



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB5354

Introduced 01/26/06, by Rep. Frank J. Mautino

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-74.4-5
65 ILCS 5/11-74.4-6

from Ch. 24, par. 11-74.4-5
from Ch. 24, par. 11-74.4-6

Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Makes changes to the notification procedures for TIF designations. Provides that, prior to setting a date for a public hearing concerning the adoption of a TIF ordinance, a municipality must make available both its redevelopment plan and a separate report setting forth the basis for the eligibility for the redevelopment project (now, the municipality must make either the plan or the separate report available). Requires the municipality to give notice to each affected taxing district of the availability of the redevelopment plan and the separate report at least 3 days before setting the date for the public hearing. Requires that the written report by the board of review contain a statement from a representative from each affected taxing district detailing the estimated impact on that taxing district under the plan. Requires the municipality to submit a copy of the redevelopment plan and the separate report when providing notice of the time and place of the public hearing. Effective immediately.

LRB094 19212 BDD 54761 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning municipalities.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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

6 (65 ILCS 5/11-74.4-5) (from Ch. 24, par. 11-74.4-5)

7 Sec. 11-74.4-5. (a) The changes made by this amendatory Act
8 of the 91st General Assembly do not apply to a municipality
9 that, (i) before the effective date of this amendatory Act of
10 the 91st General Assembly, has adopted an ordinance or
11 resolution fixing a time and place for a public hearing under
12 this Section or (ii) before July 1, 1999, has adopted an
13 ordinance or resolution providing for a feasibility study under
14 Section 11-74.4-4.1, but has not yet adopted an ordinance
15 approving redevelopment plans and redevelopment projects or
16 designating redevelopment project areas under Section
17 11-74.4-4, until after that municipality adopts an ordinance
18 approving redevelopment plans and redevelopment projects or
19 designating redevelopment project areas under Section
20 11-74.4-4; thereafter the changes made by this amendatory Act
21 of the 91st General Assembly apply to the same extent that they
22 apply to redevelopment plans and redevelopment projects that
23 were approved and redevelopment projects that were designated
24 before the effective date of this amendatory Act of the 91st
25 General Assembly.

26 Prior to the adoption of an ordinance proposing the
27 designation of a redevelopment project area, or approving a
28 redevelopment plan or redevelopment project, the municipality
29 by its corporate authorities, or as it may determine by any
30 commission designated under subsection (k) of Section
31 11-74.4-4 shall adopt an ordinance or resolution fixing a time
32 and place for public hearing. At least 10 days prior to the

1 adoption of the ordinance or resolution establishing the time
2 and place for the public hearing, the municipality shall make
3 available for public inspection a redevelopment plan and ~~or~~ a
4 separate report that provides in reasonable detail the basis
5 for the eligibility of the redevelopment project area. Notice
6 of the availability of the redevelopment plan and separate ~~The~~
7 report along with the name of a person to contact for further
8 information shall be sent ~~within a reasonable time after the~~
9 ~~adoption of such ordinance or resolution~~ to the affected taxing
10 districts by certified mail at least 3 days before the adoption
11 of the ordinance or resolution establishing the time and place
12 for the public hearing. On and after the effective date of this
13 amendatory Act of the 91st General Assembly, the municipality
14 shall print in a newspaper of general circulation within the
15 municipality a notice that interested persons may register with
16 the municipality in order to receive information on the
17 proposed designation of a redevelopment project area or the
18 approval of a redevelopment plan. The notice shall state the
19 place of registration and the operating hours of that place.
20 The municipality shall have adopted reasonable rules to
21 implement this registration process under Section 11-74.4-4.2.
22 The municipality shall provide notice of the availability of
23 the redevelopment plan and eligibility report, including how to
24 obtain this information, by mail within a reasonable time after
25 the adoption of the ordinance or resolution, to all residential
26 addresses that, after a good faith effort, the municipality
27 determines are located outside the proposed redevelopment
28 project area and within 750 feet of the boundaries of the
29 proposed redevelopment project area. This requirement is
30 subject to the limitation that in a municipality with a
31 population of over 100,000, if the total number of residential
32 addresses outside the proposed redevelopment project area and
33 within 750 feet of the boundaries of the proposed redevelopment
34 project area exceeds 750, the municipality shall be required to
35 provide the notice to only the 750 residential addresses that,
36 after a good faith effort, the municipality determines are

1 outside the proposed redevelopment project area and closest to
2 the boundaries of the proposed redevelopment project area.
3 Notwithstanding the foregoing, notice given after August 7,
4 2001 (the effective date of Public Act 92-263) and before the
5 effective date of this amendatory Act of the 92nd General
6 Assembly to residential addresses within 750 feet of the
7 boundaries of a proposed redevelopment project area shall be
8 deemed to have been sufficiently given in compliance with this
9 Act if given only to residents outside the boundaries of the
10 proposed redevelopment project area. The notice shall also be
11 provided by the municipality, regardless of its population, to
12 those organizations and residents that have registered with the
13 municipality for that information in accordance with the
14 registration guidelines established by the municipality under
15 Section 11-74.4-4.2.

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

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

20 (b) Prior to holding a public hearing to approve or amend a
21 redevelopment plan or to designate or add additional parcels of
22 property to a redevelopment project area, the municipality
23 shall convene a joint review board. The board shall consist of
24 a representative selected by each community college district,
25 local elementary school district and high school district or
26 each local community unit school district, park district,
27 library district, township, fire protection district, and
28 county that will have the authority to directly levy taxes on
29 the property within the proposed redevelopment project area at
30 the time that the proposed redevelopment project area is
31 approved, a representative selected by the municipality and a
32 public member. The public member shall first be selected and
33 then the board's chairperson shall be selected by a majority of
34 the board members present and voting.

35 For redevelopment project areas with redevelopment plans
36 or proposed redevelopment plans that would result in the

1 displacement of residents from 10 or more inhabited residential
2 units or that include 75 or more inhabited residential units,
3 the public member shall be a person who resides in the
4 redevelopment project area. If, as determined by the housing
5 impact study provided for in paragraph (5) of subsection (n) of
6 Section 11-74.4-3, or if no housing impact study is required
7 then based on other reasonable data, the majority of
8 residential units are occupied by very low, low, or moderate
9 income households, as defined in Section 3 of the Illinois
10 Affordable Housing Act, the public member shall be a person who
11 resides in very low, low, or moderate income housing within the
12 redevelopment project area. Municipalities with fewer than
13 15,000 residents shall not be required to select a person who
14 lives in very low, low, or moderate income housing within the
15 redevelopment project area, provided that the redevelopment
16 plan or project will not result in displacement of residents
17 from 10 or more inhabited units, and the municipality so
18 certifies in the plan. If no person satisfying these
19 requirements is available or if no qualified person will serve
20 as the public member, then the joint review board is relieved
21 of this paragraph's selection requirements for the public
22 member.

23 Within 90 days of the effective date of this amendatory Act
24 of the 91st General Assembly, each municipality that designated
25 a redevelopment project area for which it was not required to
26 convene a joint review board under this Section shall convene a
27 joint review board to perform the duties specified under
28 paragraph (e) of this Section.

29 All board members shall be appointed and the first board
30 meeting shall be held at least 14 days but not more than 28
31 days after the mailing of notice by the municipality to the
32 taxing districts as required by Section 11-74.4-6(c).
33 Notwithstanding the preceding sentence, a municipality that
34 adopted either a public hearing resolution or a feasibility
35 resolution between July 1, 1999 and July 1, 2000 that called
36 for the meeting of the joint review board within 14 days of

1 notice of public hearing to affected taxing districts is deemed
2 to be in compliance with the notice, meeting, and public
3 hearing provisions of the Act. Such notice shall also advise
4 the taxing bodies represented on the joint review board of the
5 time and place of the first meeting of the board. Additional
6 meetings of the board shall be held upon the call of any
7 member. The municipality seeking designation of the
8 redevelopment project area shall provide administrative
9 support to the board.

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

26 The board shall base its recommendation to approve or
27 disapprove the redevelopment plan and the designation of the
28 redevelopment project area or the amendment of the
29 redevelopment plan or addition of parcels of property to the
30 redevelopment project area on the basis of the redevelopment
31 project area and redevelopment plan satisfying the plan
32 requirements, the eligibility criteria defined in Section
33 11-74.4-3, and the objectives of this Act.

34 The board shall issue a written report describing why the
35 redevelopment plan and project area or the amendment thereof
36 meets or fails to meet one or more of the objectives of this

1 Act and both the plan requirements and the eligibility criteria
2 defined in Section 11-74.4-3. The written report must also
3 include a statement from a representative from each affected
4 taxing district detailing the estimated impact on that taxing
5 district under the plan. In the event the Board does not file a
6 report it shall be presumed that these taxing bodies find the
7 redevelopment project area and redevelopment plan satisfy the
8 objectives of this Act and the plan requirements and
9 eligibility criteria.

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

16 Notwithstanding the resubmission set forth above, the
17 municipality may commence the scheduled public hearing and
18 either adjourn the public hearing or continue the public
19 hearing until a date certain. Prior to continuing any public
20 hearing to a date certain, the municipality shall announce
21 during the public hearing the time, date, and location for the
22 reconvening of the public hearing. Any changes to the
23 redevelopment plan necessary to satisfy the issues set forth in
24 the joint review board report shall be the subject of a public
25 hearing before the hearing is adjourned if the changes would
26 (1) substantially affect the general land uses proposed in the
27 redevelopment plan, (2) substantially change the nature of or
28 extend the life of the redevelopment project, or (3) increase
29 the number of inhabited residential units to be displaced from
30 the redevelopment project area, as measured from the time of
31 creation of the redevelopment project area, to a total of more
32 than 10. Changes to the redevelopment plan necessary to satisfy
33 the issues set forth in the joint review board report shall not
34 require any further notice or convening of a joint review board
35 meeting, except that any changes to the redevelopment plan that
36 would add additional parcels of property to the proposed

1 redevelopment project area shall be subject to the notice,
2 public hearing, and joint review board meeting requirements
3 established for such changes by subsection (a) of Section
4 11-74.4-5.

5 In the event that the municipality and the board are unable
6 to resolve these differences, or in the event that the
7 resubmitted plan or amendment is rejected by the board, the
8 municipality may proceed with the plan or amendment, but only
9 upon a three-fifths vote of the corporate authority responsible
10 for approval of the plan or amendment, excluding positions of
11 members that are vacant and those members that are ineligible
12 to vote because of conflicts of interest.

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

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

21 (d) After the effective date of this amendatory Act of the
22 91st General Assembly, a municipality shall submit the
23 following information for each redevelopment project area (i)
24 to the State Comptroller under Section 8-8-3.5 of the Illinois
25 Municipal Code and (ii) to all taxing districts overlapping the
26 redevelopment project area no later than 180 days after the
27 close of each municipal fiscal year or as soon thereafter as
28 the audited financial statements become available and, in any
29 case, shall be submitted before the annual meeting of the Joint
30 Review Board to each of the taxing districts that overlap the
31 redevelopment project area:

32 (1) Any amendments to the redevelopment plan, the
33 redevelopment project area, or the State Sales Tax
34 Boundary.

35 (1.5) A list of the redevelopment project areas
36 administered by the municipality and, if applicable, the

1 date each redevelopment project area was designated or
2 terminated by the municipality.

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

6 (3) Certification of the Chief Executive Officer of the
7 municipality that the municipality has complied with all of
8 the requirements of this Act during the preceding fiscal
9 year.

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

12 (5) An analysis of the special tax allocation fund
13 which sets forth:

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

16 (B) all amounts deposited in the special tax
17 allocation fund by source;

18 (C) an itemized list of all expenditures from the
19 special tax allocation fund by category of permissible
20 redevelopment project cost; and

21 (D) the balance in the special tax allocation fund
22 at the end of the fiscal year including a breakdown of
23 that balance by source and a breakdown of that balance
24 identifying any portion of the balance that is
25 required, pledged, earmarked, or otherwise designated
26 for payment of or securing of obligations and
27 anticipated redevelopment project costs. Any portion
28 of such ending balance that has not been identified or
29 is not identified as being required, pledged,
30 earmarked, or otherwise designated for payment of or
31 securing of obligations or anticipated redevelopment
32 projects costs shall be designated as surplus as set
33 forth in Section 11-74.4-7 hereof.

34 (6) A description of all property purchased by the
35 municipality within the redevelopment project area
36 including:

1 (A) Street address.

2 (B) Approximate size or description of property.

3 (C) Purchase price.

4 (D) Seller of property.

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

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

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

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

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

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

27 (F) Any reports submitted to the municipality by
28 the joint review board.

29 (G) A review of public and, to the extent possible,
30 private investment actually undertaken to date after
31 the effective date of this amendatory Act of the 91st
32 General Assembly and estimated to be undertaken during
33 the following year. This review shall, on a
34 project-by-project basis, set forth the estimated
35 amounts of public and private investment incurred
36 after the effective date of this amendatory Act of the

1 91st General Assembly and provide the ratio of private
2 investment to public investment to the date of the
3 report and as estimated to the completion of the
4 redevelopment project.

5 (8) With regard to any obligations issued by the
6 municipality:

7 (A) copies of any official statements; and

8 (B) an analysis prepared by financial advisor or
9 underwriter setting forth: (i) nature and term of
10 obligation; and (ii) projected debt service including
11 required reserves and debt coverage.

12 (9) For special tax allocation funds that have
13 experienced cumulative deposits of incremental tax
14 revenues of \$100,000 or more, a certified audit report
15 reviewing compliance with this Act performed by an
16 independent public accountant certified and licensed by
17 the authority of the State of Illinois. The financial
18 portion of the audit must be conducted in accordance with
19 Standards for Audits of Governmental Organizations,
20 Programs, Activities, and Functions adopted by the
21 Comptroller General of the United States (1981), as
22 amended, or the standards specified by Section 8-8-5 of the
23 Illinois Municipal Auditing Law of the Illinois Municipal
24 Code. The audit report shall contain a letter from the
25 independent certified public accountant indicating
26 compliance or noncompliance with the requirements of
27 subsection (q) of Section 11-74.4-3. For redevelopment
28 plans or projects that would result in the displacement of
29 residents from 10 or more inhabited residential units or
30 that contain 75 or more inhabited residential units, notice
31 of the availability of the information, including how to
32 obtain the report, required in this subsection shall also
33 be sent by mail to all residents or organizations that
34 operate in the municipality that register with the
35 municipality for that information according to
36 registration procedures adopted under Section 11-74.4-4.2.

1 All municipalities are subject to this provision.

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

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

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

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

21 (f) (Blank).

22 (g) In the event that a municipality has held a public
23 hearing under this Section prior to March 14, 1994 (the
24 effective date of Public Act 88-537), the requirements imposed
25 by Public Act 88-537 relating to the method of fixing the time
26 and place for public hearing, the materials and information
27 required to be made available for public inspection, and the
28 information required to be sent after adoption of an ordinance
29 or resolution fixing a time and place for public hearing shall
30 not be applicable.

31 (Source: P.A. 91-357, eff. 7-29-99; 91-478, eff. 11-1-99;
32 91-900, eff. 7-6-00; 92-263, eff. 8-7-01; 92-624, eff.
33 7-11-02.)

34 (65 ILCS 5/11-74.4-6) (from Ch. 24, par. 11-74.4-6)

35 Sec. 11-74.4-6. (a) Except as provided herein, notice of

1 the public hearing shall be given by publication and mailing.
2 Notice by publication shall be given by publication at least
3 twice, the first publication to be not more than 30 nor less
4 than 10 days prior to the hearing in a newspaper of general
5 circulation within the taxing districts having property in the
6 proposed redevelopment project area. Notice by mailing shall be
7 given by depositing such notice in the United States mails by
8 certified mail addressed to the person or persons in whose name
9 the general taxes for the last preceding year were paid on each
10 lot, block, tract, or parcel of land lying within the project
11 redevelopment area. Said notice shall be mailed not less than
12 10 days prior to the date set for the public hearing. In the
13 event taxes for the last preceding year were not paid, the
14 notice shall also be sent to the persons last listed on the tax
15 rolls within the preceding 3 years as the owners of such
16 property. For redevelopment project areas with redevelopment
17 plans or proposed redevelopment plans that would require
18 removal of 10 or more inhabited residential units or that
19 contain 75 or more inhabited residential units, the
20 municipality shall make a good faith effort to notify by mail
21 all residents of the redevelopment project area. At a minimum,
22 the municipality shall mail a notice to each residential
23 address located within the redevelopment project area. The
24 municipality shall endeavor to ensure that all such notices are
25 effectively communicated and shall include (in addition to
26 notice in English) notice in the predominant language other
27 than English when appropriate.

28 (b) The notices issued pursuant to this Section shall
29 include the following:

30 (1) The time and place of public hearing;

31 (2) The boundaries of the proposed redevelopment
32 project area by legal description and by street location
33 where possible;

34 (3) A notification that all interested persons will be
35 given an opportunity to be heard at the public hearing;

36 (4) A description of the redevelopment plan or

1 redevelopment project for the proposed redevelopment
2 project area if a plan or project is the subject matter of
3 the hearing.

4 (5) Such other matters as the municipality may deem
5 appropriate.

6 (c) Not less than 45 days prior to the date set for
7 hearing, the municipality shall give notice by mail as provided
8 in subsection (a) to all taxing districts of which taxable
9 property is included in the redevelopment project area, project
10 or plan and to the Department of Commerce and Economic
11 Opportunity ~~Community Affairs~~, and in addition to the other
12 requirements under subsection (b) the notice shall include an
13 invitation to the Department of Commerce and Economic
14 Opportunity ~~Community Affairs~~ and each taxing district to
15 submit comments to the municipality concerning the subject
16 matter of the hearing prior to the date of hearing.
17 Additionally, the notice required under this subsection (c)
18 must include a copy of the redevelopment plan and the separate
19 report setting forth the basis for the eligibility of the
20 redevelopment project area under subsection (a) of Section
21 11-74.4-5.

22 (d) In the event that any municipality has by ordinance
23 adopted tax increment financing prior to 1987, and has complied
24 with the notice requirements of this Section, except that the
25 notice has not included the requirements of subsection (b),
26 paragraphs (2), (3) and (4), and within 90 days of the
27 effective date of this amendatory Act of 1991, that
28 municipality passes an ordinance which contains findings that:
29 (1) all taxing districts prior to the time of the hearing
30 required by Section 11-74.4-5 were furnished with copies of a
31 map incorporated into the redevelopment plan and project
32 substantially showing the legal boundaries of the
33 redevelopment project area; (2) the redevelopment plan and
34 project, or a draft thereof, contained a map substantially
35 showing the legal boundaries of the redevelopment project area
36 and was available to the public at the time of the hearing; and

1 (3) since the adoption of any form of tax increment financing
2 authorized by this Act, and prior to June 1, 1991, no objection
3 or challenge has been made in writing to the municipality in
4 respect to the notices required by this Section, then the
5 municipality shall be deemed to have met the notice
6 requirements of this Act and all actions of the municipality
7 taken in connection with such notices as were given are hereby
8 validated and hereby declared to be legally sufficient for all
9 purposes of this Act.

10 (e) If a municipality desires to propose a redevelopment
11 plan for a redevelopment project area that would result in the
12 displacement of residents from 10 or more inhabited residential
13 units or for a redevelopment project area that contains 75 or
14 more inhabited residential units, the municipality shall hold a
15 public meeting before the mailing of the notices of public
16 hearing as provided in subsection (c) of this Section. The
17 meeting shall be for the purpose of enabling the municipality
18 to advise the public, taxing districts having real property in
19 the redevelopment project area, taxpayers who own property in
20 the proposed redevelopment project area, and residents in the
21 area as to the municipality's possible intent to prepare a
22 redevelopment plan and designate a redevelopment project area
23 and to receive public comment. The time and place for the
24 meeting shall be set by the head of the municipality's
25 Department of Planning or other department official designated
26 by the mayor or city or village manager without the necessity
27 of a resolution or ordinance of the municipality and may be
28 held by a member of the staff of the Department of Planning of
29 the municipality or by any other person, body, or commission
30 designated by the corporate authorities. The meeting shall be
31 held at least 14 business days before the mailing of the notice
32 of public hearing provided for in subsection (c) of this
33 Section.

34 Notice of the public meeting shall be given by mail. Notice
35 by mail shall be not less than 15 days before the date of the
36 meeting and shall be sent by certified mail to all taxing

1 districts having real property in the proposed redevelopment
2 project area and to all entities requesting that information
3 that have registered with a person and department designated by
4 the municipality in accordance with registration guidelines
5 established by the municipality pursuant to Section
6 11-74.4-4.2. The municipality shall make a good faith effort to
7 notify all residents and the last known persons who paid
8 property taxes on real estate in a redevelopment project area.
9 This requirement shall be deemed to be satisfied if the
10 municipality mails, by regular mail, a notice to each
11 residential address and the person or persons in whose name
12 property taxes were paid on real property for the last
13 preceding year located within the redevelopment project area.
14 Notice shall be in languages other than English when
15 appropriate. The notices issued under this subsection shall
16 include the following:

17 (1) The time and place of the meeting.

18 (2) The boundaries of the area to be studied for
19 possible designation as a redevelopment project area by
20 street and location.

21 (3) The purpose or purposes of establishing a
22 redevelopment project area.

23 (4) A brief description of tax increment financing.

24 (5) The name, telephone number, and address of the
25 person who can be contacted for additional information
26 about the proposed redevelopment project area and who
27 should receive all comments and suggestions regarding the
28 development of the area to be studied.

29 (6) Notification that all interested persons will be
30 given an opportunity to be heard at the public meeting.

31 (7) Such other matters as the municipality deems
32 appropriate.

33 At the public meeting, any interested person or
34 representative of an affected taxing district may be heard
35 orally and may file, with the person conducting the meeting,
36 statements that pertain to the subject matter of the meeting.

1 (Source: P.A. 91-478, eff. 11-1-99; revised 12-6-03.)

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