



Rep. Anthony DeLuca

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10200HB4009ham001

LRB102 09968 HLH 36215 a

1 AMENDMENT TO HOUSE BILL 4009

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4009 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by adding  
5 Section 18-184.20 as follows:

6 (35 ILCS 200/18-184.20 new)

7 Sec. 18-184.20. Grocery store abatement.

8 (a) Each taxing district shall order the county clerk to  
9 abate its taxes on property that has been granted a  
10 certificate of eligibility for an abatement under this Section  
11 by the Department of Commerce and Economic Opportunity. The  
12 Department of Commerce and Economic Opportunity shall issue a  
13 certificate of eligibility for an abatement under this Section  
14 if the property meets all of the following criteria: (i) the  
15 property contains a grocery store; (ii) the property is  
16 located in an area that qualified as a food desert in the

1 taxable year immediately preceding the taxable year in which  
2 the grocery store first conducted business at that location;  
3 and (iii) as a result of the presence of that grocery store,  
4 the area no longer qualifies as a food desert. Property  
5 containing a grocery store may be granted a certificate of  
6 eligibility for an abatement under this Section for a period  
7 of 10 taxable years after the property is certified as  
8 eligible property or until the first taxable year in which the  
9 property is no longer used in a manner that would qualify it  
10 for an abatement under this Section, whichever occurs first.  
11 The owner of property that is eligible for an abatement under  
12 this Section shall apply each year to the Department of  
13 Commerce and Economic Opportunity for certification as a  
14 business that is eligible for an abatement under this Section.  
15 Application shall be made in the form and manner prescribed by  
16 the Department of Commerce and Economic Opportunity by rule.

17 (b) Notwithstanding the provisions of subsection (a),  
18 property containing a grocery store is also eligible for an  
19 abatement under this Section if: (i) there is one, but not more  
20 than one, other grocery store located in the same geographic  
21 area as the applicant's property that causes the area not to  
22 qualify as a food desert at the time of the first application  
23 for an abatement under this Section with respect to the  
24 applicant's property; and (ii) either the applicant's grocery  
25 store or the other grocery store is owned by a minority person,  
26 a woman, or a person with a disability.

1       (c) For the purposes of this Section:

2           "Food desert" means a census tract in the State in  
3       which: (i) (A) 20% or more of the households are at or  
4       below the federal poverty level, as reported by the United  
5       States Department of Health and Human Services; or (B) the  
6       median family income is at or below 80% of the area median  
7       family income, as reported in the most recent the American  
8       Community Survey (ACS) published by the U.S. Census Bureau  
9       and released prior to the date of the property's initial  
10       application under this Section; and (ii) at least 33% of  
11       the census tract's population lives more than one mile  
12       from a grocery store in the case of a census tract located  
13       in a Metropolitan Statistical Area or more than 10 miles  
14       from a grocery store in the case of a census tract located  
15       outside of a Metropolitan Statistical Area.

16           "Grocery store" means a business that is authorized by  
17       the Department of Human Services to participate in the  
18       Women, Infants and Children Nutrition program and is  
19       primarily engaged in retailing a general line of food,  
20       such as canned and frozen foods; fresh fruits and  
21       vegetables; and fresh and prepared meats, fish, and  
22       poultry.

23           "Minority person", "woman", and "person with a  
24       disability" have the meanings given to those terms in  
25       Section 2 of the Business Enterprise for Minorities,  
26       Women, and Persons with Disabilities Act.

1 Section 10. The Counties Code is amended by adding Section  
2 5-1111.5 as follows:

3 (55 ILCS 5/5-1111.5 new)

4 Sec. 5-1111.5. Building permit fee waiver. The county  
5 board shall waive all fees associated with building permits  
6 issued for the initial construction of a grocery store if the  
7 applicant files with its application for a building permit a  
8 sworn affidavit that, upon completion of the construction, the  
9 property will qualify for an abatement under Section 18-184.20  
10 of the Property Tax Code.

11 Section 15. The Illinois Municipal Code is amended by  
12 adding Section 11-39-5 as follows:

13 (65 ILCS 5/11-39-5 new)

14 Sec. 11-39-5. Building permit fee waiver. The corporate  
15 authorities of a municipality shall waive all fees associated  
16 with building permits issued for the initial construction of a  
17 grocery store if the applicant files with its application for  
18 a building permit a sworn affidavit that, upon completion of  
19 the construction, the property will qualify for an abatement  
20 under Section 18-184.20 of the Property Tax Code.

21 Section 20. The Business Corporation Act of 1983 is

1 amended by changing Section 15.10 as follows:

2 (805 ILCS 5/15.10) (from Ch. 32, par. 15.10)

3 Sec. 15.10. Fees for filing documents. The Secretary of  
4 State shall charge and collect for:

5 (a) Filing articles of incorporation, \$150.

6 (b) Filing articles of amendment, \$50, unless the  
7 amendment is a restatement of the articles of  
8 incorporation, in which case the fee shall be \$150.

9 (c) Filing articles of merger or consolidation, \$100,  
10 but if the merger or consolidation involves more than 2  
11 corporations, \$50 for each additional corporation.

12 (d) Filing articles of share exchange, \$100.

13 (e) Filing articles of dissolution, \$5.

14 (f) Filing application to reserve a corporate name,  
15 \$25.

16 (g) Filing a notice of transfer of a reserved  
17 corporate name, \$25.

18 (h) Filing statement of change of address of  
19 registered office or change of registered agent, or both,  
20 \$25.

21 (i) Filing statement of the establishment of a series  
22 of shares, \$25.

23 (j) Filing an application of a foreign corporation for  
24 authority to transact business in this State, \$150.

25 (k) Filing an application of a foreign corporation for

1 amended authority to transact business in this State, \$25.

2 (l) Filing a copy of amendment to the articles of  
3 incorporation of a foreign corporation holding authority  
4 to transact business in this State, \$50, unless the  
5 amendment is a restatement of the articles of  
6 incorporation, in which case the fee shall be \$150.

7 (m) Filing a copy of articles of merger of a foreign  
8 corporation holding a certificate of authority to transact  
9 business in this State, \$100, but if the merger involves  
10 more than 2 corporations, \$50 for each additional  
11 corporation.

12 (n) Filing an application for withdrawal and final  
13 report or a copy of articles of dissolution of a foreign  
14 corporation, \$25.

15 (o) Filing an annual report, interim annual report, or  
16 final transition annual report of a domestic or foreign  
17 corporation, \$75. No fee shall be imposed under this  
18 paragraph (o) for a domestic or foreign corporation that  
19 operates a grocery store that has been granted an  
20 abatement under Section 18-184.20 of the Property Tax  
21 Code.

22 (p) Filing an application for reinstatement of a  
23 domestic or a foreign corporation, \$200.

24 (q) Filing an application for use of an assumed  
25 corporate name, \$150 for each year or part thereof ending  
26 in 0 or 5, \$120 for each year or part thereof ending in 1

1 or 6, \$90 for each year or part thereof ending in 2 or 7,  
2 \$60 for each year or part thereof ending in 3 or 8, \$30 for  
3 each year or part thereof ending in 4 or 9, between the  
4 date of filing the application and the date of the renewal  
5 of the assumed corporate name; and a renewal fee for each  
6 assumed corporate name, \$150.

7 (r) To change an assumed corporate name for the period  
8 remaining until the renewal date of the original assumed  
9 name, \$25.

10 (s) Filing an application for cancellation of an  
11 assumed corporate name, \$5.

12 (t) Filing an application to register the corporate  
13 name of a foreign corporation, \$50; and an annual renewal  
14 fee for the registered name, \$50.

15 (u) Filing an application for cancellation of a  
16 registered name of a foreign corporation, \$25.

17 (v) Filing a statement of correction, \$50.

18 (w) Filing a petition for refund or adjustment, \$5.

19 (x) Filing a statement of election of an extended  
20 filing month, \$25.

21 (y) Filing a report of interim changes, \$50.

22 (z) Filing any other statement or report, \$5.

23 (Source: P.A. 102-282, eff. 1-1-22.)

24 Section 25. The Limited Liability Company Act is amended  
25 by changing Section 50-10 as follows:

1 (805 ILCS 180/50-10)

2 Sec. 50-10. Fees.

3 (a) The Secretary of State shall charge and collect in  
4 accordance with the provisions of this Act and rules  
5 promulgated under its authority all of the following:

6 (1) Fees for filing documents.

7 (2) Miscellaneous charges.

8 (3) Fees for copies of any documents.

9 (b) The Secretary of State shall charge and collect for  
10 all of the following:

11 (1) Filing articles of organization (domestic),  
12 application for admission (foreign), and restated articles  
13 of organization (domestic), \$150. Notwithstanding the  
14 foregoing, the fee for filing articles of organization  
15 (domestic), application for admission (foreign), and  
16 restated articles of organization (domestic) in connection  
17 with a limited liability company with a series or the  
18 ability to establish a series pursuant to Section 37-40 of  
19 this Act is \$400.

20 (2) Filing amendments (domestic or foreign), \$50.

21 (3) Filing a statement of termination or application  
22 for withdrawal, \$5.

23 (4) Filing an application to reserve a name, \$25.

24 (5) Filing a notice of cancellation of a reserved  
25 name, \$5.



1 (6) Filing a notice of a transfer of a reserved name,  
2 \$25.

3 (7) Registration of a name, \$50.

4 (8) Renewal of registration of a name, \$50.

5 (9) Filing an application for use of an assumed name  
6 under Section 1-20 of this Act, \$150 for each year or part  
7 thereof ending in 0 or 5, \$120 for each year or part  
8 thereof ending in 1 or 6, \$90 for each year or part thereof  
9 ending in 2 or 7, \$60 for each year or part thereof ending  
10 in 3 or 8, \$30 for each year or part thereof ending in 4 or  
11 9, and a renewal for each assumed name, \$150.

12 (9.5) Filing an application for change of an assumed  
13 name, \$25.

14 (10) Filing an application for cancellation of an  
15 assumed name, \$5.

16 (11) Filing an annual report of a limited liability  
17 company or foreign limited liability company, \$75, if  
18 filed as required by this Act, plus a penalty if  
19 delinquent. Notwithstanding the foregoing, the fee for  
20 filing an annual report of a limited liability company or  
21 foreign limited liability company is \$75 plus \$50 for each  
22 series for which a certificate of designation has been  
23 filed pursuant to Section 37-40 of this Act and is in  
24 effect on the last day of the third month preceding the  
25 company's anniversary month, plus a penalty if delinquent.  
26 No fee shall be be imposed under this paragraph (11) for a

1       limited liability company that operates a grocery store  
2       that has been granted an abatement under Section 18-184.20  
3       of the Property Tax Code.

4           (12) Filing an application for reinstatement of a  
5       limited liability company or foreign limited liability  
6       company, \$200.

7           (13) Filing articles of merger, \$100 plus \$50 for each  
8       party to the merger in excess of the first 2 parties.

9           (14) (Blank).

10          (15) Filing a statement of change of address of  
11       registered office or change of registered agent, or both,  
12       or filing a statement of correction, \$25.

13          (16) Filing a petition for refund, \$5.

14          (17) Filing a certificate of designation of a limited  
15       liability company with a series pursuant to Section 37-40  
16       of this Act, \$50.

17          (18) (Blank).

18          (19) Filing, amending, or cancelling a statement of  
19       authority, \$50.

20          (20) Filing, amending, or cancelling a statement of  
21       denial, \$10.

22          (21) Filing any other document, \$5.

23          (22) For furnishing a copy or certified copy of any  
24       document, instrument, or paper relating to a limited  
25       liability company or foreign limited liability company, or  
26       for a certificate, \$25.

1 (c) (Blank).

2 (Source: P.A. 101-81, eff. 7-12-19; 101-578, eff. 8-26-19;

3 102-49, eff. 1-1-22.)".