



Sen. Terry Link

Filed: 3/24/2004

09300SB2411sam003

LRB093 19301 BDD 49028 a

1 AMENDMENT TO SENATE BILL 2411

2 AMENDMENT NO. _____. Amend Senate Bill 2411, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Municipal Code is amended by
6 changing Sections 11-74.4-3 and 11-74.4-7 as follows:

7 (65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)

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

12 (a) For any redevelopment project area that has been
13 designated pursuant to this Section by an ordinance adopted
14 prior to November 1, 1999 (the effective date of Public Act
15 91-478), "blighted area" shall have the meaning set forth in
16 this Section prior to that date.

17 On and after November 1, 1999, "blighted area" means any
18 improved or vacant area within the boundaries of a
19 redevelopment project area located within the territorial
20 limits of the municipality where:

21 (1) If improved, industrial, commercial, and
22 residential buildings or improvements are detrimental to
23 the public safety, health, or welfare because of a
24 combination of 5 or more of the following factors, each of

1 which is (i) present, with that presence documented, to a
2 meaningful extent so that a municipality may reasonably
3 find that the factor is clearly present within the intent
4 of the Act and (ii) reasonably distributed throughout the
5 improved part of the redevelopment project area:

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

13 (B) Obsolescence. The condition or process of
14 falling into disuse. Structures have become ill-suited
15 for the original use.

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

27 (D) Presence of structures below minimum code
28 standards. All structures that do not meet the
29 standards of zoning, subdivision, building, fire, and
30 other governmental codes applicable to property, but
31 not including housing and property maintenance codes.

32 (E) Illegal use of individual structures. The use
33 of structures in violation of applicable federal,
34 State, or local laws, exclusive of those applicable to

1 the presence of structures below minimum code
2 standards.

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

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

21 (H) Inadequate utilities. Underground and overhead
22 utilities such as storm sewers and storm drainage,
23 sanitary sewers, water lines, and gas, telephone, and
24 electrical services that are shown to be inadequate.
25 Inadequate utilities are those that are: (i) of
26 insufficient capacity to serve the uses in the
27 redevelopment project area, (ii) deteriorated,
28 antiquated, obsolete, or in disrepair, or (iii)
29 lacking within the redevelopment project area.

30 (I) Excessive land coverage and overcrowding of
31 structures and community facilities. The
32 over-intensive use of property and the crowding of
33 buildings and accessory facilities onto a site.
34 Examples of problem conditions warranting the

1 designation of an area as one exhibiting excessive land
2 coverage are: (i) the presence of buildings either
3 improperly situated on parcels or located on parcels of
4 inadequate size and shape in relation to present-day
5 standards of development for health and safety and (ii)
6 the presence of multiple buildings on a single parcel.
7 For there to be a finding of excessive land coverage,
8 these parcels must exhibit one or more of the following
9 conditions: insufficient provision for light and air
10 within or around buildings, increased threat of spread
11 of fire due to the close proximity of buildings, lack
12 of adequate or proper access to a public right-of-way,
13 lack of reasonably required off-street parking, or
14 inadequate provision for loading and service.

15 (J) Deleterious land use or layout. The existence
16 of incompatible land-use relationships, buildings
17 occupied by inappropriate mixed-uses, or uses
18 considered to be noxious, offensive, or unsuitable for
19 the surrounding area.

20 (K) Environmental clean-up. The proposed
21 redevelopment project area has incurred Illinois
22 Environmental Protection Agency or United States
23 Environmental Protection Agency remediation costs for,
24 or a study conducted by an independent consultant
25 recognized as having expertise in environmental
26 remediation has determined a need for, the clean-up of
27 hazardous waste, hazardous substances, or underground
28 storage tanks required by State or federal law,
29 provided that the remediation costs constitute a
30 material impediment to the development or
31 redevelopment of the redevelopment project area.

32 (L) Lack of community planning. The proposed
33 redevelopment project area was developed prior to or
34 without the benefit or guidance of a community plan.

1 This means that the development occurred prior to the
2 adoption by the municipality of a comprehensive or
3 other community plan or that the plan was not followed
4 at the time of the area's development. This factor must
5 be documented by evidence of adverse or incompatible
6 land-use relationships, inadequate street layout,
7 improper subdivision, parcels of inadequate shape and
8 size to meet contemporary development standards, or
9 other evidence demonstrating an absence of effective
10 community planning.

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

24 (2) If vacant, the sound growth of the redevelopment
25 project area is impaired by a combination of 2 or more of
26 the following factors, each of which is (i) present, with
27 that presence documented, to a meaningful extent so that a
28 municipality may reasonably find that the factor is clearly
29 present within the intent of the Act and (ii) reasonably
30 distributed throughout the vacant part of the
31 redevelopment project area to which it pertains:

32 (A) Obsolete platting of vacant land that results
33 in parcels of limited or narrow size or configurations
34 of parcels of irregular size or shape that would be

1 difficult to develop on a planned basis and in a manner
2 compatible with contemporary standards and
3 requirements, or platting that failed to create
4 rights-of-ways for streets or alleys or that created
5 inadequate right-of-way widths for streets, alleys, or
6 other public rights-of-way or that omitted easements
7 for public utilities.

8 (B) Diversity of ownership of parcels of vacant
9 land sufficient in number to retard or impede the
10 ability to assemble the land for development.

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

14 (D) Deterioration of structures or site
15 improvements in neighboring areas adjacent to the
16 vacant land.

17 (E) The area has incurred Illinois Environmental
18 Protection Agency or United States Environmental
19 Protection Agency remediation costs for, or a study
20 conducted by an independent consultant recognized as
21 having expertise in environmental remediation has
22 determined a need for, the clean-up of hazardous waste,
23 hazardous substances, or underground storage tanks
24 required by State or federal law, provided that the
25 remediation costs constitute a material impediment to
26 the development or redevelopment of the redevelopment
27 project area.

28 (F) The total equalized assessed value of the
29 proposed redevelopment project area has declined for 3
30 of the last 5 calendar years prior to the year in which
31 the redevelopment project area is designated or is
32 increasing at an annual rate that is less than the
33 balance of the municipality for 3 of the last 5
34 calendar years for which information is available or is

1 increasing at an annual rate that is less than the
2 Consumer Price Index for All Urban Consumers published
3 by the United States Department of Labor or successor
4 agency for 3 of the last 5 calendar years prior to the
5 year in which the redevelopment project area is
6 designated.

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

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

17 (B) The area consists of unused railyards, rail
18 tracks, or railroad rights-of-way.

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

28 (D) The area consists of an unused or illegal
29 disposal site containing earth, stone, building
30 debris, or similar materials that were removed from
31 construction, demolition, excavation, or dredge sites.

32 (E) Prior to November 1, 1999, the area is not less
33 than 50 nor more than 100 acres and 75% of which is
34 vacant (notwithstanding that the area has been used for

1 commercial agricultural purposes within 5 years prior
2 to the designation of the redevelopment project area),
3 and the area meets at least one of the factors itemized
4 in paragraph (1) of this subsection, the area has been
5 designated as a town or village center by ordinance or
6 comprehensive plan adopted prior to January 1, 1982,
7 and the area has not been developed for that designated
8 purpose.

9 (F) The area qualified as a blighted improved area
10 immediately prior to becoming vacant, unless there has
11 been substantial private investment in the immediately
12 surrounding area.

13 (b) For any redevelopment project area that has been
14 designated pursuant to this Section by an ordinance adopted
15 prior to November 1, 1999 (the effective date of Public Act
16 91-478), "conservation area" shall have the meaning set forth
17 in this Section prior to that date.

18 On and after November 1, 1999, "conservation area" means
19 any improved area within the boundaries of a redevelopment
20 project area located within the territorial limits of the
21 municipality in which 50% or more of the structures in the area
22 have an age of 35 years or more. Such an area is not yet a
23 blighted area but because of a combination of 3 or more of the
24 following factors is detrimental to the public safety, health,
25 morals or welfare and such an area may become a blighted area:

26 (1) Dilapidation. An advanced state of disrepair or
27 neglect of necessary repairs to the primary structural
28 components of buildings or improvements in such a
29 combination that a documented building condition analysis
30 determines that major repair is required or the defects are
31 so serious and so extensive that the buildings must be
32 removed.

33 (2) Obsolescence. The condition or process of falling
34 into disuse. Structures have become ill-suited for the

1 original use.

2 (3) Deterioration. With respect to buildings, defects
3 including, but not limited to, major defects in the
4 secondary building components such as doors, windows,
5 porches, gutters and downspouts, and fascia. With respect
6 to surface improvements, that the condition of roadways,
7 alleys, curbs, gutters, sidewalks, off-street parking, and
8 surface storage areas evidence deterioration, including,
9 but not limited to, surface cracking, crumbling, potholes,
10 depressions, loose paving material, and weeds protruding
11 through paved surfaces.

12 (4) Presence of structures below minimum code
13 standards. All structures that do not meet the standards of
14 zoning, subdivision, building, fire, and other
15 governmental codes applicable to property, but not
16 including housing and property maintenance codes.

17 (5) Illegal use of individual structures. The use of
18 structures in violation of applicable federal, State, or
19 local laws, exclusive of those applicable to the presence
20 of structures below minimum code standards.

21 (6) Excessive vacancies. The presence of buildings
22 that are unoccupied or under-utilized and that represent an
23 adverse influence on the area because of the frequency,
24 extent, or duration of the vacancies.

25 (7) Lack of ventilation, light, or sanitary
26 facilities. The absence of adequate ventilation for light
27 or air circulation in spaces or rooms without windows, or
28 that require the removal of dust, odor, gas, smoke, or
29 other noxious airborne materials. Inadequate natural light
30 and ventilation means the absence or inadequacy of
31 skylights or windows for interior spaces or rooms and
32 improper window sizes and amounts by room area to window
33 area ratios. Inadequate sanitary facilities refers to the
34 absence or inadequacy of garbage storage and enclosure,

1 bathroom facilities, hot water and kitchens, and
2 structural inadequacies preventing ingress and egress to
3 and from all rooms and units within a building.

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

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

30 (10) Deleterious land use or layout. The existence of
31 incompatible land-use relationships, buildings occupied by
32 inappropriate mixed-uses, or uses considered to be
33 noxious, offensive, or unsuitable for the surrounding
34 area.

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

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

24 (13) The total equalized assessed value of the proposed
25 redevelopment project area has declined for 3 of the last 5
26 calendar years for which information is available or is
27 increasing at an annual rate that is less than the balance
28 of the municipality for 3 of the last 5 calendar years for
29 which information is available or is increasing at an
30 annual rate that is less than the Consumer Price Index for
31 All Urban Consumers published by the United States
32 Department of Labor or successor agency for 3 of the last 5
33 calendar years for which information is available.

34 (c) "Industrial park" means an area in a blighted or

1 conservation area suitable for use by any manufacturing,
2 industrial, research or transportation enterprise, of
3 facilities to include but not be limited to factories, mills,
4 processing plants, assembly plants, packing plants,
5 fabricating plants, industrial distribution centers,
6 warehouses, repair overhaul or service facilities, freight
7 terminals, research facilities, test facilities or railroad
8 facilities.

9 (d) "Industrial park conservation area" means an area
10 within the boundaries of a redevelopment project area located
11 within the territorial limits of a municipality that is a labor
12 surplus municipality or within 1 1/2 miles of the territorial
13 limits of a municipality that is a labor surplus municipality
14 if the area is annexed to the municipality; which area is zoned
15 as industrial no later than at the time the municipality by
16 ordinance designates the redevelopment project area, and which
17 area includes both vacant land suitable for use as an
18 industrial park and a blighted area or conservation area
19 contiguous to such vacant land.

20 (e) "Labor surplus municipality" means a municipality in
21 which, at any time during the 6 months before the municipality
22 by ordinance designates an industrial park conservation area,
23 the unemployment rate was over 6% and was also 100% or more of
24 the national average unemployment rate for that same time as
25 published in the United States Department of Labor Bureau of
26 Labor Statistics publication entitled "The Employment
27 Situation" or its successor publication. For the purpose of
28 this subsection, if unemployment rate statistics for the
29 municipality are not available, the unemployment rate in the
30 municipality shall be deemed to be the same as the unemployment
31 rate in the principal county in which the municipality is
32 located.

33 (f) "Municipality" shall mean a city, village or
34 incorporated town.

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

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

15 (h) "Municipal Sales Tax Increment" means an amount equal
16 to the increase in the aggregate amount of taxes paid to a
17 municipality from the Local Government Tax Fund arising from
18 sales by retailers and servicemen within the redevelopment
19 project area or State Sales Tax Boundary, as the case may be,
20 for as long as the redevelopment project area or State Sales
21 Tax Boundary, as the case may be, exist over and above the
22 aggregate amount of taxes as certified by the Illinois
23 Department of Revenue and paid under the Municipal Retailers'
24 Occupation Tax Act and the Municipal Service Occupation Tax Act
25 by retailers and servicemen, on transactions at places of
26 business located in the redevelopment project area or State
27 Sales Tax Boundary, as the case may be, during the base year
28 which shall be the calendar year immediately prior to the year
29 in which the municipality adopted tax increment allocation
30 financing. For purposes of computing the aggregate amount of
31 such taxes for base years occurring prior to 1985, the
32 Department of Revenue shall determine the Initial Sales Tax
33 Amounts for such taxes and deduct therefrom an amount equal to
34 4% of the aggregate amount of taxes per year for each year the

1 base year is prior to 1985, but not to exceed a total deduction
2 of 12%. The amount so determined shall be known as the
3 "Adjusted Initial Sales Tax Amounts". For purposes of
4 determining the Municipal Sales Tax Increment, the Department
5 of Revenue shall for each period subtract from the amount paid
6 to the municipality from the Local Government Tax Fund arising
7 from sales by retailers and servicemen on transactions located
8 in the redevelopment project area or the State Sales Tax
9 Boundary, as the case may be, the certified Initial Sales Tax
10 Amounts, the Adjusted Initial Sales Tax Amounts or the Revised
11 Initial Sales Tax Amounts for the Municipal Retailers'
12 Occupation Tax Act and the Municipal Service Occupation Tax
13 Act. For the State Fiscal Year 1989, this calculation shall be
14 made by utilizing the calendar year 1987 to determine the tax
15 amounts received. For the State Fiscal Year 1990, this
16 calculation shall be made by utilizing the period from January
17 1, 1988, until September 30, 1988, to determine the tax amounts
18 received from retailers and servicemen pursuant to the
19 Municipal Retailers' Occupation Tax and the Municipal Service
20 Occupation Tax Act, which shall have deducted therefrom
21 nine-twelfths of the certified Initial Sales Tax Amounts, the
22 Adjusted Initial Sales Tax Amounts or the Revised Initial Sales
23 Tax Amounts as appropriate. For the State Fiscal Year 1991,
24 this calculation shall be made by utilizing the period from
25 October 1, 1988, to June 30, 1989, to determine the tax amounts
26 received from retailers and servicemen pursuant to the
27 Municipal Retailers' Occupation Tax and the Municipal Service
28 Occupation Tax Act which shall have deducted therefrom
29 nine-twelfths of the certified Initial Sales Tax Amounts,
30 Adjusted Initial Sales Tax Amounts or the Revised Initial Sales
31 Tax Amounts as appropriate. For every State Fiscal Year
32 thereafter, the applicable period shall be the 12 months
33 beginning July 1 and ending June 30 to determine the tax
34 amounts received which shall have deducted therefrom the

1 certified Initial Sales Tax Amounts, the Adjusted Initial Sales
2 Tax Amounts or the Revised Initial Sales Tax Amounts, as the
3 case may be.

4 (i) "Net State Sales Tax Increment" means the sum of the
5 following: (a) 80% of the first \$100,000 of State Sales Tax
6 Increment annually generated within a State Sales Tax Boundary;
7 (b) 60% of the amount in excess of \$100,000 but not exceeding
8 \$500,000 of State Sales Tax Increment annually generated within
9 a State Sales Tax Boundary; and (c) 40% of all amounts in
10 excess of \$500,000 of State Sales Tax Increment annually
11 generated within a State Sales Tax Boundary. If, however, a
12 municipality established a tax increment financing district in
13 a county with a population in excess of 3,000,000 before
14 January 1, 1986, and the municipality entered into a contract
15 or issued bonds after January 1, 1986, but before December 31,
16 1986, to finance redevelopment project costs within a State
17 Sales Tax Boundary, then the Net State Sales Tax Increment
18 means, for the fiscal years beginning July 1, 1990, and July 1,
19 1991, 100% of the State Sales Tax Increment annually generated
20 within a State Sales Tax Boundary; and notwithstanding any
21 other provision of this Act, for those fiscal years the
22 Department of Revenue shall distribute to those municipalities
23 100% of their Net State Sales Tax Increment before any
24 distribution to any other municipality and regardless of
25 whether or not those other municipalities will receive 100% of
26 their Net State Sales Tax Increment. For Fiscal Year 1999, and
27 every year thereafter until the year 2007, for any municipality
28 that has not entered into a contract or has not issued bonds
29 prior to June 1, 1988 to finance redevelopment project costs
30 within a State Sales Tax Boundary, the Net State Sales Tax
31 Increment shall be calculated as follows: By multiplying the
32 Net State Sales Tax Increment by 90% in the State Fiscal Year
33 1999; 80% in the State Fiscal Year 2000; 70% in the State
34 Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the

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

5 Municipalities that issued bonds in connection with a
6 redevelopment project in a redevelopment project area within
7 the State Sales Tax Boundary prior to July 29, 1991, or that
8 entered into contracts in connection with a redevelopment
9 project in a redevelopment project area before June 1, 1988,
10 shall continue to receive their proportional share of the
11 Illinois Tax Increment Fund distribution until the date on
12 which the redevelopment project is completed or terminated. If,
13 however, a municipality that issued bonds in connection with a
14 redevelopment project in a redevelopment project area within
15 the State Sales Tax Boundary prior to July 29, 1991 retires the
16 bonds prior to June 30, 2007 or a municipality that entered
17 into contracts in connection with a redevelopment project in a
18 redevelopment project area before June 1, 1988 completes the
19 contracts prior to June 30, 2007, then so long as the
20 redevelopment project is not completed or is not terminated,
21 the Net State Sales Tax Increment shall be calculated,
22 beginning on the date on which the bonds are retired or the
23 contracts are completed, as follows: By multiplying the Net
24 State Sales Tax Increment by 60% in the State Fiscal Year 2002;
25 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year
26 2004; 30% in the State Fiscal Year 2005; 20% in the State
27 Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No
28 payment shall be made for State Fiscal Year 2008 and
29 thereafter. Refunding of any bonds issued prior to July 29,
30 1991, shall not alter the Net State Sales Tax Increment.

31 (j) "State Utility Tax Increment Amount" means an amount
32 equal to the aggregate increase in State electric and gas tax
33 charges imposed on owners and tenants, other than residential
34 customers, of properties located within the redevelopment

1 project area under Section 9-222 of the Public Utilities Act,
2 over and above the aggregate of such charges as certified by
3 the Department of Revenue and paid by owners and tenants, other
4 than residential customers, of properties within the
5 redevelopment project area during the base year, which shall be
6 the calendar year immediately prior to the year of the adoption
7 of the ordinance authorizing tax increment allocation
8 financing.

9 (k) "Net State Utility Tax Increment" means the sum of the
10 following: (a) 80% of the first \$100,000 of State Utility Tax
11 Increment annually generated by a redevelopment project area;
12 (b) 60% of the amount in excess of \$100,000 but not exceeding
13 \$500,000 of the State Utility Tax Increment annually generated
14 by a redevelopment project area; and (c) 40% of all amounts in
15 excess of \$500,000 of State Utility Tax Increment annually
16 generated by a redevelopment project area. For the State Fiscal
17 Year 1999, and every year thereafter until the year 2007, for
18 any municipality that has not entered into a contract or has
19 not issued bonds prior to June 1, 1988 to finance redevelopment
20 project costs within a redevelopment project area, the Net
21 State Utility Tax Increment shall be calculated as follows: By
22 multiplying the Net State Utility Tax Increment by 90% in the
23 State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70%
24 in the State Fiscal Year 2001; 60% in the State Fiscal Year
25 2002; 50% in the State Fiscal Year 2003; 40% in the State
26 Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the
27 State Fiscal Year 2006; and 10% in the State Fiscal Year 2007.
28 No payment shall be made for the State Fiscal Year 2008 and
29 thereafter.

30 Municipalities that issue bonds in connection with the
31 redevelopment project during the period from June 1, 1988 until
32 3 years after the effective date of this Amendatory Act of 1988
33 shall receive the Net State Utility Tax Increment, subject to
34 appropriation, for 15 State Fiscal Years after the issuance of

1 such bonds. For the 16th through the 20th State Fiscal Years
2 after issuance of the bonds, the Net State Utility Tax
3 Increment shall be calculated as follows: By multiplying the
4 Net State Utility Tax Increment by 90% in year 16; 80% in year
5 17; 70% in year 18; 60% in year 19; and 50% in year 20.
6 Refunding of any bonds issued prior to June 1, 1988, shall not
7 alter the revised Net State Utility Tax Increment payments set
8 forth above.

9 (l) "Obligations" mean bonds, loans, debentures, notes,
10 special certificates or other evidence of indebtedness issued
11 by the municipality to carry out a redevelopment project or to
12 refund outstanding obligations.

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

25 (n) "Redevelopment plan" means the comprehensive program
26 of the municipality for development or redevelopment intended
27 by the payment of redevelopment project costs to reduce or
28 eliminate those conditions the existence of which qualified the
29 redevelopment project area as a "blighted area" or
30 "conservation area" or combination thereof or "industrial park
31 conservation area," and thereby to enhance the tax bases of the
32 taxing districts which extend into the redevelopment project
33 area. On and after November 1, 1999 (the effective date of
34 Public Act 91-478), no redevelopment plan may be approved or

1 amended that includes the development of vacant land (i) with a
2 golf course and related clubhouse and other facilities or (ii)
3 designated by federal, State, county, or municipal government
4 as public land for outdoor recreational activities or for
5 nature preserves and used for that purpose within 5 years prior
6 to the adoption of the redevelopment plan. For the purpose of
7 this subsection, "recreational activities" is limited to mean
8 camping and hunting. Each redevelopment plan shall set forth in
9 writing the program to be undertaken to accomplish the
10 objectives and shall include but not be limited to:

11 (A) an itemized list of estimated redevelopment
12 project costs;

13 (B) evidence indicating that the redevelopment project
14 area on the whole has not been subject to growth and
15 development through investment by private enterprise;

16 (C) an assessment of any financial impact of the
17 redevelopment project area on or any increased demand for
18 services from any taxing district affected by the plan and
19 any program to address such financial impact or increased
20 demand;

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

22 (E) the nature and term of the obligations to be
23 issued;

24 (F) the most recent equalized assessed valuation of the
25 redevelopment project area;

26 (G) an estimate as to the equalized assessed valuation
27 after redevelopment and the general land uses to apply in
28 the redevelopment project area;

29 (H) a commitment to fair employment practices and an
30 affirmative action plan;

31 (I) if it concerns an industrial park conservation
32 area, the plan shall also include a general description of
33 any proposed developer, user and tenant of any property, a
34 description of the type, structure and general character of

1 the facilities to be developed, a description of the type,
2 class and number of new employees to be employed in the
3 operation of the facilities to be developed; and

4 (J) if property is to be annexed to the municipality,
5 the plan shall include the terms of the annexation
6 agreement.

7 The provisions of items (B) and (C) of this subsection (n)
8 shall not apply to a municipality that before March 14, 1994
9 (the effective date of Public Act 88-537) had fixed, either by
10 its corporate authorities or by a commission designated under
11 subsection (k) of Section 11-74.4-4, a time and place for a
12 public hearing as required by subsection (a) of Section
13 11-74.4-5. No redevelopment plan shall be adopted unless a
14 municipality complies with all of the following requirements:

15 (1) The municipality finds that the redevelopment
16 project area on the whole has not been subject to growth
17 and development through investment by private enterprise
18 and would not reasonably be anticipated to be developed
19 without the adoption of the redevelopment plan.

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

31 (3) The redevelopment plan establishes the estimated
32 dates of completion of the redevelopment project and
33 retirement of obligations issued to finance redevelopment
34 project costs. Those dates shall not be later than December

1 31 of the year in which the payment to the municipal
2 treasurer as provided in subsection (b) of Section
3 11-74.4-8 of this Act is to be made with respect to ad
4 valorem taxes levied in the twenty-third calendar year
5 after the year in which the ordinance approving the
6 redevelopment project area is adopted if the ordinance was
7 adopted on or after January 15, 1981, and not later than
8 December 31 of the year in which the payment to the
9 municipal treasurer as provided in subsection (b) of
10 Section 11-74.4-8 of this Act is to be made with respect to
11 ad valorem taxes levied in the thirty-fifth calendar year
12 after the year in which the ordinance approving the
13 redevelopment project area is adopted:

14 (A) if the ordinance was adopted before January 15,
15 1981, or

16 (B) if the ordinance was adopted in December 1983,
17 April 1984, July 1985, or December 1989, or

18 (C) if the ordinance was adopted in December 1987
19 and the redevelopment project is located within one
20 mile of Midway Airport, or

21 (D) if the ordinance was adopted before January 1,
22 1987 by a municipality in Mason County, or

23 (E) if the municipality is subject to the Local
24 Government Financial Planning and Supervision Act or
25 the Financially Distressed City Law, or

26 (F) if the ordinance was adopted in December 1984
27 by the Village of Rosemont, or

28 (G) if the ordinance was adopted on December 31,
29 1986 by a municipality located in Clinton County for
30 which at least \$250,000 of tax increment bonds were
31 authorized on June 17, 1997, or if the ordinance was
32 adopted on December 31, 1986 by a municipality with a
33 population in 1990 of less than 3,600 that is located
34 in a county with a population in 1990 of less than

1 34,000 and for which at least \$250,000 of tax increment
2 bonds were authorized on June 17, 1997, or

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

6 (I) if the ordinance was adopted on November 12,
7 1991 by the Village of Sauget, or

8 (J) if the ordinance was adopted on February 11,
9 1985 by the City of Rock Island, or

10 (K) if the ordinance was adopted before December
11 18, 1986 by the City of Moline, or

12 (L) if the ordinance was adopted in September 1988
13 by Sauk Village, or

14 (M) if the ordinance was adopted in October 1993 by
15 Sauk Village, or

16 (N) if the ordinance was adopted on December 29,
17 1986 by the City of Galva, or

18 (O) if the ordinance was adopted in March 1991 by
19 the City of Centreville, or

20 (P) if the ordinance was adopted on January 23,
21 1991 by the City of East St. Louis, or

22 (Q) if the ordinance was adopted on December 22,
23 1986 by the City of Aledo, or

24 (R) if the ordinance was adopted on February 5,
25 1990 by the City of Clinton, or

26 (S) if the ordinance was adopted on September 6,
27 1994 by the City of Freeport, or

28 (T) if the ordinance was adopted on December 22,
29 1986 by the City of Tuscola, or

30 (U) if the ordinance was adopted on December 23,
31 1986 by the City of Sparta, or

32 (V) if the ordinance was adopted on December 23,
33 1986 by the City of Beardstown, or

34 (W) if the ordinance was adopted on April 27, 1981,

1 October 21, 1985, or December 30, 1986 by the City of
2 Belleville, or

3 (X) if the ordinance was adopted on December 29,
4 1986 by the City of Collinsville, or

5 (Y) if the ordinance was adopted on September 14,
6 1994 by the City of Alton, or

7 (Z) if the ordinance was adopted on November 11,
8 1996 by the City of Lexington, or

9 (AA) if the ordinance was adopted on November 5,
10 1984 by the City of LeRoy, or

11 (BB) if the ordinance was adopted on April 3, 1991
12 or June 3, 1992 by the City of Markham, ~~or~~

13 (CC) if the ordinance was adopted on January 19,
14 1988 by the City of Waukegan, or

15 (DD) if the ordinance was adopted on September 21,
16 1998 by the City of Waukegan, or

17 (EE) if the ordinance was adopted on December 15,
18 1981 by the City of Champaign, or

19 (FF) if the ordinance was adopted on December 15,
20 1986 by the City of Urbana, or

21 (GG) if the ordinance was adopted on November 30,
22 1986 by the City of Effingham, or

23 (HH) if the ordinance was adopted on November 11,
24 1986 by the City of Pekin.

25 However, for redevelopment project areas for which
26 bonds were issued before July 29, 1991, or for which
27 contracts were entered into before June 1, 1988, in
28 connection with a redevelopment project in the area within
29 the State Sales Tax Boundary, the estimated dates of
30 completion of the redevelopment project and retirement of
31 obligations to finance redevelopment project costs may be
32 extended by municipal ordinance to December 31, 2013. The
33 termination procedures of subsection (b) of Section
34 11-74.4-8 are not required for these redevelopment project

1 areas in 2009 but are required in 2013. The extension
2 allowed by this amendatory Act of 1993 shall not apply to
3 real property tax increment allocation financing under
4 Section 11-74.4-8.

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

26 Those dates, for purposes of real property tax
27 increment allocation financing pursuant to Section
28 11-74.4-8 only, shall be not more than 35 years for
29 redevelopment project areas that were established on or
30 after December 1, 1981 but before January 1, 1982 and for
31 which at least \$1,500,000 worth of tax increment revenue
32 bonds were authorized on or after September 30, 1990 but
33 before July 1, 1991; provided that the municipality elects
34 to extend the life of the redevelopment project area to 35

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

6 (3.5) The municipality finds, in the case of an
7 industrial park conservation area, also that the
8 municipality is a labor surplus municipality and that the
9 implementation of the redevelopment plan will reduce
10 unemployment, create new jobs and by the provision of new
11 facilities enhance the tax base of the taxing districts
12 that extend into the redevelopment project area.

13 (4) If any incremental revenues are being utilized
14 under Section 8(a)(1) or 8(a)(2) of this Act in
15 redevelopment project areas approved by ordinance after
16 January 1, 1986, the municipality finds: (a) that the
17 redevelopment project area would not reasonably be
18 developed without the use of such incremental revenues, and
19 (b) that such incremental revenues will be exclusively
20 utilized for the development of the redevelopment project
21 area.

22 (5) If the redevelopment plan will not result in
23 displacement of residents from 10 or more inhabited
24 residential units, and the municipality certifies in the
25 plan that such displacement will not result from the plan,
26 a housing impact study need not be performed. If, however,
27 the redevelopment plan would result in the displacement of
28 residents from 10 or more inhabited residential units, or
29 if the redevelopment project area contains 75 or more
30 inhabited residential units and no certification is made,
31 then the municipality shall prepare, as part of the
32 separate feasibility report required by subsection (a) of
33 Section 11-74.4-5, a housing impact study.

34 Part I of the housing impact study shall include (i)

1 data as to whether the residential units are single family
2 or multi-family units, (ii) the number and type of rooms
3 within the units, if that information is available, (iii)
4 whether the units are inhabited or uninhabited, as
5 determined not less than 45 days before the date that the
6 ordinance or resolution required by subsection (a) of
7 Section 11-74.4-5 is passed, and (iv) data as to the racial
8 and ethnic composition of the residents in the inhabited
9 residential units. The data requirement as to the racial
10 and ethnic composition of the residents in the inhabited
11 residential units shall be deemed to be fully satisfied by
12 data from the most recent federal census.

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

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

29 (7) On and after November 1, 1999, no redevelopment
30 plan shall be adopted, nor an existing plan amended, nor
31 shall residential housing that is occupied by households of
32 low-income and very low-income persons in currently
33 existing redevelopment project areas be removed after
34 November 1, 1999 unless the redevelopment plan provides,

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

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

23 (9) For redevelopment project areas designated prior
24 to November 1, 1999, the redevelopment plan may be amended
25 without further joint review board meeting or hearing,
26 provided that the municipality shall give notice of any
27 such changes by mail to each affected taxing district and
28 registrant on the interested party registry, to authorize
29 the municipality to expend tax increment revenues for
30 redevelopment project costs defined by paragraphs (5) and
31 (7.5), subparagraphs (E) and (F) of paragraph (11), and
32 paragraph (11.5) of subsection (q) of Section 11-74.4-3, so
33 long as the changes do not increase the total estimated
34 redevelopment project costs set out in the redevelopment

1 plan by more than 5% after adjustment for inflation from
2 the date the plan was adopted.

3 (o) "Redevelopment project" means any public and private
4 development project in furtherance of the objectives of a
5 redevelopment plan. On and after November 1, 1999 (the
6 effective date of Public Act 91-478), no redevelopment plan may
7 be approved or amended that includes the development of vacant
8 land (i) with a golf course and related clubhouse and other
9 facilities or (ii) designated by federal, State, county, or
10 municipal government as public land for outdoor recreational
11 activities or for nature preserves and used for that purpose
12 within 5 years prior to the adoption of the redevelopment plan.
13 For the purpose of this subsection, "recreational activities"
14 is limited to mean camping and hunting.

15 (p) "Redevelopment project area" means an area designated
16 by the municipality, which is not less in the aggregate than 1
17 1/2 acres and in respect to which the municipality has made a
18 finding that there exist conditions which cause the area to be
19 classified as an industrial park conservation area or a
20 blighted area or a conservation area, or a combination of both
21 blighted areas and conservation areas.

22 (q) "Redevelopment project costs" mean and include the sum
23 total of all reasonable or necessary costs incurred or
24 estimated to be incurred, and any such costs incidental to a
25 redevelopment plan and a redevelopment project. Such costs
26 include, without limitation, the following:

27 (1) Costs of studies, surveys, development of plans,
28 and specifications, implementation and administration of
29 the redevelopment plan including but not limited to staff
30 and professional service costs for architectural,
31 engineering, legal, financial, planning or other services,
32 provided however that no charges for professional services
33 may be based on a percentage of the tax increment
34 collected; except that on and after November 1, 1999 (the

1 effective date of Public Act 91-478), no contracts for
2 professional services, excluding architectural and
3 engineering services, may be entered into if the terms of
4 the contract extend beyond a period of 3 years. In
5 addition, "redevelopment project costs" shall not include
6 lobbying expenses. After consultation with the
7 municipality, each tax increment consultant or advisor to a
8 municipality that plans to designate or has designated a
9 redevelopment project area shall inform the municipality
10 in writing of any contracts that the consultant or advisor
11 has entered into with entities or individuals that have
12 received, or are receiving, payments financed by tax
13 increment revenues produced by the redevelopment project
14 area with respect to which the consultant or advisor has
15 performed, or will be performing, service for the
16 municipality. This requirement shall be satisfied by the
17 consultant or advisor before the commencement of services
18 for the municipality and thereafter whenever any other
19 contracts with those individuals or entities are executed
20 by the consultant or advisor;

21 (1.5) After July 1, 1999, annual administrative costs
22 shall not include general overhead or administrative costs
23 of the municipality that would still have been incurred by
24 the municipality if the municipality had not designated a
25 redevelopment project area or approved a redevelopment
26 plan;

27 (1.6) The cost of marketing sites within the
28 redevelopment project area to prospective businesses,
29 developers, and investors;

30 (2) Property assembly costs, including but not limited
31 to acquisition of land and other property, real or
32 personal, or rights or interests therein, demolition of
33 buildings, site preparation, site improvements that serve
34 as an engineered barrier addressing ground level or below

1 ground environmental contamination, including, but not
2 limited to parking lots and other concrete or asphalt
3 barriers, and the clearing and grading of land;

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

12 (4) Costs of the construction of public works or
13 improvements, except that on and after November 1, 1999,
14 redevelopment project costs shall not include the cost of
15 constructing a new municipal public building principally
16 used to provide offices, storage space, or conference
17 facilities or vehicle storage, maintenance, or repair for
18 administrative, public safety, or public works personnel
19 and that is not intended to replace an existing public
20 building as provided under paragraph (3) of subsection (q)
21 of Section 11-74.4-3 unless either (i) the construction of
22 the new municipal building implements a redevelopment
23 project that was included in a redevelopment plan that was
24 adopted by the municipality prior to November 1, 1999 or
25 (ii) the municipality makes a reasonable determination in
26 the redevelopment plan, supported by information that
27 provides the basis for that determination, that the new
28 municipal building is required to meet an increase in the
29 need for public safety purposes anticipated to result from
30 the implementation of the redevelopment plan;

31 (5) Costs of job training and retraining projects,
32 including the cost of "welfare to work" programs
33 implemented by businesses located within the redevelopment
34 project area;

1 (6) Financing costs, including but not limited to all
2 necessary and incidental expenses related to the issuance
3 of obligations and which may include payment of interest on
4 any obligations issued hereunder including interest
5 accruing during the estimated period of construction of any
6 redevelopment project for which such obligations are
7 issued and for not exceeding 36 months thereafter and
8 including reasonable reserves related thereto;

9 (7) To the extent the municipality by written agreement
10 accepts and approves the same, all or a portion of a taxing
11 district's capital costs resulting from the redevelopment
12 project necessarily incurred or to be incurred within a
13 taxing district in furtherance of the objectives of the
14 redevelopment plan and project.

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

31 (A) for foundation districts, excluding any school
32 district in a municipality with a population in excess
33 of 1,000,000, by multiplying the district's increase
34 in attendance resulting from the net increase in new

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

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

33 (B) For alternate method districts, flat grant
34 districts, and foundation districts with a district

1 average 1995-96 Per Capita Tuition Charge equal to or
2 more than \$5,900, excluding any school district with a
3 population in excess of 1,000,000, by multiplying the
4 district's increase in attendance resulting from the
5 net increase in new students enrolled in that school
6 district who reside in housing units within the
7 redevelopment project area that have received
8 financial assistance through an agreement with the
9 municipality or because the municipality incurs the
10 cost of necessary infrastructure improvements within
11 the boundaries of the housing sites necessary for the
12 completion of that housing as authorized by this Act
13 since the designation of the redevelopment project
14 area by the most recently available per capita tuition
15 cost as defined in Section 10-20.12a of the School Code
16 less any increase in general state aid as defined in
17 Section 18-8.05 of the School Code attributable to
18 these added new students subject to the following
19 annual limitations:

20 (i) for unit school districts, no more than 40%
21 of the total amount of property tax increment
22 revenue produced by those housing units that have
23 received tax increment finance assistance under
24 this Act;

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

30 (iii) for secondary school districts, no more
31 than 13% of the total amount of property tax
32 increment revenue produced by those housing units
33 that have received tax increment finance
34 assistance under this Act.

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

5 (i) no increased costs shall be reimbursed
6 unless the school district certifies that each of
7 the schools affected by the assisted housing
8 project is at or over its student capacity;

9 (ii) the amount reimburseable shall be reduced
10 by the value of any land donated to the school
11 district by the municipality or developer, and by
12 the value of any physical improvements made to the
13 schools by the municipality or developer; and

14 (iii) the amount reimbursed may not affect
15 amounts otherwise obligated by the terms of any
16 bonds, notes, or other funding instruments, or the
17 terms of any redevelopment agreement.

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

34 (8) Relocation costs to the extent that a municipality

1 determines that relocation costs shall be paid or is
2 required to make payment of relocation costs by federal or
3 State law or in order to satisfy subparagraph (7) of
4 subsection (n);

5 (9) Payment in lieu of taxes;

6 (10) Costs of job training, retraining, advanced
7 vocational education or career education, including but
8 not limited to courses in occupational, semi-technical or
9 technical fields leading directly to employment, incurred
10 by one or more taxing districts, provided that such costs
11 (i) are related to the establishment and maintenance of
12 additional job training, advanced vocational education or
13 career education programs for persons employed or to be
14 employed by employers located in a redevelopment project
15 area; and (ii) when incurred by a taxing district or taxing
16 districts other than the municipality, are set forth in a
17 written agreement by or among the municipality and the
18 taxing district or taxing districts, which agreement
19 describes the program to be undertaken, including but not
20 limited to the number of employees to be trained, a
21 description of the training and services to be provided,
22 the number and type of positions available or to be
23 available, itemized costs of the program and sources of
24 funds to pay for the same, and the term of the agreement.
25 Such costs include, specifically, the payment by community
26 college districts of costs pursuant to Sections 3-37, 3-38,
27 3-40 and 3-40.1 of the Public Community College Act and by
28 school districts of costs pursuant to Sections 10-22.20a
29 and 10-23.3a of The School Code;

30 (11) Interest cost incurred by a redeveloper related to
31 the construction, renovation or rehabilitation of a
32 redevelopment project provided that:

33 (A) such costs are to be paid directly from the
34 special tax allocation fund established pursuant to

1 this Act;

2 (B) such payments in any one year may not exceed
3 30% of the annual interest costs incurred by the
4 redeveloper with regard to the redevelopment project
5 during that year;

6 (C) if there are not sufficient funds available in
7 the special tax allocation fund to make the payment
8 pursuant to this paragraph (11) then the amounts so due
9 shall accrue and be payable when sufficient funds are
10 available in the special tax allocation fund;

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

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

25 (F) Instead of the eligible costs provided by
26 subparagraphs (B) and (D) of paragraph (11), as
27 modified by this subparagraph, and notwithstanding any
28 other provisions of this Act to the contrary, the
29 municipality may pay from tax increment revenues up to
30 50% of the cost of construction of new housing units to
31 be occupied by low-income households and very
32 low-income households as defined in Section 3 of the
33 Illinois Affordable Housing Act. The cost of
34 construction of those units may be derived from the

1 proceeds of bonds issued by the municipality under this
2 Act or other constitutional or statutory authority or
3 from other sources of municipal revenue that may be
4 reimbursed from tax increment revenues or the proceeds
5 of bonds issued to finance the construction of that
6 housing.

7 The eligible costs provided under this
8 subparagraph (F) of paragraph (11) shall be an eligible
9 cost for the construction, renovation, and
10 rehabilitation of all low and very low-income housing
11 units, as defined in Section 3 of the Illinois
12 Affordable Housing Act, within the redevelopment
13 project area. If the low and very low-income units are
14 part of a residential redevelopment project that
15 includes units not affordable to low and very
16 low-income households, only the low and very
17 low-income units shall be eligible for benefits under
18 subparagraph (F) of paragraph (11). The standards for
19 maintaining the occupancy by low-income households and
20 very low-income households, as defined in Section 3 of
21 the Illinois Affordable Housing Act, of those units
22 constructed with eligible costs made available under
23 the provisions of this subparagraph (F) of paragraph
24 (11) shall be established by guidelines adopted by the
25 municipality. The responsibility for annually
26 documenting the initial occupancy of the units by
27 low-income households and very low-income households,
28 as defined in Section 3 of the Illinois Affordable
29 Housing Act, shall be that of the then current owner of
30 the property. For ownership units, the guidelines will
31 provide, at a minimum, for a reasonable recapture of
32 funds, or other appropriate methods designed to
33 preserve the original affordability of the ownership
34 units. For rental units, the guidelines will provide,

1 at a minimum, for the affordability of rent to low and
2 very low-income households. As units become available,
3 they shall be rented to income-eligible tenants. The
4 municipality may modify these guidelines from time to
5 time; the guidelines, however, shall be in effect for
6 as long as tax increment revenue is being used to pay
7 for costs associated with the units or for the
8 retirement of bonds issued to finance the units or for
9 the life of the redevelopment project area, whichever
10 is later.

11 (11.5) If the redevelopment project area is located
12 within a municipality with a population of more than
13 100,000, the cost of day care services for children of
14 employees from low-income families working for businesses
15 located within the redevelopment project area and all or a
16 portion of the cost of operation of day care centers
17 established by redevelopment project area businesses to
18 serve employees from low-income families working in
19 businesses located in the redevelopment project area. For
20 the purposes of this paragraph, "low-income families"
21 means families whose annual income does not exceed 80% of
22 the municipal, county, or regional median income, adjusted
23 for family size, as the annual income and municipal,
24 county, or regional median income are determined from time
25 to time by the United States Department of Housing and
26 Urban Development.

27 (12) Unless explicitly stated herein the cost of
28 construction of new privately-owned buildings shall not be
29 an eligible redevelopment project cost.

30 (13) After November 1, 1999 (the effective date of
31 Public Act 91-478), none of the redevelopment project costs
32 enumerated in this subsection shall be eligible
33 redevelopment project costs if those costs would provide
34 direct financial support to a retail entity initiating

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

16 If a special service area has been established pursuant to
17 the Special Service Area Tax Act or Special Service Area Tax
18 Law, then any tax increment revenues derived from the tax
19 imposed pursuant to the Special Service Area Tax Act or Special
20 Service Area Tax Law may be used within the redevelopment
21 project area for the purposes permitted by that Act or Law as
22 well as the purposes permitted by this Act.

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

30 (s) "State Sales Tax Increment" means an amount equal to
31 the increase in the aggregate amount of taxes paid by retailers
32 and servicemen, other than retailers and servicemen subject to
33 the Public Utilities Act, on transactions at places of business
34 located within a State Sales Tax Boundary pursuant to the

1 Retailers' Occupation Tax Act, the Use Tax Act, the Service Use
2 Tax Act, and the Service Occupation Tax Act, except such
3 portion of such increase that is paid into the State and Local
4 Sales Tax Reform Fund, the Local Government Distributive Fund,
5 the Local Government Tax Fund and the County and Mass Transit
6 District Fund, for as long as State participation exists, over
7 and above the Initial Sales Tax Amounts, Adjusted Initial Sales
8 Tax Amounts or the Revised Initial Sales Tax Amounts for such
9 taxes as certified by the Department of Revenue and paid under
10 those Acts by retailers and servicemen on transactions at
11 places of business located within the State Sales Tax Boundary
12 during the base year which shall be the calendar year
13 immediately prior to the year in which the municipality adopted
14 tax increment allocation financing, less 3.0% of such amounts
15 generated under the Retailers' Occupation Tax Act, Use Tax Act
16 and Service Use Tax Act and the Service Occupation Tax Act,
17 which sum shall be appropriated to the Department of Revenue to
18 cover its costs of administering and enforcing this Section.
19 For purposes of computing the aggregate amount of such taxes
20 for base years occurring prior to 1985, the Department of
21 Revenue shall compute the Initial Sales Tax Amount for such
22 taxes and deduct therefrom an amount equal to 4% of the
23 aggregate amount of taxes per year for each year the base year
24 is prior to 1985, but not to exceed a total deduction of 12%.
25 The amount so determined shall be known as the "Adjusted
26 Initial Sales Tax Amount". For purposes of determining the
27 State Sales Tax Increment the Department of Revenue shall for
28 each period subtract from the tax amounts received from
29 retailers and servicemen on transactions located in the State
30 Sales Tax Boundary, the certified Initial Sales Tax Amounts,
31 Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax
32 Amounts for the Retailers' Occupation Tax Act, the Use Tax Act,
33 the Service Use Tax Act and the Service Occupation Tax Act. For
34 the State Fiscal Year 1989 this calculation shall be made by

1 utilizing the calendar year 1987 to determine the tax amounts
2 received. For the State Fiscal Year 1990, this calculation
3 shall be made by utilizing the period from January 1, 1988,
4 until September 30, 1988, to determine the tax amounts received
5 from retailers and servicemen, which shall have deducted
6 therefrom nine-twelfths of the certified Initial Sales Tax
7 Amounts, Adjusted Initial Sales Tax Amounts or the Revised
8 Initial Sales Tax Amounts as appropriate. For the State Fiscal
9 Year 1991, this calculation shall be made by utilizing the
10 period from October 1, 1988, until June 30, 1989, to determine
11 the tax amounts received from retailers and servicemen, which
12 shall have deducted therefrom nine-twelfths of the certified
13 Initial State Sales Tax Amounts, Adjusted Initial Sales Tax
14 Amounts or the Revised Initial Sales Tax Amounts as
15 appropriate. For every State Fiscal Year thereafter, the
16 applicable period shall be the 12 months beginning July 1 and
17 ending on June 30, to determine the tax amounts received which
18 shall have deducted therefrom the certified Initial Sales Tax
19 Amounts, Adjusted Initial Sales Tax Amounts or the Revised
20 Initial Sales Tax Amounts. Municipalities intending to receive
21 a distribution of State Sales Tax Increment must report a list
22 of retailers to the Department of Revenue by October 31, 1988
23 and by July 31, of each year thereafter.

24 (t) "Taxing districts" means counties, townships, cities
25 and incorporated towns and villages, school, road, park,
26 sanitary, mosquito abatement, forest preserve, public health,
27 fire protection, river conservancy, tuberculosis sanitarium
28 and any other municipal corporations or districts with the
29 power to levy taxes.

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

34 (v) As used in subsection (a) of Section 11-74.4-3 of this

1 Act, "vacant land" means any parcel or combination of parcels
2 of real property without industrial, commercial, and
3 residential buildings which has not been used for commercial
4 agricultural purposes within 5 years prior to the designation
5 of the redevelopment project area, unless the parcel is
6 included in an industrial park conservation area or the parcel
7 has been subdivided; provided that if the parcel was part of a
8 larger tract that has been divided into 3 or more smaller
9 tracts that were accepted for recording during the period from
10 1950 to 1990, then the parcel shall be deemed to have been
11 subdivided, and all proceedings and actions of the municipality
12 taken in that connection with respect to any previously
13 approved or designated redevelopment project area or amended
14 redevelopment project area are hereby validated and hereby
15 declared to be legally sufficient for all purposes of this Act.
16 For purposes of this Section and only for land subject to the
17 subdivision requirements of the Plat Act, land is subdivided
18 when the original plat of the proposed Redevelopment Project
19 Area or relevant portion thereof has been properly certified,
20 acknowledged, approved, and recorded or filed in accordance
21 with the Plat Act and a preliminary plat, if any, for any
22 subsequent phases of the proposed Redevelopment Project Area or
23 relevant portion thereof has been properly approved and filed
24 in accordance with the applicable ordinance of the
25 municipality.

26 (w) "Annual Total Increment" means the sum of each
27 municipality's annual Net Sales Tax Increment and each
28 municipality's annual Net Utility Tax Increment. The ratio of
29 the Annual Total Increment of each municipality to the Annual
30 Total Increment for all municipalities, as most recently
31 calculated by the Department, shall determine the proportional
32 shares of the Illinois Tax Increment Fund to be distributed to
33 each municipality.

34 (Source: P.A. 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; 92-624,

1 eff. 7-11-02; 92-651, eff. 7-11-02; 93-298, eff. 7-23-03.)

2 (65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

3 Sec. 11-74.4-7. Obligations secured by the special tax
4 allocation fund set forth in Section 11-74.4-8 for the
5 redevelopment project area may be issued to provide for
6 redevelopment project costs. Such obligations, when so issued,
7 shall be retired in the manner provided in the ordinance
8 authorizing the issuance of such obligations by the receipts of
9 taxes levied as specified in Section 11-74.4-9 against the
10 taxable property included in the area, by revenues as specified
11 by Section 11-74.4-8a and other revenue designated by the
12 municipality. A municipality may in the ordinance pledge all or
13 any part of the funds in and to be deposited in the special tax
14 allocation fund created pursuant to Section 11-74.4-8 to the
15 payment of the redevelopment project costs and obligations. Any
16 pledge of funds in the special tax allocation fund shall
17 provide for distribution to the taxing districts and to the
18 Illinois Department of Revenue of moneys not required, pledged,
19 earmarked, or otherwise designated for payment and securing of
20 the obligations and anticipated redevelopment project costs
21 and such excess funds shall be calculated annually and deemed
22 to be "surplus" funds. In the event a municipality only applies
23 or pledges a portion of the funds in the special tax allocation
24 fund for the payment or securing of anticipated redevelopment
25 project costs or of obligations, any such funds remaining in
26 the special tax allocation fund after complying with the
27 requirements of the application or pledge, shall also be
28 calculated annually and deemed "surplus" funds. All surplus
29 funds in the special tax allocation fund shall be distributed
30 annually within 180 days after the close of the municipality's
31 fiscal year by being paid by the municipal treasurer to the
32 County Collector, to the Department of Revenue and to the
33 municipality in direct proportion to the tax incremental

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

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

23 Such obligations may be issued in one or more series
24 bearing interest at such rate or rates as the corporate
25 authorities of the municipality shall determine by ordinance.
26 Such obligations shall bear such date or dates, mature at such
27 time or times not exceeding 20 years from their respective
28 dates, be in such denomination, carry such registration
29 privileges, be executed in such manner, be payable in such
30 medium of payment at such place or places, contain such
31 covenants, terms and conditions, and be subject to redemption
32 as such ordinance shall provide. Obligations issued pursuant to
33 this Act may be sold at public or private sale at such price as
34 shall be determined by the corporate authorities of the

1 municipalities. No referendum approval of the electors shall be
2 required as a condition to the issuance of obligations pursuant
3 to this Division except as provided in this Section.

4 In the event the municipality authorizes issuance of
5 obligations pursuant to the authority of this Division secured
6 by the full faith and credit of the municipality, which
7 obligations are other than obligations which may be issued
8 under home rule powers provided by Article VII, Section 6 of
9 the Illinois Constitution, or pledges taxes pursuant to (b) or
10 (c) of the second paragraph of this section, the ordinance
11 authorizing the issuance of such obligations or pledging such
12 taxes shall be published within 10 days after such ordinance
13 has been passed in one or more newspapers, with general
14 circulation within such municipality. The publication of the
15 ordinance shall be accompanied by a notice of (1) the specific
16 number of voters required to sign a petition requesting the
17 question of the issuance of such obligations or pledging taxes
18 to be submitted to the electors; (2) the time in which such
19 petition must be filed; and (3) the date of the prospective
20 referendum. The municipal clerk shall provide a petition form
21 to any individual requesting one.

22 If no petition is filed with the municipal clerk, as
23 hereinafter provided in this Section, within 30 days after the
24 publication of the ordinance, the ordinance shall be in effect.
25 But, if within that 30 day period a petition is filed with the
26 municipal clerk, signed by electors in the municipality
27 numbering 10% or more of the number of registered voters in the
28 municipality, asking that the question of issuing obligations
29 using full faith and credit of the municipality as security for
30 the cost of paying for redevelopment project costs, or of
31 pledging taxes for the payment of such obligations, or both, be
32 submitted to the electors of the municipality, the corporate
33 authorities of the municipality shall call a special election
34 in the manner provided by law to vote upon that question, or,

1 if a general, State or municipal election is to be held within
2 a period of not less than 30 or more than 90 days from the date
3 such petition is filed, shall submit the question at the next
4 general, State or municipal election. If it appears upon the
5 canvass of the election by the corporate authorities that a
6 majority of electors voting upon the question voted in favor
7 thereof, the ordinance shall be in effect, but if a majority of
8 the electors voting upon the question are not in favor thereof,
9 the ordinance shall not take effect.

10 The ordinance authorizing the obligations may provide that
11 the obligations shall contain a recital that they are issued
12 pursuant to this Division, which recital shall be conclusive
13 evidence of their validity and of the regularity of their
14 issuance.

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

27 A certified copy of such ordinance shall be filed with the
28 county clerk of each county in which any portion of the
29 municipality is situated, and shall constitute the authority
30 for the extension and collection of the taxes to be deposited
31 in the special tax allocation fund.

32 A municipality may also issue its obligations to refund in
33 whole or in part, obligations theretofore issued by such
34 municipality under the authority of this Act, whether at or

1 prior to maturity, provided however, that the last maturity of
2 the refunding obligations shall not be expressed to mature
3 later than December 31 of the year in which the payment to the
4 municipal treasurer as provided in subsection (b) of Section
5 11-74.4-8 of this Act is to be made with respect to ad valorem
6 taxes levied in the twenty-third calendar year after the year
7 in which the ordinance approving the redevelopment project area
8 is adopted if the ordinance was adopted on or after January 15,
9 1981, and not later than December 31 of the year in which the
10 payment to the municipal treasurer as provided in subsection
11 (b) of Section 11-74.4-8 of this Act is to be made with respect
12 to ad valorem taxes levied in the thirty-fifth calendar year
13 after the year in which the ordinance approving the
14 redevelopment project area is adopted (A) if the ordinance was
15 adopted before January 15, 1981, or (B) if the ordinance was
16 adopted in December 1983, April 1984, July 1985, or December
17 1989, or (C) if the ordinance was adopted in December, 1987 and
18 the redevelopment project is located within one mile of Midway
19 Airport, or (D) if the ordinance was adopted before January 1,
20 1987 by a municipality in Mason County, or (E) if the
21 municipality is subject to the Local Government Financial
22 Planning and Supervision Act or the Financially Distressed City
23 Law, or (F) if the ordinance was adopted in December 1984 by
24 the Village of Rosemont, or (G) if the ordinance was adopted on
25 December 31, 1986 by a municipality located in Clinton County
26 for which at least \$250,000 of tax increment bonds were
27 authorized on June 17, 1997, or if the ordinance was adopted on
28 December 31, 1986 by a municipality with a population in 1990
29 of less than 3,600 that is located in a county with a
30 population in 1990 of less than 34,000 and for which at least
31 \$250,000 of tax increment bonds were authorized on June 17,
32 1997, or (H) if the ordinance was adopted on October 5, 1982 by
33 the City of Kankakee, or (I) if the ordinance was adopted on
34 December 29, 1986 by East St. Louis, or if the ordinance was

1 adopted on November 12, 1991 by the Village of Sauget, or (J)
2 if the ordinance was adopted on February 11, 1985 by the City
3 of Rock Island, or (K) if the ordinance was adopted before
4 December 18, 1986 by the City of Moline, or (L) if the
5 ordinance was adopted in September 1988 by Sauk Village, or (M)
6 if the ordinance was adopted in October 1993 by Sauk Village,
7 or (N) if the ordinance was adopted on December 29, 1986 by the
8 City of Galva, or (O) if the ordinance was adopted in March
9 1991 by the City of Centreville, or (P) if the ordinance was
10 adopted on January 23, 1991 by the City of East St. Louis, or
11 (Q) if the ordinance was adopted on December 22, 1986 by the
12 City of Aledo, or (R) if the ordinance was adopted on February
13 5, 1990 by the City of Clinton, or (S) if the ordinance was
14 adopted on September 6, 1994 by the City of Freeport, or (T) if
15 the ordinance was adopted on December 22, 1986 by the City of
16 Tuscola, or (U) if the ordinance was adopted on December 23,
17 1986 by the City of Sparta, or (V) if the ordinance was adopted
18 on December 23, 1986 by the City of Beardstown, or (W) if the
19 ordinance was adopted on April 27, 1981, October 21, 1985, or
20 December 30, 1986 by the City of Belleville, or (X) if the
21 ordinance was adopted on December 29, 1986 by the City of
22 Collinsville, or (Y) if the ordinance was adopted on September
23 14, 1994 by the City of Alton, or (Z) if the ordinance was
24 adopted on November 11, 1996 by the City of Lexington, or (AA)
25 if the ordinance was adopted on November 5, 1984 by the City of
26 LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or
27 June 3, 1992 by the City of Markham, or (CC) if the ordinance
28 was adopted on January 19, 1988 by the City of Waukegan, or
29 (DD) if the ordinance was adopted on September 21, 1998 by the
30 City of Waukegan, or (EE) if the ordinance was adopted on
31 December 15, 1981 by the City of Champaign, or (FF) if the
32 ordinance was adopted on December 15, 1986 by the City of
33 Urbana, or (GG) if the ordinance was adopted on November 30,
34 1986 by the City of Effingham, or (HH) if the ordinance was

1 adopted on November 11, 1986 by the City of Pekin and, for
2 redevelopment project areas for which bonds were issued before
3 July 29, 1991, in connection with a redevelopment project in
4 the area within the State Sales Tax Boundary and which were
5 extended by municipal ordinance under subsection (n) of Section
6 11-74.4-3, the last maturity of the refunding obligations shall
7 not be expressed to mature later than the date on which the
8 redevelopment project area is terminated or December 31, 2013,
9 whichever date occurs first.

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

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

22 (Source: P.A. 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; 92-624,
23 eff. 7-11-02; 92-651, eff. 7-11-02; 93-298, eff. 7-23-03.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law."