

1 AN ACT in relation to the Metropolitan Water Reclamation
2 District.

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

5 Section 5. The Property Tax Code is amended by changing
6 Section 18-185 as follows:

7 (35 ILCS 200/18-185)

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

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

14 "Extension limitation" means (a) the lesser of 5% or the
15 percentage increase in the Consumer Price Index during the
16 12-month calendar year preceding the levy year or (b) the
17 rate of increase approved by voters under Section 18-205.

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

21 "Taxing district" has the same meaning provided in
22 Section 1-150, except as otherwise provided in this Section.
23 For the 1991 through 1994 levy years only, "taxing district"
24 includes only each non-home rule taxing district having the
25 majority of its 1990 equalized assessed value within any
26 county or counties contiguous to a county with 3,000,000 or
27 more inhabitants. Beginning with the 1995 levy year, "taxing
28 district" includes only each non-home rule taxing district
29 subject to this Law before the 1995 levy year and each
30 non-home rule taxing district not subject to this Law before
31 the 1995 levy year having the majority of its 1994 equalized

1 assessed value in an affected county or counties. Beginning
2 with the levy year in which this Law becomes applicable to a
3 taxing district as provided in Section 18-213, "taxing
4 district" also includes those taxing districts made subject
5 to this Law as provided in Section 18-213.

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

1 to finance construction projects initiated before October 1,
2 1991; (i) made for payments of principal and interest on
3 limited bonds, as defined in Section 3 of the Local
4 Government Debt Reform Act, in an amount not to exceed the
5 debt service extension base less the amount in items (b),
6 (c), (e), and (h) of this definition for non-referendum
7 obligations, except obligations initially issued pursuant to
8 referendum; (j) made for payments of principal and interest
9 on bonds issued under Section 15 of the Local Government Debt
10 Reform Act; and (k) made by a school district that
11 participates in the Special Education District of Lake
12 County, created by special education joint agreement under
13 Section 10-22.31 of the School Code, for payment of the
14 school district's share of the amounts required to be
15 contributed by the Special Education District of Lake County
16 to the Illinois Municipal Retirement Fund under Article 7 of
17 the Illinois Pension Code; the amount of any extension under
18 this item (k) shall be certified by the school district to
19 the county clerk.

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

1 March 1, 1995 that were approved by referendum; (e) made for
2 any taxing district to pay interest or principal on revenue
3 bonds issued before March 1, 1995 for payment of which a
4 property tax levy or the full faith and credit of the unit of
5 local government is pledged; however, a tax for the payment
6 of interest or principal on those bonds shall be made only
7 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
11 retirement of bonds issued by the commission before March 1,
12 1995 to pay for the building project; (g) made for payments
13 due under installment contracts entered into before March 1,
14 1995; (h) made for payments of principal and interest on
15 bonds issued under the Metropolitan Water Reclamation
16 District Act to finance construction projects initiated
17 before October 1, 1991; (h-5) made by the Metropolitan Water
18 Reclamation District of Greater Chicago under Section 12 of
19 the Metropolitan Water Reclamation District Act for the
20 purpose of providing funds for staffing, services, materials,
21 and equipment to secure and safeguard sewers, sewage
22 treatment plants, and appurtenances thereto; (i) made for
23 payments of principal and interest on limited bonds, as
24 defined in Section 3 of the Local Government Debt Reform Act,
25 in an amount not to exceed the debt service extension base
26 less the amount in items (b), (c), and (e) of this definition
27 for non-referendum obligations, except obligations initially
28 issued pursuant to referendum and bonds described in
29 subsection (h) of this definition; (j) made for payments of
30 principal and interest on bonds issued under Section 15 of
31 the Local Government Debt Reform Act; (k) made for payments
32 of principal and interest on bonds authorized by Public Act
33 88-503 and issued under Section 20a of the Chicago Park
34 District Act for aquarium or museum projects; (l) made for

1 payments of principal and interest on bonds authorized by
2 Public Act 87-1191 and issued under Section 42 of the Cook
3 County Forest Preserve District Act for zoological park
4 projects; and (m) made pursuant to Section 34-53.5 of the
5 School Code, whether levied annually or not.

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

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

25 "Aggregate extension" for all taxing districts to which
26 this Law applies in accordance with paragraph (2) of
27 subsection (e) of Section 18-213 means the annual corporate
28 extension for the taxing district and those special purpose
29 extensions that are made annually for the taxing district,
30 excluding special purpose extensions: (a) made for the taxing
31 district to pay interest or principal on general obligation
32 bonds that were approved by referendum; (b) made for any
33 taxing district to pay interest or principal on general
34 obligation bonds issued before the effective date of this

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

1 installed or equipped pursuant to, contracts entered into
2 before March 1, 1996 (but not including any amendments to
3 such a contract taking effect on or after that date).

4 "Debt service extension base" means an amount equal to
5 that portion of the extension for a taxing district for the
6 1994 levy year, or for those taxing districts subject to this
7 Law in accordance with Section 18-213, except for those
8 subject to paragraph (2) of subsection (e) of Section 18-213,
9 for the levy year in which the referendum making this Law
10 applicable to the taxing district is held, or for those
11 taxing districts subject to this Law in accordance with
12 paragraph (2) of subsection (e) of Section 18-213 for the
13 1996 levy year, constituting an extension for payment of
14 principal and interest on bonds issued by the taxing district
15 without referendum, but not including (i) bonds authorized by
16 Public Act 88-503 and issued under Section 20a of the Chicago
17 Park District Act for aquarium and museum projects; (ii)
18 bonds issued under Section 15 of the Local Government Debt
19 Reform Act; or (iii) refunding obligations issued to refund
20 or to continue to refund obligations initially issued
21 pursuant to referendum. The debt service extension base may
22 be established or increased as provided under Section 18-212.

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

31 "Aggregate extension base" means the taxing district's
32 last preceding aggregate extension as adjusted under Sections
33 18-215 through 18-230.

34 "Levy year" has the same meaning as "year" under Section

1 1-155.

2 "New property" means (i) the assessed value, after final
3 board of review or board of appeals action, of new
4 improvements or additions to existing improvements on any
5 parcel of real property that increase the assessed value of
6 that real property during the levy year multiplied by the
7 equalization factor issued by the Department under Section
8 17-30 and (ii) the assessed value, after final board of
9 review or board of appeals action, of real property not
10 exempt from real estate taxation, which real property was
11 exempt from real estate taxation for any portion of the
12 immediately preceding levy year, multiplied by the
13 equalization factor issued by the Department under Section
14 17-30. In addition, the county clerk in a county containing a
15 population of 3,000,000 or more shall include in the 1997
16 recovered tax increment value for any school district, any
17 recovered tax increment value that was applicable to the 1995
18 tax year calculations.

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

23 "Recovered tax increment value" means, except as
24 otherwise provided in this paragraph, the amount of the
25 current year's equalized assessed value, in the first year
26 after a municipality terminates the designation of an area as
27 a redevelopment project area previously established under the
28 Tax Increment Allocation Development Act in the Illinois
29 Municipal Code, previously established under the Industrial
30 Jobs Recovery Law in the Illinois Municipal Code, or
31 previously established under the Economic Development Area
32 Tax Increment Allocation Act, of each taxable lot, block,
33 tract, or parcel of real property in the redevelopment
34 project area over and above the initial equalized assessed

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

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

1 the denominator of which is the current year's equalized
2 assessed value of all real property in the territory under
3 the jurisdiction of the taxing district during the prior levy
4 year. For those taxing districts that reduced their
5 aggregate extension for the last preceding levy year, the
6 highest aggregate extension in any of the last 3 preceding
7 levy years shall be used for the purpose of computing the
8 limiting rate. The denominator shall not include new
9 property. The denominator shall not include the recovered
10 tax increment value.

11 (Source: P.A. 91-357, eff. 7-29-99; 91-478, eff. 11-1-99;
12 92-547, eff. 6-13-02.)

13 Section 10. The Metropolitan Water Reclamation District
14 Act is amended by changing Section 12 as follows:

15 (70 ILCS 2605/12) (from Ch. 42, par. 332)

16 Sec. 12. The board of commissioners annually may levy
17 taxes for corporate purposes upon property within the
18 territorial limits of such sanitary district, the aggregate
19 amount of which, exclusive of the amount levied for (a) the
20 payment of bonded indebtedness and the interest on bonded
21 indebtedness (b) employees' annuity and benefit purposes (c)
22 construction purposes, and (d) for the purpose of
23 establishing and maintaining a reserve fund for the payment
24 of claims, awards, losses, judgments or liabilities which
25 might be imposed on such sanitary district under the Workers'
26 Compensation Act or the Workers' Occupational Diseases Act,
27 and any claim in tort, including but not limited to, any
28 claim imposed upon such sanitary district under the Local
29 Governmental and Governmental Employees Tort Immunity Act,
30 and for the repair or replacement of any property owned by
31 such sanitary district which is damaged by fire, flood,
32 explosion, vandalism or any other peril, natural or manmade,

1 shall not exceed the sum produced by extending the rate of
2 .46% for the year 1979 and each year thereafter, upon the
3 assessed valuation of all taxable property within the
4 sanitary district as equalized and determined for State and
5 local taxes.

6 In addition, for the purpose of providing funds for
7 staffing, services, materials, and equipment to secure and
8 safeguard sewers, sewage treatment plants, and appurtenances
9 thereto, the board of commissioners may levy a tax at a rate
10 not to exceed 0.0025% of the assessed valuation of all
11 taxable property within the district as equalized and
12 determined for State and local taxes. This tax may be levied
13 only through calendar year 2006.

14 ~~And~~ In addition thereto, for construction purposes as
15 defined in Section 5.2 of this Act, the board of
16 commissioners may levy taxes for the year 1985 and each year
17 thereafter which shall be at a rate not to exceed .10% of the
18 assessed valuation of all taxable property within the
19 sanitary district as equalized and determined for State and
20 local taxes. Amounts realized from taxes so levied for
21 construction purposes shall be limited for use to such
22 purposes and shall not be available for appropriation or used
23 to defray the cost of repairs to or expense of maintaining or
24 operating existing or future facilities, but such
25 restrictions, however, shall not apply to additions,
26 alterations, enlargements, and replacements which will add
27 appreciably to the value, utility, or the useful life of said
28 facilities.

29 Such rates shall be extended against the assessed
30 valuation of the taxable property within the corporate limits
31 as the same shall be assessed and equalized for the county
32 taxes for the year in which the levy is made and said board
33 shall cause the amount to be raised by taxation in each year
34 to be certified to the county clerk on or before the

1 thirtieth day of March; provided, however, that if during the
2 budget year the General Assembly authorizes an increase in
3 such rates, the board of commissioners may adopt a
4 supplemental levy and shall make such certification to the
5 County Clerk on or before the thirtieth day of December.

6 For the purpose of establishing and maintaining a reserve
7 fund for the payment of claims, awards, losses, judgments or
8 liabilities which might be imposed on such sanitary district
9 under the Workers' Compensation Act or the Workers'
10 Occupational Diseases Act, and any claim in tort, including
11 but not limited to, any claim imposed upon such sanitary
12 district under the Local Governmental and Governmental
13 Employees Tort Immunity Act, and for the repair or
14 replacement, where the cost thereof exceeds the sum of
15 \$10,000, of any property owned by such sanitary district
16 which is damaged by fire, flood, explosion, vandalism or any
17 other peril, natural or man-made, such sanitary district may
18 also levy annually upon all taxable property within its
19 territorial limits a tax not to exceed .005% of the assessed
20 valuation of said taxable property as equalized and
21 determined for State and local taxes; provided, however, the
22 aggregate amount which may be accumulated in such reserve
23 fund shall not exceed .05% of such assessed valuation.

24 All taxes so levied and certified shall be collected and
25 enforced in the same manner and by the same officers as State
26 and county taxes, and shall be paid over by the officer
27 collecting the same to the treasurer of the sanitary
28 district, in the manner and at the time provided by the
29 general revenue law. No part of the taxes hereby authorized
30 shall be used by such sanitary district for the construction
31 of permanent, fixed, immovable bridges across any channel
32 constructed under the provisions of this Act. All bridges
33 built across such channel shall not necessarily interfere
34 with or obstruct the navigation of such channel, when the

1 same becomes a navigable stream, as provided in Section 24 of
2 this Act, but such bridges shall be so constructed that they
3 can be raised, swung or moved out of the way of vessels,
4 tugs, boats or other water craft navigating such channel.
5 Nothing in this Act shall be so construed as to compel said
6 district to maintain or operate said bridges, as movable
7 bridges, for a period of 9 years from and after the time when
8 the water has been turned into said channel pursuant to law,
9 unless the needs of general navigation of the Des Plaines and
10 Illinois Rivers, when connected by said channel, sooner
11 require it. In levying taxes the board of commissioners, in
12 order to produce the net amount required by the levies for
13 payment of bonds and interest thereon, shall include an
14 amount or rate estimated to be sufficient to cover losses in
15 collection of taxes, the cost of collecting taxes, abatements
16 in the amount of such taxes as extended on the collector's
17 books and the amount of such taxes collection of which will
18 be deferred; the amount so added for the purpose of producing
19 the net amount required shall not exceed any applicable
20 maximum tax rate or amount.

21 (Source: P.A. 84-630.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.