



Sen. Ann Gillespie

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10200SB1140sam001

LRB102 04967 HLH 24906 a

1 AMENDMENT TO SENATE BILL 1140

2 AMENDMENT NO. _____. Amend Senate Bill 1140 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing
5 Section 18-185 as follows:

6 (35 ILCS 200/18-185)

7 Sec. 18-185. Short title; definitions. This Division 5
8 may be cited as the Property Tax Extension Limitation Law. As
9 used in this Division 5:

10 "Consumer Price Index" means the Consumer Price Index for
11 All Urban Consumers for all items published by the United
12 States Department of Labor.

13 "Extension limitation" means (a) the lesser of 5% or the
14 percentage increase in the Consumer Price Index during the
15 12-month calendar year preceding the levy year or (b) the rate
16 of increase approved by voters under Section 18-205.

1 "Affected county" means a county of 3,000,000 or more
2 inhabitants or a county contiguous to a county of 3,000,000 or
3 more inhabitants.

4 "Taxing district" has the same meaning provided in Section
5 1-150, except as otherwise provided in this Section. For the
6 1991 through 1994 levy years only, "taxing district" includes
7 only each non-home rule taxing district having the majority of
8 its 1990 equalized assessed value within any county or
9 counties contiguous to a county with 3,000,000 or more
10 inhabitants. Beginning with the 1995 levy year, "taxing
11 district" includes only each non-home rule taxing district
12 subject to this Law before the 1995 levy year and each non-home
13 rule taxing district not subject to this Law before the 1995
14 levy year having the majority of its 1994 equalized assessed
15 value in an affected county or counties. Beginning with the
16 levy year in which this Law becomes applicable to a taxing
17 district as provided in Section 18-213, "taxing district" also
18 includes those taxing districts made subject to this Law as
19 provided in Section 18-213.

20 "Aggregate extension" for taxing districts to which this
21 Law applied before the 1995 levy year means the annual
22 corporate extension for the taxing district and those special
23 purpose extensions that are made annually for the taxing
24 district, excluding special purpose extensions: (a) made for
25 the taxing district to pay interest or principal on general
26 obligation bonds that were approved by referendum; (b) made

1 for any taxing district to pay interest or principal on
2 general obligation bonds issued before October 1, 1991; (c)
3 made for any taxing district to pay interest or principal on
4 bonds issued to refund or continue to refund those bonds
5 issued before October 1, 1991; (d) made for any taxing
6 district to pay interest or principal on bonds issued to
7 refund or continue to refund bonds issued after October 1,
8 1991 that were approved by referendum; (e) made for any taxing
9 district to pay interest or principal on revenue bonds issued
10 before October 1, 1991 for payment of which a property tax levy
11 or the full faith and credit of the unit of local government is
12 pledged; however, a tax for the payment of interest or
13 principal on those bonds shall be made only after the
14 governing body of the unit of local government finds that all
15 other sources for payment are insufficient to make those
16 payments; (f) made for payments under a building commission
17 lease when the lease payments are for the retirement of bonds
18 issued by the commission before October 1, 1991, to pay for the
19 building project; (g) made for payments due under installment
20 contracts entered into before October 1, 1991; (h) made for
21 payments of principal and interest on bonds issued under the
22 Metropolitan Water Reclamation District Act to finance
23 construction projects initiated before October 1, 1991; (i)
24 made for payments of principal and interest on limited bonds,
25 as defined in Section 3 of the Local Government Debt Reform
26 Act, in an amount not to exceed the debt service extension base

1 less the amount in items (b), (c), (e), and (h) of this
2 definition for non-referendum obligations, except obligations
3 initially issued pursuant to referendum; (j) made for payments
4 of principal and interest on bonds issued under Section 15 of
5 the Local Government Debt Reform Act; (k) made by a school
6 district that participates in the Special Education District
7 of Lake County, created by special education joint agreement
8 under Section 10-22.31 of the School Code, for payment of the
9 school district's share of the amounts required to be
10 contributed by the Special Education District of Lake County
11 to the Illinois Municipal Retirement Fund under Article 7 of
12 the Illinois Pension Code; the amount of any extension under
13 this item (k) shall be certified by the school district to the
14 county clerk; (l) made to fund expenses of providing joint
15 recreational programs for persons with disabilities under
16 Section 5-8 of the Park District Code or Section 11-95-14 of
17 the Illinois Municipal Code; (m) made for temporary relocation
18 loan repayment purposes pursuant to Sections 2-3.77 and
19 17-2.2d of the School Code; (n) made for payment of principal
20 and interest on any bonds issued under the authority of
21 Section 17-2.2d of the School Code; (o) made for contributions
22 to a firefighter's pension fund created under Article 4 of the
23 Illinois Pension Code, to the extent of the amount certified
24 under item (5) of Section 4-134 of the Illinois Pension Code;
25 and (p) made for road purposes in the first year after a
26 township assumes the rights, powers, duties, assets, property,

1 liabilities, obligations, and responsibilities of a road
2 district abolished under the provisions of Section 6-133 of
3 the Illinois Highway Code.

4 "Aggregate extension" for the taxing districts to which
5 this Law did not apply before the 1995 levy year (except taxing
6 districts subject to this Law in accordance with Section
7 18-213) means the annual corporate extension for the taxing
8 district and those special purpose extensions that are made
9 annually for the taxing district, excluding special purpose
10 extensions: (a) made for the taxing district to pay interest
11 or principal on general obligation bonds that were approved by
12 referendum; (b) made for any taxing district to pay interest
13 or principal on general obligation bonds issued before March
14 1, 1995; (c) made for any taxing district to pay interest or
15 principal on bonds issued to refund or continue to refund
16 those bonds issued before March 1, 1995; (d) made for any
17 taxing district to pay interest or principal on bonds issued
18 to refund or continue to refund bonds issued after March 1,
19 1995 that were approved by referendum; (e) made for any taxing
20 district to pay interest or principal on revenue bonds issued
21 before March 1, 1995 for payment of which a property tax levy
22 or the full faith and credit of the unit of local government is
23 pledged; however, a tax for the payment of interest or
24 principal on those bonds shall be made only after the
25 governing body of the unit of local government finds that all
26 other sources for payment are insufficient to make those

1 payments; (f) made for payments under a building commission
2 lease when the lease payments are for the retirement of bonds
3 issued by the commission before March 1, 1995 to pay for the
4 building project; (g) made for payments due under installment
5 contracts entered into before March 1, 1995; (h) made for
6 payments of principal and interest on bonds issued under the
7 Metropolitan Water Reclamation District Act to finance
8 construction projects initiated before October 1, 1991; (h-4)
9 made for stormwater management purposes by the Metropolitan
10 Water Reclamation District of Greater Chicago under Section 12
11 of the Metropolitan Water Reclamation District Act; (i) made
12 for payments of principal and interest on limited bonds, as
13 defined in Section 3 of the Local Government Debt Reform Act,
14 in an amount not to exceed the debt service extension base less
15 the amount in items (b), (c), and (e) of this definition for
16 non-referendum obligations, except obligations initially
17 issued pursuant to referendum and bonds described in
18 subsection (h) of this definition; (j) made for payments of
19 principal and interest on bonds issued under Section 15 of the
20 Local Government Debt Reform Act; (k) made for payments of
21 principal and interest on bonds authorized by Public Act
22 88-503 and issued under Section 20a of the Chicago Park
23 District Act for aquarium or museum projects; (l) made for
24 payments of principal and interest on bonds authorized by
25 Public Act 87-1191 or 93-601 and (i) issued pursuant to
26 Section 21.2 of the Cook County Forest Preserve District Act,

1 (ii) issued under Section 42 of the Cook County Forest
2 Preserve District Act for zoological park projects, or (iii)
3 issued under Section 44.1 of the Cook County Forest Preserve
4 District Act for botanical gardens projects; (m) made pursuant
5 to Section 34-53.5 of the School Code, whether levied annually
6 or not; (n) made to fund expenses of providing joint
7 recreational programs for persons with disabilities under
8 Section 5-8 of the Park District Code or Section 11-95-14 of
9 the Illinois Municipal Code; (o) made by the Chicago Park
10 District for recreational programs for persons with
11 disabilities under subsection (c) of Section 7.06 of the
12 Chicago Park District Act; (p) made for contributions to a
13 firefighter's pension fund created under Article 4 of the
14 Illinois Pension Code, to the extent of the amount certified
15 under item (5) of Section 4-134 of the Illinois Pension Code;
16 (q) made by Ford Heights School District 169 under Section
17 17-9.02 of the School Code; and (r) made for the purpose of
18 making employer contributions to the Public School Teachers'
19 Pension and Retirement Fund of Chicago under Section 34-53 of
20 the School Code.

21 "Aggregate extension" for all taxing districts to which
22 this Law applies in accordance with Section 18-213, except for
23 those taxing districts subject to paragraph (2) of subsection
24 (e) of Section 18-213, means the annual corporate extension
25 for the taxing district and those special purpose extensions
26 that are made annually for the taxing district, excluding

1 special purpose extensions: (a) made for the taxing district
2 to pay interest or principal on general obligation bonds that
3 were approved by referendum; (b) made for any taxing district
4 to pay interest or principal on general obligation bonds
5 issued before the date on which the referendum making this Law
6 applicable to the taxing district is held; (c) made for any
7 taxing district to pay interest or principal on bonds issued
8 to refund or continue to refund those bonds issued before the
9 date on which the referendum making this Law applicable to the
10 taxing district is held; (d) made for any taxing district to
11 pay interest or principal on bonds issued to refund or
12 continue to refund bonds issued after the date on which the
13 referendum making this Law applicable to the taxing district
14 is held if the bonds were approved by referendum after the date
15 on which the referendum making this Law applicable to the
16 taxing district is held; (e) made for any taxing district to
17 pay interest or principal on revenue bonds issued before the
18 date on which the referendum making this Law applicable to the
19 taxing district is held for payment of which a property tax
20 levy or the full faith and credit of the unit of local
21 government is pledged; however, a tax for the payment of
22 interest or principal on those bonds shall be made only after
23 the governing body of the unit of local government finds that
24 all other sources for payment are insufficient to make those
25 payments; (f) made for payments under a building commission
26 lease when the lease payments are for the retirement of bonds

1 issued by the commission before the date on which the
2 referendum making this Law applicable to the taxing district
3 is held to pay for the building project; (g) made for payments
4 due under installment contracts entered into before the date
5 on which the referendum making this Law applicable to the
6 taxing district is held; (h) made for payments of principal
7 and interest on limited bonds, as defined in Section 3 of the
8 Local Government Debt Reform Act, in an amount not to exceed
9 the debt service extension base less the amount in items (b),
10 (c), and (e) of this definition for non-referendum
11 obligations, except obligations initially issued pursuant to
12 referendum; (i) made for payments of principal and interest on
13 bonds issued under Section 15 of the Local Government Debt
14 Reform Act; (j) made for a qualified airport authority to pay
15 interest or principal on general obligation bonds issued for
16 the purpose of paying obligations due under, or financing
17 airport facilities required to be acquired, constructed,
18 installed or equipped pursuant to, contracts entered into
19 before March 1, 1996 (but not including any amendments to such
20 a contract taking effect on or after that date); (k) made to
21 fund expenses of providing joint recreational programs for
22 persons with disabilities under Section 5-8 of the Park
23 District Code or Section 11-95-14 of the Illinois Municipal
24 Code; (l) made for contributions to a firefighter's pension
25 fund created under Article 4 of the Illinois Pension Code, to
26 the extent of the amount certified under item (5) of Section

1 4-134 of the Illinois Pension Code; and (m) made for the taxing
2 district to pay interest or principal on general obligation
3 bonds issued pursuant to Section 19-3.10 of the School Code.

4 "Aggregate extension" for all taxing districts to which
5 this Law applies in accordance with paragraph (2) of
6 subsection (e) of Section 18-213 means the annual corporate
7 extension for the taxing district and those special purpose
8 extensions that are made annually for the taxing district,
9 excluding special purpose extensions: (a) made for the taxing
10 district to pay interest or principal on general obligation
11 bonds that were approved by referendum; (b) made for any
12 taxing district to pay interest or principal on general
13 obligation bonds issued before March 7, 1997 (the effective
14 date of Public Act 89-718) ~~this amendatory Act of 1997~~; (c)
15 made for any taxing district to pay interest or principal on
16 bonds issued to refund or continue to refund those bonds
17 issued before March 7, 1997 (the effective date of Public Act
18 89-718) ~~this amendatory Act of 1997~~; (d) made for any taxing
19 district to pay interest or principal on bonds issued to
20 refund or continue to refund bonds issued after March 7, 1997
21 (the effective date of Public Act 89-718) ~~this amendatory Act~~
22 ~~of 1997~~ if the bonds were approved by referendum after March 7,
23 1997 (the effective date of Public Act 89-718) ~~this amendatory~~
24 ~~Act of 1997~~; (e) made for any taxing district to pay interest
25 or principal on revenue bonds issued before March 7, 1997 (the
26 effective date of Public Act 89-718) ~~this amendatory Act of~~

1 ~~1997~~ for payment of which a property tax levy or the full faith
2 and credit of the unit of local government is pledged;
3 however, a tax for the payment of interest or principal on
4 those bonds shall be made only after the governing body of the
5 unit of local government finds that all other sources for
6 payment are insufficient to make those payments; (f) made for
7 payments under a building commission lease when the lease
8 payments are for the retirement of bonds issued by the
9 commission before March 7, 1997 (the effective date of Public
10 Act 89-718) ~~this amendatory Act of 1997~~ to pay for the building
11 project; (g) made for payments due under installment contracts
12 entered into before March 7, 1997 (the effective date of
13 Public Act 89-718) ~~this amendatory Act of 1997~~; (h) made for
14 payments of principal and interest on limited bonds, as
15 defined in Section 3 of the Local Government Debt Reform Act,
16 in an amount not to exceed the debt service extension base less
17 the amount in items (b), (c), and (e) of this definition for
18 non-referendum obligations, except obligations initially
19 issued pursuant to referendum; (i) made for payments of
20 principal and interest on bonds issued under Section 15 of the
21 Local Government Debt Reform Act; (j) made for a qualified
22 airport authority to pay interest or principal on general
23 obligation bonds issued for the purpose of paying obligations
24 due under, or financing airport facilities required to be
25 acquired, constructed, installed or equipped pursuant to,
26 contracts entered into before March 1, 1996 (but not including

1 any amendments to such a contract taking effect on or after
2 that date); (k) made to fund expenses of providing joint
3 recreational programs for persons with disabilities under
4 Section 5-8 of the Park District Code or Section 11-95-14 of
5 the Illinois Municipal Code; and (l) made for contributions to
6 a firefighter's pension fund created under Article 4 of the
7 Illinois Pension Code, to the extent of the amount certified
8 under item (5) of Section 4-134 of the Illinois Pension Code.

9 "Debt service extension base" means an amount equal to
10 that portion of the extension for a taxing district for the
11 1994 levy year, or for those taxing districts subject to this
12 Law in accordance with Section 18-213, except for those
13 subject to paragraph (2) of subsection (e) of Section 18-213,
14 for the levy year in which the referendum making this Law
15 applicable to the taxing district is held, or for those taxing
16 districts subject to this Law in accordance with paragraph (2)
17 of subsection (e) of Section 18-213 for the 1996 levy year,
18 constituting an extension for payment of principal and
19 interest on bonds issued by the taxing district without
20 referendum, but not including excluded non-referendum bonds.
21 For park districts (i) that were first subject to this Law in
22 1991 or 1995 and (ii) whose extension for the 1994 levy year
23 for the payment of principal and interest on bonds issued by
24 the park district without referendum (but not including
25 excluded non-referendum bonds) was less than 51% of the amount
26 for the 1991 levy year constituting an extension for payment

1 of principal and interest on bonds issued by the park district
2 without referendum (but not including excluded non-referendum
3 bonds), "debt service extension base" means an amount equal to
4 that portion of the extension for the 1991 levy year
5 constituting an extension for payment of principal and
6 interest on bonds issued by the park district without
7 referendum (but not including excluded non-referendum bonds).
8 A debt service extension base established or increased at any
9 time pursuant to any provision of this Law, except Section
10 18-212, shall be increased each year commencing with the later
11 of (i) the 2009 levy year or (ii) the first levy year in which
12 this Law becomes applicable to the taxing district, by the
13 lesser of 5% or the percentage increase in the Consumer Price
14 Index during the 12-month calendar year preceding the levy
15 year. The debt service extension base may be established or
16 increased as provided under Section 18-212. "Excluded
17 non-referendum bonds" means (i) bonds authorized by Public Act
18 88-503 and issued under Section 20a of the Chicago Park
19 District Act for aquarium and museum projects; (ii) bonds
20 issued under Section 15 of the Local Government Debt Reform
21 Act; or (iii) refunding obligations issued to refund or to
22 continue to refund obligations initially issued pursuant to
23 referendum.

24 "Special purpose extensions" include, but are not limited
25 to, extensions for levies made on an annual basis for
26 unemployment and workers' compensation, self-insurance,

1 contributions to pension plans, and extensions made pursuant
2 to Section 6-601 of the Illinois Highway Code for a road
3 district's permanent road fund whether levied annually or not.
4 The extension for a special service area is not included in the
5 aggregate extension.

6 "Aggregate extension base" means, for levy years prior to
7 2022, the taxing district's last preceding aggregate extension
8 as adjusted under Sections 18-135, 18-215, 18-230, and 18-206.
9 For levy years 2022 and later, the greater of (A) the taxing
10 district's last preceding aggregate extension limit or (B) the
11 taxing district's last preceding aggregate extension, as
12 adjusted under Sections 18-135, 18-215, 18-230, and 18-206. An
13 adjustment under Section 18-135 shall be made for the 2007
14 levy year and all subsequent levy years whenever one or more
15 counties within which a taxing district is located (i) used
16 estimated valuations or rates when extending taxes in the
17 taxing district for the last preceding levy year that resulted
18 in the over or under extension of taxes, or (ii) increased or
19 decreased the tax extension for the last preceding levy year
20 as required by Section 18-135(c). Whenever an adjustment is
21 required under Section 18-135, the aggregate extension base of
22 the taxing district shall be equal to the amount that the
23 aggregate extension of the taxing district would have been for
24 the last preceding levy year if either or both (i) actual,
25 rather than estimated, valuations or rates had been used to
26 calculate the extension of taxes for the last levy year, or

1 (ii) the tax extension for the last preceding levy year had not
2 been adjusted as required by subsection (c) of Section 18-135.

3 Notwithstanding any other provision of law, for levy year
4 2012, the aggregate extension base for West Northfield School
5 District No. 31 in Cook County shall be \$12,654,592.

6 "Levy year" has the same meaning as "year" under Section
7 1-155.

8 "Aggregate extension limit" means the district's last
9 preceding aggregate extension if the taxing district had
10 utilized the maximum limiting rate permitted without
11 referendum for each of the 5 immediately preceding levy years,
12 as adjusted under Section 18-135, 18-215, 18-230, and 18-206.

13 "New property" means (i) the assessed value, after final
14 board of review or board of appeals action, of new
15 improvements or additions to existing improvements on any
16 parcel of real property that increase the assessed value of
17 that real property during the levy year multiplied by the
18 equalization factor issued by the Department under Section
19 17-30, (ii) the assessed value, after final board of review or
20 board of appeals action, of real property not exempt from real
21 estate taxation, which real property was exempt from real
22 estate taxation for any portion of the immediately preceding
23 levy year, multiplied by the equalization factor issued by the
24 Department under Section 17-30, including the assessed value,
25 upon final stabilization of occupancy after new construction
26 is complete, of any real property located within the

1 boundaries of an otherwise or previously exempt military
2 reservation that is intended for residential use and owned by
3 or leased to a private corporation or other entity, (iii) in
4 counties that classify in accordance with Section 4 of Article
5 IX of the Illinois Constitution, an incentive property's
6 additional assessed value resulting from a scheduled increase
7 in the level of assessment as applied to the first year final
8 board of review market value, and (iv) any increase in
9 assessed value due to oil or gas production from an oil or gas
10 well required to be permitted under the Hydraulic Fracturing
11 Regulatory Act that was not produced in or accounted for
12 during the previous levy year. In addition, the county clerk
13 in a county containing a population of 3,000,000 or more shall
14 include in the 1997 recovered tax increment value for any
15 school district, any recovered tax increment value that was
16 applicable to the 1995 tax year calculations.

17 "Qualified airport authority" means an airport authority
18 organized under the Airport Authorities Act and located in a
19 county bordering on the State of Wisconsin and having a
20 population in excess of 200,000 and not greater than 500,000.

21 "Recovered tax increment value" means, except as otherwise
22 provided in this paragraph, the amount of the current year's
23 equalized assessed value, in the first year after a
24 municipality terminates the designation of an area as a
25 redevelopment project area previously established under the
26 Tax Increment Allocation Redevelopment ~~Development~~ Act in the

1 Illinois Municipal Code, previously established under the
2 Industrial Jobs Recovery Law in the Illinois Municipal Code,
3 previously established under the Economic Development Project
4 Area Tax Increment Act of 1995, or previously established
5 under the Economic Development Area Tax Increment Allocation
6 Act, of each taxable lot, block, tract, or parcel of real
7 property in the redevelopment project area over and above the
8 initial equalized assessed value of each property in the
9 redevelopment project area. For the taxes which are extended
10 for the 1997 levy year, the recovered tax increment value for a
11 non-home rule taxing district that first became subject to
12 this Law for the 1995 levy year because a majority of its 1994
13 equalized assessed value was in an affected county or counties
14 shall be increased if a municipality terminated the
15 designation of an area in 1993 as a redevelopment project area
16 previously established under the Tax Increment Allocation
17 Redevelopment ~~Development~~ Act in the Illinois Municipal Code,
18 previously established under the Industrial Jobs Recovery Law
19 in the Illinois Municipal Code, or previously established
20 under the Economic Development Area Tax Increment Allocation
21 Act, by an amount equal to the 1994 equalized assessed value of
22 each taxable lot, block, tract, or parcel of real property in
23 the redevelopment project area over and above the initial
24 equalized assessed value of each property in the redevelopment
25 project area. In the first year after a municipality removes a
26 taxable lot, block, tract, or parcel of real property from a

1 redevelopment project area established under the Tax Increment
2 Allocation Redevelopment ~~Development~~ Act in the Illinois
3 Municipal Code, the Industrial Jobs Recovery Law in the
4 Illinois Municipal Code, or the Economic Development Area Tax
5 Increment Allocation Act, "recovered tax increment value"
6 means the amount of the current year's equalized assessed
7 value of each taxable lot, block, tract, or parcel of real
8 property removed from the redevelopment project area over and
9 above the initial equalized assessed value of that real
10 property before removal from the redevelopment project area.

11 Except as otherwise provided in this Section, "limiting
12 rate" means a fraction the numerator of which is the last
13 preceding aggregate extension base times an amount equal to
14 one plus the extension limitation defined in this Section and
15 the denominator of which is the current year's equalized
16 assessed value of all real property in the territory under the
17 jurisdiction of the taxing district during the prior levy
18 year. For those taxing districts that reduced their aggregate
19 extension for the last preceding levy year, except for school
20 districts that reduced their extension for educational
21 purposes pursuant to Section 18-206, the highest aggregate
22 extension in any of the last 3 preceding levy years shall be
23 used for the purpose of computing the limiting rate. For levy
24 years prior to levy year 2022, the ~~The~~ denominator shall not
25 include new property or the recovered tax increment value. For
26 levy year 2022 and thereafter, the denominator shall not

1 include the recovered tax increment value but shall include
2 50% of the value of new property. If a new rate, a rate
3 decrease, or a limiting rate increase has been approved at an
4 election held after March 21, 2006, then (i) the otherwise
5 applicable limiting rate shall be increased by the amount of
6 the new rate or shall be reduced by the amount of the rate
7 decrease, as the case may be, or (ii) in the case of a limiting
8 rate increase, the limiting rate shall be equal to the rate set
9 forth in the proposition approved by the voters for each of the
10 years specified in the proposition, after which the limiting
11 rate of the taxing district shall be calculated as otherwise
12 provided. In the case of a taxing district that obtained
13 referendum approval for an increased limiting rate on March
14 20, 2012, the limiting rate for tax year 2012 shall be the rate
15 that generates the approximate total amount of taxes
16 extendable for that tax year, as set forth in the proposition
17 approved by the voters; this rate shall be the final rate
18 applied by the county clerk for the aggregate of all capped
19 funds of the district for tax year 2012.

20 (Source: P.A. 99-143, eff. 7-27-15; 99-521, eff. 6-1-17;
21 100-465, eff. 8-31-17; revised 8-12-19.)

22 Section 10. The Illinois Municipal Code is amended by
23 changing Sections 11-74.4-3, 11-74.4-3.5, 11-74.4-5, and
24 11-74.4-7 as follows:

1 (65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)

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

6 (a) For any redevelopment project area that has been
7 designated pursuant to this Section by an ordinance adopted
8 prior to July 1, 2021 ~~November 1, 1999~~ ~~(the effective date of~~
9 ~~Public Act 91-478)~~, "blighted area" shall have the meaning set
10 forth in this Section prior to that date.

11 On and after July 1, 2021 ~~November 1, 1999~~, "blighted
12 area" means any improved or vacant area within the boundaries
13 of a redevelopment project area located within the territorial
14 limits of the municipality where:

15 (1) If improved, industrial, commercial, and
16 residential buildings or improvements are detrimental to
17 the public safety, health, or welfare because of a
18 combination of 5 or more of the following factors, each of
19 which is (i) present, with that presence documented, to a
20 meaningful extent so that a municipality may reasonably
21 find that the factor is clearly present within the intent
22 of the Act and (ii) reasonably distributed throughout the
23 improved part of the redevelopment project area:

24 (A) (Blank). ~~Dilapidation. An advanced state of~~
25 ~~disrepair or neglect of necessary repairs to the~~
26 ~~primary structural components of buildings or~~

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

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

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

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

24 (E) Illegal use of individual structures. The use
25 of structures in violation of applicable federal,
26 State, or local laws, exclusive of those applicable to

1 the presence of structures below minimum code
2 standards.

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

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

22 (H) Inadequate utilities. Underground and overhead
23 utilities such as storm sewers and storm drainage,
24 sanitary sewers, water lines, and gas, telephone, and
25 electrical services that are shown to be inadequate.
26 Inadequate utilities are those that are: (i) of

1 insufficient capacity to serve the uses in the
2 redevelopment project area, (ii) deteriorated,
3 antiquated, obsolete, or in disrepair, or (iii)
4 lacking within the redevelopment project area.

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

25 (J) (Blank). ~~Deleterious land use or layout. The~~
26 ~~existence of incompatible land use relationships,~~

1 ~~buildings occupied by inappropriate mixed uses, or~~
2 ~~uses considered to be noxious, offensive, or~~
3 ~~unsuitable for the surrounding area.~~

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

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

1 ~~meet contemporary development standards, or other~~
2 ~~evidence demonstrating an absence of effective~~
3 ~~community planning.~~

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

17 (N) The proposed redevelopment project area has
18 had an annual average unemployment rate of at least
19 120% of the State's annual average unemployment rate
20 for the most recent calendar year that immediately
21 preceded the calendar year last reported by the
22 Department of Employment Security.

23 (O) The proposed redevelopment project area has a
24 poverty rate of at least: 20% according to the latest
25 federal decennial census; 50% or more of children in
26 the proposed redevelopment project area participate in

1 the federal free lunch program according to reported
2 statistics from the State Board of Education; or 20%
3 or more households in the proposed redevelopment
4 project area receive food stamps according to the
5 latest federal decennial census.

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

14 (A) (Blank). ~~Obsolete platting of vacant land that~~
15 ~~results in parcels of limited or narrow size or~~
16 ~~configurations of parcels of irregular size or shape~~
17 ~~that would be difficult to develop on a planned basis~~
18 ~~and in a manner compatible with contemporary standards~~
19 ~~and requirements, or platting that failed to create~~
20 ~~rights-of-ways for streets or alleys or that created~~
21 ~~inadequate right-of-way widths for streets, alleys, or~~
22 ~~other public rights-of-way or that omitted easements~~
23 ~~for public utilities.~~

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

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

4 (D) (Blank). ~~Deterioration of structures or site~~
5 ~~improvements in neighboring areas adjacent to the~~
6 ~~vacant land.~~

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

18 (F) The total equalized assessed value of the
19 proposed redevelopment project area has declined for 3
20 of the last 5 calendar years prior to the year in which
21 the redevelopment project area is designated. ~~or is~~
22 ~~increasing at an annual rate that is less than the~~
23 ~~balance of the municipality for 3 of the last 5~~
24 ~~calendar years for which information is available or~~
25 ~~is increasing at an annual rate that is less than the~~
26 ~~Consumer Price Index for All Urban Consumers published~~

1 ~~by the United States Department of Labor or successor~~
2 ~~agency for 3 of the last 5 calendar years prior to the~~
3 ~~year in which the redevelopment project area is~~
4 ~~designated.~~

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

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

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

17 (C) The area, prior to its designation, is subject
18 to (i) chronic flooding that adversely impacts on real
19 property in the area as certified by a registered
20 professional engineer or appropriate regulatory agency
21 or (ii) surface water that discharges from all or a
22 part of the area and contributes to flooding within
23 the same watershed, but only if the redevelopment
24 project provides for facilities or improvements to
25 contribute to the alleviation of all or part of the
26 flooding.

1 (D) The area consists of an unused or illegal
2 disposal site containing earth, stone, building
3 debris, or similar materials that were removed from
4 construction, demolition, excavation, or dredge sites.

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

16 (F) (Blank). ~~The area qualified as a blighted~~
17 ~~improved area immediately prior to becoming vacant,~~
18 ~~unless there has been substantial private investment~~
19 ~~in the immediately surrounding area.~~

20 (b) For any redevelopment project area that has been
21 designated pursuant to this Section by an ordinance adopted
22 prior to July 1, 2020 ~~November 1, 1999~~ ~~(the effective date of~~
23 ~~Public Act 91-478)~~, "conservation area" shall have the meaning
24 set forth in this Section prior to that date.

25 On and after July 1, 2020 ~~November 1, 1999~~, "conservation
26 area" means any improved area within the boundaries of a

1 redevelopment project area located within the territorial
2 limits of the municipality in which 50% or more of the
3 structures in the area have an age of 35 years or more. Such an
4 area is not yet a blighted area but because of a combination of
5 3 or more of the following factors is detrimental to the public
6 safety, health, morals or welfare and such an area may become a
7 blighted area:

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

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

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

1 ~~through paved surfaces.~~

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

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

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

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

1 ~~and from all rooms and units within a building.~~

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

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

1 of reasonably required off-street parking, or inadequate
2 provision for loading and service.

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

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

20 (12) The area has incurred Illinois Environmental
21 Protection Agency or United States Environmental
22 Protection Agency remediation costs for, or a study
23 conducted by an independent consultant recognized as
24 having expertise in environmental remediation has
25 determined a need for, the clean-up of hazardous waste,
26 hazardous substances, or underground storage tanks

1 required by State or federal law, provided that the
2 remediation costs constitute a material impediment to the
3 development or redevelopment of the redevelopment project
4 area.

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

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

25 (d) "Industrial park conservation area" means an area
26 within the boundaries of a redevelopment project area located

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

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

23 (f) "Municipality" shall mean a city, village,
24 incorporated town, or a township that is located in the
25 unincorporated portion of a county with 3 million or more
26 inhabitants, if the county adopted an ordinance that approved

1 the township's redevelopment plan.

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

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

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

1 Act by retailers and servicemen, on transactions at places of
2 business located in the redevelopment project area or State
3 Sales Tax Boundary, as the case may be, during the base year
4 which shall be the calendar year immediately prior to the year
5 in which the municipality adopted tax increment allocation
6 financing. For purposes of computing the aggregate amount of
7 such taxes for base years occurring prior to 1985, the
8 Department of Revenue shall determine the Initial Sales Tax
9 Amounts for such taxes and deduct therefrom an amount equal to
10 4% of the aggregate amount of taxes per year for each year the
11 base year is prior to 1985, but not to exceed a total deduction
12 of 12%. The amount so determined shall be known as the
13 "Adjusted Initial Sales Tax Amounts". For purposes of
14 determining the Municipal Sales Tax Increment, the Department
15 of Revenue shall for each period subtract from the amount paid
16 to the municipality from the Local Government Tax Fund arising
17 from sales by retailers and servicemen on transactions located
18 in the redevelopment project area or the State Sales Tax
19 Boundary, as the case may be, the certified Initial Sales Tax
20 Amounts, the Adjusted Initial Sales Tax Amounts or the Revised
21 Initial Sales Tax Amounts for the Municipal Retailers'
22 Occupation Tax Act and the Municipal Service Occupation Tax
23 Act. For the State Fiscal Year 1989, this calculation shall be
24 made by utilizing the calendar year 1987 to determine the tax
25 amounts received. For the State Fiscal Year 1990, this
26 calculation shall be made by utilizing the period from January

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

22 (i) "Net State Sales Tax Increment" means the sum of the
23 following: (a) 80% of the first \$100,000 of State Sales Tax
24 Increment annually generated within a State Sales Tax
25 Boundary; (b) 60% of the amount in excess of \$100,000 but not
26 exceeding \$500,000 of State Sales Tax Increment annually

1 generated within a State Sales Tax Boundary; and (c) 40% of all
2 amounts in excess of \$500,000 of State Sales Tax Increment
3 annually generated within a State Sales Tax Boundary. If,
4 however, a municipality established a tax increment financing
5 district in a county with a population in excess of 3,000,000
6 before January 1, 1986, and the municipality entered into a
7 contract or issued bonds after January 1, 1986, but before
8 December 31, 1986, to finance redevelopment project costs
9 within a State Sales Tax Boundary, then the Net State Sales Tax
10 Increment means, for the fiscal years beginning July 1, 1990,
11 and July 1, 1991, 100% of the State Sales Tax Increment
12 annually generated within a State Sales Tax Boundary; and
13 notwithstanding any other provision of this Act, for those
14 fiscal years the Department of Revenue shall distribute to
15 those municipalities 100% of their Net State Sales Tax
16 Increment before any distribution to any other municipality
17 and regardless of whether or not those other municipalities
18 will receive 100% of their Net State Sales Tax Increment. For
19 Fiscal Year 1999, and every year thereafter until the year
20 2007, for any municipality that has not entered into a
21 contract or has not issued bonds prior to June 1, 1988 to
22 finance redevelopment project costs within a State Sales Tax
23 Boundary, the Net State Sales Tax Increment shall be
24 calculated as follows: By multiplying the Net State Sales Tax
25 Increment by 90% in the State Fiscal Year 1999; 80% in the
26 State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60%

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

6 Municipalities that issued bonds in connection with a
7 redevelopment project in a redevelopment project area within
8 the State Sales Tax Boundary prior to July 29, 1991, or that
9 entered into contracts in connection with a redevelopment
10 project in a redevelopment project area before June 1, 1988,
11 shall continue to receive their proportional share of the
12 Illinois Tax Increment Fund distribution until the date on
13 which the redevelopment project is completed or terminated.
14 If, however, a municipality that issued bonds in connection
15 with a redevelopment project in a redevelopment project area
16 within the State Sales Tax Boundary prior to July 29, 1991
17 retires the bonds prior to June 30, 2007 or a municipality that
18 entered into contracts in connection with a redevelopment
19 project in a redevelopment project area before June 1, 1988
20 completes the contracts prior to June 30, 2007, then so long as
21 the redevelopment project is not completed or is not
22 terminated, the Net State Sales Tax Increment shall be
23 calculated, beginning on the date on which the bonds are
24 retired or the contracts are completed, as follows: By
25 multiplying the Net State Sales Tax Increment by 60% in the
26 State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40%

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

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

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

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

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

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

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

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

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

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

18 (B) evidence indicating that the redevelopment project
19 area on the whole has not been subject to growth and
20 development through investment by private enterprise,
21 provided that such evidence shall not be required for any
22 redevelopment project area located within a transit
23 facility improvement area established pursuant to Section
24 11-74.4-3.3;

25 (C) an assessment of any financial impact of the
26 redevelopment project area on or any increased demand for

1 services from any taxing district affected by the plan and
2 any program to address such financial impact or increased
3 demand;

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

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

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

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

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

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

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

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

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

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

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

26 (3) The redevelopment plan establishes the estimated

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

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

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

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

1 utilized for the development of the redevelopment project
2 area.

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

22 Part I of the housing impact study shall include (i)
23 data as to whether the residential units are single family
24 or multi-family units, (ii) the number and type of rooms
25 within the units, if that information is available, (iii)
26 whether the units are inhabited or uninhabited, as

1 determined not less than 45 days before the date that the
2 ordinance or resolution required by subsection (a) of
3 Section 11-74.4-5 is passed, and (iv) data as to the
4 racial and ethnic composition of the residents in the
5 inhabited residential units. The data requirement as to
6 the racial and ethnic composition of the residents in the
7 inhabited residential units shall be deemed to be fully
8 satisfied by data from the most recent federal census.

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

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

25 (7) On and after November 1, 1999, no redevelopment
26 plan shall be adopted, nor an existing plan amended, nor

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

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

1 (9) For redevelopment project areas designated prior
2 to November 1, 1999, the redevelopment plan may be amended
3 without further joint review board meeting or hearing,
4 provided that the municipality shall give notice of any
5 such changes by mail to each affected taxing district and
6 registrant on the interested party registry, to authorize
7 the municipality to expend tax increment revenues for
8 redevelopment project costs defined by paragraphs (5) and
9 (7.5), subparagraphs (E) and (F) of paragraph (11), and
10 paragraph (11.5) of subsection (q) of Section 11-74.4-3,
11 so long as the changes do not increase the total estimated
12 redevelopment project costs set out in the redevelopment
13 plan by more than 5% after adjustment for inflation from
14 the date the plan was adopted.

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

1 hunting.

2 (p) "Redevelopment project area" means an area designated
3 by the municipality, which is not less in the aggregate than 1
4 1/2 acres and in respect to which the municipality has made a
5 finding that there exist conditions which cause the area to be
6 classified as an industrial park conservation area or a
7 blighted area or a conservation area, or a combination of both
8 blighted areas and conservation areas.

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

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

1 or any combination thereof.

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

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

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

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

17 (1.6) The cost of marketing sites within the
18 redevelopment project area to prospective businesses,
19 developers, and investors;

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

1 barriers, and the clearing and grading of land;

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

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

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

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

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

25 (7) To the extent the municipality by written
26 agreement accepts and approves the same, all or a portion

1 of a taxing district's capital costs resulting from the
2 redevelopment project necessarily incurred or to be
3 incurred within a taxing district in furtherance of the
4 objectives of the redevelopment plan and project;

5 (7.5) For redevelopment project areas designated (or
6 redevelopment project areas amended to add or increase the
7 number of tax-increment-financing assisted housing units)
8 on or after November 1, 1999, an elementary, secondary, or
9 unit school district's increased costs attributable to
10 assisted housing units located within the redevelopment
11 project area for which the developer or redeveloper
12 receives financial assistance through an agreement with
13 the municipality or because the municipality incurs the
14 cost of necessary infrastructure improvements within the
15 boundaries of the assisted housing sites necessary for the
16 completion of that housing as authorized by this Act, and
17 which costs shall be paid by the municipality from the
18 Special Tax Allocation Fund when the tax increment revenue
19 is received as a result of the assisted housing units and
20 shall be calculated annually as follows:

21 (A) for foundation districts, excluding any school
22 district in a municipality with a population in excess
23 of 1,000,000, by multiplying the district's increase
24 in attendance resulting from the net increase in new
25 students enrolled in that school district who reside
26 in housing units within the redevelopment project area

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

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

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

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

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

1 of the School Code attributable to these added new
2 students subject to the following annual limitations:

3 (i) for unit school districts, no more than
4 40% of the total amount of property tax increment
5 revenue produced by those housing units that have
6 received tax increment finance assistance under
7 this Act;

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

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

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

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

26 (ii) the amount reimbursable shall be reduced

1 by the value of any land donated to the school
2 district by the municipality or developer, and by
3 the value of any physical improvements made to the
4 schools by the municipality or developer; and

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

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

25 (7.7) For redevelopment project areas designated (or
26 redevelopment project areas amended to add or increase the

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

22 The amount paid to a library district under this
23 paragraph (7.7) shall be calculated by multiplying (i) the
24 net increase in the number of persons eligible to obtain a
25 library card in that district who reside in housing units
26 within the redevelopment project area that have received

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

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

24 Any library district seeking payment under this
25 paragraph (7.7) shall, after July 1 and before September
26 30 of each year, provide the municipality with convincing

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

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 or in order to satisfy subparagraph (7) of
17 subsection (n);

18 (9) Payment in lieu of taxes;

19 (10) Costs of job training, retraining, advanced
20 vocational education or career education, including but
21 not limited to courses in occupational, semi-technical or
22 technical fields leading directly to employment, incurred
23 by one or more taxing districts, provided that such costs
24 (i) are related to the establishment and maintenance of
25 additional job training, advanced vocational education or
26 career education programs for persons employed or to be

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

17 (11) Interest cost incurred by a redeveloper related
18 to the construction, renovation or rehabilitation of a
19 redevelopment project provided that:

20 (A) such costs are to be paid directly from the
21 special tax allocation fund established pursuant to
22 this Act;

23 (B) such payments in any one year may not exceed
24 30% of the annual interest costs incurred by the
25 redeveloper with regard to the redevelopment project
26 during that year;

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

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

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

21 (F) instead of the eligible costs provided by
22 subparagraphs (B) and (D) of paragraph (11), as
23 modified by this subparagraph, and notwithstanding any
24 other provisions of this Act to the contrary, the
25 municipality may pay from tax increment revenues up to
26 50% of the cost of construction of new housing units to

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

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

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

23 (11.5) If the redevelopment project area is located
24 within a municipality with a population of more than
25 100,000, the cost of day care services for children of
26 employees from low-income families working for businesses

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

13 (12) Costs relating to the development of urban
14 agricultural areas under Division 15.2 of the Illinois
15 Municipal Code.

16 Unless explicitly stated herein the cost of construction
17 of new privately-owned buildings shall not be an eligible
18 redevelopment project cost.

19 After November 1, 1999 (the effective date of Public Act
20 91-478), none of the redevelopment project costs enumerated in
21 this subsection shall be eligible redevelopment project costs
22 if those costs would provide direct financial support to a
23 retail entity initiating operations in the redevelopment
24 project area while terminating operations at another Illinois
25 location within 10 miles of the redevelopment project area but
26 outside the boundaries of the redevelopment project area

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

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

26 If a special service area has been established pursuant to

1 the Special Service Area Tax Act or Special Service Area Tax
2 Law, then any tax increment revenues derived from the tax
3 imposed pursuant to the Special Service Area Tax Act or
4 Special Service Area Tax Law may be used within the
5 redevelopment project area for the purposes permitted by that
6 Act or Law as well as the purposes permitted by this Act.

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

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

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

25 (s) "State Sales Tax Increment" means an amount equal to
26 the increase in the aggregate amount of taxes paid by

1 retailers and servicemen, other than retailers and servicemen
2 subject to the Public Utilities Act, on transactions at places
3 of business located within a State Sales Tax Boundary pursuant
4 to the Retailers' Occupation Tax Act, the Use Tax Act, the
5 Service Use Tax Act, and the Service Occupation Tax Act,
6 except such portion of such increase that is paid into the
7 State and Local Sales Tax Reform Fund, the Local Government
8 Distributive Fund, the Local Government Tax Fund and the
9 County and Mass Transit District Fund, for as long as State
10 participation exists, over and above the Initial Sales Tax
11 Amounts, Adjusted Initial Sales Tax Amounts or the Revised
12 Initial Sales Tax Amounts for such taxes as certified by the
13 Department of Revenue and paid under those Acts by retailers
14 and servicemen on transactions at places of business located
15 within the State Sales Tax Boundary during the base year which
16 shall be the calendar year immediately prior to the year in
17 which the municipality adopted tax increment allocation
18 financing, less 3.0% of such amounts generated under the
19 Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax
20 Act and the Service Occupation Tax Act, which sum shall be
21 appropriated to the Department of Revenue to cover its costs
22 of administering and enforcing this Section. For purposes of
23 computing the aggregate amount of such taxes for base years
24 occurring prior to 1985, the Department of Revenue shall
25 compute the Initial Sales Tax Amount for such taxes and deduct
26 therefrom an amount equal to 4% of the aggregate amount of

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

1 Amounts as appropriate. For every State Fiscal Year
2 thereafter, the applicable period shall be the 12 months
3 beginning July 1 and ending on June 30, to determine the tax
4 amounts received which shall have deducted therefrom the
5 certified Initial Sales Tax Amounts, Adjusted Initial Sales
6 Tax Amounts or the Revised Initial Sales Tax Amounts.
7 Municipalities intending to receive a distribution of State
8 Sales Tax Increment must report a list of retailers to the
9 Department of Revenue by October 31, 1988 and by July 31, of
10 each year thereafter.

11 (t) "Taxing districts" means counties, townships, cities
12 and incorporated towns and villages, school, road, park,
13 sanitary, mosquito abatement, forest preserve, public health,
14 fire protection, river conservancy, tuberculosis sanitarium
15 and any other municipal corporations or districts with the
16 power to levy taxes.

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

21 (v) As used in subsection (a) of Section 11-74.4-3 of this
22 Act, "vacant land" means any parcel or combination of parcels
23 of real property without industrial, commercial, and
24 residential buildings which has not been used for commercial
25 agricultural purposes within 5 years prior to the designation
26 of the redevelopment project area, unless the parcel is

1 included in an industrial park conservation area or the parcel
2 has been subdivided; provided that if the parcel was part of a
3 larger tract that has been divided into 3 or more smaller
4 tracts that were accepted for recording during the period from
5 1950 to 1990, then the parcel shall be deemed to have been
6 subdivided, and all proceedings and actions of the
7 municipality taken in that connection with respect to any
8 previously approved or designated redevelopment project area
9 or amended redevelopment project area are hereby validated and
10 hereby declared to be legally sufficient for all purposes of
11 this Act. For purposes of this Section and only for land
12 subject to the subdivision requirements of the Plat Act, land
13 is subdivided when the original plat of the proposed
14 Redevelopment Project Area or relevant portion thereof has
15 been properly certified, acknowledged, approved, and recorded
16 or filed in accordance with the Plat Act and a preliminary
17 plat, if any, for any subsequent phases of the proposed
18 Redevelopment Project Area or relevant portion thereof has
19 been properly approved and filed in accordance with the
20 applicable ordinance of the municipality.

21 (w) "Annual Total Increment" means the sum of each
22 municipality's annual Net Sales Tax Increment and each
23 municipality's annual Net Utility Tax Increment. The ratio of
24 the Annual Total Increment of each municipality to the Annual
25 Total Increment for all municipalities, as most recently
26 calculated by the Department, shall determine the proportional

1 shares of the Illinois Tax Increment Fund to be distributed to
2 each municipality.

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

7 (y) "Green Globes certified" means any certification level
8 of construction elements by a qualified Green Globes
9 Professional as determined by the Green Building Initiative.

10 (Source: P.A. 99-792, eff. 8-12-16; 100-201, eff. 8-18-17;
11 100-465, eff. 8-31-17; 100-1133, eff. 1-1-19.)

12 (65 ILCS 5/11-74.4-3.5)

13 Sec. 11-74.4-3.5. Completion dates for redevelopment
14 projects.

15 (a) Unless otherwise stated in this Section and before
16 July 1, 2021, the estimated dates of completion of the
17 redevelopment project and retirement of obligations issued to
18 finance redevelopment project costs (including refunding bonds
19 under Section 11-74.4-7) may not be later than December 31 of
20 the year in which the payment to the municipal treasurer, as
21 provided in subsection (b) of Section 11-74.4-8 of this Act,
22 is to be made with respect to ad valorem taxes levied in the
23 23rd calendar year after the year in which the ordinance
24 approving the redevelopment project area was adopted if the
25 ordinance was adopted on or after January 15, 1981.

1 (a-3) After July 1, 2021, the estimated dates of
2 completion of the redevelopment project and retirement of
3 obligations issued to finance redevelopment project costs
4 (including refunding bonds under Section 11-74.4-7) may not be
5 later than December 31 of the year in which the payment to the
6 municipal treasurer, as provided in subsection (b) of Section
7 11-74.4-8 of this Act, is to be made with respect to ad valorem
8 taxes levied in the 10th calendar year after the year in which
9 the ordinance approving the redevelopment project area was
10 adopted if the ordinance was adopted on or after July 1, 2021.

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

22 (a-7) A municipality may adopt tax increment financing for
23 a redevelopment project area located in a transit facility
24 improvement area that also includes real property located
25 within an existing redevelopment project area established
26 prior to August 12, 2016 (the effective date of Public Act

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

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

23 The estimated dates of completion of the redevelopment
24 project and retirement of obligations issued to finance
25 redevelopment project costs (including refunding bonds under
26 Section 11-74.4-7) may not be later than December 31 of the

1 year in which the payment to the municipal treasurer as
2 provided in subsection (b) of Section 11-74.4-8 of this Act is
3 to be made with respect to ad valorem taxes levied in the 33rd
4 calendar year after the year in which the ordinance approving
5 the redevelopment project area was adopted if the ordinance
6 was adopted on May 20, 1985 by the Village of Wheeling.

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

17 (c) 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 (i) in the
24 35th calendar year after the year in which the ordinance
25 approving the redevelopment project area was adopted through
26 June 30, 2021, and (ii) after July 1, 2021, in the 15th

1 calendar year after the year in which the ordinance approving
2 the redevelopment project area was adopted:

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

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

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

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

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

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

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

26 (8) If the ordinance was adopted on October 5, 1982 by

1 the City of Kankakee, or if the ordinance was adopted on
2 December 29, 1986 by East St. Louis.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (33) If the ordinance was adopted on February 24, 1992

1 by the Village of Heyworth.

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

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

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

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

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

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

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

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

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

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

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

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

26 (46) If the ordinance was adopted on August 20, 1985

1 by the Village of Mount Prospect.

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

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

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

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

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

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

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

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

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

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

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

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

26 (59) If the ordinance was adopted on December 16, 1986

1 by the City of Oak Forest.

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

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

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

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

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

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

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

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

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

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

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

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

26 (72) If the ordinance was adopted on September 17,

1 1986 by the Village of Sherman.

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

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

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

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

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

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

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

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

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

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

26 (83) If the ordinance was adopted on November 4, 1998

1 by the City of Chicago to create the Roosevelt/Racine TIF
2 District.

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

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

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

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

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

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

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

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

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

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

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

1 by the City of Charleston.

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

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

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

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

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

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

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

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

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

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

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

25 (106) If the ordinance was adopted on September 13,
26 1989 by the City of Chicago to create the Michigan/Cermak

1 Area TIF District.

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

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

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

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

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

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

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

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

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

26 (116) If the ordinance was adopted on July 1, 2002 by

1 the Village of Arlington Heights.

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

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

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

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

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

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

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

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

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

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

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

25 (128) If the ordinance was adopted on September 7,
26 2004 by the City of Arcola.

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

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

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

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

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

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

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

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

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

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

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

25 (140) If the ordinance was adopted on December 23,
26 1997 by the Village of Dieterich.

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

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

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

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

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

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

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

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

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

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

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

25 (152) If the ordinance was adopted on September 5,
26 1995 by the City of Granite City.

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

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

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

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

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

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

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

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

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

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

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

24 (164) If the ordinance was adopted on December 11,
25 1996 by the City of Chicago to create the Bryn
26 Mawr/Broadway TIF District.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (186) If the ordinance was adopted on December 1, 2000
26 by the Village of Mahomet.

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

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

5 On or after July 1, 2021, before the completion date may be
6 extended under this subsection to the 15th calendar year after
7 the year in which the ordinance approving the redevelopment
8 project area was adopted, the municipality shall request that
9 the joint review board convene and issue a written report
10 describing its decision whether or not to extend the
11 completion date of the redevelopment project area. If the
12 joint review board does not file a report, it shall be presumed
13 that the taxing bodies approve the extension of the life of the
14 redevelopment project area. If both the municipality and the
15 joint review board elects to extend the completion date under
16 this subsection, the municipality shall give at least 30 days'
17 written notice to the taxing bodies before the adoption of the
18 ordinance approving the extension of the completion date.

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-5) Those dates, for purposes of real property tax
7 increment allocation financing pursuant to Section 11-74.4-8
8 only, shall be not more than 47 years for redevelopment
9 project areas that were established on December 29, 1981 by
10 the City of Springfield; provided that (i) the City of
11 Springfield adopts an ordinance extending the life of the
12 redevelopment project area to 47 years and (ii) the City of
13 Springfield provides notice to the taxing bodies that would
14 otherwise constitute the joint review board for the
15 redevelopment project area not more than 30 and not less than
16 14 days prior to the adoption of that ordinance.

17 (g) In consolidating the material relating to completion
18 dates from Sections 11-74.4-3 and 11-74.4-7 into this Section,
19 it is not the intent of the General Assembly to make any
20 substantive change in the law, except for the extension of the
21 completion dates for the City of Aurora, the Village of Milan,
22 the City of West Frankfort, the Village of Libertyville, and
23 the Village of Hoffman Estates set forth under items (67),
24 (68), (69), (70), and (71) of subsection (c) of this Section.

25 (Source: P.A. 100-201, eff. 8-18-17; 100-214, eff. 8-18-17;
26 100-249, eff. 8-22-17; 100-510, eff. 9-15-17; 100-591, eff.

1 6-21-18; 100-609, eff. 7-17-18; 100-836, eff. 8-13-18;
2 100-853, eff. 8-14-18; 100-859, eff. 8-14-18; 100-863, eff.
3 8-14-18; 100-873, eff. 8-14-18; 100-899, eff. 8-17-18;
4 100-928, eff. 8-17-18; 100-967, eff. 8-19-18; 100-1031, eff.
5 8-22-18; 100-1032, eff. 8-22-18; 100-1164, eff. 12-27-18;
6 101-274, eff. 8-9-19; 101-618, eff. 12-20-19; 101-647, eff.
7 6-26-20.)

8 (65 ILCS 5/11-74.4-5) (from Ch. 24, par. 11-74.4-5)

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

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

1 approved and redevelopment projects that were designated
2 before the effective date of this amendatory Act of the 91st
3 General Assembly.

4 Prior to the adoption of an ordinance proposing the
5 designation of a redevelopment project area, or approving a
6 redevelopment plan or redevelopment project, the municipality
7 by its corporate authorities, or as it may determine by any
8 commission designated under subsection (k) of Section
9 11-74.4-4 shall adopt an ordinance or resolution fixing a time
10 and place for public hearing. At least 10 days prior to the
11 adoption of the ordinance or resolution establishing the time
12 and place for the public hearing, the municipality shall make
13 available for public inspection a redevelopment plan or a
14 separate report that provides in reasonable detail the basis
15 for the eligibility of the redevelopment project area. The
16 report along with the name of a person to contact for further
17 information shall be sent within a reasonable time after the
18 adoption of such ordinance or resolution to the affected
19 taxing districts by certified mail. On and after the effective
20 date of this amendatory Act of the 91st General Assembly, the
21 municipality shall print in a newspaper of general circulation
22 within the municipality a notice that interested persons may
23 register with the municipality in order to receive information
24 on the proposed designation of a redevelopment project area or
25 the approval of a redevelopment plan. The notice shall state
26 the place of registration and the operating hours of that

1 place. The municipality shall have adopted reasonable rules to
2 implement this registration process under Section 11-74.4-4.2.
3 The municipality shall provide notice of the availability of
4 the redevelopment plan and eligibility report, including how
5 to obtain this information, by mail within a reasonable time
6 after the adoption of the ordinance or resolution, to all
7 residential addresses that, after a good faith effort, the
8 municipality determines are located outside the proposed
9 redevelopment project area and within 750 feet of the
10 boundaries of the proposed redevelopment project area. This
11 requirement is subject to the limitation that in a
12 municipality with a population of over 100,000, if the total
13 number of residential addresses outside the proposed
14 redevelopment project area and within 750 feet of the
15 boundaries of the proposed redevelopment project area exceeds
16 750, the municipality shall be required to provide the notice
17 to only the 750 residential addresses that, after a good faith
18 effort, the municipality determines are outside the proposed
19 redevelopment project area and closest to the boundaries of
20 the proposed redevelopment project area. Notwithstanding the
21 foregoing, notice given after August 7, 2001 (the effective
22 date of Public Act 92-263) and before the effective date of
23 this amendatory Act of the 92nd General Assembly to
24 residential addresses within 750 feet of the boundaries of a
25 proposed redevelopment project area shall be deemed to have
26 been sufficiently given in compliance with this Act if given

1 only to residents outside the boundaries of the proposed
2 redevelopment project area. The notice shall also be provided
3 by the municipality, regardless of its population, to those
4 organizations and residents that have registered with the
5 municipality for that information in accordance with the
6 registration guidelines established by the municipality under
7 Section 11-74.4-4.2.

8 At the public hearing any interested person or affected
9 taxing district may file with the municipal clerk written
10 objections to and may be heard orally in respect to any issues
11 embodied in the notice. The municipality shall hear all
12 protests and objections at the hearing and the hearing may be
13 adjourned to another date without further notice other than a
14 motion to be entered upon the minutes fixing the time and place
15 of the subsequent hearing. At the public hearing or at any time
16 prior to the adoption by the municipality of an ordinance
17 approving a redevelopment plan, the municipality may make
18 changes in the redevelopment plan. Changes which (1) add
19 additional parcels of property to the proposed redevelopment
20 project area, (2) substantially affect the general land uses
21 proposed in the redevelopment plan, (3) substantially change
22 the nature of or extend the life of the redevelopment project,
23 or (4) increase the number of inhabited residential units to
24 be displaced from the redevelopment project area, as measured
25 from the time of creation of the redevelopment project area,
26 to a total of more than 10, shall be made only after the

1 municipality gives notice, convenes a joint review board, and
2 conducts a public hearing pursuant to the procedures set forth
3 in this Section and in Section 11-74.4-6 of this Act. Changes
4 which do not (1) add additional parcels of property to the
5 proposed redevelopment project area, (2) substantially affect
6 the general land uses proposed in the redevelopment plan, (3)
7 substantially change the nature of or extend the life of the
8 redevelopment project, or (4) increase the number of inhabited
9 residential units to be displaced from the redevelopment
10 project area, as measured from the time of creation of the
11 redevelopment project area, to a total of more than 10, may be
12 made without further hearing, provided that the municipality
13 shall give notice of any such changes by mail to each affected
14 taxing district and registrant on the interested parties
15 registry, provided for under Section 11-74.4-4.2, and by
16 publication in a newspaper of general circulation within the
17 affected taxing district. Such notice by mail and by
18 publication shall each occur not later than 10 days following
19 the adoption by ordinance of such changes. Hearings with
20 regard to a redevelopment project area, project or plan may be
21 held simultaneously.

22 (b) Prior to holding a public hearing to approve or amend a
23 redevelopment plan or to designate or add additional parcels
24 of property to a redevelopment project area, the municipality
25 shall convene a joint review board. The board shall consist of
26 a representative selected by each community college district,

1 local elementary school district and high school district or
2 each local community unit school district, park district,
3 library district, township, fire protection district, and
4 county that will have the authority to directly levy taxes on
5 the property within the proposed redevelopment project area at
6 the time that the proposed redevelopment project area is
7 approved, a representative selected by the municipality and a
8 public member. The public member shall first be selected and
9 then the board's chairperson shall be selected by a majority
10 of the board members present and voting.

11 For redevelopment project areas with redevelopment plans
12 or proposed redevelopment plans that would result in the
13 displacement of residents from 10 or more inhabited
14 residential units or that include 75 or more inhabited
15 residential units, the public member shall be a person who
16 resides in the redevelopment project area. If, as determined
17 by the housing impact study provided for in paragraph (5) of
18 subsection (n) of Section 11-74.4-3, or if no housing impact
19 study is required then based on other reasonable data, the
20 majority of residential units are occupied by very low, low,
21 or moderate income households, as defined in Section 3 of the
22 Illinois Affordable Housing Act, the public member shall be a
23 person who resides in very low, low, or moderate income
24 housing within the redevelopment project area. Municipalities
25 with fewer than 15,000 residents shall not be required to
26 select a person who lives in very low, low, or moderate income

1 housing within the redevelopment project area, provided that
2 the redevelopment plan or project will not result in
3 displacement of residents from 10 or more inhabited units, and
4 the municipality so certifies in the plan. If no person
5 satisfying these requirements is available or if no qualified
6 person will serve as the public member, then the joint review
7 board is relieved of this paragraph's selection requirements
8 for the public member.

9 Within 90 days of the effective date of this amendatory
10 Act of the 91st General Assembly, each municipality that
11 designated a redevelopment project area for which it was not
12 required to convene a joint review board under this Section
13 shall convene a joint review board to perform the duties
14 specified under paragraph (e) of this Section.

15 All board members shall be appointed and the first board
16 meeting shall be held at least 14 days but not more than 28
17 days after the mailing of notice by the municipality to the
18 taxing districts as required by Section 11-74.4-6(c).
19 Notwithstanding the preceding sentence, a municipality that
20 adopted either a public hearing resolution or a feasibility
21 resolution between July 1, 1999 and July 1, 2000 that called
22 for the meeting of the joint review board within 14 days of
23 notice of public hearing to affected taxing districts is
24 deemed to be in compliance with the notice, meeting, and
25 public hearing provisions of the Act. Such notice shall also
26 advise the taxing bodies represented on the joint review board

1 of the time and place of the first meeting of the board.
2 Additional meetings of the board shall be held upon the call of
3 any member. The municipality seeking designation of the
4 redevelopment project area shall provide administrative
5 support to the board.

6 The board shall review (i) the public record, planning
7 documents and proposed ordinances approving the redevelopment
8 plan and project and (ii) proposed amendments to the
9 redevelopment plan or additions of parcels of property to the
10 redevelopment project area to be adopted by the municipality.
11 As part of its deliberations, the board may hold additional
12 hearings on the proposal. A board's recommendation shall be an
13 advisory, non-binding recommendation. The recommendation shall
14 be adopted by a majority of those members present and voting.
15 The recommendations shall be submitted to the municipality
16 within 30 days after convening of the board. Failure of the
17 board to submit its report on a timely basis shall not be cause
18 to delay the public hearing or any other step in the process of
19 designating or amending the redevelopment project area but
20 shall be deemed to constitute approval by the joint review
21 board of the matters before it.

22 The board shall base its recommendation to approve or
23 disapprove the redevelopment plan and the designation of the
24 redevelopment project area or the amendment of the
25 redevelopment plan or addition of parcels of property to the
26 redevelopment project area on the basis of the redevelopment

1 project area and redevelopment plan satisfying the plan
2 requirements, the eligibility criteria defined in Section
3 11-74.4-3, and the objectives of this Act.

4 The board shall issue a written report describing why the
5 redevelopment plan and project area or the amendment thereof
6 meets or fails to meet one or more of the objectives of this
7 Act and both the plan requirements and the eligibility
8 criteria defined in Section 11-74.4-3. In the event the Board
9 does not file a report it shall be presumed that these taxing
10 bodies find the redevelopment project area and redevelopment
11 plan satisfy the objectives of this Act and the plan
12 requirements and eligibility criteria.

13 If the board recommends rejection of the matters before
14 it, the municipality will have 30 days within which to
15 resubmit the plan or amendment. During this period, the
16 municipality will meet and confer with the board and attempt
17 to resolve those issues set forth in the board's written
18 report that led to the rejection of the plan or amendment.

19 Notwithstanding the resubmission set forth above, the
20 municipality may commence the scheduled public hearing and
21 either adjourn the public hearing or continue the public
22 hearing until a date certain. Prior to continuing any public
23 hearing to a date certain, the municipality shall announce
24 during the public hearing the time, date, and location for the
25 reconvening of the public hearing. Any changes to the
26 redevelopment plan necessary to satisfy the issues set forth

1 in the joint review board report shall be the subject of a
2 public hearing before the hearing is adjourned if the changes
3 would (1) substantially affect the general land uses proposed
4 in the redevelopment plan, (2) substantially change the nature
5 of or extend the life of the redevelopment project, or (3)
6 increase the number of inhabited residential units to be
7 displaced from the redevelopment project area, as measured
8 from the time of creation of the redevelopment project area,
9 to a total of more than 10. Changes to the redevelopment plan
10 necessary to satisfy the issues set forth in the joint review
11 board report shall not require any further notice or convening
12 of a joint review board meeting, except that any changes to the
13 redevelopment plan that would add additional parcels of
14 property to the proposed redevelopment project area shall be
15 subject to the notice, public hearing, and joint review board
16 meeting requirements established for such changes by
17 subsection (a) of Section 11-74.4-5.

18 In the event that the municipality and the board are
19 unable to resolve these differences, or in the event that the
20 resubmitted plan or amendment is rejected by the board, the
21 municipality may proceed with the plan or amendment, but only
22 upon a three-fifths vote of the corporate authority
23 responsible for approval of the plan or amendment, excluding
24 positions of members that are vacant and those members that
25 are ineligible to vote because of conflicts of interest.

26 After the effective date of this amendatory Act of the

1 102nd General Assembly, a new redevelopment project area that
2 overlaps with any existing redevelopment project area or an
3 expansion of a redevelopment project area so that the expanded
4 area will overlap with any existing redevelopment project area
5 may not be approved.

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

1 add additional parcels of property to the proposed
2 redevelopment project area, (2) substantially affect the
3 general land uses proposed in the redevelopment plan, (3)
4 substantially change the nature of the redevelopment project,
5 (4) increase the total estimated redevelopment project cost
6 set out in the redevelopment plan by more than 5% after
7 adjustment for inflation from the date the plan was adopted,
8 (5) add additional redevelopment project costs to the itemized
9 list of redevelopment project costs set out in the
10 redevelopment plan, or (6) increase the number of inhabited
11 residential units to be displaced from the redevelopment
12 project area, as measured from the time of creation of the
13 redevelopment project area, to a total of more than 10, may be
14 made without further public hearing and related notices and
15 procedures including the convening of a joint review board as
16 set forth in Section 11-74.4-6 of this Act, provided that the
17 municipality shall give notice of any such changes by mail to
18 each affected taxing district and registrant on the interested
19 parties registry, provided for under Section 11-74.4-4.2, and
20 by publication in a newspaper of general circulation within
21 the affected taxing district. Such notice by mail and by
22 publication shall each occur not later than 10 days following
23 the adoption by ordinance of such changes.

24 (d) After the effective date of this amendatory Act of the
25 91st General Assembly, a municipality shall submit in an
26 electronic format the following information for each

1 redevelopment project area (i) to the State Comptroller under
2 Section 8-8-3.5 of the Illinois Municipal Code, subject to any
3 extensions or exemptions provided at the Comptroller's
4 discretion under that Section, and (ii) to all taxing
5 districts overlapping the redevelopment project area no later
6 than 180 days after the close of each municipal fiscal year or
7 as soon thereafter as the audited financial statements become
8 available and, in any case, shall be submitted before the
9 annual meeting of the Joint Review Board to each of the taxing
10 districts that overlap the redevelopment project area:

11 (1) Any amendments to the redevelopment plan, the
12 redevelopment project area, or the State Sales Tax
13 Boundary.

14 (1.5) A list of the redevelopment project areas
15 administered by the municipality and, if applicable, the
16 date each redevelopment project area was designated or
17 terminated by the municipality.

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

21 (3) Certification of the Chief Executive Officer of
22 the municipality that the municipality has complied with
23 all of the requirements of this Act during the preceding
24 fiscal year.

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

1 (5) An analysis of the special tax allocation fund
2 which sets forth:

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

5 (B) all amounts deposited in the special tax
6 allocation fund by source;

7 (C) an itemized list of all expenditures from the
8 special tax allocation fund by category of permissible
9 redevelopment project cost; and

10 (D) the balance in the special tax allocation fund
11 at the end of the fiscal year including a breakdown of
12 that balance by source and a breakdown of that balance
13 identifying any portion of the balance that is
14 required, pledged, earmarked, or otherwise designated
15 for payment of or securing of obligations and
16 anticipated redevelopment project costs. Any portion
17 of such ending balance that has not been identified or
18 is not identified as being required, pledged,
19 earmarked, or otherwise designated for payment of or
20 securing of obligations or anticipated redevelopment
21 projects costs shall be designated as surplus as set
22 forth in Section 11-74.4-7 hereof.

23 (6) A description of all property purchased by the
24 municipality within the redevelopment project area
25 including:

26 (A) Street address.

1 (B) Approximate size or description of property.

2 (C) Purchase price.

3 (D) Seller of property.

4 (7) A statement setting forth all activities
5 undertaken in furtherance of the objectives of the
6 redevelopment plan, including:

7 (A) Any project implemented in the preceding
8 fiscal year.

9 (B) A description of the redevelopment activities
10 undertaken.

11 (C) A description of any agreements entered into
12 by the municipality with regard to the disposition or
13 redevelopment of any property within the redevelopment
14 project area or the area within the State Sales Tax
15 Boundary.

16 (D) Additional information on the use of all funds
17 received under this Division and steps taken by the
18 municipality to achieve the objectives of the
19 redevelopment plan.

20 (E) Information regarding contracts that the
21 municipality's tax increment advisors or consultants
22 have entered into with entities or persons that have
23 received, or are receiving, payments financed by tax
24 increment revenues produced by the same redevelopment
25 project area.

26 (F) Any reports submitted to the municipality by

1 the joint review board.

2 (G) A review of public and, to the extent
3 possible, private investment actually undertaken to
4 date after the effective date of this amendatory Act
5 of the 91st General Assembly and estimated to be
6 undertaken during the following year. This review
7 shall, on a project-by-project basis, set forth the
8 estimated amounts of public and private investment
9 incurred after the effective date of this amendatory
10 Act of the 91st General Assembly and provide the ratio
11 of private investment to public investment to the date
12 of the report and as estimated to the completion of the
13 redevelopment project.

14 (8) With regard to any obligations issued by the
15 municipality:

16 (A) copies of any official statements; and

17 (B) an analysis prepared by financial advisor or
18 underwriter setting forth: (i) nature and term of
19 obligation; and (ii) projected debt service including
20 required reserves and debt coverage.

21 (9) For special tax allocation funds that have
22 experienced cumulative deposits of incremental tax
23 revenues of \$100,000 or more, a certified audit report
24 reviewing compliance with this Act performed by an
25 independent public accountant certified and licensed by
26 the authority of the State of Illinois. The financial

1 portion of the audit must be conducted in accordance with
2 Standards for Audits of Governmental Organizations,
3 Programs, Activities, and Functions adopted by the
4 Comptroller General of the United States (1981), as
5 amended, or the standards specified by Section 8-8-5 of
6 the Illinois Municipal Auditing Law of the Illinois
7 Municipal Code. The audit report shall contain a letter
8 from the independent certified public accountant
9 indicating compliance or noncompliance with the
10 requirements of subsection (q) of Section 11-74.4-3. For
11 redevelopment plans or projects that would result in the
12 displacement of residents from 10 or more inhabited
13 residential units or that contain 75 or more inhabited
14 residential units, notice of the availability of the
15 information, including how to obtain the report, required
16 in this subsection shall also be sent by mail to all
17 residents or organizations that operate in the
18 municipality that register with the municipality for that
19 information according to registration procedures adopted
20 under Section 11-74.4-4.2. All municipalities are subject
21 to this provision.

22 (10) A list of all intergovernmental agreements in
23 effect during the fiscal year to which the municipality is
24 a party and an accounting of any moneys transferred or
25 received by the municipality during that fiscal year
26 pursuant to those intergovernmental agreements.

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

7 (1) Any amendments to the redevelopment plan, the
8 redevelopment project area, or the State Sales Tax
9 Boundary; and

10 (2) In connection with any redevelopment project area
11 for which the municipality has outstanding obligations
12 issued to provide for redevelopment project costs pursuant
13 to Section 11-74.4-7, audited financial statements of the
14 special tax allocation fund.

15 (e) The joint review board shall meet annually 180 days
16 after the close of the municipal fiscal year or as soon as the
17 redevelopment project audit for that fiscal year becomes
18 available to review the effectiveness and status of the
19 redevelopment project area up to that date.

20 (f) (Blank).

21 (g) In the event that a municipality has held a public
22 hearing under this Section prior to March 14, 1994 (the
23 effective date of Public Act 88-537), the requirements imposed
24 by Public Act 88-537 relating to the method of fixing the time
25 and place for public hearing, the materials and information
26 required to be made available for public inspection, and the

1 information required to be sent after adoption of an ordinance
2 or resolution fixing a time and place for public hearing shall
3 not be applicable.

4 (h) On and after the effective date of this amendatory Act
5 of the 96th General Assembly, the State Comptroller must post
6 on the State Comptroller's official website the information
7 submitted by a municipality pursuant to subsection (d) of this
8 Section. The information must be posted no later than 45 days
9 after the State Comptroller receives the information from the
10 municipality. The State Comptroller must also post a list of
11 the municipalities not in compliance with the reporting
12 requirements set forth in subsection (d) of this Section.

13 (i) No later than 10 years after the corporate authorities
14 of a municipality adopt an ordinance to establish a
15 redevelopment project area, the municipality must compile a
16 status report concerning the redevelopment project area. The
17 status report must detail without limitation the following:
18 (i) the amount of revenue generated within the redevelopment
19 project area, (ii) any expenditures made by the municipality
20 for the redevelopment project area including without
21 limitation expenditures from the special tax allocation fund,
22 (iii) the status of planned activities, goals, and objectives
23 set forth in the redevelopment plan including details on new
24 or planned construction within the redevelopment project area,
25 (iv) the amount of private and public investment within the
26 redevelopment project area, and (v) any other relevant

1 evaluation or performance data. Within 30 days after the
2 municipality compiles the status report, the municipality must
3 hold at least one public hearing concerning the report. The
4 municipality must provide 20 days' public notice of the
5 hearing.

6 (j) Beginning in fiscal year 2011 and in each fiscal year
7 thereafter, a municipality must detail in its annual budget
8 (i) the revenues generated from redevelopment project areas by
9 source and (ii) the expenditures made by the municipality for
10 redevelopment project areas.

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

12 (65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

13 Sec. 11-74.4-7. Obligations secured by the special tax
14 allocation fund set forth in Section 11-74.4-8 for the
15 redevelopment project area may be issued to provide for
16 redevelopment project costs. Such obligations, when so issued,
17 shall be retired in the manner provided in the ordinance
18 authorizing the issuance of such obligations by the receipts
19 of taxes levied as specified in Section 11-74.4-9 against the
20 taxable property included in the area, by revenues as
21 specified by Section 11-74.4-8a and other revenue designated
22 by the municipality. A municipality may in the ordinance
23 pledge all or any part of the funds in and to be deposited in
24 the special tax allocation fund created pursuant to Section
25 11-74.4-8 to the payment of the redevelopment project costs

1 and obligations. Any pledge of funds in the special tax
2 allocation fund shall provide for distribution to the taxing
3 districts and to the Illinois Department of Revenue of moneys
4 not required, pledged, earmarked, or otherwise designated for
5 payment and securing of the obligations and anticipated
6 redevelopment project costs and such excess funds shall be
7 calculated annually and deemed to be "surplus" funds. In the
8 event a municipality only applies or pledges a portion of the
9 funds in the special tax allocation fund for the payment or
10 securing of anticipated redevelopment project costs or of
11 obligations, any such funds remaining in the special tax
12 allocation fund after complying with the requirements of the
13 application or pledge, shall also be calculated annually and
14 deemed "surplus" funds. The joint review board and the
15 municipality shall review all funds in the special tax
16 allocation fund and shall designate and approve surplus funds
17 no later than 30 days after the close of the municipality's
18 fiscal year. The joint review board and municipality shall
19 issue a joint written report describing why they designated
20 certain funds surplus funds and why other funds were not
21 designated surplus funds under the requirements of this
22 paragraph. All surplus funds in the special tax allocation
23 fund shall be distributed annually within 90 ~~180~~ days after
24 the close of the municipality's fiscal year, but not before
25 the joint written report is issued under this paragraph, by
26 being paid by the municipal treasurer to the County Collector,

1 to the Department of Revenue and to the municipality in direct
2 proportion to the tax incremental revenue received as a result
3 of an increase in the equalized assessed value of property in
4 the redevelopment project area, tax incremental revenue
5 received from the State and tax incremental revenue received
6 from the municipality, but not to exceed as to each such source
7 the total incremental revenue received from that source. The
8 County Collector shall thereafter make distribution to the
9 respective taxing districts in the same manner and proportion
10 as the most recent distribution by the county collector to the
11 affected districts of real property taxes from real property
12 in the redevelopment project area.

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

26 Such obligations may be issued in one or more series

1 bearing interest at such rate or rates as the corporate
2 authorities of the municipality shall determine by ordinance.
3 Such obligations shall bear such date or dates, mature at such
4 time or times not exceeding 20 years from their respective
5 dates, be in such denomination, carry such registration
6 privileges, be executed in such manner, be payable in such
7 medium of payment at such place or places, contain such
8 covenants, terms and conditions, and be subject to redemption
9 as such ordinance shall provide. Obligations issued pursuant
10 to this Act may be sold at public or private sale at such price
11 as shall be determined by the corporate authorities of the
12 municipalities. No referendum approval of the electors shall
13 be required as a condition to the issuance of obligations
14 pursuant to this Division except as provided in this Section.

15 In the event the municipality authorizes issuance of
16 obligations pursuant to the authority of this Division secured
17 by the full faith and credit of the municipality, which
18 obligations are other than obligations which may be issued
19 under home rule powers provided by Article VII, Section 6 of
20 the Illinois Constitution, or pledges taxes pursuant to (b) or
21 (c) of the second paragraph of this section, the ordinance
22 authorizing the issuance of such obligations or pledging such
23 taxes shall be published within 10 days after such ordinance
24 has been passed in one or more newspapers, with general
25 circulation within such municipality. The publication of the
26 ordinance shall be accompanied by a notice of (1) the specific

1 number of voters required to sign a petition requesting the
2 question of the issuance of such obligations or pledging taxes
3 to be submitted to the electors; (2) the time in which such
4 petition must be filed; and (3) the date of the prospective
5 referendum. The municipal clerk shall provide a petition form
6 to any individual requesting one.

7 If no petition is filed with the municipal clerk, as
8 hereinafter provided in this Section, within 30 days after the
9 publication of the ordinance, the ordinance shall be in
10 effect. But, if within that 30 day period a petition is filed
11 with the municipal clerk, signed by electors in the
12 municipality numbering 10% or more of the number of registered
13 voters in the municipality, asking that the question of
14 issuing obligations using full faith and credit of the
15 municipality as security for the cost of paying for
16 redevelopment project costs, or of pledging taxes for the
17 payment of such obligations, or both, be submitted to the
18 electors of the municipality, the corporate authorities of the
19 municipality shall call a special election in the manner
20 provided by law to vote upon that question, or, if a general,
21 State or municipal election is to be held within a period of
22 not less than 30 or more than 90 days from the date such
23 petition is filed, shall submit the question at the next
24 general, State or municipal election. If it appears upon the
25 canvass of the election by the corporate authorities that a
26 majority of electors voting upon the question voted in favor

1 thereof, the ordinance shall be in effect, but if a majority of
2 the electors voting upon the question are not in favor
3 thereof, the ordinance shall not take effect.

4 The ordinance authorizing the obligations may provide that
5 the obligations shall contain a recital that they are issued
6 pursuant to this Division, which recital shall be conclusive
7 evidence of their validity and of the regularity of their
8 issuance.

9 In the event the municipality authorizes issuance of
10 obligations pursuant to this Section secured by the full faith
11 and credit of the municipality, the ordinance authorizing the
12 obligations may provide for the levy and collection of a
13 direct annual tax upon all taxable property within the
14 municipality sufficient to pay the principal thereof and
15 interest thereon as it matures, which levy may be in addition
16 to and exclusive of the maximum of all other taxes authorized
17 to be levied by the municipality, which levy, however, shall
18 be abated to the extent that monies from other sources are
19 available for payment of the obligations and the municipality
20 certifies the amount of said monies available to the county
21 clerk.

22 A certified copy of such ordinance shall be filed with the
23 county clerk of each county in which any portion of the
24 municipality is situated, and shall constitute the authority
25 for the extension and collection of the taxes to be deposited
26 in the special tax allocation fund.

1 A municipality may also issue its obligations to refund in
2 whole or in part, obligations theretofore issued by such
3 municipality under the authority of this Act, whether at or
4 prior to maturity, provided however, that the last maturity of
5 the refunding obligations may not be later than the dates set
6 forth under Section 11-74.4-3.5.

7 In the event a municipality issues obligations under home
8 rule powers or other legislative authority the proceeds of
9 which are pledged to pay for redevelopment project costs, the
10 municipality may, if it has followed the procedures in
11 conformance with this division, retire said obligations from
12 funds in the special tax allocation fund in amounts and in such
13 manner as if such obligations had been issued pursuant to the
14 provisions of this division.

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

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

20 Section 99. Effective date. This Act takes effect upon
21 becoming law, except that Section 10 takes effect on January
22 1, 2022."