to create the Stockyards
23 Southeast Quadrant TIF District.

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

26 (140) If the ordinance was adopted on December 23,

1 1997 by the Village of Dieterich.

2 (141) If the ordinance was adopted on February 10,
3 2016 by the Village of Rosemont to create the
4 Balmoral/Pearl TIF No. 8 Tax Increment Financing
5 Redevelopment Project Area.

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

8 (143) If the ordinance was adopted on January 31, 1995
9 by the Village of Milledgeville.

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

12 (145) If the ordinance was adopted on December 21,
13 1994 by the City of Calumet City.

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

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

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

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

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

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

26 (152) If the ordinance was adopted on September 5,

1 1995 by the City of Granite City.

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

4 (154) If the ordinance was adopted on February 23,
5 1995 by the City of Springfield.

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

8 (156) If the ordinance was adopted on December 26,
9 1995 by the Village of Posen.

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

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

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

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

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

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

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

25 (164) If the ordinance was adopted on December 11,
26 1996 by the City of Chicago to create the Bryn

1 Mawr/Broadway TIF District.

2 (165) If the ordinance was adopted on December 31,
3 1995 by the City of Chicago to create the 95th/Western TIF
4 District.

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

8 (167) If the ordinance was adopted on April 19, 1995
9 by the Village of North Utica.

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

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

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

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

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

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

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

25 (175) If the ordinance was adopted on January 28, 1997
26 by the City of Berwyn for the Roosevelt Road Tax Increment

1 Financing District.

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

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

7 (178) If the ordinance was adopted on January 28, 2002
8 by the Village of Okawville.

9 (179) If the ordinance was adopted on October 4, 1999
10 by the City of Vandalia.

11 (180) If the ordinance was adopted on June 16, 2003 by
12 the City of Rushville.

13 (181) If the ordinance was adopted on December 7, 1998
14 by the City of Quincy for the Central Business District
15 West Tax Increment Redevelopment Project Area.

16 (182) If the ordinance was adopted on March 27, 1997
17 by the Village of Maywood approving the Roosevelt Road TIF
18 District.

19 (183) If the ordinance was adopted on March 27, 1997
20 by the Village of Maywood approving the Madison
21 Street/Fifth Avenue TIF District.

22 (184) If the ordinance was adopted on November 10,
23 1997 by the Village of Park Forest.

24 (185) If the ordinance was adopted on July 30, 1997 by
25 the City of Chicago to create the Near North TIF district.

26 (186) If the ordinance was adopted on December 1, 2000

1 by the Village of Mahomet.

2 (187) If the ordinance was adopted on June 16, 1999 by
3 the Village of Washburn.

4 (188) If the ordinance was adopted on August 19, 1998
5 by the Village of New Berlin.

6 (189) If the ordinance was adopted on February 5, 2002
7 by the City of Highwood.

8 (190) If the ordinance was adopted on June 1, 1997 by
9 the City of Flora.

10 (191) If the ordinance was adopted on August 17, 1999
11 by the City of Ottawa.

12 (192) If the ordinance was adopted on June 13, 2005 by
13 the City of Mount Carroll.

14 (193) If the ordinance was adopted on March 25, 2008
15 by the Village of Elizabeth.

16 (194) If the ordinance was adopted on February 22,
17 2000 by the City of Mount Pulaski.

18 (195) If the ordinance was adopted on November 21,
19 2000 by the City of Effingham.

20 (196) If the ordinance was adopted on January 28, 2003
21 by the City of Effingham.

22 (197) If the ordinance was adopted on February 4, 2008
23 by the City of Polo.

24 (198) If the ordinance was adopted on August 17, 2005
25 by the Village of Bellwood to create the Park Place TIF.

26 (199) If the ordinance was adopted on July 16, 2014 by

1 the Village of Bellwood to create the North-2014 TIF.

2 (200) If the ordinance was adopted on July 16, 2014 by
3 the Village of Bellwood to create the South-2014 TIF.

4 (201) If the ordinance was adopted on July 16, 2014 by
5 the Village of Bellwood to create the Central Metro-2014
6 TIF.

7 (202) If the ordinance was adopted on September 17,
8 2014 by the Village of Bellwood to create the Addison
9 Creek "A" (Southwest)-2014 TIF.

10 (203) If the ordinance was adopted on September 17,
11 2014 by the Village of Bellwood to create the Addison
12 Creek "B" (Northwest)-2014 TIF.

13 (204) If the ordinance was adopted on September 17,
14 2014 by the Village of Bellwood to create the Addison
15 Creek "C" (Northeast)-2014 TIF.

16 (205) If the ordinance was adopted on September 17,
17 2014 by the Village of Bellwood to create the Addison
18 Creek "D" (Southeast)-2014 TIF.

19 (206) If the ordinance was adopted on June 26, 2007 by
20 the City of Peoria.

21 (207) If the ordinance was adopted on October 28, 2008
22 by the City of Peoria.

23 (208) If the ordinance was adopted on April 4, 2000 by
24 the City of Joliet to create the Joliet City Center TIF
25 District.

26 (209) If the ordinance was adopted on July 8, 1998 by

1 the City of Chicago to create the 43rd/Cottage Grove TIF
2 district.

3 (210) If the ordinance was adopted on July 8, 1998 by
4 the City of Chicago to create the 79th Street Corridor TIF
5 district.

6 (211) If the ordinance was adopted on November 4, 1998
7 by the City of Chicago to create the Bronzeville TIF
8 district.

9 (212) If the ordinance was adopted on February 5, 1998
10 by the City of Chicago to create the Homan/Arthington TIF
11 district.

12 (213) If the ordinance was adopted on December 8, 1998
13 by the Village of Plainfield.

14 (214) If the ordinance was adopted on July 17, 2000 by
15 the Village of Homer.

16 (215) If the ordinance was adopted on December 27,
17 2006 by the City of Greenville.

18 (216) If the ordinance was adopted on June 10, 1998 by
19 the City of Chicago to create the Kinzie Industrial TIF
20 district.

21 (217) If the ordinance was adopted on December 2, 1998
22 by the City of Chicago to create the Northwest Industrial
23 TIF district.

24 (218) If the ordinance was adopted on June 10, 1998 by
25 the City of Chicago to create the Pilsen Industrial TIF
26 district.

1 (219) If the ordinance was adopted on January 14, 1997
2 by the City of Chicago to create the 35th/Halsted TIF
3 district.

4 (220) If the ordinance was adopted on June 9, 1999 by
5 the City of Chicago to create the Pulaski Corridor TIF
6 district.

7 (221) If the ordinance was adopted on December 16,
8 1997 by the City of Springfield to create the Enos Park
9 Neighborhood TIF District.

10 (222) If the ordinance was adopted on February 5, 1998
11 by the City of Chicago to create the Roosevelt/Cicero
12 redevelopment project area.

13 (223) If the ordinance was adopted on February 5, 1998
14 by the City of Chicago to create the Western/Ogden
15 redevelopment project area.

16 (224) If the ordinance was adopted on July 21, 1999 by
17 the City of Chicago to create the 24th/Michigan Avenue
18 redevelopment project area.

19 (225) If the ordinance was adopted on January 20, 1999
20 by the City of Chicago to create the Woodlawn
21 redevelopment project area.

22 (226) If the ordinance was adopted on July 7, 1999 by
23 the City of Chicago to create the Clark/Montrose
24 redevelopment project area.

25 (227) If the ordinance was adopted on November 4, 2003
26 by the City of Madison to create the Rivers Edge

1 redevelopment project area.

2 (228) If the ordinance was adopted on August 12, 2003
3 by the City of Madison to create the Caine Street
4 redevelopment project area.

5 (229) If the ordinance was adopted on March 7, 2000 by
6 the City of Madison to create the East Madison TIF.

7 (230) If the ordinance was adopted on August 3, 2001
8 by the Village of Aviston.

9 (231) If the ordinance was adopted on August 22, 2011
10 by the Village of Warren.

11 (232) If the ordinance was adopted on April 8, 1999 by
12 the City of Farmer City.

13 (233) If the ordinance was adopted on August 4, 1999
14 by the Village of Fairmont City.

15 (234) If the ordinance was adopted on October 2, 1999
16 by the Village of Fairmont City.

17 (235) If the ordinance was adopted December 16, 1999
18 by the City of Springfield.

19 (d) For redevelopment project areas for which bonds were
20 issued before July 29, 1991, or for which contracts were
21 entered into before June 1, 1988, in connection with a
22 redevelopment project in the area within the State Sales Tax
23 Boundary, the estimated dates of completion of the
24 redevelopment project and retirement of obligations to finance
25 redevelopment project costs (including refunding bonds under
26 Section 11-74.4-7) may be extended by municipal ordinance to

1 December 31, 2013. The termination procedures of subsection
2 (b) of Section 11-74.4-8 are not required for these
3 redevelopment project areas in 2009 but are required in 2013.
4 The extension allowed by Public Act 87-1272 shall not apply to
5 real property tax increment allocation financing under Section
6 11-74.4-8.

7 (e) Those dates, for purposes of real property tax
8 increment allocation financing pursuant to Section 11-74.4-8
9 only, shall be not more than 35 years for redevelopment
10 project areas that were adopted on or after December 16, 1986
11 and for which at least \$8 million worth of municipal bonds were
12 authorized on or after December 19, 1989 but before January 1,
13 1990; provided that the municipality elects to extend the life
14 of the redevelopment project area to 35 years by the adoption
15 of an ordinance after at least 14 but not more than 30 days'
16 written notice to the taxing bodies, that would otherwise
17 constitute the joint review board for the redevelopment
18 project area, before the adoption of the ordinance.

19 (f) Those dates, for purposes of real property tax
20 increment allocation financing pursuant to Section 11-74.4-8
21 only, shall be not more than 35 years for redevelopment
22 project areas that were established on or after December 1,
23 1981 but before January 1, 1982 and for which at least
24 \$1,500,000 worth of tax increment revenue bonds were
25 authorized on or after September 30, 1990 but before July 1,
26 1991; provided that the municipality elects to extend the life

1 of the redevelopment project area to 35 years by the adoption
2 of an ordinance after at least 14 but not more than 30 days'
3 written notice to the taxing bodies, that would otherwise
4 constitute the joint review board for the redevelopment
5 project area, before the adoption of the ordinance.

6 (f-1) (Blank).

7 (f-2) (Blank).

8 (f-3) (Blank).

9 (f-5) Those dates, for purposes of real property tax
10 increment allocation financing pursuant to Section 11-74.4-8
11 only, shall be not more than 47 years for redevelopment
12 project areas listed in this subsection; provided that (i) the
13 municipality adopts an ordinance extending the life of the
14 redevelopment project area to 47 years and (ii) the
15 municipality provides notice to the taxing bodies that would
16 otherwise constitute the joint review board for the
17 redevelopment project area not more than 30 and not less than
18 14 days prior to the adoption of that ordinance:

19 (1) If the redevelopment project area was established
20 on December 29, 1981 by the City of Springfield.

21 (2) If the redevelopment project area was established
22 on December 29, 1986 by the City of Morris and that is
23 known as the Morris TIF District 1.

24 (3) If the redevelopment project area was established
25 on December 31, 1986 by the Village of Cahokia.

26 (4) If the redevelopment project area was established

1 on December 20, 1986 by the City of Charleston.

2 (5) If the redevelopment project area was established
3 on December 23, 1986 by the City of Beardstown.

4 (6) If the redevelopment project area was established
5 on December 23, 1986 by the Town of Cicero.

6 (7) If the redevelopment project area was established
7 on December 29, 1986 by the City of East St. Louis.

8 (8) If the redevelopment project area was established
9 on January 23, 1991 by the City of East St. Louis.

10 (9) If the redevelopment project area was established
11 on December 29, 1986 by the Village of Gardner.

12 (10) If the redevelopment project area was established
13 on June 11, 2002 by the City of East Peoria to create the
14 West Washington Street TIF.

15 (11) If the redevelopment project area was established
16 on December 22, 1986 by the City of Washington creating
17 the Washington Square TIF #2.

18 (12) If the redevelopment project area was established
19 on November 11, 1986 by the City of Pekin.

20 (13) If the redevelopment project area was established
21 on December 30, 1986 by the City of Belleville.

22 (14) If the ordinance was adopted on April 3, 1989 by
23 the City of Chicago Heights.

24 (g) In consolidating the material relating to completion
25 dates from Sections 11-74.4-3 and 11-74.4-7 into this Section,
26 it is not the intent of the General Assembly to make any

1 substantive change in the law, except for the extension of the
2 completion dates for the City of Aurora, the Village of Milan,
3 the City of West Frankfort, the Village of Libertyville, and
4 the Village of Hoffman Estates set forth under items (67),
5 (68), (69), (70), and (71) of subsection (c) of this Section.
6 (Source: P.A. 101-274, eff. 8-9-19; 101-618, eff. 12-20-19;
7 101-647, eff. 6-26-20; 101-662, eff. 4-2-21; 102-117, eff.
8 7-23-21; 102-424, eff. 8-20-21; 102-425, eff. 8-20-21;
9 102-446, eff. 8-20-21; 102-473, eff. 8-20-21; 102-627, eff.
10 8-27-21; 102-675, eff. 11-30-21.)

11 (65 ILCS 5/11-74.4-4) (from Ch. 24, par. 11-74.4-4)
12 Sec. 11-74.4-4. Municipal powers and duties; redevelopment
13 project areas. The changes made by this amendatory Act of the
14 91st General Assembly do not apply to a municipality that, (i)
15 before the effective date of this amendatory Act of the 91st
16 General Assembly, has adopted an ordinance or resolution
17 fixing a time and place for a public hearing under Section
18 11-74.4-5 or (ii) before July 1, 1999, has adopted an
19 ordinance or resolution providing for a feasibility study
20 under Section 11-74.4-4.1, but has not yet adopted an
21 ordinance approving redevelopment plans and redevelopment
22 projects or designating redevelopment project areas under this
23 Section, until after that municipality adopts an ordinance
24 approving redevelopment plans and redevelopment projects or
25 designating redevelopment project areas under this Section;

1 thereafter the changes made by this amendatory Act of the 91st
2 General Assembly apply to the same extent that they apply to
3 redevelopment plans and redevelopment projects that were
4 approved and redevelopment projects that were designated
5 before the effective date of this amendatory Act of the 91st
6 General Assembly.

7 A municipality may:

8 (a) By ordinance introduced in the governing body of
9 the municipality within 14 to 90 days from the completion
10 of the hearing specified in Section 11-74.4-5 approve
11 redevelopment plans and redevelopment projects, and
12 designate redevelopment project areas pursuant to notice
13 and hearing required by this Act. No redevelopment project
14 area shall be designated unless a plan and project are
15 approved prior to the designation of such area and such
16 area shall include only those contiguous parcels of real
17 property and improvements thereon substantially benefited
18 by the proposed redevelopment project improvements. Upon
19 adoption of the ordinances, the municipality shall
20 forthwith transmit to the county clerk of the county or
21 counties within which the redevelopment project area is
22 located a certified copy of the ordinances, a legal
23 description of the redevelopment project area, a map of
24 the redevelopment project area, identification of the year
25 that the county clerk shall use for determining the total
26 initial equalized assessed value of the redevelopment

1 project area consistent with subsection (a) of Section
2 11-74.4-9, and a list of the parcel or tax identification
3 number of each parcel of property included in the
4 redevelopment project area. For purposes of this Division,
5 parcels are contiguous if they touch or join one another
6 in a reasonably substantial physical sense or if they meet
7 the criteria for annexation to a municipality under
8 Section 7-1-1 of this Code.

9 The changes made by this amendatory Act of the 102nd
10 General Assembly, are declarative of existing law and
11 shall be applied retroactively when substantively
12 applicable, including all pending actions without regard
13 to when the cause of action accrued; however, this
14 amendatory Act of the 102nd General Assembly does not
15 affect the rights of any party that is subject to a final
16 judgment entered pursuant to the opinion of the September
17 23, 2021 Illinois Supreme Court in Board of Education of
18 Richland School District 88A v. City of Crest Hill, 2021
19 IL 126444.

20 (b) Make and enter into all contracts with property
21 owners, developers, tenants, overlapping taxing bodies,
22 and others necessary or incidental to the implementation
23 and furtherance of its redevelopment plan and project.
24 Contract provisions concerning loan repayment obligations
25 in contracts entered into on or after the effective date
26 of this amendatory Act of the 93rd General Assembly shall

1 terminate no later than the last to occur of the estimated
2 dates of completion of the redevelopment project and
3 retirement of the obligations issued to finance
4 redevelopment project costs as required by item (3) of
5 subsection (n) of Section 11-74.4-3. Payments received
6 under contracts entered into by the municipality prior to
7 the effective date of this amendatory Act of the 93rd
8 General Assembly that are received after the redevelopment
9 project area has been terminated by municipal ordinance
10 shall be deposited into a special fund of the municipality
11 to be used for other community redevelopment needs within
12 the redevelopment project area.

13 (c) Within a redevelopment project area, acquire by
14 purchase, donation, lease or eminent domain; own, convey,
15 lease, mortgage or dispose of land and other property,
16 real or personal, or rights or interests therein, and
17 grant or acquire licenses, easements and options with
18 respect thereto, all in the manner and at such price the
19 municipality determines is reasonably necessary to achieve
20 the objectives of the redevelopment plan and project. No
21 conveyance, lease, mortgage, disposition of land or other
22 property owned by a municipality, or agreement relating to
23 the development of such municipal property shall be made
24 except upon the adoption of an ordinance by the corporate
25 authorities of the municipality. Furthermore, no
26 conveyance, lease, mortgage, or other disposition of land

1 owned by a municipality or agreement relating to the
2 development of such municipal property shall be made
3 without making public disclosure of the terms of the
4 disposition and all bids and proposals made in response to
5 the municipality's request. The procedures for obtaining
6 such bids and proposals shall provide reasonable
7 opportunity for any person to submit alternative proposals
8 or bids.

9 (d) Within a redevelopment project area, clear any
10 area by demolition or removal of any existing buildings
11 and structures.

12 (e) Within a redevelopment project area, renovate or
13 rehabilitate or construct any structure or building, as
14 permitted under this Act.

15 (f) Install, repair, construct, reconstruct or
16 relocate streets, utilities and site improvements
17 essential to the preparation of the redevelopment area for
18 use in accordance with a redevelopment plan.

19 (g) Within a redevelopment project area, fix, charge
20 and collect fees, rents and charges for the use of any
21 building or property owned or leased by it or any part
22 thereof, or facility therein.

23 (h) Accept grants, guarantees and donations of
24 property, labor, or other things of value from a public or
25 private source for use within a project redevelopment
26 area.

1 (i) Acquire and construct public facilities within a
2 redevelopment project area, as permitted under this Act.

3 (j) Incur project redevelopment costs and reimburse
4 developers who incur redevelopment project costs
5 authorized by a redevelopment agreement; provided,
6 however, that on and after the effective date of this
7 amendatory Act of the 91st General Assembly, no
8 municipality shall incur redevelopment project costs
9 (except for planning costs and any other eligible costs
10 authorized by municipal ordinance or resolution that are
11 subsequently included in the redevelopment plan for the
12 area and are incurred by the municipality after the
13 ordinance or resolution is adopted) that are not
14 consistent with the program for accomplishing the
15 objectives of the redevelopment plan as included in that
16 plan and approved by the municipality until the
17 municipality has amended the redevelopment plan as
18 provided elsewhere in this Act.

19 (k) Create a commission of not less than 5 or more than
20 15 persons to be appointed by the mayor or president of the
21 municipality with the consent of the majority of the
22 governing board of the municipality. Members of a
23 commission appointed after the effective date of this
24 amendatory Act of 1987 shall be appointed for initial
25 terms of 1, 2, 3, 4 and 5 years, respectively, in such
26 numbers as to provide that the terms of not more than 1/3

1 of all such members shall expire in any one year. Their
2 successors shall be appointed for a term of 5 years. The
3 commission, subject to approval of the corporate
4 authorities may exercise the powers enumerated in this
5 Section. The commission shall also have the power to hold
6 the public hearings required by this division and make
7 recommendations to the corporate authorities concerning
8 the adoption of redevelopment plans, redevelopment
9 projects and designation of redevelopment project areas.

10 (l) Make payment in lieu of taxes or a portion thereof
11 to taxing districts. If payments in lieu of taxes or a
12 portion thereof are made to taxing districts, those
13 payments shall be made to all districts within a project
14 redevelopment area on a basis which is proportional to the
15 current collections of revenue which each taxing district
16 receives from real property in the redevelopment project
17 area.

18 (m) Exercise any and all other powers necessary to
19 effectuate the purposes of this Act.

20 (n) If any member of the corporate authority, a member
21 of a commission established pursuant to Section
22 11-74.4-4(k) of this Act, or an employee or consultant of
23 the municipality involved in the planning and preparation
24 of a redevelopment plan, or project for a redevelopment
25 project area or proposed redevelopment project area, as
26 defined in Sections 11-74.4-3(i) through (k) of this Act,

1 owns or controls an interest, direct or indirect, in any
2 property included in any redevelopment area, or proposed
3 redevelopment area, he or she shall disclose the same in
4 writing to the clerk of the municipality, and shall also
5 so disclose the dates and terms and conditions of any
6 disposition of any such interest, which disclosures shall
7 be acknowledged by the corporate authorities and entered
8 upon the minute books of the corporate authorities. If an
9 individual holds such an interest then that individual
10 shall refrain from any further official involvement in
11 regard to such redevelopment plan, project or area, from
12 voting on any matter pertaining to such redevelopment
13 plan, project or area, or communicating with other members
14 concerning corporate authorities, commission or employees
15 concerning any matter pertaining to said redevelopment
16 plan, project or area. Furthermore, no such member or
17 employee shall acquire of any interest direct, or
18 indirect, in any property in a redevelopment area or
19 proposed redevelopment area after either (a) such
20 individual obtains knowledge of such plan, project or area
21 or (b) first public notice of such plan, project or area
22 pursuant to Section 11-74.4-6 of this Division, whichever
23 occurs first. For the purposes of this subsection, a
24 property interest acquired in a single parcel of property
25 by a member of the corporate authority, which property is
26 used exclusively as the member's primary residence, shall

1 not be deemed to constitute an interest in any property
2 included in a redevelopment area or proposed redevelopment
3 area that was established before December 31, 1989, but
4 the member must disclose the acquisition to the municipal
5 clerk under the provisions of this subsection. A single
6 property interest acquired within one year after the
7 effective date of this amendatory Act of the 94th General
8 Assembly or 2 years after the effective date of this
9 amendatory Act of the 95th General Assembly by a member of
10 the corporate authority does not constitute an interest in
11 any property included in any redevelopment area or
12 proposed redevelopment area, regardless of when the
13 redevelopment area was established, if (i) the property is
14 used exclusively as the member's primary residence, (ii)
15 the member discloses the acquisition to the municipal
16 clerk under the provisions of this subsection, (iii) the
17 acquisition is for fair market value, (iv) the member
18 acquires the property as a result of the property being
19 publicly advertised for sale, and (v) the member refrains
20 from voting on, and communicating with other members
21 concerning, any matter when the benefits to the
22 redevelopment project or area would be significantly
23 greater than the benefits to the municipality as a whole.
24 For the purposes of this subsection, a month-to-month
25 leasehold interest in a single parcel of property by a
26 member of the corporate authority shall not be deemed to

1 constitute an interest in any property included in any
2 redevelopment area or proposed redevelopment area, but the
3 member must disclose the interest to the municipal clerk
4 under the provisions of this subsection.

5 (o) Create a Tax Increment Economic Development
6 Advisory Committee to be appointed by the Mayor or
7 President of the municipality with the consent of the
8 majority of the governing board of the municipality, the
9 members of which Committee shall be appointed for initial
10 terms of 1, 2, 3, 4 and 5 years respectively, in such
11 numbers as to provide that the terms of not more than 1/3
12 of all such members shall expire in any one year. Their
13 successors shall be appointed for a term of 5 years. The
14 Committee shall have none of the powers enumerated in this
15 Section. The Committee shall serve in an advisory capacity
16 only. The Committee may advise the governing Board of the
17 municipality and other municipal officials regarding
18 development issues and opportunities within the
19 redevelopment project area or the area within the State
20 Sales Tax Boundary. The Committee may also promote and
21 publicize development opportunities in the redevelopment
22 project area or the area within the State Sales Tax
23 Boundary.

24 (p) Municipalities may jointly undertake and perform
25 redevelopment plans and projects and utilize the
26 provisions of the Act wherever they have contiguous

1 redevelopment project areas or they determine to adopt tax
2 increment financing with respect to a redevelopment
3 project area which includes contiguous real property
4 within the boundaries of the municipalities, and in doing
5 so, they may, by agreement between municipalities, issue
6 obligations, separately or jointly, and expend revenues
7 received under the Act for eligible expenses anywhere
8 within contiguous redevelopment project areas or as
9 otherwise permitted in the Act. With respect to
10 redevelopment project areas that are established within a
11 transit facility improvement area, the provisions of this
12 subsection apply only with respect to such redevelopment
13 project areas that are contiguous to each other.

14 (q) Utilize revenues, other than State sales tax
15 increment revenues, received under this Act from one
16 redevelopment project area for eligible costs in another
17 redevelopment project area that is:

18 (i) contiguous to the redevelopment project area
19 from which the revenues are received;

20 (ii) separated only by a public right of way from
21 the redevelopment project area from which the revenues
22 are received; or

23 (iii) separated only by forest preserve property
24 from the redevelopment project area from which the
25 revenues are received if the closest boundaries of the
26 redevelopment project areas that are separated by the

1 forest preserve property are less than one mile apart.

2 Utilize tax increment revenues for eligible costs that

3 are received from a redevelopment project area created

4 under the Industrial Jobs Recovery Law that is either

5 contiguous to, or is separated only by a public right of

6 way from, the redevelopment project area created under

7 this Act which initially receives these revenues. Utilize

8 revenues, other than State sales tax increment revenues,

9 by transferring or loaning such revenues to a

10 redevelopment project area created under the Industrial

11 Jobs Recovery Law that is either contiguous to, or

12 separated only by a public right of way from the

13 redevelopment project area that initially produced and

14 received those revenues; and, if the redevelopment project

15 area (i) was established before the effective date of this

16 amendatory Act of the 91st General Assembly and (ii) is

17 located within a municipality with a population of more

18 than 100,000, utilize revenues or proceeds of obligations

19 authorized by Section 11-74.4-7 of this Act, other than

20 use or occupation tax revenues, to pay for any

21 redevelopment project costs as defined by subsection (q)

22 of Section 11-74.4-3 to the extent that the redevelopment

23 project costs involve public property that is either

24 contiguous to, or separated only by a public right of way

25 from, a redevelopment project area whether or not

26 redevelopment project costs or the source of payment for

1 the costs are specifically set forth in the redevelopment
2 plan for the redevelopment project area.

3 (r) If no redevelopment project has been initiated in
4 a redevelopment project area within 7 years after the area
5 was designated by ordinance under subsection (a), the
6 municipality shall adopt an ordinance repealing the area's
7 designation as a redevelopment project area; provided,
8 however, that if an area received its designation more
9 than 3 years before the effective date of this amendatory
10 Act of 1994 and no redevelopment project has been
11 initiated within 4 years after the effective date of this
12 amendatory Act of 1994, the municipality shall adopt an
13 ordinance repealing its designation as a redevelopment
14 project area. Initiation of a redevelopment project shall
15 be evidenced by either a signed redevelopment agreement or
16 expenditures on eligible redevelopment project costs
17 associated with a redevelopment project.

18 Notwithstanding any other provision of this Section to
19 the contrary, with respect to a redevelopment project area
20 designated by an ordinance that was adopted on July 29,
21 1998 by the City of Chicago, the City of Chicago shall
22 adopt an ordinance repealing the area's designation as a
23 redevelopment project area if no redevelopment project has
24 been initiated in the redevelopment project area within 15
25 years after the designation of the area. The City of
26 Chicago may retroactively repeal any ordinance adopted by

1 the City of Chicago, pursuant to this subsection (r), that
2 repealed the designation of a redevelopment project area
3 designated by an ordinance that was adopted by the City of
4 Chicago on July 29, 1998. The City of Chicago has 90 days
5 after the effective date of this amendatory Act to repeal
6 the ordinance. The changes to this Section made by this
7 amendatory Act of the 96th General Assembly apply
8 retroactively to July 27, 2005.

9 (s) The various powers and duties described in this
10 Section that apply to a redevelopment project area shall
11 also apply to a transit facility improvement area
12 established prior to, on, or after the effective date of
13 this amendatory Act of the 102nd General Assembly.

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

15 (65 ILCS 5/11-74.6-10)

16 Sec. 11-74.6-10. Definitions.

17 (a) "Environmentally contaminated area" means any improved
18 or vacant area within the boundaries of a redevelopment
19 project area located within the corporate limits of a
20 municipality when, (i) there has been a determination of
21 release or substantial threat of release of a hazardous
22 substance or pesticide, by the United States Environmental
23 Protection Agency or the Illinois Environmental Protection
24 Agency, or the Illinois Pollution Control Board, or any court,
25 or a release or substantial threat of release which is

1 addressed as part of the Pre-Notice Site Cleanup Program under
2 Section 22.2(m) of the Illinois Environmental Protection Act,
3 or a release or substantial threat of release of petroleum
4 under Section 22.12 of the Illinois Environmental Protection
5 Act, and (ii) which release or threat of release presents an
6 imminent and substantial danger to public health or welfare or
7 presents a significant threat to public health or the
8 environment, and (iii) which release or threat of release
9 would have a significant impact on the cost of redeveloping
10 the area.

11 (b) "Department" means the Department of Commerce and
12 Economic Opportunity.

13 (c) "Industrial park" means an area in a redevelopment
14 project area suitable for use by any manufacturing,
15 industrial, research, or transportation enterprise, of
16 facilities, including but not limited to factories, mills,
17 processing plants, assembly plants, packing plants,
18 fabricating plants, distribution centers, warehouses, repair
19 overhaul or service facilities, freight terminals, research
20 facilities, test facilities or railroad facilities. An
21 industrial park may contain space for commercial and other use
22 as long as the expected principal use of the park is industrial
23 and is reasonably expected to result in the creation of a
24 significant number of new permanent full time jobs. An
25 industrial park may also contain related operations and
26 facilities including, but not limited to, business and office

1 support services such as centralized computers,
2 telecommunications, publishing, accounting, photocopying and
3 similar activities and employee services such as child care,
4 health care, food service and similar activities. An
5 industrial park may also include demonstration projects,
6 prototype development, specialized training on developing
7 technology, and pure research in any field related or
8 adaptable to business and industry.

9 (d) "Research park" means an area in a redevelopment
10 project area suitable for development of a facility or complex
11 that includes research laboratories and related operations.
12 These related operations may include, but are not limited to,
13 business and office support services such as centralized
14 computers, telecommunications, publishing, accounting,
15 photocopying and similar activities, and employee services
16 such as child care, health care, food service and similar
17 activities. A research park may include demonstration
18 projects, prototype development, specialized training on
19 developing technology, and pure research in any field related
20 or adaptable to business and industry.

21 (e) "Industrial park conservation area" means an area
22 within the boundaries of a redevelopment project area located
23 within the corporate limits of a municipality or within 1 1/2
24 miles of the corporate limits of a municipality if the area is
25 to be annexed to the municipality, if the area is zoned as
26 industrial no later than the date on which the municipality by

1 ordinance designates the redevelopment project area, and if
2 the area includes improved or vacant land suitable for use as
3 an industrial park or a research park, or both. To be
4 designated as an industrial park conservation area, the area
5 shall also satisfy one of the following standards:

6 (1) Standard One: The municipality must be a labor
7 surplus municipality and the area must be served by
8 adequate public and or road transportation for access by
9 the unemployed and for the movement of goods or materials
10 and the redevelopment project area shall contain no more
11 than 2% of the most recently ascertained equalized
12 assessed value of all taxable real properties within the
13 corporate limits of the municipality after adjustment for
14 all annexations associated with the establishment of the
15 redevelopment project area or be located in the vicinity
16 of a waste disposal site or other waste facility. The
17 project plan shall include a plan for and shall establish
18 a marketing program to attract appropriate businesses to
19 the proposed industrial park conservation area and shall
20 include an adequate plan for financing and construction of
21 the necessary infrastructure. No redevelopment projects
22 may be authorized by the municipality under Standard One
23 of subsection (e) of this Section unless the project plan
24 also provides for an employment training project that
25 would prepare unemployed workers for work in the
26 industrial park conservation area, and the project has

1 been approved by official action of or is to be operated by
2 the local community college district, public school
3 district or state or locally designated private industry
4 council or successor agency, or

5 (2) Standard Two: The municipality must be a
6 substantial labor surplus municipality and the area must
7 be served by adequate public and or road transportation
8 for access by the unemployed and for the movement of goods
9 or materials and the redevelopment project area shall
10 contain no more than 2% of the most recently ascertained
11 equalized assessed value of all taxable real properties
12 within the corporate limits of the municipality after
13 adjustment for all annexations associated with the
14 establishment of the redevelopment project area. No
15 redevelopment projects may be authorized by the
16 municipality under Standard Two of subsection (e) of this
17 Section unless the project plan also provides for an
18 employment training project that would prepare unemployed
19 workers for work in the industrial park conservation area,
20 and the project has been approved by official action of or
21 is to be operated by the local community college district,
22 public school district or state or locally designated
23 private industry council or successor agency.

24 (f) "Vacant industrial buildings conservation area" means
25 an area containing one or more industrial buildings located
26 within the corporate limits of the municipality that has been

1 zoned industrial for at least 5 years before the designation
2 of that area as a redevelopment project area by the
3 municipality and is planned for reuse principally for
4 industrial purposes. For the area to be designated as a vacant
5 industrial buildings conservation area, the area shall also
6 satisfy one of the following standards:

7 (1) Standard One: The area shall consist of one or
8 more industrial buildings totaling at least 50,000 net
9 square feet of industrial space, with a majority of the
10 total area of all the buildings having been vacant for at
11 least 18 months; and (A) the area is located in a labor
12 surplus municipality or a substantial labor surplus
13 municipality, or (B) the equalized assessed value of the
14 properties within the area during the last 2 years is at
15 least 25% lower than the maximum equalized assessed value
16 of those properties during the immediately preceding 10
17 years.

18 (2) Standard Two: The area exclusively consists of
19 industrial buildings or a building complex operated by a
20 user or related users (A) that has within the immediately
21 preceding 5 years either (i) employed 200 or more
22 employees at that location, or (ii) if the area is located
23 in a municipality with a population of 12,000 or less,
24 employed more than 50 employees at that location and (B)
25 either is currently vacant, or the owner has: (i) directly
26 notified the municipality of the user's intention to

1 terminate operations at the facility or (ii) filed a
2 notice of closure under the Worker Adjustment and
3 Retraining Notification Act.

4 (g) "Labor surplus municipality" means a municipality in
5 which, during the 4 calendar years immediately preceding the
6 date the municipality by ordinance designates an industrial
7 park conservation area, the average unemployment rate was 1%
8 or more over the State average unemployment rate for that same
9 period of time as published in the United States Department of
10 Labor Bureau of Labor Statistics publication entitled "The
11 Employment Situation" or its successor publication. For the
12 purpose of this subsection (g), if unemployment rate
13 statistics for the municipality are not available, the
14 unemployment rate in the municipality shall be deemed to be:
15 (i) for a municipality that is not in an urban county, the same
16 as the unemployment rate in the principal county where the
17 municipality is located or (ii) for a municipality in an urban
18 county at that municipality's option, either the unemployment
19 rate certified for the municipality by the Department after
20 consultation with the Illinois Department of Labor or the
21 federal Bureau of Labor Statistics, or the unemployment rate
22 of the municipality as determined by the most recent federal
23 census if that census was not dated more than 5 years prior to
24 the date on which the determination is made.

25 (h) "Substantial labor surplus municipality" means a
26 municipality in which, during the 5 calendar years immediately

1 preceding the date the municipality by ordinance designates an
2 industrial park conservation area, the average unemployment
3 rate was 2% or more over the State average unemployment rate
4 for that same period of time as published in the United States
5 Department of Labor Statistics publication entitled "The
6 Employment Situation" or its successor publication. For the
7 purpose of this subsection (h), if unemployment rate
8 statistics for the municipality are not available, the
9 unemployment rate in the municipality shall be deemed to be:
10 (i) for a municipality that is not in an urban county, the same
11 as the unemployment rate in the principal county in which the
12 municipality is located; or (ii) for a municipality in an
13 urban county, at that municipality's option, either the
14 unemployment rate certified for the municipality by the
15 Department after consultation with the Illinois Department of
16 Labor or the federal Bureau of Labor Statistics, or the
17 unemployment rate of the municipality as determined by the
18 most recent federal census if that census was not dated more
19 than 5 years prior to the date on which the determination is
20 made.

21 (i) "Municipality" means a city, village or incorporated
22 town.

23 (j) "Obligations" means bonds, loans, debentures, notes,
24 special certificates or other evidence of indebtedness issued
25 by the municipality to carry out a redevelopment project or to
26 refund outstanding obligations.

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

13 (l) "Redevelopment plan" means the comprehensive program
14 of the municipality for development or redevelopment intended
15 by the payment of redevelopment project costs to reduce or
16 eliminate the conditions that qualified the redevelopment
17 project area or redevelopment planning area, or both, as an
18 environmentally contaminated area or industrial park
19 conservation area, or vacant industrial buildings conservation
20 area, or combination thereof, and thereby to enhance the tax
21 bases of the taxing districts that extend into the
22 redevelopment project area or redevelopment planning area. On
23 and after the effective date of this amendatory Act of the 91st
24 General Assembly, no redevelopment plan may be approved or
25 amended to include the development of vacant land (i) with a
26 golf course and related clubhouse and other facilities or (ii)

1 designated by federal, State, county, or municipal government
2 as public land for outdoor recreational activities or for
3 nature preserves and used for that purpose within 5 years
4 prior to the adoption of the redevelopment plan. For the
5 purpose of this subsection, "recreational activities" is
6 limited to mean camping and hunting. Each redevelopment plan
7 must set forth in writing the bases for the municipal findings
8 required in this subsection, the program to be undertaken to
9 accomplish the objectives, including but not limited to: (1)
10 an itemized list of estimated redevelopment project costs, (2)
11 evidence indicating that the redevelopment project area or the
12 redevelopment planning area, or both, on the whole has not
13 been subject to growth and development through investment by
14 private enterprise, (3) (i) in the case of an environmentally
15 contaminated area, industrial park conservation area, or a
16 vacant industrial buildings conservation area classified under
17 either Standard One, or Standard Two of subsection (f) where
18 the building is currently vacant, evidence that implementation
19 of the redevelopment plan is reasonably expected to create a
20 significant number of permanent full time jobs, (ii) in the
21 case of a vacant industrial buildings conservation area
22 classified under Standard Two (B)(i) or (ii) of subsection
23 (f), evidence that implementation of the redevelopment plan is
24 reasonably expected to retain a significant number of existing
25 permanent full time jobs, and (iii) in the case of a
26 combination of an environmentally contaminated area,

1 industrial park conservation area, or vacant industrial
2 buildings conservation area, evidence that the standards
3 concerning the creation or retention of jobs for each area set
4 forth in (i) or (ii) above are met, (4) an assessment of the
5 financial impact of the redevelopment project area or the
6 redevelopment planning area, or both, on the overlapping
7 taxing bodies or any increased demand for services from any
8 taxing district affected by the plan and any program to
9 address such financial impact or increased demand, (5) the
10 sources of funds to pay costs, (6) the nature and term of the
11 obligations to be issued, (7) the most recent equalized
12 assessed valuation of the redevelopment project area or the
13 redevelopment planning area, or both, (8) an estimate of the
14 equalized assessed valuation after redevelopment and the
15 general land uses that are applied in the redevelopment
16 project area or the redevelopment planning area, or both, (9)
17 a commitment to fair employment practices and an affirmative
18 action plan, (10) if it includes an industrial park
19 conservation area, the following: (i) a general description of
20 any proposed developer, (ii) user and tenant of any property,
21 (iii) a description of the type, structure and general
22 character of the facilities to be developed, and (iv) a
23 description of the type, class and number of new employees to
24 be employed in the operation of the facilities to be
25 developed, (11) if it includes an environmentally contaminated
26 area, the following: either (i) a determination of release or

1 substantial threat of release of a hazardous substance or
2 pesticide or of petroleum by the United States Environmental
3 Protection Agency or the Illinois Environmental Protection
4 Agency, or the Illinois Pollution Control Board or any court;
5 or (ii) both an environmental audit report by a nationally
6 recognized independent environmental auditor having a
7 reputation for expertise in these matters and a copy of the
8 signed Review and Evaluation Services Agreement indicating
9 acceptance of the site by the Illinois Environmental
10 Protection Agency into the Pre-Notice Site Cleanup Program,
11 (12) if it includes a vacant industrial buildings conservation
12 area, the following: (i) a general description of any proposed
13 developer, (ii) user and tenant of any building or buildings,
14 (iii) a description of the type, structure and general
15 character of the building or buildings to be developed, and
16 (iv) a description of the type, class and number of new
17 employees to be employed or existing employees to be retained
18 in the operation of the building or buildings to be
19 redeveloped, and (13) if property is to be annexed to the
20 municipality, the terms of the annexation agreement.

21 No redevelopment plan shall be adopted by a municipality
22 without findings that:

23 (1) the redevelopment project area or redevelopment
24 planning area, or both, on the whole has not been subject
25 to growth and development through investment by private
26 enterprise and would not reasonably be anticipated to be

1 developed in accordance with public goals stated in the
2 redevelopment plan without the adoption of the
3 redevelopment plan;

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

14 (3) that the redevelopment plan is reasonably expected
15 to create or retain a significant number of permanent full
16 time jobs as set forth in paragraph (3) of subsection (1)
17 above;

18 (4) the estimated date of completion of the
19 redevelopment project and retirement of obligations
20 incurred to finance redevelopment project costs is not
21 later than December 31 of the year in which the payment to
22 the municipal treasurer as provided in subsection (b) of
23 Section 11-74.6-35 is to be made with respect to ad
24 valorem taxes levied in the twenty-third calendar year
25 after the year in which the ordinance approving the
26 redevelopment project area is adopted; a municipality may

1 by municipal ordinance amend an existing redevelopment
2 plan to conform to this paragraph (4) as amended by this
3 amendatory Act of the 91st General Assembly concerning
4 ordinances adopted on or after January 15, 1981, which
5 municipal ordinance may be adopted without further hearing
6 or notice and without complying with the procedures
7 provided in this Law pertaining to an amendment to or the
8 initial approval of a redevelopment plan and project and
9 designation of a redevelopment project area;

10 (5) in the case of an industrial park conservation
11 area, that the municipality is a labor surplus
12 municipality or a substantial labor surplus municipality
13 and that the implementation of the redevelopment plan is
14 reasonably expected to create a significant number of
15 permanent full time new jobs and, by the provision of new
16 facilities, significantly enhance the tax base of the
17 taxing districts that extend into the redevelopment
18 project area;

19 (6) in the case of an environmentally contaminated
20 area, that the area is subject to a release or substantial
21 threat of release of a hazardous substance, pesticide or
22 petroleum which presents an imminent and substantial
23 danger to public health or welfare or presents a
24 significant threat to public health or environment, that
25 such release or threat of release will have a significant
26 impact on the cost of redeveloping the area, that the

1 implementation of the redevelopment plan is reasonably
2 expected to result in the area being redeveloped, the tax
3 base of the affected taxing districts being significantly
4 enhanced thereby, and the creation of a significant number
5 of permanent full time jobs; and

6 (7) in the case of a vacant industrial buildings
7 conservation area, that the area is located within the
8 corporate limits of a municipality that has been zoned
9 industrial for at least 5 years before its designation as
10 a project redeveloped area, that it contains one or more
11 industrial buildings, and whether the area has been
12 designated under Standard One or Standard Two of
13 subsection (f) and the basis for that designation.

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

1 (n) "Redevelopment project area" means a contiguous area
2 designated by the municipality that is not less in the
3 aggregate than 1 1/2 acres, and for which the municipality has
4 made a finding that there exist conditions that cause the area
5 to be classified as an industrial park conservation area, a
6 vacant industrial building conservation area, an
7 environmentally contaminated area or a combination of these
8 types of areas. For purposes of this Division, parcels are
9 contiguous if they touch or join one another in a reasonably
10 substantial physical sense or if they meet the criteria for
11 annexation to a municipality under Section 7-1-1 of this Code.

12 The changes made by this amendatory Act of the 102nd
13 General Assembly, are declarative of existing law and shall be
14 applied retroactively when substantively applicable, including
15 all pending actions without regard to when the cause of action
16 accrued; however, this amendatory Act of the 102nd General
17 Assembly does not affect the rights of any party that is
18 subject to a final judgment entered pursuant to the opinion of
19 the September 23, 2021 Illinois Supreme Court in Board of
20 Education of Richland School District 88A v. City of Crest
21 Hill, 2021 IL 126444.

22 (o) "Redevelopment project costs" means the sum total of
23 all reasonable or necessary costs incurred or estimated to be
24 incurred by the municipality, and any of those costs
25 incidental to a redevelopment plan and a redevelopment
26 project. These costs include, without limitation, the

1 following:

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

1 thereafter whenever any other contracts with those
2 individuals or entities are executed by the consultant or
3 advisor;

4 (1.5) After July 1, 1999, annual administrative costs
5 shall not include general overhead or administrative costs
6 of the municipality that would still have been incurred by
7 the municipality if the municipality had not designated a
8 redevelopment project area or approved a redevelopment
9 plan;

10 (1.6) The cost of marketing sites within the
11 redevelopment project area to prospective businesses,
12 developers, and investors.

13 (2) Property assembly costs within a redevelopment
14 project area, including but not limited to acquisition of
15 land and other real or personal property or rights or
16 interests therein.

17 (3) Site preparation costs, including but not limited
18 to clearance of any area within a redevelopment project
19 area by demolition or removal of any existing buildings,
20 structures, fixtures, utilities and improvements and
21 clearing and grading; and including installation, repair,
22 construction, reconstruction, or relocation of public
23 streets, public utilities, and other public site
24 improvements within or without a redevelopment project
25 area which are essential to the preparation of the
26 redevelopment project area for use in accordance with a

1 redevelopment plan.

2 (4) Costs of renovation, rehabilitation,
3 reconstruction, relocation, repair or remodeling of any
4 existing public or private buildings, improvements, and
5 fixtures within a redevelopment project area; and the cost
6 of replacing an existing public building if pursuant to
7 the implementation of a redevelopment project the existing
8 public building is to be demolished to use the site for
9 private investment or devoted to a different use requiring
10 private investment.

11 (5) Costs of construction within a redevelopment
12 project area of public improvements, including but not
13 limited to, buildings, structures, works, utilities or
14 fixtures, except that on and after the effective date of
15 this amendatory Act of the 91st General Assembly,
16 redevelopment project costs shall not include the cost of
17 constructing a new municipal public building principally
18 used to provide offices, storage space, or conference
19 facilities or vehicle storage, maintenance, or repair for
20 administrative, public safety, or public works personnel
21 and that is not intended to replace an existing public
22 building as provided under paragraph (4) unless either (i)
23 the construction of the new municipal building implements
24 a redevelopment project that was included in a
25 redevelopment plan that was adopted by the municipality
26 prior to the effective date of this amendatory Act of the

1 91st General Assembly or (ii) the municipality makes a
2 reasonable determination in the redevelopment plan,
3 supported by information that provides the basis for that
4 determination, that the new municipal building is required
5 to meet an increase in the need for public safety purposes
6 anticipated to result from the implementation of the
7 redevelopment plan.

8 (6) Costs of eliminating or removing contaminants and
9 other impediments required by federal or State
10 environmental laws, rules, regulations, and guidelines,
11 orders or other requirements or those imposed by private
12 lending institutions as a condition for approval of their
13 financial support, debt or equity, for the redevelopment
14 projects, provided, however, that in the event (i) other
15 federal or State funds have been certified by an
16 administrative agency as adequate to pay these costs
17 during the 18 months after the adoption of the
18 redevelopment plan, or (ii) the municipality has been
19 reimbursed for such costs by persons legally responsible
20 for them, such federal, State, or private funds shall,
21 insofar as possible, be fully expended prior to the use of
22 any revenues deposited in the special tax allocation fund
23 of the municipality and any other such federal, State or
24 private funds received shall be deposited in the fund. The
25 municipality shall seek reimbursement of these costs from
26 persons legally responsible for these costs and the costs

1 of obtaining this reimbursement.

2 (7) Costs of job training and retraining projects.

3 (8) Financing costs, including but not limited to all
4 necessary and incidental expenses related to the issuance
5 of obligations and which may include payment of interest
6 on any obligations issued under this Act including
7 interest accruing during the estimated period of
8 construction of any redevelopment project for which the
9 obligations are issued and for not exceeding 36 months
10 thereafter and including reasonable reserves related to
11 those costs.

12 (9) All or a portion of a taxing district's capital
13 costs resulting from the redevelopment project necessarily
14 incurred or to be incurred in furtherance of the
15 objectives of the redevelopment plan and project, to the
16 extent the municipality by written agreement accepts and
17 approves those costs.

18 (10) Relocation costs to the extent that a
19 municipality determines that relocation costs shall be
20 paid or is required to make payment of relocation costs by
21 federal or State law.

22 (11) Payments in lieu of taxes.

23 (12) Costs of job training, retraining, advanced
24 vocational education or career education, including but
25 not limited to courses in occupational, semi-technical or
26 technical fields leading directly to employment, incurred

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

21 (13) The interest costs incurred by redevelopers or
22 other nongovernmental persons in connection with a
23 redevelopment project, and specifically including payments
24 to redevelopers or other nongovernmental persons as
25 reimbursement for such costs incurred by such redeveloper
26 or other nongovernmental person, provided that:

1 (A) interest costs shall be paid or reimbursed by
2 a municipality only pursuant to the prior official
3 action of the municipality evidencing an intent to pay
4 or reimburse such interest costs;

5 (B) such payments in any one year may not exceed
6 30% of the annual interest costs incurred by the
7 redeveloper with regard to the redevelopment project
8 during that year;

9 (C) except as provided in subparagraph (E), the
10 aggregate amount of such costs paid or reimbursed by a
11 municipality shall not exceed 30% of the total (i)
12 costs paid or incurred by the redeveloper or other
13 nongovernmental person in that year plus (ii)
14 redevelopment project costs excluding any property
15 assembly costs and any relocation costs incurred by a
16 municipality pursuant to this Act;

17 (D) interest costs shall be paid or reimbursed by
18 a municipality solely from the special tax allocation
19 fund established pursuant to this Act and shall not be
20 paid or reimbursed from the proceeds of any
21 obligations issued by a municipality;

22 (E) if there are not sufficient funds available in
23 the special tax allocation fund in any year to make
24 such payment or reimbursement in full, any amount of
25 such interest cost remaining to be paid or reimbursed
26 by a municipality shall accrue and be payable when

1 funds are available in the special tax allocation fund
2 to make such payment.

3 (14) The costs of construction of new privately owned
4 buildings shall not be an eligible redevelopment project
5 cost.

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

12 (p) "Redevelopment Planning Area" means an area so
13 designated by a municipality after the municipality has
14 complied with all the findings and procedures required to
15 establish a redevelopment project area, including the
16 existence of conditions that qualify the area as an industrial
17 park conservation area, or an environmentally contaminated
18 area, or a vacant industrial buildings conservation area, or a
19 combination of these types of areas, and adopted a
20 redevelopment plan and project for the planning area and its
21 included redevelopment project areas. The area shall not be
22 designated as a redevelopment planning area for more than 5
23 years, or 10 years in the case of a redevelopment planning area
24 in the City of Rockford. At any time in the 5 years, or 10
25 years in the case of the City of Rockford, following that
26 designation of the redevelopment planning area, the

1 municipality may designate the redevelopment planning area, or
2 any portion of the redevelopment planning area, as a
3 redevelopment project area without making additional findings
4 or complying with additional procedures required for the
5 creation of a redevelopment project area. An amendment of a
6 redevelopment plan and project in accordance with the findings
7 and procedures of this Act after the designation of a
8 redevelopment planning area at any time within the 5 years
9 after the designation of the redevelopment planning area, or
10 10 years after the designation of the redevelopment planning
11 area in the City of Rockford, shall not require new
12 qualification of findings for the redevelopment project area
13 to be designated within the redevelopment planning area.

14 The terms "redevelopment plan", "redevelopment project",
15 and "redevelopment project area" have the definitions set out
16 in subsections (l), (m), and (n), respectively.

17 (q) "Taxing districts" means counties, townships,
18 municipalities, and school, road, park, sanitary, mosquito
19 abatement, forest preserve, public health, fire protection,
20 river conservancy, tuberculosis sanitarium and any other
21 municipal corporations or districts with the power to levy
22 taxes.

23 (r) "Taxing districts' capital costs" means those costs of
24 taxing districts for capital improvements that are found by
25 the municipal corporate authorities to be necessary and a
26 direct result of the redevelopment project.

1 (s) "Urban county" means a county with 240,000 or more
2 inhabitants.

3 (t) "Vacant area", as used in subsection (a) of this
4 Section, means any parcel or combination of parcels of real
5 property without industrial, commercial and residential
6 buildings that has not been used for commercial agricultural
7 purposes within 5 years before the designation of the
8 redevelopment project area, unless that parcel is included in
9 an industrial park conservation area.

10 (Source: P.A. 96-606, eff. 8-24-09.)

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