



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2206

Introduced 4/27/2017, by Sen. Kyle McCarter

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-185
35 ILCS 200/18-205
35 ILCS 200/18-214

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that, for the 2017 levy year and thereafter, for certain school districts, "extension limitation" means 0% or the rate of increase approved by the voters. Provides that all school districts in the State are subject to the Property Tax Extension Limitation Law. Provides that qualified school districts may be granted an exemption from the amendatory Act by an affirmative vote of the State Board of Education. Sets forth the qualifications for those school districts. Effective immediately.

LRB100 12543 HLH 25627 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing
5 Sections 18-185, 18-205, and 18-214 and by adding Section
6 18-242 as follows:

7 (35 ILCS 200/18-185)

8 (Text of Section before amendment by P.A. 99-521)

9 Sec. 18-185. Short title; definitions. This Division 5 may
10 be cited as the Property Tax Extension Limitation Law. As used
11 in this Division 5:

12 "Consumer Price Index" means the Consumer Price Index for
13 All Urban Consumers for all items published by the United
14 States Department of Labor.

15 "Extension limitation" means, except as otherwise provided
16 in this paragraph with respect to school districts, (a) the
17 lesser of 5% or the percentage increase in the Consumer Price
18 Index during the 12-month calendar year preceding the levy year
19 or (b) the rate of increase approved by voters under Section
20 18-205. For the 2017 levy year and thereafter, for school
21 districts other than the City of Chicago School District #299
22 and qualified school districts that were subject to this Law in
23 the 2016 levy year, "extension limitation" means 0% or the rate

1 of increase approved by the voters under Section 18-205. For
2 the 2017 levy year and thereafter, for the City of Chicago
3 School District #299 and qualified school districts that were
4 subject to this Law in the 2016 levy year, "extension
5 limitation" means (a) the lesser of 5% or the percentage
6 increase in the Consumer Price Index during the 12-month
7 calendar year preceding the levy year or (b) the rate of
8 increase approved by voters under Section 18-205.

9 "Affected county" means a county of 3,000,000 or more
10 inhabitants or a county contiguous to a county of 3,000,000 or
11 more inhabitants.

12 "Taxing district" has the same meaning provided in Section
13 1-150, except as otherwise provided in this Section. For the
14 1991 through 1994 levy years only, "taxing district" includes
15 only each non-home rule taxing district having the majority of
16 its 1990 equalized assessed value within any county or counties
17 contiguous to a county with 3,000,000 or more inhabitants.
18 Beginning with the 1995 levy year, "taxing district" includes
19 only each non-home rule taxing district subject to this Law
20 before the 1995 levy year and each non-home rule taxing
21 district not subject to this Law before the 1995 levy year
22 having the majority of its 1994 equalized assessed value in an
23 affected county or counties. Beginning with the levy year in
24 which this Law becomes applicable to a taxing district as
25 provided in Section 18-213, "taxing district" also includes
26 those taxing districts made subject to this Law as provided in

1 Section 18-213. For the 2017 levy year and thereafter, "taxing
2 district" also includes each school district in the State, but
3 does not include a qualified school district that was not
4 subject to this Law in the 2016 levy year.

5 "Aggregate extension" for taxing districts to which this
6 Law applied before the 1995 levy year means the annual
7 corporate extension for the taxing district and those special
8 purpose extensions that are made annually for the taxing
9 district, excluding special purpose extensions: (a) made for
10 the taxing district to pay interest or principal on general
11 obligation bonds that were approved by referendum; (b) made for
12 any taxing district to pay interest or principal on general
13 obligation bonds issued before October 1, 1991; (c) made for
14 any taxing district to pay interest or principal on bonds
15 issued to refund or continue to refund those bonds issued
16 before October 1, 1991; (d) made for any taxing district to pay
17 interest or principal on bonds issued to refund or continue to
18 refund bonds issued after October 1, 1991 that were approved by
19 referendum; (e) made for any taxing district to pay interest or
20 principal on revenue bonds issued before October 1, 1991 for
21 payment of which a property tax levy or the full faith and
22 credit of the unit of local government is pledged; however, a
23 tax for the payment of interest or principal on those bonds
24 shall be made only after the governing body of the unit of
25 local government finds that all other sources for payment are
26 insufficient to make those payments; (f) made for payments

1 under a building commission lease when the lease payments are
2 for the retirement of bonds issued by the commission before
3 October 1, 1991, to pay for the building project; (g) made for
4 payments due under installment contracts entered into before
5 October 1, 1991; (h) made for payments of principal and
6 interest on bonds issued under the Metropolitan Water
7 Reclamation District Act to finance construction projects
8 initiated before October 1, 1991; (i) made for payments of
9 principal and interest on limited bonds, as defined in Section
10 3 of the Local Government Debt Reform Act, in an amount not to
11 exceed the debt service extension base less the amount in items
12 (b), (c), (e), and (h) of this definition for non-referendum
13 obligations, except obligations initially issued pursuant to
14 referendum; (j) made for payments of principal and interest on
15 bonds issued under Section 15 of the Local Government Debt
16 Reform Act; (k) made by a school district that participates in
17 the Special Education District of Lake County, created by
18 special education joint agreement under Section 10-22.31 of the
19 School Code, for payment of the school district's share of the
20 amounts required to be contributed by the Special Education
21 District of Lake County to the Illinois Municipal Retirement
22 Fund under Article 7 of the Illinois Pension Code; the amount
23 of any extension under this item (k) shall be certified by the
24 school district to the county clerk; (l) made to fund expenses
25 of providing joint recreational programs for persons with
26 disabilities under Section 5-8 of the Park District Code or

1 Section 11-95-14 of the Illinois Municipal Code; (m) made for
2 temporary relocation loan repayment purposes pursuant to
3 Sections 2-3.77 and 17-2.2d of the School Code; (n) made for
4 payment of principal and interest on any bonds issued under the
5 authority of Section 17-2.2d of the School Code; (o) made for
6 contributions to a firefighter's pension fund created under
7 Article 4 of the Illinois Pension Code, to the extent of the
8 amount certified under item (5) of Section 4-134 of the
9 Illinois Pension Code; and (p) made for road purposes in the
10 first year after a township assumes the rights, powers, duties,
11 assets, property, liabilities, obligations, and
12 responsibilities of a road district abolished under the
13 provisions of Section 6-133 of the Illinois Highway Code.

14 "Aggregate extension" for the taxing districts to which
15 this Law did not apply before the 1995 levy year (except taxing
16 districts subject to this Law in accordance with Section
17 18-213) means the annual corporate extension for the taxing
18 district and those special purpose extensions that are made
19 annually for the taxing district, excluding special purpose
20 extensions: (a) made for the taxing district to pay interest or
21 principal on general obligation bonds that were approved by
22 referendum; (b) made for any taxing district to pay interest or
23 principal on general obligation bonds issued before March 1,
24 1995; (c) made for any taxing district to pay interest or
25 principal on bonds issued to refund or continue to refund those
26 bonds issued before March 1, 1995; (d) made for any taxing

1 district to pay interest or principal on bonds issued to refund
2 or continue to refund bonds issued after March 1, 1995 that
3 were approved by referendum; (e) made for any taxing district
4 to pay interest or principal on revenue bonds issued before
5 March 1, 1995 for payment of which a property tax levy or the
6 full faith and credit of the unit of local government is
7 pledged; however, a tax for the payment of interest or
8 principal on those bonds shall be made only after the governing
9 body of the unit of local government finds that all other
10 sources for payment are insufficient to make those payments;
11 (f) made for payments under a building commission lease when
12 the lease payments are for the retirement of bonds issued by
13 the commission before March 1, 1995 to pay for the building
14 project; (g) made for payments due under installment contracts
15 entered into before March 1, 1995; (h) made for payments of
16 principal and interest on bonds issued under the Metropolitan
17 Water Reclamation District Act to finance construction
18 projects initiated before October 1, 1991; (h-4) made for
19 stormwater management purposes by the Metropolitan Water
20 Reclamation District of Greater Chicago under Section 12 of the
21 Metropolitan Water Reclamation District Act; (i) made for
22 payments of principal and interest on limited bonds, as defined
23 in Section 3 of the Local Government Debt Reform Act, in an
24 amount not to exceed the debt service extension base less the
25 amount in items (b), (c), and (e) of this definition for
26 non-referendum obligations, except obligations initially

1 issued pursuant to referendum and bonds described in subsection
2 (h) of this definition; (j) made for payments of principal and
3 interest on bonds issued under Section 15 of the Local
4 Government Debt Reform Act; (k) made for payments of principal
5 and interest on bonds authorized by Public Act 88-503 and
6 issued under Section 20a of the Chicago Park District Act for
7 aquarium or museum projects; (l) made for payments of principal
8 and interest on bonds authorized by Public Act 87-1191 or
9 93-601 and (i) issued pursuant to Section 21.2 of the Cook
10 County Forest Preserve District Act, (ii) issued under Section
11 42 of the Cook County Forest Preserve District Act for
12 zoological park projects, or (iii) issued under Section 44.1 of
13 the Cook County Forest Preserve District Act for botanical
14 gardens projects; (m) made pursuant to Section 34-53.5 of the
15 School Code, whether levied annually or not; (n) made to fund
16 expenses of providing joint recreational programs for persons
17 with disabilities under Section 5-8 of the Park District Code
18 or Section 11-95-14 of the Illinois Municipal Code; (o) made by
19 the Chicago Park District for recreational programs for persons
20 with disabilities under subsection (c) of Section 7.06 of the
21 Chicago Park District Act; (p) made for contributions to a
22 firefighter's pension fund created under Article 4 of the
23 Illinois Pension Code, to the extent of the amount certified
24 under item (5) of Section 4-134 of the Illinois Pension Code;
25 and (q) made by Ford Heights School District 169 under Section
26 17-9.02 of the School Code.

1 "Aggregate extension" for all taxing districts to which
2 this Law applies in accordance with Section 18-213, except for
3 those taxing districts subject to paragraph (2) of subsection
4 (e) of Section 18-213, means the annual corporate extension for
5 the taxing district and those special purpose extensions that
6 are made annually for the taxing district, excluding special
7 purpose extensions: (a) made for the taxing district to pay
8 interest or principal on general obligation bonds that were
9 approved by referendum; (b) made for any taxing district to pay
10 interest or principal on general obligation bonds issued before
11 the date on which the referendum making this Law applicable to
12 the taxing district is held; (c) made for any taxing district
13 to pay interest or principal on bonds issued to refund or
14 continue to refund those bonds issued before the date on which
15 the referendum making this Law applicable to the taxing
16 district is held; (d) made for any taxing district to pay
17 interest or principal on bonds issued to refund or continue to
18 refund bonds issued after the date on which the referendum
19 making this Law applicable to the taxing district is held if
20 the bonds were approved by referendum after the date on which
21 the referendum making this Law applicable to the taxing
22 district is held; (e) made for any taxing district to pay
23 interest or principal on revenue bonds issued before the date
24 on which the referendum making this Law applicable to the
25 taxing district is held for payment of which a property tax
26 levy or the full faith and credit of the unit of local

1 government is pledged; however, a tax for the payment of
2 interest or principal on those bonds shall be made only after
3 the governing body of the unit of local government finds that
4 all other sources for payment are insufficient to make those
5 payments; (f) made for payments under a building commission
6 lease when the lease payments are for the retirement of bonds
7 issued by the commission before the date on which the
8 referendum making this Law applicable to the taxing district is
9 held to pay for the building project; (g) made for payments due
10 under installment contracts entered into before the date on
11 which the referendum making this Law applicable to the taxing
12 district is held; (h) made for payments of principal and
13 interest on limited bonds, as defined in Section 3 of the Local
14 Government Debt Reform Act, in an amount not to exceed the debt
15 service extension base less the amount in items (b), (c), and
16 (e) of this definition for non-referendum obligations, except
17 obligations initially issued pursuant to referendum; (i) made
18 for payments of principal and interest on bonds issued under
19 Section 15 of the Local Government Debt Reform Act; (j) made
20 for a qualified airport authority to pay interest or principal
21 on general obligation bonds issued for the purpose of paying
22 obligations due under, or financing airport facilities
23 required to be acquired, constructed, installed or equipped
24 pursuant to, contracts entered into before March 1, 1996 (but
25 not including any amendments to such a contract taking effect
26 on or after that date); (k) made to fund expenses of providing

1 joint recreational programs for persons with disabilities
2 under Section 5-8 of the Park District Code or Section 11-95-14
3 of the Illinois Municipal Code; (l) made for contributions to a
4 firefighter's pension fund created under Article 4 of the
5 Illinois Pension Code, to the extent of the amount certified
6 under item (5) of Section 4-134 of the Illinois Pension Code;
7 and (m) made for the taxing district to pay interest or
8 principal on general obligation bonds issued pursuant to
9 Section 19-3.10 of the School Code.

10 "Aggregate extension" for all taxing districts to which
11 this Law applies in accordance with paragraph (2) of subsection
12 (e) of Section 18-213 means the annual corporate extension for
13 the taxing district and those special purpose extensions that
14 are made annually for the taxing district, excluding special
15 purpose extensions: (a) made for the taxing district to pay
16 interest or principal on general obligation bonds that were
17 approved by referendum; (b) made for any taxing district to pay
18 interest or principal on general obligation bonds issued before
19 the effective date of this amendatory Act of 1997; (c) made for
20 any taxing district to pay interest or principal on bonds
21 issued to refund or continue to refund those bonds issued
22 before the effective date of this amendatory Act of 1997; (d)
23 made for any taxing district to pay interest or principal on
24 bonds issued to refund or continue to refund bonds issued after
25 the effective date of this amendatory Act of 1997 if the bonds
26 were approved by referendum after the effective date of this

1 amendatory Act of 1997; (e) made for any taxing district to pay
2 interest or principal on revenue bonds issued before the
3 effective date of this amendatory Act of 1997 for payment of
4 which a property tax levy or the full faith and credit of the
5 unit of local government is pledged; however, a tax for the
6 payment of interest or principal on those bonds shall be made
7 only after the governing body of the unit of local government
8 finds that all other sources for payment are insufficient to
9 make those payments; (f) made for payments under a building
10 commission lease when the lease payments are for the retirement
11 of bonds issued by the commission before the effective date of
12 this amendatory Act of 1997 to pay for the building project;
13 (g) made for payments due under installment contracts entered
14 into before the effective date of this amendatory Act of 1997;
15 (h) made for payments of principal and interest on limited
16 bonds, as defined in Section 3 of the Local Government Debt
17 Reform Act, in an amount not to exceed the debt service
18 extension base less the amount in items (b), (c), and (e) of
19 this definition for non-referendum obligations, except
20 obligations initially issued pursuant to referendum; (i) made
21 for payments of principal and interest on bonds issued under
22 Section 15 of the Local Government Debt Reform Act; (j) made
23 for a qualified airport authority to pay interest or principal
24 on general obligation bonds issued for the purpose of paying
25 obligations due under, or financing airport facilities
26 required to be acquired, constructed, installed or equipped

1 pursuant to, contracts entered into before March 1, 1996 (but
2 not including any amendments to such a contract taking effect
3 on or after that date); (k) made to fund expenses of providing
4 joint recreational programs for persons with disabilities
5 under Section 5-8 of the Park District Code or Section 11-95-14
6 of the Illinois Municipal Code; and (l) made for contributions
7 to a firefighter's pension fund created under Article 4 of the
8 Illinois Pension Code, to the extent of the amount certified
9 under item (5) of Section 4-134 of the Illinois Pension Code.

10 "Aggregate extension" means, beginning in levy year 2017,
11 for school districts that were not subject to this Law in the
12 2016 levy year, the annual corporate extension for the school
13 district and those special purpose extensions that are made
14 annually for the school district.

15 "Debt service extension base" means an amount equal to that
16 portion of the extension for a taxing district for the 1994
17 levy year, or for those taxing districts subject to this Law in
18 accordance with Section 18-213, except for those subject to
19 paragraph (2) of subsection (e) of Section 18-213, for the levy
20 year in which the referendum making this Law applicable to the
21 taxing district is held, or for those taxing districts subject
22 to this Law in accordance with paragraph (2) of subsection (e)
23 of Section 18-213 for the 1996 levy year, or for school
24 districts that were not subject to this Law in the 2016 levy
25 year for the 2016 levy year, constituting an extension for
26 payment of principal and interest on bonds issued by the taxing

1 district without referendum, but not including excluded
2 non-referendum bonds. For park districts (i) that were first
3 subject to this Law in 1991 or 1995 and (ii) whose extension
4 for the 1994 levy year for the payment of principal and
5 interest on bonds issued by the park district without
6 referendum (but not including excluded non-referendum bonds)
7 was less than 51% of the amount for the 1991 levy year
8 constituting an extension for payment of principal and interest
9 on bonds issued by the park district without referendum (but
10 not including excluded non-referendum bonds), "debt service
11 extension base" means an amount equal to that portion of the
12 extension for the 1991 levy year constituting an extension for
13 payment of principal and interest on bonds issued by the park
14 district without referendum (but not including excluded
15 non-referendum bonds). A debt service extension base
16 established or increased at any time pursuant to any provision
17 of this Law, except Section 18-212, shall be increased each
18 year commencing with the later of (i) the 2009 levy year or
19 (ii) the first levy year in which this Law becomes applicable
20 to the taxing district, by the lesser of 5% or the percentage
21 increase in the Consumer Price Index during the 12-month
22 calendar year preceding the levy year. The debt service
23 extension base may be established or increased as provided
24 under Section 18-212. "Excluded non-referendum bonds" means
25 (i) bonds authorized by Public Act 88-503 and issued under
26 Section 20a of the Chicago Park District Act for aquarium and

1 museum projects; (ii) bonds issued under Section 15 of the
2 Local Government Debt Reform Act; or (iii) refunding
3 obligations issued to refund or to continue to refund
4 obligations initially issued pursuant to referendum.

5 "Special purpose extensions" include, but are not limited
6 to, extensions for levies made on an annual basis for
7 unemployment and workers' compensation, self-insurance,
8 contributions to pension plans, and extensions made pursuant to
9 Section 6-601 of the Illinois Highway Code for a road
10 district's permanent road fund whether levied annually or not.
11 The extension for a special service area is not included in the
12 aggregate extension.

13 "Aggregate extension base" means the taxing district's
14 last preceding aggregate extension as adjusted under Sections
15 18-135, 18-215, and 18-230. An adjustment under Section 18-135
16 shall be made for the 2007 levy year and all subsequent levy
17 years whenever one or more counties within which a taxing
18 district is located (i) used estimated valuations or rates when
19 extending taxes in the taxing district for the last preceding
20 levy year that resulted in the over or under extension of
21 taxes, or (ii) increased or decreased the tax extension for the
22 last preceding levy year as required by Section 18-135(c).
23 Whenever an adjustment is required under Section 18-135, the
24 aggregate extension base of the taxing district shall be equal
25 to the amount that the aggregate extension of the taxing
26 district would have been for the last preceding levy year if

1 either or both (i) actual, rather than estimated, valuations or
2 rates had been used to calculate the extension of taxes for the
3 last levy year, or (ii) the tax extension for the last
4 preceding levy year had not been adjusted as required by
5 subsection (c) of Section 18-135.

6 Notwithstanding any other provision of law, for levy year
7 2012, the aggregate extension base for West Northfield School
8 District No. 31 in Cook County shall be \$12,654,592.

9 "Levy year" has the same meaning as "year" under Section
10 1-155.

11 "New property" means (i) the assessed value, after final
12 board of review or board of appeals action, of new improvements
13 or additions to existing improvements on any parcel of real
14 property that increase the assessed value of that real property
15 during the levy year multiplied by the equalization factor
16 issued by the Department under Section 17-30, (ii) the assessed
17 value, after final board of review or board of appeals action,
18 of real property not exempt from real estate taxation, which
19 real property was exempt from real estate taxation for any
20 portion of the immediately preceding levy year, multiplied by
21 the equalization factor issued by the Department under Section
22 17-30, including the assessed value, upon final stabilization
23 of occupancy after new construction is complete, of any real
24 property located within the boundaries of an otherwise or
25 previously exempt military reservation that is intended for
26 residential use and owned by or leased to a private corporation

1 or other entity, (iii) in counties that classify in accordance
2 with Section 4 of Article IX of the Illinois Constitution, an
3 incentive property's additional assessed value resulting from
4 a scheduled increase in the level of assessment as applied to
5 the first year final board of review market value, and (iv) any
6 increase in assessed value due to oil or gas production from an
7 oil or gas well required to be permitted under the Hydraulic
8 Fracturing Regulatory Act that was not produced in or accounted
9 for during the previous levy year. In addition, the county
10 clerk in a county containing a population of 3,000,000 or more
11 shall include in the 1997 recovered tax increment value for any
12 school district, any recovered tax increment value that was
13 applicable to the 1995 tax year calculations.

14 "Qualified airport authority" means an airport authority
15 organized under the Airport Authorities Act and located in a
16 county bordering on the State of Wisconsin and having a
17 population in excess of 200,000 and not greater than 500,000.

18 "Qualified school district" means, for the 2017 levy year
19 and thereafter, a school district that has been granted an
20 exemption from this amendatory Act of the 100th General
21 Assembly by an affirmative vote of the State Board of
22 Education; to be eligible for such an exemption, one or more of
23 the following criteria must apply:

24 (1) the school district must meet the conditions
25 described in subsection (a) of Section 1A-8 of the School
26 Code or in paragraph (3) or (5) of subsection (b) of

1 Section 1A-8 of the School Code; to determine if a school
2 district meets this criteria, the State Superintendent of
3 Education may require the school district, including a
4 school district subject to Article 34A of the School Code,
5 to share financial information relevant to a proper
6 investigation of the district's financial condition;

7 (2) the equalized assessed valuation used in
8 calculating the school district's general State aid claim
9 under Section 18-8.05 of the School Code or the district's
10 evidence-based funding claim under Section 18-8.15 of the
11 School Code, as applicable, for the year in which the
12 district is applying has decreased by 10% or more compared
13 with the equalized assessed valuation used for that
14 calculation in the previous school year; or

15 (3) the school district is a Tier 1 district, as
16 defined in subparagraph (A) of subsection (g) of Section
17 18-8.15 of the School Code.

18 The State Board of Education shall notify the county clerk
19 as soon as possible after the exemption is granted that the
20 district is exempt from the provisions of this amendatory Act
21 of the 100th General Assembly; school districts shall reapply
22 for the exemption on an annual basis.

23 "Recovered tax increment value" means, except as otherwise
24 provided in this paragraph, the amount of the current year's
25 equalized assessed value, in the first year after a
26 municipality terminates the designation of an area as a

1 redevelopment project area previously established under the
2 Tax Increment Allocation Development Act in the Illinois
3 Municipal Code, previously established under the Industrial
4 Jobs Recovery Law in the Illinois Municipal Code, previously
5 established under the Economic Development Project Area Tax
6 Increment Act of 1995, or previously established under the
7 Economic Development Area Tax Increment Allocation Act, of each
8 taxable lot, block, tract, or parcel of real property in the
9 redevelopment project area over and above the initial equalized
10 assessed value of each property in the redevelopment project
11 area. For the taxes which are extended for the 1997 levy year,
12 the recovered tax increment value for a non-home rule taxing
13 district that first became subject to this Law for the 1995
14 levy year because a majority of its 1994 equalized assessed
15 value was in an affected county or counties shall be increased
16 if a municipality terminated the designation of an area in 1993
17 as a redevelopment project area previously established under
18 the Tax Increment Allocation Development Act in the Illinois
19 Municipal Code, previously established under the Industrial
20 Jobs Recovery Law in the Illinois Municipal Code, or previously
21 established under the Economic Development Area Tax Increment
22 Allocation Act, by an amount equal to the 1994 equalized
23 assessed value of each taxable lot, block, tract, or parcel of
24 real property in the redevelopment project area over and above
25 the initial equalized assessed value of each property in the
26 redevelopment project area. In the first year after a

1 municipality removes a taxable lot, block, tract, or parcel of
2 real property from a redevelopment project area established
3 under the Tax Increment Allocation Development Act in the
4 Illinois Municipal Code, the Industrial Jobs Recovery Law in
5 the Illinois Municipal Code, or the Economic Development Area
6 Tax Increment Allocation Act, "recovered tax increment value"
7 means the amount of the current year's equalized assessed value
8 of each taxable lot, block, tract, or parcel of real property
9 removed from the redevelopment project area over and above the
10 initial equalized assessed value of that real property before
11 removal from the redevelopment project area.

12 Except as otherwise provided in this Section, "limiting
13 rate" means a fraction the numerator of which is the last
14 preceding aggregate extension base times an amount equal to one
15 plus the extension limitation defined in this Section and the
16 denominator of which is the current year's equalized assessed
17 value of all real property in the territory under the
18 jurisdiction of the taxing district during the prior levy year.
19 For those taxing districts that reduced their aggregate
20 extension for the last preceding levy year, the highest
21 aggregate extension in any of the last 3 preceding levy years
22 shall be used for the purpose of computing the limiting rate.
23 The denominator shall not include new property or the recovered
24 tax increment value. If a new rate, a rate decrease, or a
25 limiting rate increase has been approved at an election held
26 after March 21, 2006, then (i) the otherwise applicable

1 limiting rate shall be increased by the amount of the new rate
2 or shall be reduced by the amount of the rate decrease, as the
3 case may be, or (ii) in the case of a limiting rate increase,
4 the limiting rate shall be equal to the rate set forth in the
5 proposition approved by the voters for each of the years
6 specified in the proposition, after which the limiting rate of
7 the taxing district shall be calculated as otherwise provided.
8 In the case of a taxing district that obtained referendum
9 approval for an increased limiting rate on March 20, 2012, the
10 limiting rate for tax year 2012 shall be the rate that
11 generates the approximate total amount of taxes extendable for
12 that tax year, as set forth in the proposition approved by the
13 voters; this rate shall be the final rate applied by the county
14 clerk for the aggregate of all capped funds of the district for
15 tax year 2012.

16 (Source: P.A. 98-6, eff. 3-29-13; 98-23, eff. 6-17-13; 99-143,
17 eff. 7-27-15.)

18 (Text of Section after amendment by P.A. 99-521)

19 Sec. 18-185. Short title; definitions. This Division 5 may
20 be cited as the Property Tax Extension Limitation Law. As used
21 in this Division 5:

22 "Consumer Price Index" means the Consumer Price Index for
23 All Urban Consumers for all items published by the United
24 States Department of Labor.

25 "Extension limitation" means, except as otherwise provided

1 in this paragraph with respect to school districts, (a) the
2 lesser of 5% or the percentage increase in the Consumer Price
3 Index during the 12-month calendar year preceding the levy year
4 or (b) the rate of increase approved by voters under Section
5 18-205. For the 2017 levy year and thereafter, for school
6 districts other than the City of Chicago School District #299
7 and qualified school districts that were subject to this Law in
8 the 2016 levy year, "extension limitation" means 0% or the rate
9 of increase approved by the voters under Section 18-205. For
10 the 2017 levy year and thereafter, for the City of Chicago
11 School District #299 and qualified school districts that were
12 subject to this Law in the 2016 levy year, "extension
13 limitation" means (a) the lesser of 5% or the percentage
14 increase in the Consumer Price Index during the 12-month
15 calendar year preceding the levy year or (b) the rate of
16 increase approved by voters under Section 18-205.

17 "Affected county" means a county of 3,000,000 or more
18 inhabitants or a county contiguous to a county of 3,000,000 or
19 more inhabitants.

20 "Taxing district" has the same meaning provided in Section
21 1-150, except as otherwise provided in this Section. For the
22 1991 through 1994 levy years only, "taxing district" includes
23 only each non-home rule taxing district having the majority of
24 its 1990 equalized assessed value within any county or counties
25 contiguous to a county with 3,000,000 or more inhabitants.
26 Beginning with the 1995 levy year, "taxing district" includes

1 only each non-home rule taxing district subject to this Law
2 before the 1995 levy year and each non-home rule taxing
3 district not subject to this Law before the 1995 levy year
4 having the majority of its 1994 equalized assessed value in an
5 affected county or counties. Beginning with the levy year in
6 which this Law becomes applicable to a taxing district as
7 provided in Section 18-213, "taxing district" also includes
8 those taxing districts made subject to this Law as provided in
9 Section 18-213. For the 2017 levy year and thereafter, "taxing
10 district" also includes each school district in the State, but
11 does not include a qualified school district that was not
12 subject to this Law in the 2016 levy year.

13 "Aggregate extension" for taxing districts to which this
14 Law applied before the 1995 levy year means the annual
15 corporate extension for the taxing district and those special
16 purpose extensions that are made annually for the taxing
17 district, excluding special purpose extensions: (a) made for
18 the taxing district to pay interest or principal on general
19 obligation bonds that were approved by referendum; (b) made for
20 any taxing district to pay interest or principal on general
21 obligation bonds issued before October 1, 1991; (c) made for
22 any taxing district to pay interest or principal on bonds
23 issued to refund or continue to refund those bonds issued
24 before October 1, 1991; (d) made for any taxing district to pay
25 interest or principal on bonds issued to refund or continue to
26 refund bonds issued after October 1, 1991 that were approved by

1 referendum; (e) made for any taxing district to pay interest or
2 principal on revenue bonds issued before October 1, 1991 for
3 payment of which a property tax levy or the full faith and
4 credit of the unit of local government is pledged; however, a
5 tax for the payment of interest or principal on those bonds
6 shall be made only after the governing body of the unit of
7 local government finds that all other sources for payment are
8 insufficient to make those payments; (f) made for payments
9 under a building commission lease when the lease payments are
10 for the retirement of bonds issued by the commission before
11 October 1, 1991, to pay for the building project; (g) made for
12 payments due under installment contracts entered into before
13 October 1, 1991; (h) made for payments of principal and
14 interest on bonds issued under the Metropolitan Water
15 Reclamation District Act to finance construction projects
16 initiated before October 1, 1991; (i) made for payments of
17 principal and interest on limited bonds, as defined in Section
18 3 of the Local Government Debt Reform Act, in an amount not to
19 exceed the debt service extension base less the amount in items
20 (b), (c), (e), and (h) of this definition for non-referendum
21 obligations, except obligations initially issued pursuant to
22 referendum; (j) made for payments of principal and interest on
23 bonds issued under Section 15 of the Local Government Debt
24 Reform Act; (k) made by a school district that participates in
25 the Special Education District of Lake County, created by
26 special education joint agreement under Section 10-22.31 of the

1 School Code, for payment of the school district's share of the
2 amounts required to be contributed by the Special Education
3 District of Lake County to the Illinois Municipal Retirement
4 Fund under Article 7 of the Illinois Pension Code; the amount
5 of any extension under this item (k) shall be certified by the
6 school district to the county clerk; (l) made to fund expenses
7 of providing joint recreational programs for persons with
8 disabilities under Section 5-8 of the Park District Code or
9 Section 11-95-14 of the Illinois Municipal Code; (m) made for
10 temporary relocation loan repayment purposes pursuant to
11 Sections 2-3.77 and 17-2.2d of the School Code; (n) made for
12 payment of principal and interest on any bonds issued under the
13 authority of Section 17-2.2d of the School Code; (o) made for
14 contributions to a firefighter's pension fund created under
15 Article 4 of the Illinois Pension Code, to the extent of the
16 amount certified under item (5) of Section 4-134 of the
17 Illinois Pension Code; and (p) made for road purposes in the
18 first year after a township assumes the rights, powers, duties,
19 assets, property, liabilities, obligations, and
20 responsibilities of a road district abolished under the
21 provisions of Section 6-133 of the Illinois Highway Code.

22 "Aggregate extension" for the taxing districts to which
23 this Law did not apply before the 1995 levy year (except taxing
24 districts subject to this Law in accordance with Section
25 18-213) means the annual corporate extension for the taxing
26 district and those special purpose extensions that are made

1 annually for the taxing district, excluding special purpose
2 extensions: (a) made for the taxing district to pay interest or
3 principal on general obligation bonds that were approved by
4 referendum; (b) made for any taxing district to pay interest or
5 principal on general obligation bonds issued before March 1,
6 1995; (c) made for any taxing district to pay interest or
7 principal on bonds issued to refund or continue to refund those
8 bonds issued before March 1, 1995; (d) made for any taxing
9 district to pay interest or principal on bonds issued to refund
10 or continue to refund bonds issued after March 1, 1995 that
11 were approved by referendum; (e) made for any taxing district
12 to pay interest or principal on revenue bonds issued before
13 March 1, 1995 for payment of which a property tax levy or the
14 full faith and credit of the unit of local government is
15 pledged; however, a tax for the payment of interest or
16 principal on those bonds shall be made only after the governing
17 body of the unit of local government finds that all other
18 sources for payment are insufficient to make those payments;
19 (f) made for payments under a building commission lease when
20 the lease payments are for the retirement of bonds issued by
21 the commission before March 1, 1995 to pay for the building
22 project; (g) made for payments due under installment contracts
23 entered into before March 1, 1995; (h) made for payments of
24 principal and interest on bonds issued under the Metropolitan
25 Water Reclamation District Act to finance construction
26 projects initiated before October 1, 1991; (h-4) made for

1 stormwater management purposes by the Metropolitan Water
2 Reclamation District of Greater Chicago under Section 12 of the
3 Metropolitan Water Reclamation District Act; (i) made for
4 payments of principal and interest on limited bonds, as defined
5 in Section 3 of the Local Government Debt Reform Act, in an
6 amount not to exceed the debt service extension base less the
7 amount in items (b), (c), and (e) of this definition for
8 non-referendum obligations, except obligations initially
9 issued pursuant to referendum and bonds described in subsection
10 (h) of this definition; (j) made for payments of principal and
11 interest on bonds issued under Section 15 of the Local
12 Government Debt Reform Act; (k) made for payments of principal
13 and interest on bonds authorized by Public Act 88-503 and
14 issued under Section 20a of the Chicago Park District Act for
15 aquarium or museum projects; (l) made for payments of principal
16 and interest on bonds authorized by Public Act 87-1191 or
17 93-601 and (i) issued pursuant to Section 21.2 of the Cook
18 County Forest Preserve District Act, (ii) issued under Section
19 42 of the Cook County Forest Preserve District Act for
20 zoological park projects, or (iii) issued under Section 44.1 of
21 the Cook County Forest Preserve District Act for botanical
22 gardens projects; (m) made pursuant to Section 34-53.5 of the
23 School Code, whether levied annually or not; (n) made to fund
24 expenses of providing joint recreational programs for persons
25 with disabilities under Section 5-8 of the Park District Code
26 or Section 11-95-14 of the Illinois Municipal Code; (o) made by

1 the Chicago Park District for recreational programs for persons
2 with disabilities under subsection (c) of Section 7.06 of the
3 Chicago Park District Act; (p) made for contributions to a
4 firefighter's pension fund created under Article 4 of the
5 Illinois Pension Code, to the extent of the amount certified
6 under item (5) of Section 4-134 of the Illinois Pension Code;
7 (q) made by Ford Heights School District 169 under Section
8 17-9.02 of the School Code; and (r) made for the purpose of
9 making employer contributions to the Public School Teachers'
10 Pension and Retirement Fund of Chicago under Section 34-53 of
11 the School Code.

12 "Aggregate extension" for all taxing districts to which
13 this Law applies in accordance with Section 18-213, except for
14 those taxing districts subject to paragraph (2) of subsection
15 (e) of Section 18-213, means the annual corporate extension for
16 the taxing district and those special purpose extensions that
17 are made annually for the taxing district, excluding special
18 purpose extensions: (a) made for the taxing district to pay
19 interest or principal on general obligation bonds that were
20 approved by referendum; (b) made for any taxing district to pay
21 interest or principal on general obligation bonds issued before
22 the date on which the referendum making this Law applicable to
23 the taxing district is held; (c) made for any taxing district
24 to pay interest or principal on bonds issued to refund or
25 continue to refund those bonds issued before the date on which
26 the referendum making this Law applicable to the taxing

1 district is held; (d) made for any taxing district to pay
2 interest or principal on bonds issued to refund or continue to
3 refund bonds issued after the date on which the referendum
4 making this Law applicable to the taxing district is held if
5 the bonds were approved by referendum after the date on which
6 the referendum making this Law applicable to the taxing
7 district is held; (e) made for any taxing district to pay
8 interest or principal on revenue bonds issued before the date
9 on which the referendum making this Law applicable to the
10 taxing district is held for payment of which a property tax
11 levy or the full faith and credit of the unit of local
12 government is pledged; however, a tax for the payment of
13 interest or principal on those bonds shall be made only after
14 the governing body of the unit of local government finds that
15 all other sources for payment are insufficient to make those
16 payments; (f) made for payments under a building commission
17 lease when the lease payments are for the retirement of bonds
18 issued by the commission before the date on which the
19 referendum making this Law applicable to the taxing district is
20 held to pay for the building project; (g) made for payments due
21 under installment contracts entered into before the date on
22 which the referendum making this Law applicable to the taxing
23 district is held; (h) made for payments of principal and
24 interest on limited bonds, as defined in Section 3 of the Local
25 Government Debt Reform Act, in an amount not to exceed the debt
26 service extension base less the amount in items (b), (c), and

1 (e) of this definition for non-referendum obligations, except
2 obligations initially issued pursuant to referendum; (i) made
3 for payments of principal and interest on bonds issued under
4 Section 15 of the Local Government Debt Reform Act; (j) made
5 for a qualified airport authority to pay interest or principal
6 on general obligation bonds issued for the purpose of paying
7 obligations due under, or financing airport facilities
8 required to be acquired, constructed, installed or equipped
9 pursuant to, contracts entered into before March 1, 1996 (but
10 not including any amendments to such a contract taking effect
11 on or after that date); (k) made to fund expenses of providing
12 joint recreational programs for persons with disabilities
13 under Section 5-8 of the Park District Code or Section 11-95-14
14 of the Illinois Municipal Code; (l) made for contributions to a
15 firefighter's pension fund created under Article 4 of the
16 Illinois Pension Code, to the extent of the amount certified
17 under item (5) of Section 4-134 of the Illinois Pension Code;
18 and (m) made for the taxing district to pay interest or
19 principal on general obligation bonds issued pursuant to
20 Section 19-3.10 of the School Code.

21 "Aggregate extension" for all taxing districts to which
22 this Law applies in accordance with paragraph (2) of subsection
23 (e) of Section 18-213 means the annual corporate extension for
24 the taxing district and those special purpose extensions that
25 are made annually for the taxing district, excluding special
26 purpose extensions: (a) made for the taxing district to pay

1 interest or principal on general obligation bonds that were
2 approved by referendum; (b) made for any taxing district to pay
3 interest or principal on general obligation bonds issued before
4 the effective date of this amendatory Act of 1997; (c) made for
5 any taxing district to pay interest or principal on bonds
6 issued to refund or continue to refund those bonds issued
7 before the effective date of this amendatory Act of 1997; (d)
8 made for any taxing district to pay interest or principal on
9 bonds issued to refund or continue to refund bonds issued after
10 the effective date of this amendatory Act of 1997 if the bonds
11 were approved by referendum after the effective date of this
12 amendatory Act of 1997; (e) made for any taxing district to pay
13 interest or principal on revenue bonds issued before the
14 effective date of this amendatory Act of 1997 for payment of
15 which a property tax levy or the full faith and credit of the
16 unit of local government is pledged; however, a tax for the
17 payment of interest or principal on those bonds shall be made
18 only after the governing body of the unit of local government
19 finds that all other sources for payment are insufficient to
20 make those payments; (f) made for payments under a building
21 commission lease when the lease payments are for the retirement
22 of bonds issued by the commission before the effective date of
23 this amendatory Act of 1997 to pay for the building project;
24 (g) made for payments due under installment contracts entered
25 into before the effective date of this amendatory Act of 1997;
26 (h) made for payments of principal and interest on limited

1 bonds, as defined in Section 3 of the Local Government Debt
2 Reform Act, in an amount not to exceed the debt service
3 extension base less the amount in items (b), (c), and (e) of
4 this definition for non-referendum obligations, except
5 obligations initially issued pursuant to referendum; (i) made
6 for payments of principal and interest on bonds issued under
7 Section 15 of the Local Government Debt Reform Act; (j) made
8 for a qualified airport authority to pay interest or principal
9 on general obligation bonds issued for the purpose of paying
10 obligations due under, or financing airport facilities
11 required to be acquired, constructed, installed or equipped
12 pursuant to, contracts entered into before March 1, 1996 (but
13 not including any amendments to such a contract taking effect
14 on or after that date); (k) made to fund expenses of providing
15 joint recreational programs for persons with disabilities
16 under Section 5-8 of the Park District Code or Section 11-95-14
17 of the Illinois Municipal Code; and (l) made for contributions
18 to a firefighter's pension fund created under Article 4 of the
19 Illinois Pension Code, to the extent of the amount certified
20 under item (5) of Section 4-134 of the Illinois Pension Code.

21 "Aggregate extension" means, beginning in levy year 2017,
22 for school districts that were not subject to this Law in the
23 2016 levy year, the annual corporate extension for the school
24 district and those special purpose extensions that are made
25 annually for the school district.

26 "Debt service extension base" means an amount equal to that

1 portion of the extension for a taxing district for the 1994
2 levy year, or for those taxing districts subject to this Law in
3 accordance with Section 18-213, except for those subject to
4 paragraph (2) of subsection (e) of Section 18-213, for the levy
5 year in which the referendum making this Law applicable to the
6 taxing district is held, or for those taxing districts subject
7 to this Law in accordance with paragraph (2) of subsection (e)
8 of Section 18-213 for the 1996 levy year, or for school
9 districts that were not subject to this Law in the 2016 levy
10 year for the 2016 levy year, constituting an extension for
11 payment of principal and interest on bonds issued by the taxing
12 district without referendum, but not including excluded
13 non-referendum bonds. For park districts (i) that were first
14 subject to this Law in 1991 or 1995 and (ii) whose extension
15 for the 1994 levy year for the payment of principal and
16 interest on bonds issued by the park district without
17 referendum (but not including excluded non-referendum bonds)
18 was less than 51% of the amount for the 1991 levy year
19 constituting an extension for payment of principal and interest
20 on bonds issued by the park district without referendum (but
21 not including excluded non-referendum bonds), "debt service
22 extension base" means an amount equal to that portion of the
23 extension for the 1991 levy year constituting an extension for
24 payment of principal and interest on bonds issued by the park
25 district without referendum (but not including excluded
26 non-referendum bonds). A debt service extension base

1 established or increased at any time pursuant to any provision
2 of this Law, except Section 18-212, shall be increased each
3 year commencing with the later of (i) the 2009 levy year or
4 (ii) the first levy year in which this Law becomes applicable
5 to the taxing district, by the lesser of 5% or the percentage
6 increase in the Consumer Price Index during the 12-month
7 calendar year preceding the levy year. The debt service
8 extension base may be established or increased as provided
9 under Section 18-212. "Excluded non-referendum bonds" means
10 (i) bonds authorized by Public Act 88-503 and issued under
11 Section 20a of the Chicago Park District Act for aquarium and
12 museum projects; (ii) bonds issued under Section 15 of the
13 Local Government Debt Reform Act; or (iii) refunding
14 obligations issued to refund or to continue to refund
15 obligations initially issued pursuant to referendum.

16 "Special purpose extensions" include, but are not limited
17 to, extensions for levies made on an annual basis for
18 unemployment and workers' compensation, self-insurance,
19 contributions to pension plans, and extensions made pursuant to
20 Section 6-601 of the Illinois Highway Code for a road
21 district's permanent road fund whether levied annually or not.
22 The extension for a special service area is not included in the
23 aggregate extension.

24 "Aggregate extension base" means the taxing district's
25 last preceding aggregate extension as adjusted under Sections
26 18-135, 18-215, and 18-230. An adjustment under Section 18-135

1 shall be made for the 2007 levy year and all subsequent levy
2 years whenever one or more counties within which a taxing
3 district is located (i) used estimated valuations or rates when
4 extending taxes in the taxing district for the last preceding
5 levy year that resulted in the over or under extension of
6 taxes, or (ii) increased or decreased the tax extension for the
7 last preceding levy year as required by Section 18-135(c).
8 Whenever an adjustment is required under Section 18-135, the
9 aggregate extension base of the taxing district shall be equal
10 to the amount that the aggregate extension of the taxing
11 district would have been for the last preceding levy year if
12 either or both (i) actual, rather than estimated, valuations or
13 rates had been used to calculate the extension of taxes for the
14 last levy year, or (ii) the tax extension for the last
15 preceding levy year had not been adjusted as required by
16 subsection (c) of Section 18-135.

17 Notwithstanding any other provision of law, for levy year
18 2012, the aggregate extension base for West Northfield School
19 District No. 31 in Cook County shall be \$12,654,592.

20 "Levy year" has the same meaning as "year" under Section
21 1-155.

22 "New property" means (i) the assessed value, after final
23 board of review or board of appeals action, of new improvements
24 or additions to existing improvements on any parcel of real
25 property that increase the assessed value of that real property
26 during the levy year multiplied by the equalization factor

1 issued by the Department under Section 17-30, (ii) the assessed
2 value, after final board of review or board of appeals action,
3 of real property not exempt from real estate taxation, which
4 real property was exempt from real estate taxation for any
5 portion of the immediately preceding levy year, multiplied by
6 the equalization factor issued by the Department under Section
7 17-30, including the assessed value, upon final stabilization
8 of occupancy after new construction is complete, of any real
9 property located within the boundaries of an otherwise or
10 previously exempt military reservation that is intended for
11 residential use and owned by or leased to a private corporation
12 or other entity, (iii) in counties that classify in accordance
13 with Section 4 of Article IX of the Illinois Constitution, an
14 incentive property's additional assessed value resulting from
15 a scheduled increase in the level of assessment as applied to
16 the first year final board of review market value, and (iv) any
17 increase in assessed value due to oil or gas production from an
18 oil or gas well required to be permitted under the Hydraulic
19 Fracturing Regulatory Act that was not produced in or accounted
20 for during the previous levy year. In addition, the county
21 clerk in a county containing a population of 3,000,000 or more
22 shall include in the 1997 recovered tax increment value for any
23 school district, any recovered tax increment value that was
24 applicable to the 1995 tax year calculations.

25 "Qualified airport authority" means an airport authority
26 organized under the Airport Authorities Act and located in a

1 county bordering on the State of Wisconsin and having a
2 population in excess of 200,000 and not greater than 500,000.

3 "Qualified school district" means, for the 2017 levy year
4 and thereafter, a school district that has been granted an
5 exemption from this amendatory Act of the 100th General
6 Assembly by an affirmative vote of the State Board of
7 Education; to be eligible for such an exemption, one or more of
8 the following criteria must apply:

9 (1) the school district must meet the conditions
10 described in subsection (a) of Section 1A-8 of the School
11 Code or in paragraph (3) or (5) of subsection (b) of
12 Section 1A-8 of the School Code; to determine if a school
13 district meets this criteria, the State Superintendent of
14 Education may require the school district, including a
15 school district subject to Article 34A of the School Code,
16 to share financial information relevant to a proper
17 investigation of the district's financial condition;

18 (2) the equalized assessed valuation used in
19 calculating the school district's general State aid claim
20 under Section 18-8.05 of the School Code or the district's
21 evidence-based funding claim under Section 18-8.15 of the
22 School Code, as applicable, for the year in which the
23 district is applying has decreased by 10% or more compared
24 with the equalized assessed valuation used for that
25 calculation in the previous school year; or

26 (3) the school district is a Tier 1 district, as

1 defined in subparagraph (A) of subsection (g) of Section
2 18-8.15 of the School Code.

3 The State Board of Education shall notify the county clerk
4 as soon as possible after the exemption is granted that the
5 district is exempt from the provisions of this amendatory Act
6 of the 100th General Assembly; school districts shall reapply
7 for the exemption on an annual basis.

8 "Recovered tax increment value" means, except as otherwise
9 provided in this paragraph, the amount of the current year's
10 equalized assessed value, in the first year after a
11 municipality terminates the designation of an area as a
12 redevelopment project area previously established under the
13 Tax Increment Allocation Development Act in the Illinois
14 Municipal Code, previously established under the Industrial
15 Jobs Recovery Law in the Illinois Municipal Code, previously
16 established under the Economic Development Project Area Tax
17 Increment Act of 1995, or previously established under the
18 Economic Development Area Tax Increment Allocation Act, of each
19 taxable lot, block, tract, or parcel of real property in the
20 redevelopment project area over and above the initial equalized
21 assessed value of each property in the redevelopment project
22 area. For the taxes which are extended for the 1997 levy year,
23 the recovered tax increment value for a non-home rule taxing
24 district that first became subject to this Law for the 1995
25 levy year because a majority of its 1994 equalized assessed
26 value was in an affected county or counties shall be increased

1 if a municipality terminated the designation of an area in 1993
2 as a redevelopment project area previously established under
3 the Tax Increment Allocation Development Act in the Illinois
4 Municipal Code, previously established under the Industrial
5 Jobs Recovery Law in the Illinois Municipal Code, or previously
6 established under the Economic Development Area Tax Increment
7 Allocation Act, by an amount equal to the 1994 equalized
8 assessed value of each taxable lot, block, tract, or parcel of
9 real property in the redevelopment project area over and above
10 the initial equalized assessed value of each property in the
11 redevelopment project area. In the first year after a
12 municipality removes a taxable lot, block, tract, or parcel of
13 real property from a redevelopment project area established
14 under the Tax Increment Allocation Development Act in the
15 Illinois Municipal Code, the Industrial Jobs Recovery Law in
16 the Illinois Municipal Code, or the Economic Development Area
17 Tax Increment Allocation Act, "recovered tax increment value"
18 means the amount of the current year's equalized assessed value
19 of each taxable lot, block, tract, or parcel of real property
20 removed from the redevelopment project area over and above the
21 initial equalized assessed value of that real property before
22 removal from the redevelopment project area.

23 Except as otherwise provided in this Section, "limiting
24 rate" means a fraction the numerator of which is the last
25 preceding aggregate extension base times an amount equal to one
26 plus the extension limitation defined in this Section and the

1 denominator of which is the current year's equalized assessed
2 value of all real property in the territory under the
3 jurisdiction of the taxing district during the prior levy year.
4 For those taxing districts that reduced their aggregate
5 extension for the last preceding levy year, the highest
6 aggregate extension in any of the last 3 preceding levy years
7 shall be used for the purpose of computing the limiting rate.
8 The denominator shall not include new property or the recovered
9 tax increment value. If a new rate, a rate decrease, or a
10 limiting rate increase has been approved at an election held
11 after March 21, 2006, then (i) the otherwise applicable
12 limiting rate shall be increased by the amount of the new rate
13 or shall be reduced by the amount of the rate decrease, as the
14 case may be, or (ii) in the case of a limiting rate increase,
15 the limiting rate shall be equal to the rate set forth in the
16 proposition approved by the voters for each of the years
17 specified in the proposition, after which the limiting rate of
18 the taxing district shall be calculated as otherwise provided.
19 In the case of a taxing district that obtained referendum
20 approval for an increased limiting rate on March 20, 2012, the
21 limiting rate for tax year 2012 shall be the rate that
22 generates the approximate total amount of taxes extendable for
23 that tax year, as set forth in the proposition approved by the
24 voters; this rate shall be the final rate applied by the county
25 clerk for the aggregate of all capped funds of the district for
26 tax year 2012.

1 (Source: P.A. 98-6, eff. 3-29-13; 98-23, eff. 6-17-13; 99-143,
2 eff. 7-27-15; 99-521, eff. 6-1-17.)

3 (35 ILCS 200/18-205)

4 Sec. 18-205. Referendum to increase the extension
5 limitation.

6 (a) A taxing district is limited to an extension limitation
7 ~~as defined in Section 18-185 of 5% or the percentage increase~~
8 ~~in the Consumer Price Index during the 12 month calendar year~~
9 ~~preceding the levy year, whichever is less.~~ A taxing district
10 may increase its extension limitation for one or more levy
11 years if that taxing district holds a referendum before the
12 levy date for the first levy year at which a majority of voters
13 voting on the issue approves adoption of a higher extension
14 limitation. Referenda shall be conducted at a regularly
15 scheduled election in accordance with the Election Code.

16 (b) The question shall be presented in substantially the
17 following manner ~~for all elections held after March 21, 2006:~~

18 Shall the extension limitation under the Property Tax
19 Extension Limitation Law for (insert the legal name,
20 number, if any, and county or counties of the taxing
21 district and geographic or other common name by which a
22 school or community college district is known and referred
23 to), Illinois, be increased from (applicable extension
24 limitation set forth in Section 18-185) ~~the lesser of 5% or~~
25 ~~the percentage increase in the Consumer Price Index over~~

1 ~~the prior levy year~~ to (insert the percentage of the
2 proposed increase)% per year for (insert each levy year for
3 which the increased extension limitation will apply)?

4 (c) The votes must be recorded as "Yes" or "No".

5 If a majority of voters voting on the issue approves the
6 adoption of the increase, the increase shall be applicable for
7 each levy year specified.

8 (d) The ballot for any question submitted pursuant to this
9 Section shall have printed thereon, but not as a part of the
10 question submitted, only the following supplemental
11 information (which shall be supplied to the election authority
12 by the taxing district) in substantially the following form:

13 (1) For the (insert the first levy year for which the
14 increased extension limitation will be applicable) levy
15 year the approximate amount of the additional tax
16 extendable against property containing a single family
17 residence and having a fair market value at the time of the
18 referendum of \$100,000 is estimated to be \$....

19 (2) Based upon an average annual percentage increase
20 (or decrease) in the market value of such property of ...%
21 (insert percentage equal to the average annual percentage
22 increase or decrease for the prior 3 levy years, at the
23 time the submission of the question is initiated by the
24 taxing district, in the amount of (A) the equalized
25 assessed value of the taxable property in the taxing
26 district less (B) the new property included in the

1 equalized assessed value), the approximate amount of the
2 additional tax extendable against such property for the ...
3 levy year is estimated to be \$... and for the ... levy year
4 is estimated to be \$....

5 Paragraph (2) shall be included only if the increased
6 extension limitation will be applicable for more than one year
7 and shall list each levy year for which the increased extension
8 limitation will be applicable. The additional tax shown for
9 each levy year shall be the approximate dollar amount of the
10 increase over the amount of the most recently completed
11 extension at the time the submission of the question is
12 initiated by the taxing district. The approximate amount of the
13 additional tax extendable shown in paragraphs (1) and (2) shall
14 be calculated by multiplying \$100,000 (the fair market value of
15 the property without regard to any property tax exemptions) by
16 (i) the percentage level of assessment prescribed for that
17 property by statute, or by ordinance of the county board in
18 counties that classify property for purposes of taxation in
19 accordance with Section 4 of Article IX of the Illinois
20 Constitution; (ii) the most recent final equalization factor
21 certified to the county clerk by the Department of Revenue at
22 the time the taxing district initiates the submission of the
23 proposition to the electors; (iii) the last known aggregate
24 extension base of the taxing district at the time the
25 submission of the question is initiated by the taxing district;
26 and (iv) the difference between the percentage increase

1 proposed in the question and the otherwise applicable extension
2 limitation under Section 18-185 ~~the lesser of 5% or the~~
3 ~~percentage increase in the Consumer Price Index for the prior~~
4 ~~levy year (or an estimate of the percentage increase for the~~
5 ~~prior levy year if the increase is unavailable at the time the~~
6 ~~submission of the question is initiated by the taxing~~
7 ~~district);~~ and dividing the result by the last known equalized
8 assessed value of the taxing district at the time the
9 submission of the question is initiated by the taxing district.
10 This amendatory Act of the 97th General Assembly is intended to
11 clarify the existing requirements of this Section, and shall
12 not be construed to validate any prior non-compliant referendum
13 language. Any notice required to be published in connection
14 with the submission of the question shall also contain this
15 supplemental information and shall not contain any other
16 supplemental information. Any error, miscalculation, or
17 inaccuracy in computing any amount set forth on the ballot or
18 in the notice that is not deliberate shall not invalidate or
19 affect the validity of any proposition approved. Notice of the
20 referendum shall be published and posted as otherwise required
21 by law, and the submission of the question shall be initiated
22 as provided by law.

23 (Source: P.A. 97-1087, eff. 8-24-12.)

24 (35 ILCS 200/18-214)

25 Sec. 18-214. Referenda on removal of the applicability of

1 the Property Tax Extension Limitation Law to non-home rule
2 taxing districts.

3 (a) The provisions of this Section do not apply to a taxing
4 district that is subject to this Law because a majority of its
5 1990 equalized assessed value is in a county or counties
6 contiguous to a county of 3,000,000 or more inhabitants, or
7 because a majority of its 1994 equalized assessed value is in
8 an affected county and the taxing district was not subject to
9 this Law before the 1995 levy year.

10 (b) For purposes of this Section only:

11 "Taxing district" means any non-home rule taxing district
12 that became subject to this Law under Section 18-213 of this
13 Law.

14 "Equalized assessed valuation" means the equalized
15 assessed valuation for a taxing district for the immediately
16 preceding levy year.

17 (c) The county board of a county that became subject to
18 this Law by a referendum approved by the voters of the county
19 under Section 18-213 may, by ordinance or resolution, in the
20 manner set forth in this Section, submit to the voters of the
21 county the question of whether this Law applies to all non-home
22 rule taxing districts that have all or a portion of their
23 equalized assessed valuation situated in the county in the
24 manner set forth in this Section.

25 (d) The ordinance or resolution shall request the
26 submission of the proposition at any election, except a

1 consolidated primary election, for the purpose of voting for or
2 against the continued application of the Property Tax Extension
3 Limitation Law to all non-home rule taxing districts that have
4 all or a portion of their equalized assessed valuation situated
5 in the county.

6 The question shall be placed on a separate ballot and shall
7 be in substantially the following form:

8 Shall the Property Tax Extension Limitation Law (35
9 ILCS 200/18-185 through 35 ILCS 200/18-245), which limits
10 annual property tax extension increases, apply to non-home
11 rule taxing districts with all or a portion of their
12 equalized assessed valuation located in (name of county)?

13 Votes on the question shall be recorded as "yes" or "no".

14 (e) The county clerk shall order the proposition submitted
15 to the electors of the county at the election specified in the
16 ordinance or resolution. If part of the county is under the
17 jurisdiction of a board or boards of election commissioners,
18 the county clerk shall submit a certified copy of the ordinance
19 or resolution to each board of election commissioners, which
20 shall order the proposition submitted to the electors of the
21 taxing district within its jurisdiction at the election
22 specified in the ordinance or resolution.

23 (f) With respect to taxing districts having all of their
24 equalized assessed valuation located in one county, if a
25 majority of the votes cast on the proposition are against the
26 proposition, then this Law shall not apply to the taxing

1 district beginning on January 1 of the year following the date
2 of the referendum.

3 (g) With respect to taxing districts that do not have all
4 of their equalized assessed valuation located in a single
5 county, if both of the following conditions are met, then this
6 Law shall no longer apply to the taxing district beginning on
7 January 1 of the year following the date of the referendum.

8 (1) Each county in which the district has any equalized
9 assessed valuation must either, (i) have held a referendum
10 under this Section, (ii) be an affected county, or (iii)
11 have held a referendum under Section 18-213 at which the
12 voters rejected the proposition at the most recent election
13 at which the question was on the ballot in the county.

14 (2) The majority of the equalized assessed valuation of
15 the taxing district, other than any equalized assessed
16 valuation in an affected county, is in one or more counties
17 in which the voters rejected the proposition. For purposes
18 of this Section, in determining whether a majority of the
19 equalized assessed valuation of the taxing district is
20 located in one or more counties in which the voters have
21 rejected the proposition under this Section, the equalized
22 assessed valuation of any taxing district in a county which
23 has held a referendum under Section 18-213 at which the
24 voters rejected that proposition, at the most recent
25 election at which the question was on the ballot in the
26 county, will be included with the equalized assessed value

1 of the taxing district in counties in which the voters have
2 rejected the referendum held under this Section.

3 (h) Immediately after a referendum is held under this
4 Section, the county clerk of the county holding the referendum
5 shall give notice of the referendum having been held and its
6 results to all taxing districts that have all or a portion of
7 their equalized assessed valuation located in the county, the
8 county clerk of any other county in which any of the equalized
9 assessed valuation of any such taxing district is located, and
10 the Department of Revenue. After the last referendum affecting
11 a multi-county taxing district is held, the Department of
12 Revenue shall determine whether the taxing district is no
13 longer subject to this Law and, if the taxing district is no
14 longer subject to this Law, the Department of Revenue shall
15 notify the taxing district and the county clerks of all of the
16 counties in which a portion of the equalized assessed valuation
17 of the taxing district is located that, beginning on January 1
18 of the year following the date of the last referendum, the
19 taxing district is no longer subject to this Law.

20 (i) Notwithstanding any other provision of law, no
21 referenda may be held under this Section with respect to a
22 school district for levy year 2017 or thereafter.

23 (Source: P.A. 89-718, eff. 3-7-97.)

24 Section 95. No acceleration or delay. Where this Act makes
25 changes in a statute that is represented in this Act by text

1 that is not yet or no longer in effect (for example, a Section
2 represented by multiple versions), the use of that text does
3 not accelerate or delay the taking effect of (i) the changes
4 made by this Act or (ii) provisions derived from any other
5 Public Act.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.