



Sen. James F. Clayborne, Jr.

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LRB097 04328 HLH 52245 a

1 AMENDMENT TO SENATE BILL 539

2 AMENDMENT NO. _____. Amend Senate Bill 539 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-74.6-15 as follows:

6 (65 ILCS 5/11-74.6-15)

7 Sec. 11-74.6-15. Municipal Powers and Duties. A
8 municipality may:

9 (a) By ordinance introduced in the governing body of the
10 municipality within 14 to 90 days from the final adjournment of
11 the hearing specified in Section 11-74.6-22, approve
12 redevelopment plans and redevelopment projects, and designate
13 redevelopment planning areas and redevelopment project areas
14 pursuant to notice and hearing required by this Act. No
15 redevelopment planning area or redevelopment project area
16 shall be designated unless a plan and project are approved

1 before the designation of the area and the area shall include
2 only those parcels of real property and improvements on those
3 parcels substantially benefited by the proposed redevelopment
4 project improvements. Upon adoption of the ordinances, the
5 municipality shall forthwith transmit to the county clerk of
6 the county or counties within which the redevelopment project
7 area is located a certified copy of the ordinances, a legal
8 description of the redevelopment project area, a map of the
9 redevelopment project area, identification of the year that the
10 county clerk shall use for determining the total initial
11 equalized assessed value of the redevelopment project area
12 consistent with subsection (a) of Section 11-74.6-40, and a
13 list of the parcel or tax identification number of each parcel
14 of property included in the redevelopment project area.

15 (b) Make and enter into all contracts necessary or
16 incidental to the implementation and furtherance of its
17 redevelopment plan and project.

18 (c) Within a redevelopment project area, acquire by
19 purchase, donation, lease or eminent domain; own, convey,
20 lease, mortgage or dispose of land and other property, real or
21 personal, or rights or interests therein, and grant or acquire
22 licenses, easements and options with respect to that property,
23 all in the manner and at a price that the municipality
24 determines is reasonably necessary to achieve the objectives of
25 the redevelopment plan and project. No conveyance, lease,
26 mortgage, disposition of land or other property owned by a

1 municipality, or agreement relating to the development of the
2 municipal property shall be made or executed except pursuant to
3 prior official action of the corporate authorities of the
4 municipality. No conveyance, lease, mortgage, or other
5 disposition of land owned by a municipality, and no agreement
6 relating to the development of the municipal property, shall be
7 made without making public disclosure of the terms and the
8 disposition of all bids and proposals submitted to the
9 municipality in connection therewith. The procedures for
10 obtaining the bids and proposals shall provide reasonable
11 opportunity for any person to submit alternative proposals or
12 bids.

13 (d) Within a redevelopment project area, clear any area by
14 demolition or removal of any existing buildings, structures,
15 fixtures, utilities or improvements, and to clear and grade
16 land.

17 (e) Within a redevelopment project area, renovate or
18 rehabilitate or construct any structure or building, as
19 permitted under this Law.

20 (f) Within or without a redevelopment project area,
21 install, repair, construct, reconstruct or relocate streets,
22 utilities and site improvements essential to the preparation of
23 the redevelopment area for use in accordance with a
24 redevelopment plan.

25 (g) Within a redevelopment project area, fix, charge and
26 collect fees, rents and charges for the use of all or any part

1 of any building or property owned or leased by it.

2 (h) Issue obligations as provided in this Act.

3 (i) Accept grants, guarantees and donations of property,
4 labor, or other things of value from a public or private source
5 for use within a project redevelopment area.

6 (j) Acquire and construct public facilities within a
7 redevelopment project area, as permitted under this Law.

8 (k) Incur, pay or cause to be paid redevelopment project
9 costs; provided, however, that on and after the effective date
10 of this amendatory Act of the 91st General Assembly, no
11 municipality shall incur redevelopment project costs (except
12 for planning and other eligible costs authorized by municipal
13 ordinance or resolution that are subsequently included in the
14 redevelopment plan for the area and are incurred after the
15 ordinance or resolution is adopted) that are not consistent
16 with the program for accomplishing the objectives of the
17 redevelopment plan as included in that plan and approved by the
18 municipality until the municipality has amended the
19 redevelopment plan as provided elsewhere in this Law. Any
20 payments to be made by the municipality to redevelopers or
21 other nongovernmental persons for redevelopment project costs
22 incurred by such redeveloper or other nongovernmental person
23 shall be made only pursuant to the prior official action of the
24 municipality evidencing an intent to pay or cause to be paid
25 such redevelopment project costs. A municipality is not
26 required to obtain any right, title or interest in any real or

1 personal property in order to pay redevelopment project costs
2 associated with such property. The municipality shall adopt
3 such accounting procedures as may be necessary to determine
4 that such redevelopment project costs are properly paid.

5 (l) Create a commission of not less than 5 or more than 15
6 persons to be appointed by the mayor or president of the
7 municipality with the consent of the majority of the governing
8 board of the municipality. Members of a commission appointed
9 after the effective date of this Law shall be appointed for
10 initial terms of 1, 2, 3, 4 and 5 years, respectively, in
11 numbers so that the terms of not more than 1/3 of all members
12 expire in any one year. Their successors shall be appointed for
13 a term of 5 years. The commission, subject to approval of the
14 corporate authorities of the municipality, may exercise the
15 powers enumerated in this Section. The commission shall also
16 have the power to hold the public hearings required by this Act
17 and make recommendations to the corporate authorities
18 concerning the adoption of redevelopment plans, redevelopment
19 projects and designation of redevelopment project areas.

20 (m) Make payment in lieu of all or a portion of real
21 property taxes due to taxing districts. If payments in lieu of
22 all or a portion of taxes are made to taxing districts, those
23 payments shall be made to all districts within a redevelopment
24 project area on a basis that is proportional to the current
25 collection of revenue which each taxing district receives from
26 real property in the redevelopment project area.

1 (n) Exercise any and all other powers necessary to
2 effectuate the purposes of this Act.

3 (o) In conjunction with other municipalities, undertake
4 and perform redevelopment plans and projects and utilize the
5 provisions of the Act wherever they have contiguous
6 redevelopment project areas or they determine to adopt tax
7 increment allocation financing with respect to a redevelopment
8 project area that includes contiguous real property within the
9 boundaries of the municipalities, and, by agreement between
10 participating municipalities, to issue obligations, separately
11 or jointly, and expend revenues received under this Act for
12 eligible expenses anywhere within contiguous redevelopment
13 project areas or as otherwise permitted in the Act. Two or more
14 municipalities may designate a joint redevelopment project
15 area under this subsection (o) if at least one of the
16 municipalities is eligible to designate a redevelopment
17 project area under this Division.

18 (p) Create an Industrial Jobs Recovery Advisory Committee
19 of not more than 15 members to be appointed by the mayor or
20 president of the municipality with the consent of the majority
21 of the governing board of the municipality. The members of that
22 Committee shall be appointed for initial terms of 1, 2, and 3
23 years respectively, in numbers so that the terms of not more
24 than 1/3 of all members expire in any one year. Their
25 successors shall be appointed for a term of 3 years. The
26 Committee shall have none of the powers enumerated in this

1 Section. The Committee shall serve in an advisory capacity
2 only. The Committee may advise the governing board of the
3 municipality and other municipal officials regarding
4 development issues and opportunities within the redevelopment
5 project area. The Committee may also promote and publicize
6 development opportunities in the redevelopment project area.

7 (q) If a redevelopment project has not been initiated in a
8 redevelopment project area within 5 years after the area was
9 designated by ordinance under subsection (a), the municipality
10 shall adopt an ordinance repealing the area's designation as a
11 redevelopment project area. Initiation of a redevelopment
12 project shall be evidenced by either a signed redevelopment
13 agreement or expenditures on eligible redevelopment project
14 costs associated with a redevelopment project.

15 (r) Within a redevelopment planning area, transfer or loan
16 tax increment revenues from one redevelopment project area to
17 another redevelopment project area for expenditure on eligible
18 costs in the receiving area.

19 (s) Use tax increment revenue produced in a redevelopment
20 project area created under this Law by transferring or loaning
21 such revenues to a redevelopment project area created under the
22 Tax Increment Allocation Redevelopment Act that is either
23 contiguous to, or separated only by a public right of way from,
24 the redevelopment project area that initially produced and
25 received those revenues.

1 (Source: P.A. 90-258, eff. 7-30-97; 91-474, eff. 11-1-99.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".