



Original Research:

2008
TIF State-By-State
Report

Released December 2008



Original Research: 2008 TIF State-By-State Report

Report Overview

Tax increment financing (TIF), also known by a variety of similar names such as RAD, TAD and TIRZ, is the leading economic development finance tool nationwide. Today, 49 states and the District of Columbia, have tax increment type statutes in place with hundreds of projects financed annually. Understanding the various rules, regulations, limitations and the relative flexibility of these statutes is a vital part of making sound decisions when using tax increment financing to spur development, redevelopment and new investment in the community.

The **CDFA 2008 TIF State-By-State Report** is a detailed review of the current state statutes and related regulations governing the use of tax increment and similar special district financing tools throughout the country. This information has been collected by CDFA with the help from practitioners in the industry, and every effort has been made to verify the accuracy of the data provided in this report.

In 2009, CDFA will launch a **National TIF Resource Center** with this information cataloged in a searchable and comparable online database. All 50 of the state statutes profiled in this report can be found online in CDFA's **TIF Resource Library** which provides over 300 TIF related resources.

State & Page Numbers

Alabama	1	Louisiana	18	Ohio	35
Alaska	2	Maine	19	Oklahoma	36
Arkansas	3	Massachusetts	20	Oregon	37
California	4	Maryland	21	Pennsylvania	38
Colorado	5	Michigan	22	Rhode Island	39
Connecticut	6	Minnesota	23	South Carolina	40
Delaware	7	Mississippi	24	South Dakota	41
District of Columbia	8	Missouri	25	Tennessee	42
Florida	9	Montana	26	Texas	43
Georgia	10	Nebraska	27	Utah	44
Hawaii	11	Nevada	28	Vermont	45
Idaho	12	New Hampshire	29	Virginia	46
Illinois	13	New Jersey	30	Washington	47
Indiana	14	New Mexico	31	West Virginia	48
Iowa	15	New York	32	Wisconsin	49
Kansas	16	North Carolina	33	Wyoming	50
Kentucky	17	North Dakota	34		

Note: Arizona does not have a TIF statute

This report is intended to provide accurate and authoritative information in regard to the subject matter covered. CDFA is not herein engaged in rendering legal, accounting or other professional services, nor does it intend that the material included herein be relied upon to the exclusion of outside counsel. CDFA is not responsible for the accuracy of the information provided in this report. The information provided has been collected from a variety of sources. Those seeking to conduct complex financial deals using the tools mentioned in this document are encouraged to seek the advice of a skilled legal/consulting professional.



Original Research: 2008 TIF State-By-State Report

ALABAMA

Year Authorized: 1987

State Statute: Sections 11-99-1, et. seq.

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds, Pay As You Go, General Funds

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County

Approval Agencies: City Council, County

Requirements for District Creation: Blight Requirement, Public Hearings

Maximum Length of District: 30 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply, environmental impact studies, land assembly costs, professional services, financing costs

Eminent Domain Use Allowed: Yes, Powers granted in the authorizing statute are expressly for public uses and purposes for which the power of eminent domain may be exercised.

Special Features:

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

ALASKA

Year Authorized: 2001

State Statute: Sec. 29.47.460

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds, Pay As You Go, Loans, Appropriations, Special Assessments

May Be Used with Special Assessment Tools: Yes

Authorized Users: Municipality

Approval Agencies: Municipality

Requirements for District Creation: Blight Requirement

Maximum Length of District: No limit

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: No

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Not specific, all could apply

Eligible Uses: Acquisition, construction, rehabilitation or development

Eminent Domain Use Allowed: Yes

Special Features: Very broad statute. Very few limitations or clarifications on details.

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

ARKANSAS

Year Authorized: 2001

State Statute: §§ 14-168-301 et seq.

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax, PILOTs

Financing Options: Appropriations, Redevelopment Bonds

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County, Township

Approval Agencies: City Council, Town Council, Quorum Court of the County

Requirements for District Creation: Blight Requirement, Feasibility Study, Public Hearings

Maximum Length of District: 25 Years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply, all capital improvements of public nature as defined by law

Eminent Domain Use Allowed: Yes

Special Features:

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

CALIFORNIA

Year Authorized: 1952

State Statute: California Community Redevelopment Act

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: Pay As You Go, Tax Allocation Bonds, Loans

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County

Approval Agencies: Community Redevelopment Agency Board

Requirements for District Creation: Blight Requirement

Maximum Length of District: 50 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: No

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, wastewater treatment facilities, water supply, must help eliminate blight. no city halls, casinos

Eminent Domain Use Allowed: Yes, cannot use eminent domain to acquire single-family residences

Special Features: 20% of TIF receipts must go to Affordable Housing.

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

COLORADO

Year Authorized: 1974

State Statute: 31-25-107-Urban Renewal authority
y31-25-807-Downtown development authority

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax, Sales Tax

Financing Options: Loans, Appropriations, Special Assessments, Revenue bonds

May Be Used with Special Assessment Tools: Yes, would require creation of district pursuant to separate statute.

Authorized Users: City

Approval Agencies: Some limited involvement of county and school districts

Requirements for District Creation: Blight Requirement, Public Hearings, Impact Report to County

Maximum Length of District: 25 to 50 years depending on the statute

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes

Special Features:

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

CONNECTICUT

Year Authorized: 1972 or prior

State Statute: Chapter 132

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax (municipalities), Sales Tax (state)

Financing Options: GO Bonds, Special Assessments, Special Revenue Bonds

May Be Used with Special Assessment Tools: Yes, but not if the same source of revenue is pledged

Authorized Users: City, Town

Approval Agencies: City Council, State

Requirements for District Creation: Feasibility Study, Creation of Local Development Agency

Maximum Length of District: Bonds must be repaid in 40 years. District doesn't expire.

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed:

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Commercial, Industrial

Eligible Uses: Beautification components & related hardware, bridge construction & repair, building acquisition, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, land acquisition & relocation, landscaping, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes

Special Features:

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

DELAWARE

Year Authorized: 2002

State Statute: Title 22 Municipalities, Chapter 17 Municipal Tax Increment Financing Act

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax, Allows Pledge of Any Other Assets

Financing Options: GO Bonds, Pay As You Go, Loans, Special Assessments, May Pledge Any Other Assets

May Be Used with Special Assessment Tools: Yes, there is separate statutory authority for special development districts

Authorized Users: City, County, Wilmington, Sussex, Other city via charter amendment

Approval Agencies: School Board/District, City Council, County, Delegated by bond issuer

Requirements for District Creation: Blight Requirement, "But For" Test, Feasibility Study, Public Hearings, Consistent with Comprehensive Plan

Maximum Length of District: 30 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply, schools, recreational, relocating business/people

Eminent Domain Use Allowed: Yes

Special Features:

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

DISTRICT OF COLUMBIA

Year Authorized: 1998

State Statute: D.C. Code Section 2-1217.01 et seq.

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax, Sales Tax, Catchall allows DC to pledge other assets/funds

Financing Options: GO Bonds, Pay As You Go, Loans, Special Assessments, DC May Pledge Other Assets/Funds

May Be Used with Special Assessment Tools: Yes, there is separate statutory authority for a special assessment district

Authorized Users: City

Approval Agencies: City Council

Requirements for District Creation: "But For" Test, Cost-Benefit Analysis, Feasibility Study, Various Recommended Criteria

Maximum Length of District: In TIF agreement.

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: No

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply, schools, stadia, museums, retail, land leasing

Eminent Domain Use Allowed: No

Special Features: No.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

FLORIDA

Year Authorized: 1969

State Statute: 163.330-163.463

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: Pay As You Go, Loans, Special Assessments

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County, State

Approval Agencies: Community Redevelopment Agency Board

Requirements for District Creation: Blight Requirement, Public Hearings

Maximum Length of District: Bonds must be repaid between 7 and 40 years.

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components and related hardware, bike lanes in street right of way, bridge construction & repair, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, force mains, hiking and biking trails, land acquisition and relocation, landscaping, lift stations, park improvements, parking structures, pathways that facilitate intermodal transportation, planning costs, public buildings, public golf courses and buildings, public roads, public tunnel systems for private buildings, publicly owned and maintained utilities, sanitary sewers, sewer expansion and repair, sewer pump stations and related equipment, sidewalks, storm drainage, street construction & expansion, traffic signals and related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: No

Special Features:

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

GEORGIA

Year Authorized: 1985

State Statute: Redevelopment Powers O.C.G.A. § 36-44-8

Terminology: Tax Allocation District (TAD)

Eligible Tax Revenue Sources: Property Tax, Sales Tax

Financing Options: Private Activity Revenue Bonds, Pay As You Go

May Be Used with Special Assessment Tools: Yes, TIFs can be established where business/community improvement districts already exist.

Authorized Users: City, County

Approval Agencies: City Council, Community Redevelopment Agency Board

Requirements for District Creation: Public Hearings, area has not been subject to growth/development

Maximum Length of District: Not specified; until redevelopment costs are paid

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes

Special Features: Tax allocation bonds, notes, or other obligations shall mature at such time or times not more than 30 years from their respective dates.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

HAWAII

Year Authorized: 1985

State Statute: Division 1. Title 6 Subtitle 1 Chapter 46 Part IV 46-101

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds, Pay As You Go, Loans, Tax increment bonds in general

May Be Used with Special Assessment Tools: No, not specified in legislation

Authorized Users: County

Approval Agencies: County, Redevelopment agency - if agreement in place

Requirements for District Creation: Consistent With Redevelopment or Other Existing Plans

Maximum Length of District: Determined by ordinance, not until bonds paid off

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Not Specific As to Type - Broad

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply, very broad statute, can be interpreted broadly

Eminent Domain Use Allowed: Not specified

Special Features: Very broad statute.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

IDAHO

Year Authorized: 1987

State Statute: Title 50, Chapter 29, Idaho Code

Terminology: Revenue Allocation District (RAD)

Eligible Tax Revenue Sources: Property Tax

Financing Options: Private Activity Revenue Bonds, Pay As You Go, Loans

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County

Approval Agencies: City Council, Community Redevelopment Agency Board

Requirements for District Creation: Blight Requirement, Feasibility Study, Public Hearings, Consistency with Comprehensive Plan

Maximum Length of District: 24 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use, Public Facilities

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes, After Kelo, can no longer use condemnation for economic development exclusively.

Special Features:

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

ILLINOIS

Year Authorized: 1978

State Statute: 65 Illinois Compiled Statutes 5/11-74.4-1

Terminology: Tax Increment Finance (TIF), Special Tax Allocation Fund

Eligible Tax Revenue Sources: Property Tax, Sales Tax (for certain historic districts)

Financing Options: GO Bonds, Private Activity Revenue Bonds, Pay As You Go, Loans, Special Assessments, Developer Notes; Special Revenue Bonds; Special Service Area Taxes

May Be Used with Special Assessment Tools: Yes, Special Assessments can be used to backstop TIF-backed financings pursuant Illinois Special Service Area Tax Act

Authorized Users: City, County, Township

Approval Agencies: Joint Review Board (advisory capacity), City Council

Requirements for District Creation: Blight Requirement, "But For" Test, Public Hearings, in certain cases, Joint Review Board override by 60% of city council; Housing Impact Study; Map of Land Uses to be funded

Maximum Length of District: 23 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use, Public/Institutional; Vacant Land

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, storm drainage, street construction & expansion, traffic signals & related equipment, wastewater treatment facilities, water supply, job training, day care, affordable housing construction, many of the above only if publicly owned

Eminent Domain Use Allowed: Yes

Special Features: Public registry requirements, public buildings restrictions, no blighting farmland in certain circumstances, intermodal projects greatly facilitated if near a Class 1 railroad, post establishment reporting requirements.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

INDIANA

Year Authorized: 1975

State Statute: 36-7-14 et seq. and 36-7-25 et seq.

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds, Loans, Special Assessments

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County

Approval Agencies: City Council, County

Requirements for District Creation: Blight Requirement, "But For" Test, Public Hearings, (Either Blight or Opportunity for Economic Development Required)

Maximum Length of District: 25 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes, In blighted areas only

Special Features:

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

IOWA

Year Authorized: 1970

State Statute: Chapter 403

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax, Sales Tax

Financing Options: GO Bonds, Pay As You Go, Loans, Appropriations, Special Assessments, TIF Revenue Bonds

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County

Approval Agencies: City Council, County

Requirements for District Creation: Blight Requirement, Public Hearings, Slum Finding or Economic Development Finding

Maximum Length of District: 20 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply,

Eminent Domain Use Allowed: Yes, Recent limitations in the economic development context

Special Features:

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

KANSAS

Year Authorized: 1976

State Statute: 12-1770 et seq

Terminology: Tax Increment Finance, Sales Tax and Revenue districts (STAR)

Eligible Tax Revenue Sources: Property Tax, Sales Tax, Economic Activity Tax, PILOTs, Private Sources, Transient Guest, State or Federal

Financing Options: GO Bonds, Private Activity Revenue Bonds, Pay As You Go, Special Obligation Bonds

May Be Used with Special Assessment Tools: No

Authorized Users: City

Approval Agencies: School Board/District, City Council, County (if affected), State if STAR Bonds sought

Requirements for District Creation: Cost-Benefit Analysis, Feasibility Study, Public Hearings

Maximum Length of District: 20 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: No

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Commercial

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public roads, sanitary sewers, sewer expansion & repair, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, multi sport facilities, museums, river walk facilities

Eminent Domain Use Allowed: Yes

Special Features: Provisions for bioscience development districts and STAR Bond projects

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

KENTUCKY

Year Authorized: 2000

State Statute: 65.7041-65.7083, 65.490-65.499 and KRS 65.680-65.699 limited to development areas established before March 23,2007.

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax, Income Tax, Sales Tax, Corporate Income Tax, Limited Liability Entity Tax

Financing Options: GO Bonds, Pay As You Go, Loans, Special Assessments

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County

Approval Agencies: City Council, County, State if the state chooses to participate

Requirements for District Creation: Blight Requirement, "But For" Test, Cost-Benefit Analysis, Feasibility Study, Public Hearings

Maximum Length of District: 30 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, public buildings, public roads, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, transmission lines, water supply

Eminent Domain Use Allowed: No

Special Features: Potential for state participation

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

LOUISIANA

Year Authorized: 1988

State Statute: Chapter 47 Section 8000

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, Parish

Approval Agencies: TIF Commission

Requirements for District Creation: Public Hearings

Maximum Length of District: 30 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Cultural

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Not specified

Special Features:

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

MAINE

Year Authorized: 1977

State Statute: 30-A, Chapter 206

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Revenue Bonds, Notes, Special Assessments, Grants

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County

Approval Agencies: City Council, State

Requirements for District Creation: Blight Requirement, Public Hearings, Suitable for Commercial Uses

Maximum Length of District: 30 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Commercial, Industrial

Eligible Uses: Beautification components and related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking and biking trails, land acquisition and relocation, landscaping, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems and similar facilities, planning costs, public buildings, public roads, publicly owned and maintained utilities, sanitary sewers, sewer expansion and repair, sewer pump stations and related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals and related equipment, transmission lines, wastewater treatment facilities, water supply,

Eminent Domain Use Allowed: Not specified

Special Features:

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

MARYLAND

Year Authorized: 1980

State Statute: Maryland Economic Development Article, Title 12. Local Development Authorities and Resources, Subtitle 2. Tax Increment Financing Act (Sections 12-201 et seq.)

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Revenue Bonds, Special Assessments

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County, Revenue Authority of Prince George's County

Approval Agencies: City Council, County

Requirements for District Creation: Public Hearings, Resolution must designate area; pledge of revenue.

Maximum Length of District: Not specified

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval:

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use,

Eligible Uses: Bike lanes in street right of way, bridge construction & repair, building acquisition, curb & sidewalk work, debt service, demolition, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, improvements must be for public use & ownership.

Eminent Domain Use Allowed: Yes

Special Features:

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

MASSACHUSETTS

Year Authorized: 2003

State Statute: Chapter 40Q

Terminology: District Improvement Financing (DIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds, Pay As You Go

May Be Used with Special Assessment Tools: Yes, if special legislation is passed. Legislation has been proposed to allow special assessment infrastructure financing(40T) but it has not been passed.

Authorized Users: City, Township

Approval Agencies: City Council, State, Town Board of Selectmen

Requirements for District Creation: Feasibility Study, Public Hearings

Maximum Length of District: 30 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Commercial, Industrial, Mixed-Use, Residential

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, curb & sidewalk work, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public roads, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes

Special Features:

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

MICHIGAN

Year Authorized: 1975

State Statute: Downtown Development Authority (Act 197 of 1975), Tax Increment Finance Authority (Act 450 of 1980), Local Development Finance Authority (Act 281 of 1986), Brownfield Redevelopment Financing Act (Act 381 of 1996), Corridor Improvement Authority Act (Act 280 of 2005), Historical Neighborhood Tax Increment Finance Authority Act (Act 530 of 2004), Neighborhood Improvement Authority (Act 61 of 2007), Water Resource Improvement TIF (Act 94 of 2008)

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: Private Activity Revenue Bonds, Pay As You Go, Loans

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County, Township, Redevelopment Authority

Approval Agencies: TIF Commission, City Council, Community Redevelopment Agency Board, State

Requirements for District Creation: Public Hearings

Maximum Length of District: 30 years or project plan completion

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, wastewater treatment facilities, water supply, demolition, lead/asbestos abatement, site prep

Eminent Domain Use Allowed: Yes, very restrictive

Special Features: Several TIF statutes, each with their own purpose, powers and restrictions.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

MINNESOTA

Year Authorized: 1979

State Statute: Section 469.174 - 469.1799

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds, Pay As You Go, Loans, Interest Reduction Programs

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County, Township, Redevelopment Authority, EDA's, Port Authorities, Special Authorities

Approval Agencies: City Council, County, Governing Body of Authority

Requirements for District Creation: Blight Requirement, "But For" Test, Public Hearings

Maximum Length of District: Up to 26 years of increment collection

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: No

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Bike lanes in street right of way, bridge construction & repair, building acquisition, curb & sidewalk work, debt service, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply, historic preservation, low/mod income housing

Eminent Domain Use Allowed: Yes, Very restrictive in recent years

Special Features:

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

MISSISSIPPI

Year Authorized: 1986

State Statute: 21-45-1

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax, Sales Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds, Pay As You Go, Loans, Special Assessments

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County

Approval Agencies: City Council, County

Requirements for District Creation: Cost-Benefit Analysis, Public Hearings

Maximum Length of District: 30 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, convention centers, curb & sidewalk work, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: No

Special Features: TIF can be used for private development, however the TIF debt is taxable.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

MISSOURI

Year Authorized: 1982

State Statute: Chapter 99, Sections 800 - 865

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax, Income Tax, Sales Tax, Gross Receipts Tax, Economic Activity Tax (50% Sales/Utility/Earnings), PILOTs (Property Tax)

Financing Options: GO Bonds (requires voter approval), Private Activity Revenue Bonds, Pay As You Go, Loans, Appropriations, Special Assessments, TIF Revenue Bonds

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County

Approval Agencies: City Council

Requirements for District Creation: Blight Requirement, "But For" Test, Cost-Benefit Analysis, Public Hearings

Maximum Length of District: 23 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes

Special Features: Under certain circumstances, a portion of the state sales tax or state withholding taxes for a project can be captured, with state approval.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

MONTANA

Year Authorized: 1974

State Statute: Title 7 Section 15 Chapter 42

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: Private Activity Revenue Bonds, Pay As You Go, Loans, Special Assessments, Tax Increment Bonds

May Be Used with Special Assessment Tools: No

Authorized Users: City, County

Approval Agencies: City Council, County, Urban Renewal Authority

Requirements for District Creation: Blight Requirement, Cost-Benefit Analysis, Feasibility Study, Public Hearings, Infrastructure Deficiency in Industrial Cases

Maximum Length of District: 15 years with maximum extension of another 25 years for bond. Districts can exist for the longer of 15 years or the term of any outstanding associated revenue bonds, however, bonds may not be issued after 15 years of district existence.

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, land acquisition & relocation, landscaping, lift stations, lighting, parking structures, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public roads, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, storm drainage, street construction & expansion, transmission lines, wastewater treatment facilities, water supply, see section 7-15-4288 in Montana statutes

Eminent Domain Use Allowed: Yes, may only be utilized by authorized jurisdictions to facilitate public works projects.

Special Features: Urban Blight; Industrial Infrastructure Deficiency; Aerospace Needs; Technology Company Needs

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

NEBRASKA

Year Authorized: 1978

State Statute: Chapter 18, Section 2101.01

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds, Loans

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, Redevelopment Authority

Approval Agencies: School Board/District, City Council

Requirements for District Creation: Blight Requirement, "But For" Test, Cost-Benefit Analysis, Feasibility Study, Public Hearings

Maximum Length of District: 15 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: No

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes

Special Features:

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

NEVADA

Year Authorized: About 1959

State Statute: Chapter 279 for Redevelopment Agency and Chapter 278C for Tax Increment Areas in City or County

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: Loans, Revenue Bonds

May Be Used with Special Assessment Tools: Yes, would require separate district to be formed

Authorized Users: City, County, Redevelopment Authority

Approval Agencies:

Requirements for District Creation: Blight Requirement

Maximum Length of District: 45 years for Redevelopment Areas and 30 years for Tax Increment Finance Areas

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes

Special Features:

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

NEW HAMPSHIRE

Year Authorized: 1979

State Statute: 162:K

Terminology: Development District

Eligible Tax Revenue Sources: Property Tax

Financing Options: Private Activity Revenue Bonds

May Be Used with Special Assessment Tools: No

Authorized Users: City, Township

Approval Agencies: City Council, Board of Selectmen (town)

Requirements for District Creation: Public Hearings

Maximum Length of District: Life of Bonds

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: No

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: No

Special Features:

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

NEW JERSEY

Year Authorized: 2002

State Statute: 52:27D-459 et seq.

Terminology: Revenue Allocation District (RAD)

Eligible Tax Revenue Sources: Sales Tax, PILOTs, Payroll or Wage Taxes, Lease Payments, Parking Tax

Financing Options: GO Bonds, Loans, Revenue Bonds

May Be Used with Special Assessment Tools: Yes

Authorized Users: City

Approval Agencies: Community Redevelopment Agency Board

Requirements for District Creation: Blight Requirement, "But For" Test, Cost-Benefit Analysis, Public Hearings

Maximum Length of District: Not specified

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: No

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Commercial, Industrial

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes

Special Features:

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

NEW MEXICO

Year Authorized: 1978

State Statute: Sections 5-15-1 through 5-15-28 NMSA 1978, Sectopms 6-18-1 et. seq., NMSA 1978 and the Tax Increment for Development Act, Laws 2006, Chapter 75

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax, Gross Receipts Tax

Financing Options: Private Activity Revenue Bonds, Pay As You Go, Loans, Tax Increment Revenue Bonds

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County, State

Approval Agencies: City Council, County, State, State Board of Finance, New Mexico Finance Authority & Legislature

Requirements for District Creation: "But For" Test, Cost-Benefit Analysis, Feasibility Study, Public Hearings, No Net Expense

Maximum Length of District: 25 years from the point of bond issuance

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply, schools

Eminent Domain Use Allowed: No

Special Features: No more than 75% of new revenue for bond repayment. Local tax use requires only local approval. State Gross Receipts Tax use requires State Board of Finance approval. When GRT is bonded, then requires NMFA Board & state legislature approval.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

NEW YORK

Year Authorized: 1984

State Statute: 18-C.

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: Tax Increment Bonds

May Be Used with Special Assessment Tools: Statute is silent regarding this.

Authorized Users: City, County, Township, Municipality or Subdivision Thereof

Approval Agencies: City Council, County, Legislative Body of Creating Municipality

Requirements for District Creation: Blight Requirement, Cost-Benefit Analysis, Feasibility Study, Public Hearings, Compliance with Redevelopment Plan

Maximum Length of District: Silent, but ground leases may not exceed 99 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Curb & sidewalk work, demolition, drainage facilities, land acquisition & relocation, park improvements, parking structures, public roads, sanitary sewers, sewer expansion & repair, sidewalks, storm drainage, street construction & expansion, wastewater treatment facilities, water supply, public improvements related to redevelopment plan

Eminent Domain Use Allowed: Yes

Special Features: Special State legislation can create municipal redevelopment authorities which can include multiple municipalities, state authorities can be utilized with State legislative authorization. The school portion of real property taxes are excluded from paying for TIF debt.

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

NORTH CAROLINA

Year Authorized: 2004

State Statute: All references to North Carolina General Statutes. Financing: Chapter 159 Article 6; City Redevelopment: 160A-515.1; City and County Development: 158-7.3

Terminology: Project Development Financing

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds (Require Referendum), Pay As You Go, Appropriations

May Be Used with Special Assessment Tools: Yes, not specifically addressed.

Authorized Users: City, County

Approval Agencies: City Council (City only if issuer or party to joint agreement), County, State

Requirements for District Creation: "But For" Test, City Redevelopment Requires Blight or Similar

Maximum Length of District: 30 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply, hospitals, schools, community colleges, housing

Eminent Domain Use Allowed: Yes, under general law.

Special Features: Can pledge any revenues available to issuer including sales tax payments from State, so long as not a pledge of full faith and credit of taxing party.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

NORTH DAKOTA

Year Authorized: 1973

State Statute: Chapter 40-58

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Special Assessments

May Be Used with Special Assessment Tools: Yes

Authorized Users: City

Approval Agencies: City Council

Requirements for District Creation: Blight Requirement, Public Hearings

Maximum Length of District: 15 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval:

Qualified Types of Projects: Residential, Commercial, Industrial

Eligible Uses: Bridge construction & repair, curb & sidewalk work, demolition, force mains, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, public roads, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, storm drainage, street construction & expansion, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: No

Special Features:

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

OHIO

Year Authorized: 1976

State Statute: Title 57. Chapter 5709, Chapter 725, Chapter 1728

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds, Pay As You Go, Loans, Appropriations, Special Assessments

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County, Township

Approval Agencies: School Board/District, City Council, County

Requirements for District Creation: Blight Requirement (only required for certain TIFs)

Maximum Length of District: 30 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply, private improvements - property once owned by muni

Eminent Domain Use Allowed: Yes

Special Features: There are other TIF statutes that can be utilized in an urban redevelopment context in addition to the statutes cited.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

OKLAHOMA

Year Authorized: 1992

State Statute: Local Development Act Title 62. Chapter 9. Section 850-869

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax, Sales Tax, Other Local Taxes by Consent of Juris

Financing Options: GO Bonds, Private Activity Revenue Bonds, Loans, Appropriations, Special Assessments

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County

Approval Agencies: City Council, County, Review Committee

Requirements for District Creation: Blight Requirement, "But For" Test, Public Hearings, Project Plan Required

Maximum Length of District: 25 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply, many other elements

Eminent Domain Use Allowed: Yes

Special Features: Can be used for educational buildings. Must produce annual report.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

OREGON

Year Authorized: 1960

State Statute: Chapter 457

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds

May Be Used with Special Assessment Tools: Yes

Authorized Users: Urban Renewal Agency

Approval Agencies: School Board/District, City Council, County, State, All Taxing Agencies

Requirements for District Creation: Blight Requirement, Public Hearings

Maximum Length of District: Not specified

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, public buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes

Special Features:

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

PENNSYLVANIA

Year Authorized: 1990

State Statute: 1990, July 11, P.L. 465, No. 113, § 1

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax, Sales Tax, Gross Receipts Tax, PILOTs, Any Ad Valorem Tax

Financing Options: Pay As You Go, Loans, Special Assessments, TIF Revenue Bonds

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County, Township, Borough, Redevelopment Authority

Approval Agencies: School Board/District, TIF Commission, City Council, County, Local Municipality

Requirements for District Creation: Blight Requirement, Feasibility Study, Public Hearings

Maximum Length of District: 20 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply,

Eminent Domain Use Allowed: Yes

Special Features:

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

RHODE ISLAND

Year Authorized: 1956

State Statute: Chapter 45, Section 33.2

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds, Loans

May Be Used with Special Assessment Tools:

Authorized Users: City

Approval Agencies: Community Redevelopment Agency Board

Requirements for District Creation: Blight Requirement, "But For" Test

Maximum Length of District: 25 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes

Special Features: 45-33.2-18 Annual report. – No later than September 1 of each year a project plan pursuant to this chapter is in effect in a city or town, the city or town shall make a report to the director of the department of economic development.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

SOUTH CAROLINA

Year Authorized: City: 1984 County: 1999

State Statute: Cities: Title 31 Chapter 6 (Sections 31-6-10 and following), Counties: Title 31 Chapter 7 (Sections 31-7-10 and following)

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax, PILOTs, Utility revenues, Assessments, Redevelopment Project Revenues

Financing Options: TIF acts contain bond provisions

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County

Approval Agencies: School Board/District, City Council, County, Each Affected Taxing Entity

Requirements for District Creation: Blight Requirement (not required for Counties), Public Hearings

Maximum Length of District: Not specified

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes, Unrelated to TIF. Eminent domain under general law.

Special Features: Amendment in 2008 permits low income housing to be financed. All projects must be publicly owned, except low income housing.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

SOUTH DAKOTA

Year Authorized: 1978

State Statute: Chapter 11-9

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds, Loans

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County

Approval Agencies: Planning Commission

Requirements for District Creation: Blight Requirement, Feasibility Study

Maximum Length of District: 15 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Commercial, Industrial

Eligible Uses: Beautification components & related hardware, bridge construction & repair, building acquisition, curb & sidewalk work, debt service, demolition, drainage facilities, land acquisition & relocation, park improvements, parking structures, planning costs, public buildings, public golf courses & buildings, public roads, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, storm drainage, street construction & expansion, traffic signals & related equipment

Eminent Domain Use Allowed: Yes

Special Features:

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

TENNESSEE

Year Authorized: 1945

State Statute: 13-20-2

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Pay As You Go

May Be Used with Special Assessment Tools: Not specified

Authorized Users: City, County, Redevelopment Authority

Approval Agencies: TIF Commission, City Council, County

Requirements for District Creation: Blight Requirement

Maximum Length of District: Limited in the redevelopment plan

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Mixed-Use

Eligible Uses: Building acquisition, demolition, land acquisition & relocation, planning costs, public buildings, public roads, sanitary sewers, sewer expansion & repair, costs must be public in nature

Eminent Domain Use Allowed: Yes

Special Features: Tennessee statute 7-88-106 provides for sales tax increment financing, but only in the limited context of "Tourism Development Zones."

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

TEXAS

Year Authorized: 1983

State Statute: Chapter 311 of the Texas Tax Code

Terminology: Tax Increment Finance (TIF)
Tax Increment Reinvestment Zone (TIRZ)

Eligible Tax Revenue Sources: Property Tax, Sales Tax

Financing Options: Pay As You Go, Loans, Tax Increment Contract Bonds, Municipal Bonds

May Be Used with Special Assessment Tools: Yes, Public Improvement Districts, Municipal Utility District, Water Districts and management districts are most common overlays

Authorized Users: City, County, Township

Approval Agencies: City Council, Community Redevelopment Agency Board, County

Requirements for District Creation: "But For" Test, Cost-Benefit Analysis, Feasibility Study, Public Hearings

Maximum Length of District: 40 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply, anything that serves a public purpose can be justified

Eminent Domain Use Allowed: No, except when undertaken by the creating jurisdiction

Special Features:

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

UTAH

Year Authorized: 1968

State Statute: Title 17C

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax, Sales Tax, Economic Activity Tax

Financing Options: Private Activity Revenue Bonds, Pay As You Go, Loans, Appropriations

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County

Approval Agencies: School Board/District, City Council, Community Redevelopment Agency Board, County, State

Requirements for District Creation: Blight Requirement, Cost-Benefit Analysis, Feasibility Study, Public Hearings, Taxing Entities Approval

Maximum Length of District: Depends upon agreement

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes

Special Features: Heavily based upon taxing entity approval as to the amount of TIF available for financing.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

VERMONT

Year Authorized: 1985

State Statute: 24 VSA Sections 1891-1901 and 32 VSA Section 5404a(f)-(k)

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax, State Education Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds, Loans, Housing and Urban Development Section 108 Financing Instruments, State of Vermont Revolving Loan Funds, Interfund Loans Within a Municipality, United States Department of Agriculture Loans

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, Town, or Incorporated Village

Approval Agencies: City Council, State, Municipal legislative body

Requirements for District Creation: "But For" Test, Feasibility Study, Public Hearings, Location criteria, public good outcome; nexus/prop

Maximum Length of District: 20 year limitation on use of tax revenue to pay debt

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, curb & sidewalk work, decorative pavers, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes

Special Features: Districts can utilize incremental municipal property tax and state education property tax revenue. Infrastructure may be outside of TIF District, but use of revenue is subject to nexus and proportionality tests.

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

VIRGINIA

Year Authorized: 1988

State Statute: 58.1-3245 et seq.

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds, Pay As You Go, Loans, Appropriations

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County, Township

Approval Agencies: Governing body of locality

Requirements for District Creation: Blight Requirement, Blight helpful but development needs generally

Maximum Length of District: No specific timeframe

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: No

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Capital expenditures allowed under public finance

Eminent Domain Use Allowed: Yes, but eminent domain is for public purpose not simply economic development

Special Features:

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

WASHINGTON

Year Authorized: 2001

State Statute: chapter 39.89 RCW; chapter 39.102 RCW

Terminology: Increment Area, Revenue Development Area

Eligible Tax Revenue Sources: Property Tax, Sales Tax

Financing Options: GO Bonds, Pay As You Go

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County

Approval Agencies: City Council, County, fire protection district

Requirements for District Creation: "But For" Test, Public Hearings

Maximum Length of District: None

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components and related hardware, bike lanes in street right of way, bridge construction & repair, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking and biking trails, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems and similar facilities, planning costs, public roads, publicly owned and maintained utilities, sanitary sewers, sewer expansion and repair, sewer pump stations and related equipment, sidewalks, storm drainage, street construction & expansion, traffic signals and related equipment

Eminent Domain Use Allowed: No

Special Features: Applicable only to property taxes not approved by vote; or taxes levied by State or school districts

Modified Since 2006: Yes



Original Research: 2008 TIF State-By-State Report

WEST VIRGINIA

Year Authorized: 2002

State Statute: 7-11B or 77-22-7 and 8-38-7 (sales tax)

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: Pay As You Go, Special Assessments, Revenue Bonds payable from taxes off of increment

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County, Only Class I and II cities

Approval Agencies: City Council, County, State

Requirements for District Creation: "But For" Test, Feasibility Study, Public Hearings

Maximum Length of District: 30 years from date of creation of district

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public golf courses & buildings, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes, Only to the extent that eminent domain is available for any project. No special authorization for TIF eminent domain

Special Features:

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

WISCONSIN

Year Authorized: 1975

State Statute: s. 66.1105

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds, Pay As You Go

May Be Used with Special Assessment Tools: Yes

Authorized Users: City, County, Township, village

Approval Agencies: Joint Review Board, City Council

Requirements for District Creation: "But For" Test, Cost-Benefit Analysis, Public Hearings

Maximum Length of District: 23-27 years, depending on type of development

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: Yes

Qualified Types of Projects: Residential, Commercial, Industrial, Mixed-Use

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, convention centers, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public roads, public tunnel systems for private buildings, publicly owned & maintained utilities, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, sky bridges that link public buildings, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes

Special Features:

Modified Since 2006: No



Original Research: 2008 TIF State-By-State Report

WYOMING

Year Authorized: 1983

State Statute: Title 15, Chapter 9

Terminology: Tax Increment Finance (TIF)

Eligible Tax Revenue Sources: Property Tax

Financing Options: GO Bonds, Private Activity Revenue Bonds

May Be Used with Special Assessment Tools:

Authorized Users: City, Township

Approval Agencies: Planning Commission

Requirements for District Creation: Blight Requirement, "But For" Test, Public Hearings

Maximum Length of District: 25 years

Site Specific TIF Allowed: Yes

Area Wide TIF Allowed: Yes

Public Hearings Required for TIF District Authorization: Yes

Public Hearings Required for TIF Deal Approval: No

Qualified Types of Projects: Residential, Commercial, Industrial

Eligible Uses: Beautification components & related hardware, bike lanes in street right of way, bridge construction & repair, building acquisition, curb & sidewalk work, debt service, decorative pavers, demolition, drainage facilities, environmental remediation, force mains, hiking & biking trails, land acquisition & relocation, landscaping, lift stations, lighting, park improvements, parking structures, pathways that facilitate intermodal transportation, pedestrian bridge systems that link commercial centers to transit systems, pedestrian platforms for rail or light rail transit systems & similar facilities, planning costs, public buildings, public roads, sanitary sewers, sewer expansion & repair, sewer pump stations & related equipment, sidewalks, storm drainage, street construction & expansion, traffic signals & related equipment, transmission lines, wastewater treatment facilities, water supply

Eminent Domain Use Allowed: Yes

Special Features:

Modified Since 2006: No