

**SB0767**



**98TH GENERAL ASSEMBLY**

**State of Illinois**

**2013 and 2014**

**SB0767**

Introduced 1/24/2013, by Sen. John J. Cullerton

**SYNOPSIS AS INTRODUCED:**

310 ILCS 67/20

Amends the Affordable Housing Planning and Appeal Act. Makes a technical change in a Section concerning determinations of exempt local governments.

LRB098 04991 KTG 35021 b

**A BILL FOR**

1 AN ACT concerning housing.

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

4 Section 5. The Affordable Housing Planning and Appeal Act  
5 is amended by changing Section 20 as follows:

6 (310 ILCS 67/20)

7 Sec. 20. Determination of exempt local governments.

8 (a) Beginning October 1, 2004, the ~~the~~ Illinois Housing  
9 Development Authority shall determine which local governments  
10 are exempt and not exempt from the operation of this Act based  
11 on an identification of the total number of year-round housing  
12 units in the most recent decennial census for each local  
13 government within the State and by an inventory of for-sale and  
14 rental affordable housing units, as defined in this Act, for  
15 each local government from the decennial census and other  
16 relevant sources.

17 (b) The Illinois Housing Development Authority shall make  
18 this determination by:

19 (i) totaling the number of for-sale housing units in  
20 each local government that are affordable to households  
21 with a gross household income that is less than 80% of the  
22 median household income within the county or primary  
23 metropolitan statistical area;

1           (ii) totaling the number of rental units in each local  
2 government that are affordable to households with a gross  
3 household income that is less than 60% of the median  
4 household income within the county or primary metropolitan  
5 statistical area;

6           (iii) adding the number of for-sale and rental units  
7 for each local government from items (i) and (ii); and

8           (iv) dividing the sum of (iii) above by the total  
9 number of year-round housing units in the local government  
10 as contained in the latest decennial census and multiplying  
11 the result by 100 to determine the percentage of affordable  
12 housing units within the jurisdiction of the local  
13 government.

14           (c) Beginning October 1, 2004, the Illinois Housing  
15 Development Authority shall publish on an annual basis a list  
16 of exempt and non-exempt local governments and the data that it  
17 used to calculate its determination. The data shall be shown  
18 for each local government in the State and for the State as a  
19 whole. Upon publishing a list of exempt and non-exempt local  
20 governments, the Illinois Housing Development Authority shall  
21 notify a local government that it is not exempt from the  
22 operation of this Act and provide to it the data used to  
23 calculate its determination.

24           (d) A local government or developer of affordable housing  
25 may appeal the determination of the Illinois Housing  
26 Development Authority as to whether the local government is

1 exempt or non-exempt under this Act in connection with an  
2 appeal under Section 30 of this Act.

3 (Source: P.A. 93-595, eff. 1-1-04; 93-678, eff. 6-28-04.)