



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5438

by Rep. Ron Sandack

SYNOPSIS AS INTRODUCED:

50 ILCS 310/4	from Ch. 85, par. 704
55 ILCS 5/6-31004	from Ch. 34, par. 6-31004
65 ILCS 5/8-8-3.5	
65 ILCS 5/8-8-4	from Ch. 24, par. 8-8-4
65 ILCS 5/11-74.4-5	from Ch. 24, par. 11-74.4-5

Amends the Governmental Account Audit Act, Counties Code, and Illinois Municipal Code. Provides that the amount of fees owed by a governmental unit for delinquent audits or reports may be reduced at the Comptroller's discretion. Effective immediately.

LRB098 15930 JLK 54571 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning local government.

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

4 Section 5. The Governmental Account Audit Act is amended by
5 changing Section 4 as follows:

6 (50 ILCS 310/4) (from Ch. 85, par. 704)

7 Sec. 4. Overdue report.

8 (a) If the required report for a governmental unit is not
9 filed with the Comptroller in accordance with Section 2 or
10 Section 3, whichever is applicable, within 6 months after the
11 close of the fiscal year of the governmental unit, the
12 Comptroller shall notify the governing body of that unit in
13 writing that the report is due and may also grant a 60 day
14 extension for the filing of the audit report. If the required
15 report is not filed within the time specified in such written
16 notice, the Comptroller shall cause an audit to be made by a
17 licensed public accountant, and the governmental unit shall pay
18 to the Comptroller actual compensation and expenses to
19 reimburse him for the cost of preparing or completing such
20 report.

21 (b) The Comptroller may decline to order an audit and the
22 preparation of an audit report (i) if an initial examination of
23 the books and records of the governmental unit indicates that

1 the books and records of the governmental unit are inadequate
2 or unavailable due to the passage of time or the occurrence of
3 a natural disaster or (ii) if the Comptroller determines that
4 the cost of an audit would impose an unreasonable financial
5 burden on the governmental unit.

6 (c) The State Comptroller may grant extensions for
7 delinquent audits or reports. The Comptroller may charge a
8 governmental unit a fee for a delinquent audit or report of \$5
9 per day for the first 15 days past due, \$10 per day for 16
10 through 30 days past due, \$15 per day for 31 through 45 days
11 past due, and \$20 per day for the 46th day and every day
12 thereafter. These amounts may be reduced at the Comptroller's
13 discretion. All fees collected under this subsection (c) shall
14 be deposited into the Comptroller's Administrative Fund.

15 (Source: P.A. 97-890, eff. 8-2-12; 97-1142, eff. 12-28-12.)

16 Section 10. The Counties Code is amended by changing
17 Section 6-31004 as follows:

18 (55 ILCS 5/6-31004) (from Ch. 34, par. 6-31004)

19 Sec. 6-31004. Overdue reports.

20 (a) In the event the required reports for a county are not
21 filed with the Comptroller in accordance with Section 6-31003
22 within 6 months after the close of the fiscal year of the
23 county, the Comptroller shall notify the county board in
24 writing that the reports are due, and may also grant an

1 extension of time of up to 60 days for the filing of the
2 reports. In the event the required reports are not filed within
3 the time specified in such written notice, the Comptroller
4 shall cause the audit to be made and the audit report prepared
5 by an accountant or accountants.

6 (b) The Comptroller may decline to order an audit and the
7 preparation of an audit report if an initial examination of the
8 books and records of the governmental unit indicates that the
9 books and records of the governmental unit are inadequate or
10 unavailable due to the passage of time or the occurrence of a
11 natural disaster.

12 (c) The State Comptroller may grant extensions for
13 delinquent audits or reports. The Comptroller may charge a
14 county a fee for a delinquent audit or report of \$5 per day for
15 the first 15 days past due, \$10 per day for 16 through 30 days
16 past due, \$15 per day for 31 through 45 days past due, and \$20
17 per day for the 46th day and every day thereafter. These
18 amounts may be reduced at the Comptroller's discretion. All
19 fees collected under this subsection (c) shall be deposited
20 into the Comptroller's Administrative Fund.

21 (Source: P.A. 97-890, eff. 8-2-12; 97-1142, eff. 12-28-12.)

22 Section 15. The Illinois Municipal Code is amended by
23 changing Sections 8-8-3.5, 8-8-4 and 11-74.4-5 as follows:

24 (65 ILCS 5/8-8-3.5)

1 Sec. 8-8-3.5. Tax Increment Financing Report. The reports
2 filed under subsection (d) of Section 11-74.4-5 of the Tax
3 Increment Allocation Redevelopment Act and the reports filed
4 under subsection (d) of Section 11-74.6-22 of the Industrial
5 Jobs Recovery Law in the Illinois Municipal Code must be
6 separate from any other annual report filed with the
7 Comptroller. The Comptroller must, in cooperation with
8 reporting municipalities, create a format for the reporting of
9 information described in paragraphs (1.5) and (5) and in
10 subparagraph (G) of paragraph (7) of subsection (d) of Section
11 11-74.4-5 of the Tax Increment Allocation Redevelopment Act and
12 the information described in paragraphs (1.5) and (5) and in
13 subparagraph (G) of paragraph (7) of subsection (d) of Section
14 11-74.6-22 of the Industrial Jobs Recovery Law that facilitates
15 consistent reporting among the reporting municipalities. The
16 Comptroller may allow these reports to be filed electronically
17 and may display the report, or portions of the report,
18 electronically via the Internet. All reports filed under this
19 Section must be made available for examination and copying by
20 the public at all reasonable times. A Tax Increment Financing
21 Report must be filed electronically with the Comptroller within
22 180 days after the close of the municipal fiscal year or as
23 soon thereafter as the audit for the redevelopment project area
24 for that fiscal year becomes available. If the Tax Increment
25 Finance administrator provides the Comptroller's office with
26 sufficient evidence that the report is in the process of being

1 completed by an auditor, the Comptroller may grant an
2 extension. The Comptroller may, at his or her discretion, also
3 grant 60-day extension for the filing of this information. The
4 Comptroller may exempt a municipality from filing this
5 information if an initial examination of the books and records
6 of the municipality indicates that the books and records are
7 inadequate or unavailable due to the passage of time or the
8 occurrence of a natural disaster. If the required report is not
9 filed within the time extended by the Comptroller, the
10 Comptroller may charge a municipality a fee of \$5 per day for
11 the first 15 days past due, \$10 per day for 16 through 30 days
12 past due, \$15 per day for 31 through 45 days past due, and \$20
13 per day for the 46th day and every day thereafter. These
14 amounts may be reduced at the Comptroller's discretion. All
15 fees collected pursuant to this Section shall be deposited into
16 the Comptroller's Administrative Fund.

17 (Source: P.A. 98-497, eff. 8-16-13.)

18 (65 ILCS 5/8-8-4) (from Ch. 24, par. 8-8-4)

19 Sec. 8-8-4. Overdue reports.

20 (a) In the event the required audit report for a
21 municipality is not filed with the Comptroller in accordance
22 with Section 8-8-7 within 6 months after the close of the
23 fiscal year of the municipality, the Comptroller shall notify
24 the corporate authorities of that municipality in writing that
25 the audit report is due, and may also grant an extension of

1 time of 60 days, for the filing of the audit report. In the
2 event the required audit report is not filed within the time
3 specified in such written notice, the Comptroller shall cause
4 such audit to be made by an accountant or accountants. In the
5 event the required annual or supplemental report for a
6 municipality is not filed within 6 months after the close of
7 the fiscal year of the municipality, the Comptroller shall
8 notify the corporate authorities of that municipality in
9 writing that the annual or supplemental report is due and may
10 grant an extension in time of 60 days for the filing of such
11 annual or supplemental report.

12 (b) In the event the annual or supplemental report is not
13 filed within the time extended by the Comptroller, the
14 Comptroller shall cause such annual or supplemental report to
15 be prepared or completed and the municipality shall pay to the
16 Comptroller reasonable compensation and expenses to reimburse
17 him for the cost of preparing or completing such annual or
18 supplemental report. Moneys paid to the Comptroller pursuant to
19 the preceding sentence shall be deposited into the
20 Comptroller's Audit Expense Revolving Fund.

21 (c) The Comptroller may decline to order an audit or the
22 completion of the supplemental report if an initial examination
23 of the books and records of the municipality indicates that
24 books and records of the municipality are inadequate or
25 unavailable to support the preparation of the audit report or
26 the supplemental report due to the passage of time or the

1 occurrence of a natural disaster.

2 (d) The State Comptroller may grant extensions for
3 delinquent audits or reports. The Comptroller may charge a
4 municipality a fee for a delinquent audit or report of \$5 per
5 day for the first 15 days past due, \$10 per day for 16 through
6 30 days past due, \$15 per day for 31 through 45 days past due,
7 and \$20 per day for the 46th day and every day thereafter.
8 These amounts may be reduced at the Comptroller's discretion.

9 All fees collected under this subsection (d) shall be deposited
10 into the Comptroller's Administrative Fund.

11 (Source: P.A. 97-890, eff. 8-2-12; 97-1142, eff. 12-28-12.)

12 (65 ILCS 5/11-74.4-5) (from Ch. 24, par. 11-74.4-5)

13 Sec. 11-74.4-5. Public hearing; joint review board.

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

1 redevelopment project areas under Section 11-74.4-4;
2 thereafter the changes made by this amendatory Act of the 91st
3 General Assembly apply to the same extent that they apply to
4 redevelopment plans and redevelopment projects that were
5 approved and redevelopment projects that were designated
6 before the effective date of this amendatory Act of the 91st
7 General Assembly.

8 Prior to the adoption of an ordinance proposing the
9 designation of a redevelopment project area, or approving a
10 redevelopment plan or redevelopment project, the municipality
11 by its corporate authorities, or as it may determine by any
12 commission designated under subsection (k) of Section
13 11-74.4-4 shall adopt an ordinance or resolution fixing a time
14 and place for public hearing. At least 10 days prior to the
15 adoption of the ordinance or resolution establishing the time
16 and place for the public hearing, the municipality shall make
17 available for public inspection a redevelopment plan or a
18 separate report that provides in reasonable detail the basis
19 for the eligibility of the redevelopment project area. The
20 report along with the name of a person to contact for further
21 information shall be sent within a reasonable time after the
22 adoption of such ordinance or resolution to the affected taxing
23 districts by certified mail. On and after the effective date of
24 this amendatory Act of the 91st General Assembly, the
25 municipality shall print in a newspaper of general circulation
26 within the municipality a notice that interested persons may

1 register with the municipality in order to receive information
2 on the proposed designation of a redevelopment project area or
3 the approval of a redevelopment plan. The notice shall state
4 the place of registration and the operating hours of that
5 place. The municipality shall have adopted reasonable rules to
6 implement this registration process under Section 11-74.4-4.2.
7 The municipality shall provide notice of the availability of
8 the redevelopment plan and eligibility report, including how to
9 obtain this information, by mail within a reasonable time after
10 the adoption of the ordinance or resolution, to all residential
11 addresses that, after a good faith effort, the municipality
12 determines are located outside the proposed redevelopment
13 project area and within 750 feet of the boundaries of the
14 proposed redevelopment project area. This requirement is
15 subject to the limitation that in a municipality with a
16 population of over 100,000, if the total number of residential
17 addresses outside the proposed redevelopment project area and
18 within 750 feet of the boundaries of the proposed redevelopment
19 project area exceeds 750, the municipality shall be required to
20 provide the notice to only the 750 residential addresses that,
21 after a good faith effort, the municipality determines are
22 outside the proposed redevelopment project area and closest to
23 the boundaries of the proposed redevelopment project area.
24 Notwithstanding the foregoing, notice given after August 7,
25 2001 (the effective date of Public Act 92-263) and before the
26 effective date of this amendatory Act of the 92nd General

1 Assembly to residential addresses within 750 feet of the
2 boundaries of a proposed redevelopment project area shall be
3 deemed to have been sufficiently given in compliance with this
4 Act if given only to residents outside the boundaries of the
5 proposed redevelopment project area. The notice shall also be
6 provided by the municipality, regardless of its population, to
7 those organizations and residents that have registered with the
8 municipality for that information in accordance with the
9 registration guidelines established by the municipality under
10 Section 11-74.4-4.2.

11 At the public hearing any interested person or affected
12 taxing district may file with the municipal clerk written
13 objections to and may be heard orally in respect to any issues
14 embodied in the notice. The municipality shall hear all
15 protests and objections at the hearing and the hearing may be
16 adjourned to another date without further notice other than a
17 motion to be entered upon the minutes fixing the time and place
18 of the subsequent hearing. At the public hearing or at any time
19 prior to the adoption by the municipality of an ordinance
20 approving a redevelopment plan, the municipality may make
21 changes in the redevelopment plan. Changes which (1) add
22 additional parcels of property to the proposed redevelopment
23 project area, (2) substantially affect the general land uses
24 proposed in the redevelopment plan, (3) substantially change
25 the nature of or extend the life of the redevelopment project,
26 or (4) increase the number of inhabited residential units to be

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

25 (b) Prior to holding a public hearing to approve or amend a
26 redevelopment plan or to designate or add additional parcels of

1 property to a redevelopment project area, the municipality
2 shall convene a joint review board. The board shall consist of
3 a representative selected by each community college district,
4 local elementary school district and high school district or
5 each local community unit school district, park district,
6 library district, township, fire protection district, and
7 county that will have the authority to directly levy taxes on
8 the property within the proposed redevelopment project area at
9 the time that the proposed redevelopment project area is
10 approved, a representative selected by the municipality and a
11 public member. The public member shall first be selected and
12 then the board's chairperson shall be selected by a majority of
13 the board members present and voting.

14 For redevelopment project areas with redevelopment plans
15 or proposed redevelopment plans that would result in the
16 displacement of residents from 10 or more inhabited residential
17 units or that include 75 or more inhabited residential units,
18 the public member shall be a person who resides in the
19 redevelopment project area. If, as determined by the housing
20 impact study provided for in paragraph (5) of subsection (n) of
21 Section 11-74.4-3, or if no housing impact study is required
22 then based on other reasonable data, the majority of
23 residential units are occupied by very low, low, or moderate
24 income households, as defined in Section 3 of the Illinois
25 Affordable Housing Act, the public member shall be a person who
26 resides in very low, low, or moderate income housing within the

1 redevelopment project area. Municipalities with fewer than
2 15,000 residents shall not be required to select a person who
3 lives in very low, low, or moderate income housing within the
4 redevelopment project area, provided that the redevelopment
5 plan or project will not result in displacement of residents
6 from 10 or more inhabited units, and the municipality so
7 certifies in the plan. If no person satisfying these
8 requirements is available or if no qualified person will serve
9 as the public member, then the joint review board is relieved
10 of this paragraph's selection requirements for the public
11 member.

12 Within 90 days of the effective date of this amendatory Act
13 of the 91st General Assembly, each municipality that designated
14 a redevelopment project area for which it was not required to
15 convene a joint review board under this Section shall convene a
16 joint review board to perform the duties specified under
17 paragraph (e) of this Section.

18 All board members shall be appointed and the first board
19 meeting shall be held at least 14 days but not more than 28
20 days after the mailing of notice by the municipality to the
21 taxing districts as required by Section 11-74.4-6(c).
22 Notwithstanding the preceding sentence, a municipality that
23 adopted either a public hearing resolution or a feasibility
24 resolution between July 1, 1999 and July 1, 2000 that called
25 for the meeting of the joint review board within 14 days of
26 notice of public hearing to affected taxing districts is deemed

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

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

25 The board shall base its recommendation to approve or
26 disapprove the redevelopment plan and the designation of the

1 redevelopment project area or the amendment of the
2 redevelopment plan or addition of parcels of property to the
3 redevelopment project area on the basis of the redevelopment
4 project area and redevelopment plan satisfying the plan
5 requirements, the eligibility criteria defined in Section
6 11-74.4-3, and the objectives of this Act.

7 The board shall issue a written report describing why the
8 redevelopment plan and project area or the amendment thereof
9 meets or fails to meet one or more of the objectives of this
10 Act and both the plan requirements and the eligibility criteria
11 defined in Section 11-74.4-3. In the event the Board does not
12 file a report it shall be presumed that these taxing bodies
13 find the redevelopment project area and redevelopment plan
14 satisfy the objectives of this Act and the plan requirements
15 and eligibility criteria.

16 If the board recommends rejection of the matters before it,
17 the municipality will have 30 days within which to resubmit the
18 plan or amendment. During this period, the municipality will
19 meet and confer with the board and attempt to resolve those
20 issues set forth in the board's written report that led to the
21 rejection of the plan or amendment.

22 Notwithstanding the resubmission set forth above, the
23 municipality may commence the scheduled public hearing and
24 either adjourn the public hearing or continue the public
25 hearing until a date certain. Prior to continuing any public
26 hearing to a date certain, the municipality shall announce

1 during the public hearing the time, date, and location for the
2 reconvening of the public hearing. Any changes to the
3 redevelopment plan necessary to satisfy the issues set forth in
4 the joint review board report shall be the subject of a public
5 hearing before the hearing is adjourned if the changes would
6 (1) substantially affect the general land uses proposed in the
7 redevelopment plan, (2) substantially change the nature of or
8 extend the life of the redevelopment project, or (3) increase
9 the number of inhabited residential units to be displaced from
10 the redevelopment project area, as measured from the time of
11 creation of the redevelopment project area, to a total of more
12 than 10. Changes to the redevelopment plan necessary to satisfy
13 the issues set forth in the joint review board report shall not
14 require any further notice or convening of a joint review board
15 meeting, except that any changes to the redevelopment plan that
16 would add additional parcels of property to the proposed
17 redevelopment project area shall be subject to the notice,
18 public hearing, and joint review board meeting requirements
19 established for such changes by subsection (a) of Section
20 11-74.4-5.

21 In the event that the municipality and the board are unable
22 to resolve these differences, or in the event that the
23 resubmitted plan or amendment is rejected by the board, the
24 municipality may proceed with the plan or amendment, but only
25 upon a three-fifths vote of the corporate authority responsible
26 for approval of the plan or amendment, excluding positions of

1 members that are vacant and those members that are ineligible
2 to vote because of conflicts of interest.

3 (c) After a municipality has by ordinance approved a
4 redevelopment plan and designated a redevelopment project
5 area, the plan may be amended and additional properties may be
6 added to the redevelopment project area only as herein
7 provided. Amendments which (1) add additional parcels of
8 property to the proposed redevelopment project area, (2)
9 substantially affect the general land uses proposed in the
10 redevelopment plan, (3) substantially change the nature of the
11 redevelopment project, (4) increase the total estimated
12 redevelopment project costs set out in the redevelopment plan
13 by more than 5% after adjustment for inflation from the date
14 the plan was adopted, (5) add additional redevelopment project
15 costs to the itemized list of redevelopment project costs set
16 out in the redevelopment plan, or (6) increase the number of
17 inhabited residential units to be displaced from the
18 redevelopment project area, as measured from the time of
19 creation of the redevelopment project area, to a total of more
20 than 10, shall be made only after the municipality gives
21 notice, convenes a joint review board, and conducts a public
22 hearing pursuant to the procedures set forth in this Section
23 and in Section 11-74.4-6 of this Act. Changes which do not (1)
24 add additional parcels of property to the proposed
25 redevelopment project area, (2) substantially affect the
26 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 in an
23 electronic format the following information for each
24 redevelopment project area (i) to the State Comptroller under
25 Section 8-8-3.5 of the Illinois Municipal Code, subject to any
26 extensions or exemptions provided at the Comptroller's

1 discretion under that Section, and (ii) to all taxing districts
2 overlapping the redevelopment project area no later than 180
3 days after the close of each municipal fiscal year or as soon
4 thereafter as the audited financial statements become
5 available and, in any case, shall be submitted before the
6 annual meeting of the Joint Review Board to each of the taxing
7 districts that overlap the redevelopment project area:

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

11 (1.5) A list of the redevelopment project areas
12 administered by the municipality and, if applicable, the
13 date each redevelopment project area was designated or
14 terminated by the municipality.

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

18 (3) Certification of the Chief Executive Officer of the
19 municipality that the municipality has complied with all of
20 the requirements of this Act during the preceding fiscal
21 year.

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

24 (5) An analysis of the special tax allocation fund
25 which sets forth:

26 (A) the balance in the special tax allocation fund

1 at the beginning of the fiscal year;

2 (B) all amounts deposited in the special tax
3 allocation fund by source;

4 (C) an itemized list of all expenditures from the
5 special tax allocation fund by category of permissible
6 redevelopment project cost; and

7 (D) the balance in the special tax allocation fund
8 at the end of the fiscal year including a breakdown of
9 that balance by source and a breakdown of that balance
10 identifying any portion of the balance that is
11 required, pledged, earmarked, or otherwise designated
12 for payment of or securing of obligations and
13 anticipated redevelopment project costs. Any portion
14 of such ending balance that has not been identified or
15 is not identified as being required, pledged,
16 earmarked, or otherwise designated for payment of or
17 securing of obligations or anticipated redevelopment
18 projects costs shall be designated as surplus as set
19 forth in Section 11-74.4-7 hereof.

20 (6) A description of all property purchased by the
21 municipality within the redevelopment project area
22 including:

23 (A) Street address.

24 (B) Approximate size or description of property.

25 (C) Purchase price.

26 (D) Seller of property.

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

4 (A) Any project implemented in the preceding
5 fiscal year.

6 (B) A description of the redevelopment activities
7 undertaken.

8 (C) A description of any agreements entered into by
9 the municipality with regard to the disposition or
10 redevelopment of any property within the redevelopment
11 project area or the area within the State Sales Tax
12 Boundary.

13 (D) Additional information on the use of all funds
14 received under this Division and steps taken by the
15 municipality to achieve the objectives of the
16 redevelopment plan.

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

23 (F) Any reports submitted to the municipality by
24 the joint review board.

25 (G) A review of public and, to the extent possible,
26 private investment actually undertaken to date after

1 the effective date of this amendatory Act of the 91st
2 General Assembly and estimated to be undertaken during
3 the following year. This review shall, on a
4 project-by-project basis, set forth the estimated
5 amounts of public and private investment incurred
6 after the effective date of this amendatory Act of the
7 91st General Assembly and provide the ratio of private
8 investment to public investment to the date of the
9 report and as estimated to the completion of the
10 redevelopment project.

11 (8) With regard to any obligations issued by the
12 municipality:

13 (A) copies of any official statements; and

14 (B) an analysis prepared by financial advisor or
15 underwriter setting forth: (i) nature and term of
16 obligation; and (ii) projected debt service including
17 required reserves and debt coverage.

18 (9) For special tax allocation funds that have
19 experienced cumulative deposits of incremental tax
20 revenues of \$100,000 or more, a certified audit report
21 reviewing compliance with this Act performed by an
22 independent public accountant certified and licensed by
23 the authority of the State of Illinois. The financial
24 portion of the audit must be conducted in accordance with
25 Standards for Audits of Governmental Organizations,
26 Programs, Activities, and Functions adopted by the

1 Comptroller General of the United States (1981), as
2 amended, or the standards specified by Section 8-8-5 of the
3 Illinois Municipal Auditing Law of the Illinois Municipal
4 Code. The audit report shall contain a letter from the
5 independent certified public accountant indicating
6 compliance or noncompliance with the requirements of
7 subsection (q) of Section 11-74.4-3. For redevelopment
8 plans or projects that would result in the displacement of
9 residents from 10 or more inhabited residential units or
10 that contain 75 or more inhabited residential units, notice
11 of the availability of the information, including how to
12 obtain the report, required in this subsection shall also
13 be sent by mail to all residents or organizations that
14 operate in the municipality that register with the
15 municipality for that information according to
16 registration procedures adopted under Section 11-74.4-4.2.
17 All municipalities are subject to this provision.

18 (10) A list of all intergovernmental agreements in
19 effect during the fiscal year to which the municipality is
20 a party and an accounting of any moneys transferred or
21 received by the municipality during that fiscal year
22 pursuant to those intergovernmental agreements.

23 (d-1) Prior to the effective date of this amendatory Act of
24 the 91st General Assembly, municipalities with populations of
25 over 1,000,000 shall, after adoption of a redevelopment plan or
26 project, make available upon request to any taxing district in

1 which the redevelopment project area is located the following
2 information:

3 (1) Any amendments to the redevelopment plan, the
4 redevelopment project area, or the State Sales Tax
5 Boundary; and

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

11 (e) The joint review board shall meet annually 180 days
12 after the close of the municipal fiscal year or as soon as the
13 redevelopment project audit for that fiscal year becomes
14 available to review the effectiveness and status of the
15 redevelopment project area up to that date.

16 (f) (Blank).

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

26 (h) On and after the effective date of this amendatory Act

1 of the 96th General Assembly, the State Comptroller must post
2 on the State Comptroller's official website the information
3 submitted by a municipality pursuant to subsection (d) of this
4 Section. The information must be posted no later than 45 days
5 after the State Comptroller receives the information from the
6 municipality. The State Comptroller must also post a list of
7 the municipalities not in compliance with the reporting
8 requirements set forth in subsection (d) of this Section.

9 (i) No later than 10 years after the corporate authorities
10 of a municipality adopt an ordinance to establish a
11 redevelopment project area, the municipality must compile a
12 status report concerning the redevelopment project area. The
13 status report must detail without limitation the following: (i)
14 the amount of revenue generated within the redevelopment
15 project area, (ii) any expenditures made by the municipality
16 for the redevelopment project area including without
17 limitation expenditures from the special tax allocation fund,
18 (iii) the status of planned activities, goals, and objectives
19 set forth in the redevelopment plan including details on new or
20 planned construction within the redevelopment project area,
21 (iv) the amount of private and public investment within the
22 redevelopment project area, and (v) any other relevant
23 evaluation or performance data. Within 30 days after the
24 municipality compiles the status report, the municipality must
25 hold at least one public hearing concerning the report. The
26 municipality must provide 20 days' public notice of the

1 hearing.

2 (j) Beginning in fiscal year 2011 and in each fiscal year
3 thereafter, a municipality must detail in its annual budget (i)
4 the revenues generated from redevelopment project areas by
5 source and (ii) the expenditures made by the municipality for
6 redevelopment project areas.

7 (Source: P.A. 96-1335, eff. 7-27-10.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.