

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.