



Sen. Linda Holmes

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10200SB0154sam001

LRB102 10411 KTG 23505 a

1 AMENDMENT TO SENATE BILL 154

2 AMENDMENT NO. _____. Amend Senate Bill 154 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Affordable Housing Act is amended
5 by changing Sections 3 and 10 and by adding Section 18 as
6 follows:

7 (310 ILCS 65/3) (from Ch. 67 1/2, par. 1253)

8 Sec. 3. Definitions. As used in this Act:

9 (a) "Program" means the Illinois Affordable Housing
10 Program.

11 (b) "Trust Fund" means the Illinois Affordable Housing
12 Trust Fund.

13 (b-5) "Capital Fund" means the Illinois Affordable Housing
14 Capital Fund.

15 (c) "Low-income household" means a single person, family
16 or unrelated persons living together whose adjusted income is

1 more than 50%, but less than 80%, of the median income of the
2 area of residence, adjusted for family size, as such adjusted
3 income and median income for the area are determined from time
4 to time by the United States Department of Housing and Urban
5 Development for purposes of Section 8 of the United States
6 Housing Act of 1937.

7 (d) "Very low-income household" means a single person,
8 family or unrelated persons living together whose adjusted
9 income is not more than 50% of the median income of the area of
10 residence, adjusted for family size, as such adjusted income
11 and median income for the area are determined from time to time
12 by the United States Department of Housing and Urban
13 Development for purposes of Section 8 of the United States
14 Housing Act of 1937.

15 (e) "Affordable housing" means residential housing that,
16 so long as the same is occupied by low-income households or
17 very low-income households, requires payment of monthly
18 housing costs, including utilities other than telephone, of no
19 more than 30% of the maximum allowable income as stated for
20 such households as defined in this Section.

21 (f) "Multi-family housing" means a building or buildings
22 providing housing to 5 or more households.

23 (g) "Single-family housing" means a building containing
24 one to 4 dwelling units, including a mobile home as defined in
25 subsection (b) of Section 3 of the Mobile Home Landlord and
26 Tenant Rights Act, as amended.

1 (h) "Community-based organization" means a not-for-profit
2 entity whose governing body includes a majority of members who
3 reside in the community served by the organization.

4 (i) "Advocacy organization" means a not-for-profit
5 organization which conducts, in part or in whole, activities
6 to influence public policy on behalf of low-income or very
7 low-income households.

8 (j) "Program Administrator" means the Illinois Housing
9 Development Authority.

10 (k) "Funding Agent" means the Illinois Department of
11 Revenue.

12 (l) "Commission" means the Affordable Housing Advisory
13 Commission.

14 (m) "Congregate housing" means a building or structure in
15 which 2 or more households, inclusive, share common living
16 areas and may share child care, cleaning, cooking and other
17 household responsibilities.

18 (n) "Eligible applicant" means a proprietorship,
19 partnership, for-profit corporation, not-for-profit
20 corporation or unit of local government which seeks to use
21 fund assets as provided in this Article.

22 (o) "Moderate income household" means a single person,
23 family or unrelated persons living together whose adjusted
24 income is more than 80% but less than 120% of the median income
25 of the area of residence, adjusted for family size, as such
26 adjusted income and median income for the area are determined

1 from time to time by the United States Department of Housing
2 and Urban Development for purposes of Section 8 of the United
3 States Housing Act of 1937.

4 (p) "Affordable Housing Program Trust Fund Bonds or Notes"
5 means the bonds or notes issued by the Program Administrator
6 under the Illinois Housing Development Act to further the
7 purposes of this Act.

8 (q) "Trust Fund Moneys" means all moneys, deposits,
9 revenues, income, interest, dividends, receipts, taxes,
10 proceeds and other amounts or funds deposited or to be
11 deposited in the Trust Fund pursuant to Section 5(b) of this
12 Act and any proceeds, investments or increase thereof.

13 (r) "Program Escrow" means accounts, except those accounts
14 relating to any Affordable Housing Program Trust Fund Bonds or
15 Notes, designated by the Program Administrator, into which
16 Trust Fund Moneys are deposited.

17 (s) "Common household pet" means a domesticated animal,
18 such as a dog (canis lupus familiaris) or cat (felis catus)
19 which is commonly kept in the home for pleasure rather than for
20 commercial purposes.

21 (Source: P.A. 95-710, eff. 6-1-08.)

22 (310 ILCS 65/10) (from Ch. 67 1/2, par. 1260)

23 Sec. 10. Trust Fund restrictions and stipulations. (a) All
24 housing financed and all assistance provided from the Trust
25 Fund shall be available to all eligible persons regardless of

1 race, color, ancestry, unfavorable military discharge,
2 familial status, marital status, national origin, religion,
3 creed, sex, age, or disability.

4 (b) There shall be, on all assisted housing, a deed
5 restriction, agreement, or other legal document which provides
6 for the recapture of assistance upon terms and conditions to
7 be specified in rules and regulations promulgated by the
8 Program Administrator.

9 (c) Loans made by the Trust Fund may be at no interest or
10 at below market interest rates, with or without security, and
11 may include loans for predevelopment financing.

12 (d) Assistance may be provided for housing units for low
13 and very low-income households within multi-family housing
14 which is occupied partly by low and very low-income households
15 and partly by households not qualifying as low or very
16 low-income, subject to rules and regulations promulgated by
17 the Program Administrator.

18 (e) Except to the extent provided in rules and regulations
19 promulgated by the Program Administrator, no household shall
20 be required to vacate or move from any assisted housing as a
21 result of ceasing to qualify as a low or very low-income
22 household under this Act.

23 (f) Rates not to exceed fair market rental may be charged
24 to any person or household which occupies any single family
25 housing or unit of multi-family housing for the period that
26 person or household does not qualify as low or very

1 low-income.

2 (g) All housing assisted by the Trust Fund shall provide a
3 residential antidisplacement and relocation assistance plan
4 consistent with Section 507 of the federal Housing and
5 Community Development Act of 1987.

6 (h) Multi-family housing assisted by the Trust Fund shall
7 be prohibited from refusing to accept tenants for occupancy
8 solely because the tenant receives governmental rental
9 assistance.

10 (i) Trust Fund assisted multi-family housing is prohibited
11 from evicting tenants without good cause.

12 (j) Assistance may be provided to housing whether or not
13 such housing satisfies the definition of a "qualified
14 residential rental project" set forth in Section 142 of the
15 Internal Revenue Code of 1986, as amended.

16 (k) Housing assisted by the Trust Fund shall be required
17 to meet energy efficiency standards which shall be established
18 by the Program Administrator. Any review for affordability of
19 assisted housing must include a review of energy costs.

20 (l) Manufactured housing which is manufactured entirely
21 within the State shall be given priority over housing
22 manufactured in whole or in part outside of the State.

23 (m) It is intended that Trust Fund monies not be used to
24 supplant existing resources and that the Trust Fund shall be a
25 funder of last resort.

26 (n) Prior to application of Trust Fund assets to provide

1 assistance to affordable housing under this Act, Trust Fund
2 assets may be invested in mortgage participation certificates
3 representing undivided interests in specified, first-lien
4 conventional residential Illinois mortgages which are
5 underwritten, insured, guaranteed or purchased by the Federal
6 Home Loan Mortgage Corporation. Trust Fund assets may also be
7 used in such investments as may be lawful for fiduciaries in
8 this State or in such investments which shall reduce the risk
9 associated with fluctuations in interest rates or market price
10 of investments.

11 (o) A tenant of multifamily rental housing acquired,
12 constructed, or rehabilitated with any money from the Trust
13 Fund that was designated for affordable housing for low and
14 very low-income families shall be allowed to keep at least 2
15 common household pets regardless of breed, size, or weight
16 within the tenant's residence in accordance with any
17 applicable State laws. This subsection does not apply to
18 service animals or service animals in training or to any dog
19 that has been deemed a dangerous or vicious dog as provided
20 under the Animal Control Act.

21 (Source: P.A. 89-286, eff. 8-10-95.)

22 (310 ILCS 65/18 new)

23 Sec. 18. Pets in affordable housing projects.

24 (a) The enforcement of policies relating to keeping a pet
25 within a residence may include:

1 (1) compliance with noise and sanitation standards;

2 (2) registration of the common household pet with the
3 owner of the residential housing;

4 (3) restraint of the common household pet in common
5 areas of the residential housing;

6 (4) timely removal of common household pet excrement;

7 (5) vaccination and sterilization requirements; and

8 (6) enforcement of violations of the policy.

9 (b) Notwithstanding any other law to the contrary, a
10 housing provider shall not be liable for injuries caused by an
11 owner's common household pet permitted on the housing
12 provider's property, except in cases of willful and wanton
13 misconduct.

14 (c) Nothing in this Section shall be construed to limit or
15 otherwise affect other statutes or laws that require
16 reasonable accommodations to be made for an individual with a
17 disability who maintains an animal to provide assistance,
18 service, or support.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.".