



Rep. Grant Wehrli

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1 AMENDMENT TO SENATE BILL 1043

2 AMENDMENT NO. _____. Amend Senate Bill 1043, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Property Tax Code is amended by changing
6 Sections 18-165 and 18-185 and by adding Section 18-233 as
7 follows:

8 (35 ILCS 200/18-165)

9 Sec. 18-165. Abatement of taxes.

10 (a) Any taxing district, upon a majority vote of its
11 governing authority, may, after the determination of the
12 assessed valuation of its property, order the clerk of that
13 county to abate any portion of its taxes on the following types
14 of property:

15 (1) Commercial and industrial.

16 (A) The property of any commercial or industrial

1 firm, including but not limited to the property of (i)
2 any firm that is used for collecting, separating,
3 storing, or processing recyclable materials, locating
4 within the taxing district during the immediately
5 preceding year from another state, territory, or
6 country, or having been newly created within this State
7 during the immediately preceding year, or expanding an
8 existing facility, or (ii) any firm that is used for
9 the generation and transmission of electricity
10 locating within the taxing district during the
11 immediately preceding year or expanding its presence
12 within the taxing district during the immediately
13 preceding year by construction of a new electric
14 generating facility that uses natural gas as its fuel,
15 or any firm that is used for production operations at a
16 new, expanded, or reopened coal mine within the taxing
17 district, that has been certified as a High Impact
18 Business by the Illinois Department of Commerce and
19 Economic Opportunity. The property of any firm used for
20 the generation and transmission of electricity shall
21 include all property of the firm used for transmission
22 facilities as defined in Section 5.5 of the Illinois
23 Enterprise Zone Act. The abatement shall not exceed a
24 period of 10 years and the aggregate amount of abated
25 taxes for all taxing districts combined shall not
26 exceed \$4,000,000.

1 (A-5) Any property in the taxing district of a new
2 electric generating facility, as defined in Section
3 605-332 of the Department of Commerce and Economic
4 Opportunity Law of the Civil Administrative Code of
5 Illinois. The abatement shall not exceed a period of 10
6 years. The abatement shall be subject to the following
7 limitations:

8 (i) if the equalized assessed valuation of the
9 new electric generating facility is equal to or
10 greater than \$25,000,000 but less than
11 \$50,000,000, then the abatement may not exceed (i)
12 over the entire term of the abatement, 5% of the
13 taxing district's aggregate taxes from the new
14 electric generating facility and (ii) in any one
15 year of abatement, 20% of the taxing district's
16 taxes from the new electric generating facility;

17 (ii) if the equalized assessed valuation of
18 the new electric generating facility is equal to or
19 greater than \$50,000,000 but less than
20 \$75,000,000, then the abatement may not exceed (i)
21 over the entire term of the abatement, 10% of the
22 taxing district's aggregate taxes from the new
23 electric generating facility and (ii) in any one
24 year of abatement, 35% of the taxing district's
25 taxes from the new electric generating facility;

26 (iii) if the equalized assessed valuation of

1 the new electric generating facility is equal to or
2 greater than \$75,000,000 but less than
3 \$100,000,000, then the abatement may not exceed
4 (i) over the entire term of the abatement, 20% of
5 the taxing district's aggregate taxes from the new
6 electric generating facility and (ii) in any one
7 year of abatement, 50% of the taxing district's
8 taxes from the new electric generating facility;

9 (iv) if the equalized assessed valuation of
10 the new electric generating facility is equal to or
11 greater than \$100,000,000 but less than
12 \$125,000,000, then the abatement may not exceed
13 (i) over the entire term of the abatement, 30% of
14 the taxing district's aggregate taxes from the new
15 electric generating facility and (ii) in any one
16 year of abatement, 60% of the taxing district's
17 taxes from the new electric generating facility;

18 (v) if the equalized assessed valuation of the
19 new electric generating facility is equal to or
20 greater than \$125,000,000 but less than
21 \$150,000,000, then the abatement may not exceed
22 (i) over the entire term of the abatement, 40% of
23 the taxing district's aggregate taxes from the new
24 electric generating facility and (ii) in any one
25 year of abatement, 60% of the taxing district's
26 taxes from the new electric generating facility;

1 (vi) if the equalized assessed valuation of
2 the new electric generating facility is equal to or
3 greater than \$150,000,000, then the abatement may
4 not exceed (i) over the entire term of the
5 abatement, 50% of the taxing district's aggregate
6 taxes from the new electric generating facility
7 and (ii) in any one year of abatement, 60% of the
8 taxing district's taxes from the new electric
9 generating facility.

10 The abatement is not effective unless the owner of
11 the new electric generating facility agrees to repay to
12 the taxing district all amounts previously abated,
13 together with interest computed at the rate and in the
14 manner provided for delinquent taxes, in the event that
15 the owner of the new electric generating facility
16 closes the new electric generating facility before the
17 expiration of the entire term of the abatement.

18 The authorization of taxing districts to abate
19 taxes under this subdivision (a)(1)(A-5) expires on
20 January 1, 2010.

21 (B) The property of any commercial or industrial
22 development of at least (i) 500 acres or (ii) 225 acres
23 in the case of a commercial or industrial development
24 that applies for and is granted designation as a High
25 Impact Business under paragraph (F) of item (3) of
26 subsection (a) of Section 5.5 of the Illinois

1 Enterprise Zone Act, having been created within the
2 taxing district. The abatement shall not exceed a
3 period of 20 years and the aggregate amount of abated
4 taxes for all taxing districts combined shall not
5 exceed \$12,000,000.

6 (C) The property of any commercial or industrial
7 firm currently located in the taxing district that
8 expands a facility or its number of employees. The
9 abatement shall not exceed a period of 10 years and the
10 aggregate amount of abated taxes for all taxing
11 districts combined shall not exceed \$4,000,000. The
12 abatement period may be renewed at the option of the
13 taxing districts.

14 (2) Horse racing. Any property in the taxing district
15 which is used for the racing of horses and upon which
16 capital improvements consisting of expansion, improvement
17 or replacement of existing facilities have been made since
18 July 1, 1987. The combined abatements for such property
19 from all taxing districts in any county shall not exceed
20 \$5,000,000 annually and shall not exceed a period of 10
21 years.

22 (3) Auto racing. Any property designed exclusively for
23 the racing of motor vehicles. Such abatement shall not
24 exceed a period of 10 years.

25 (4) Academic or research institute. The property of any
26 academic or research institute in the taxing district that

1 (i) is an exempt organization under paragraph (3) of
2 Section 501(c) of the Internal Revenue Code, (ii) operates
3 for the benefit of the public by actually and exclusively
4 performing scientific research and making the results of
5 the research available to the interested public on a
6 non-discriminatory basis, and (iii) employs more than 100
7 employees. An abatement granted under this paragraph shall
8 be for at least 15 years and the aggregate amount of abated
9 taxes for all taxing districts combined shall not exceed
10 \$5,000,000.

11 (5) Housing for older persons. Any property in the
12 taxing district that is devoted exclusively to affordable
13 housing for older households. For purposes of this
14 paragraph, "older households" means those households (i)
15 living in housing provided under any State or federal
16 program that the Department of Human Rights determines is
17 specifically designed and operated to assist elderly
18 persons and is solely occupied by persons 55 years of age
19 or older and (ii) whose annual income does not exceed 80%
20 of the area gross median income, adjusted for family size,
21 as such gross income and median income are determined from
22 time to time by the United States Department of Housing and
23 Urban Development. The abatement shall not exceed a period
24 of 15 years, and the aggregate amount of abated taxes for
25 all taxing districts shall not exceed \$3,000,000.

26 (6) Historical society. For assessment years 1998

1 through 2018, the property of an historical society
2 qualifying as an exempt organization under Section
3 501(c)(3) of the federal Internal Revenue Code.

4 (7) Recreational facilities. Any property in the
5 taxing district (i) that is used for a municipal airport,
6 (ii) that is subject to a leasehold assessment under
7 Section 9-195 of this Code and (iii) which is sublet from a
8 park district that is leasing the property from a
9 municipality, but only if the property is used exclusively
10 for recreational facilities or for parking lots used
11 exclusively for those facilities. The abatement shall not
12 exceed a period of 10 years.

13 (8) Relocated corporate headquarters. If approval
14 occurs within 5 years after the effective date of this
15 amendatory Act of the 92nd General Assembly, any property
16 or a portion of any property in a taxing district that is
17 used by an eligible business for a corporate headquarters
18 as defined in the Corporate Headquarters Relocation Act.
19 Instead of an abatement under this paragraph (8), a taxing
20 district may enter into an agreement with an eligible
21 business to make annual payments to that eligible business
22 in an amount not to exceed the property taxes paid directly
23 or indirectly by that eligible business to the taxing
24 district and any other taxing districts for premises
25 occupied pursuant to a written lease and may make those
26 payments without the need for an annual appropriation. No

1 school district, however, may enter into an agreement with,
2 or abate taxes for, an eligible business unless the
3 municipality in which the corporate headquarters is
4 located agrees to provide funding to the school district in
5 an amount equal to the amount abated or paid by the school
6 district as provided in this paragraph (8). Any abatement
7 ordered or agreement entered into under this paragraph (8)
8 may be effective for the entire term specified by the
9 taxing district, except the term of the abatement or annual
10 payments may not exceed 20 years.

11 (9) United States Military Public/Private Residential
12 Developments. Each building, structure, or other
13 improvement designed, financed, constructed, renovated,
14 managed, operated, or maintained after January 1, 2006
15 under a "PPV Lease", as set forth under Division 14 of
16 Article 10, and any such PPV Lease.

17 (10) Property located in a business corridor that
18 qualifies for an abatement under Section 18-184.10.

19 (11) Under Section 11-15.4-25 of the Illinois
20 Municipal Code, property located within an urban
21 agricultural area that is used by a qualifying farmer for
22 processing, growing, raising, or otherwise producing
23 agricultural products.

24 (b) Upon a majority vote of its governing authority, any
25 municipality may, after the determination of the assessed
26 valuation of its property, order the county clerk to abate any

1 portion of its taxes on any property that is located within the
2 corporate limits of the municipality in accordance with Section
3 8-3-18 of the Illinois Municipal Code.

4 (c) Any taxing district may, upon a majority vote of its
5 governing authority and after the determination of the assessed
6 valuation of its property, order the clerk of that county to
7 abate any portion of its taxes in any given year when the
8 initial levy request for that year has subsequently been found
9 to be in excess of the funds required for that year. In
10 counties subject to the Property Tax Extension Limitation Law,
11 any such abatement of taxes under this subsection shall be
12 included in the aggregate extension base for the subsequent tax
13 year.

14 (Source: P.A. 100-1133, eff. 1-1-19.)

15 (35 ILCS 200/18-185)

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

19 "Consumer Price Index" means the Consumer Price Index for
20 All Urban Consumers for all items published by the United
21 States Department of Labor.

22 "Extension limitation" means (a) the lesser of 5% or the
23 percentage increase in the Consumer Price Index during the
24 12-month calendar year preceding the levy year or (b) the rate
25 of increase approved by voters under Section 18-205.

1 "Affected county" means a county of 3,000,000 or more
2 inhabitants or a county contiguous to a county of 3,000,000 or
3 more inhabitants.

4 "Taxing district" has the same meaning provided in Section
5 1-150, except as otherwise provided in this Section. For the
6 1991 through 1994 levy years only, "taxing district" includes
7 only each non-home rule taxing district having the majority of
8 its 1990 equalized assessed value within any county or counties
9 contiguous to a county with 3,000,000 or more inhabitants.
10 Beginning with the 1995 levy year, "taxing district" includes
11 only each non-home rule taxing district subject to this Law
12 before the 1995 levy year and each non-home rule taxing
13 district not subject to this Law before the 1995 levy year
14 having the majority of its 1994 equalized assessed value in an
15 affected county or counties. Beginning with the levy year in
16 which this Law becomes applicable to a taxing district as
17 provided in Section 18-213, "taxing district" also includes
18 those taxing districts made subject to this Law as provided in
19 Section 18-213.

20 "Aggregate extension" for taxing districts to which this
21 Law applied before the 1995 levy year means the annual
22 corporate extension for the taxing district and those special
23 purpose extensions that are made annually for the taxing
24 district, excluding special purpose extensions: (a) made for
25 the taxing district to pay interest or principal on general
26 obligation bonds that were approved by referendum; (b) made for

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

1 (b), (c), (e), and (h) of this definition for non-referendum
2 obligations, except obligations initially issued pursuant to
3 referendum; (j) made for payments of principal and interest on
4 bonds issued under Section 15 of the Local Government Debt
5 Reform Act; (k) made by a school district that participates in
6 the Special Education District of Lake County, created by
7 special education joint agreement under Section 10-22.31 of the
8 School Code, for payment of the school district's share of the
9 amounts required to be contributed by the Special Education
10 District of Lake County to the Illinois Municipal Retirement
11 Fund under Article 7 of the Illinois Pension Code; the amount
12 of any extension under this item (k) shall be certified by the
13 school district to the county clerk; (l) made to fund expenses
14 of providing joint recreational programs for persons with
15 disabilities under Section 5-8 of the Park District Code or
16 Section 11-95-14 of the Illinois Municipal Code; (m) made for
17 temporary relocation loan repayment purposes pursuant to
18 Sections 2-3.77 and 17-2.2d of the School Code; (n) made for
19 payment of principal and interest on any bonds issued under the
20 authority of Section 17-2.2d of the School Code; (o) made for
21 contributions to a firefighter's pension fund created under
22 Article 4 of the Illinois Pension Code, to the extent of the
23 amount certified under item (5) of Section 4-134 of the
24 Illinois Pension Code; and (p) made for road purposes in the
25 first year after a township assumes the rights, powers, duties,
26 assets, property, liabilities, obligations, and

1 responsibilities of a road district abolished under the
2 provisions of Section 6-133 of the Illinois Highway Code.

3 "Aggregate extension" for the taxing districts to which
4 this Law did not apply before the 1995 levy year (except taxing
5 districts subject to this Law in accordance with Section
6 18-213) means the annual corporate extension for the taxing
7 district and those special purpose extensions that are made
8 annually for the taxing district, excluding special purpose
9 extensions: (a) made for the taxing district to pay interest or
10 principal on general obligation bonds that were approved by
11 referendum; (b) made for any taxing district to pay interest or
12 principal on general obligation bonds issued before March 1,
13 1995; (c) made for any taxing district to pay interest or
14 principal on bonds issued to refund or continue to refund those
15 bonds issued before March 1, 1995; (d) made for any taxing
16 district to pay interest or principal on bonds issued to refund
17 or continue to refund bonds issued after March 1, 1995 that
18 were approved by referendum; (e) made for any taxing district
19 to pay interest or principal on revenue bonds issued before
20 March 1, 1995 for payment of which a property tax levy or the
21 full faith and credit of the unit of local government is
22 pledged; however, a tax for the payment of interest or
23 principal on those bonds shall be made only after the governing
24 body of the unit of local government finds that all other
25 sources for payment are insufficient to make those payments;
26 (f) made for payments under a building commission lease when

1 the lease payments are for the retirement of bonds issued by
2 the commission before March 1, 1995 to pay for the building
3 project; (g) made for payments due under installment contracts
4 entered into before March 1, 1995; (h) made for payments of
5 principal and interest on bonds issued under the Metropolitan
6 Water Reclamation District Act to finance construction
7 projects initiated before October 1, 1991; (h-4) made for
8 stormwater management purposes by the Metropolitan Water
9 Reclamation District of Greater Chicago under Section 12 of the
10 Metropolitan Water Reclamation District Act; (i) made for
11 payments of principal and interest on limited bonds, as defined
12 in Section 3 of the Local Government Debt Reform Act, in an
13 amount not to exceed the debt service extension base less the
14 amount in items (b), (c), and (e) of this definition for
15 non-referendum obligations, except obligations initially
16 issued pursuant to referendum and bonds described in subsection
17 (h) of this definition; (j) made for payments of principal and
18 interest on bonds issued under Section 15 of the Local
19 Government Debt Reform Act; (k) made for payments of principal
20 and interest on bonds authorized by Public Act 88-503 and
21 issued under Section 20a of the Chicago Park District Act for
22 aquarium or museum projects; (l) made for payments of principal
23 and interest on bonds authorized by Public Act 87-1191 or
24 93-601 and (i) issued pursuant to Section 21.2 of the Cook
25 County Forest Preserve District Act, (ii) issued under Section
26 42 of the Cook County Forest Preserve District Act for

1 zoological park projects, or (iii) issued under Section 44.1 of
2 the Cook County Forest Preserve District Act for botanical
3 gardens projects; (m) made pursuant to Section 34-53.5 of the
4 School Code, whether levied annually or not; (n) made to fund
5 expenses of providing joint recreational programs for persons
6 with disabilities under Section 5-8 of the Park District Code
7 or Section 11-95-14 of the Illinois Municipal Code; (o) made by
8 the Chicago Park District for recreational programs for persons
9 with disabilities under subsection (c) of Section 7.06 of the
10 Chicago Park District Act; (p) made for contributions to a
11 firefighter's pension fund created under Article 4 of the
12 Illinois Pension Code, to the extent of the amount certified
13 under item (5) of Section 4-134 of the Illinois Pension Code;
14 (q) made by Ford Heights School District 169 under Section
15 17-9.02 of the School Code; and (r) made for the purpose of
16 making employer contributions to the Public School Teachers'
17 Pension and Retirement Fund of Chicago under Section 34-53 of
18 the School Code.

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

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

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

1 Section 19-3.10 of the School Code.

2 "Aggregate extension" for all taxing districts to which
3 this Law applies in accordance with 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 March 7, 1997 (the effective date of Public Act 89-718) ~~this~~
12 ~~amendatory Act of 1997~~; (c) made for any taxing district to pay
13 interest or principal on bonds issued to refund or continue to
14 refund those bonds issued before March 7, 1997 (the effective
15 date of Public Act 89-718) ~~this amendatory Act of 1997~~; (d)
16 made for any taxing district to pay interest or principal on
17 bonds issued to refund or continue to refund bonds issued after
18 March 7, 1997 (the effective date of Public Act 89-718) ~~this~~
19 ~~amendatory Act of 1997~~ if the bonds were approved by referendum
20 after March 7, 1997 (the effective date of Public Act 89-718)
21 ~~this amendatory Act of 1997~~; (e) made for any taxing district
22 to pay interest or principal on revenue bonds issued before
23 March 7, 1997 (the effective date of Public Act 89-718) ~~this~~
24 ~~amendatory Act of 1997~~ for payment of which a property tax levy
25 or the full faith and credit of the unit of local government is
26 pledged; however, a tax for the payment of interest or

1 principal on those bonds shall be made only after the governing
2 body of the unit of local government finds that all other
3 sources for payment are insufficient to make those payments;
4 (f) made for payments under a building commission lease when
5 the lease payments are for the retirement of bonds issued by
6 the commission before March 7, 1997 (the effective date of
7 Public Act 89-718) ~~this amendatory Act of 1997~~ to pay for the
8 building project; (g) made for payments due under installment
9 contracts entered into before March 7, 1997 (the effective date
10 of Public Act 89-718) ~~this amendatory Act of 1997~~; (h) made for
11 payments of principal and interest on limited bonds, as defined
12 in Section 3 of the Local Government Debt Reform Act, in an
13 amount not to exceed the debt service extension base less the
14 amount in items (b), (c), and (e) of this definition for
15 non-referendum obligations, except obligations initially
16 issued pursuant to referendum; (i) made for payments of
17 principal and interest on bonds issued under Section 15 of the
18 Local Government Debt Reform Act; (j) made for a qualified
19 airport authority to pay interest or principal on general
20 obligation bonds issued for the purpose of paying obligations
21 due under, or financing airport facilities required to be
22 acquired, constructed, installed or equipped pursuant to,
23 contracts entered into before March 1, 1996 (but not including
24 any amendments to such a contract taking effect on or after
25 that date); (k) made to fund expenses of providing joint
26 recreational programs for persons with disabilities under

1 Section 5-8 of the Park District Code or Section 11-95-14 of
2 the Illinois Municipal Code; and (l) made for contributions to
3 a firefighter's pension fund created under Article 4 of the
4 Illinois Pension Code, to the extent of the amount certified
5 under item (5) of Section 4-134 of the Illinois Pension Code.

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

1 extension for the 1991 levy year constituting an extension for
2 payment of principal and interest on bonds issued by the park
3 district without referendum (but not including excluded
4 non-referendum bonds). A debt service extension base
5 established or increased at any time pursuant to any provision
6 of this Law, except Section 18-212, shall be increased each
7 year commencing with the later of (i) the 2009 levy year or
8 (ii) the first levy year in which this Law becomes applicable
9 to the taxing district, by the lesser of 5% or the percentage
10 increase in the Consumer Price Index during the 12-month
11 calendar year preceding the levy year. The debt service
12 extension base may be established or increased as provided
13 under Section 18-212. "Excluded non-referendum bonds" means
14 (i) bonds authorized by Public Act 88-503 and issued under
15 Section 20a of the Chicago Park District Act for aquarium and
16 museum projects; (ii) bonds issued under Section 15 of the
17 Local Government Debt Reform Act; or (iii) refunding
18 obligations issued to refund or to continue to refund
19 obligations initially issued pursuant to referendum.

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

1 aggregate extension.

2 "Aggregate extension base" means the taxing district's
3 last preceding aggregate extension, as adjusted under Sections
4 18-135, 18-215, 18-230, ~~and 18-206,~~ and 18-233, plus the amount
5 of any abatement granted in the last preceding levy year under
6 subsection (c) of Section 18-165. An adjustment under Section
7 18-135 shall be made for the 2007 levy year and all subsequent
8 levy years whenever one or more counties within which a taxing
9 district is located (i) used estimated valuations or rates when
10 extending taxes in the taxing district for the last preceding
11 levy year that resulted in the over or under extension of
12 taxes, or (ii) increased or decreased the tax extension for the
13 last preceding levy year as required by Section 18-135(c).
14 Whenever an adjustment is required under Section 18-135, the
15 aggregate extension base of the taxing district shall be equal
16 to the amount that the aggregate extension of the taxing
17 district would have been for the last preceding levy year if
18 either or both (i) actual, rather than estimated, valuations or
19 rates had been used to calculate the extension of taxes for the
20 last levy year, or (ii) the tax extension for the last
21 preceding levy year had not been adjusted as required by
22 subsection (c) of Section 18-135. Whenever an adjustment is
23 required under Section 18-233, the aggregate extension base of
24 the taxing district shall be equal to the amount that the
25 aggregate extension of the taxing district would have been for
26 the last preceding levy year if the actual valuations and

1 rates, as adjusted for the increases or reductions specified in
2 Section 18-233, had been used to calculate the extension of
3 taxes for the levy year in which the overextension or
4 underextension occurred.

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

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

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

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

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

17 "Recovered tax increment value" means, except as otherwise
18 provided in this paragraph, the amount of the current year's
19 equalized assessed value, in the first year after a
20 municipality terminates the designation of an area as a
21 redevelopment project area previously established under the
22 Tax Increment Allocation Redevelopment ~~Development~~ Act in the
23 Illinois Municipal Code, previously established under the
24 Industrial Jobs Recovery Law in the Illinois Municipal Code,
25 previously established under the Economic Development Project
26 Area Tax Increment Act of 1995, or previously established under

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

1 Increment Allocation Act, "recovered tax increment value"
2 means the amount of the current year's equalized assessed value
3 of each taxable lot, block, tract, or parcel of real property
4 removed from the redevelopment project area over and above the
5 initial equalized assessed value of that real property before
6 removal from the redevelopment project area.

7 Except as otherwise provided in this Section, "limiting
8 rate" means a fraction the numerator of which is the last
9 preceding aggregate extension base times an amount equal to one
10 plus the extension limitation defined in this Section and the
11 denominator of which is the current year's equalized assessed
12 value of all real property in the territory under the
13 jurisdiction of the taxing district during the prior levy year.
14 For those taxing districts that reduced their aggregate
15 extension for the last preceding levy year, except for school
16 districts that reduced their extension for educational
17 purposes pursuant to Section 18-206, the highest aggregate
18 extension in any of the last 3 preceding levy years shall be
19 used for the purpose of computing the limiting rate. The
20 denominator shall not include new property or the recovered tax
21 increment value. If a new rate, a rate decrease, or a limiting
22 rate increase has been approved at an election held after March
23 21, 2006, then (i) the otherwise applicable limiting rate shall
24 be increased by the amount of the new rate or shall be reduced
25 by the amount of the rate decrease, as the case may be, or (ii)
26 in the case of a limiting rate increase, the limiting rate

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

13 (Source: P.A. 99-143, eff. 7-27-15; 99-521, eff. 6-1-17;
14 100-465, eff. 8-31-17; revised 8-12-19.)

15 (35 ILCS 200/18-233 new)

16 Sec. 18-233. Adjustments for certificates of error,
17 certain court orders, or final administrative decisions of the
18 Property Tax Appeal Board. Beginning in levy year 2019, a
19 taxing district levy shall be increased by a prior year
20 adjustment whenever an assessment decrease due to the issuance
21 of a certificate of error, a court order issued pursuant to an
22 assessment valuation complaint under Section 23-15, or a final
23 administrative decision of the Property Tax Appeal Board
24 results in a refund from the taxing district of a portion of
25 the property tax revenue distributed to the taxing district.

1 Whenever an adjustment is required under this Section, the
2 aggregate levy of the taxing district shall be increased by a
3 supplemental levy to recapture the property tax revenue lost by
4 the refunds paid by the taxing district. The supplemental levy
5 shall be applied by the county clerk annually to the taxing
6 district's total levy in an amount determined by the county
7 treasurer who shall certify to the county clerk the aggregate
8 refunds paid by a taxing district for purposes of this Section.
9 The supplemental levy may not exceed an amount equal to the
10 aggregate refunds paid by the taxing district for the 12-month
11 period prior to November 1 of each year. On or before November
12 15 of each year, the county treasurer shall certify the
13 aggregate refunds paid by a taxing district during such
14 12-month period for purposes of this Section. For purposes of
15 this Division, the taxing district's aggregate extension base
16 shall not include the supplemental levy authorized under this
17 Section.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.".