

1 AN ACT in relation to taxes.

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

4 Section 5. The Property Tax Code is amended by changing  
5 Section 15-170 as follows:

6 (35 ILCS 200/15-170)

7 Sec. 15-170. Senior Citizens Homestead Exemption. An  
8 annual homestead exemption limited, except as described here  
9 with relation to cooperatives or life care facilities, to a  
10 maximum reduction set forth below from the property's value,  
11 as equalized or assessed by the Department, is granted for  
12 property that is occupied as a residence by a person 65  
13 years of age or older who is liable for paying real estate  
14 taxes on the property and is an owner of record of the  
15 property or has a legal or equitable interest therein as  
16 evidenced by a written instrument, except for a leasehold  
17 interest, other than a leasehold interest of land on which a  
18 single family residence is located, which is occupied as a  
19 residence by a person 65 years or older who has an ownership  
20 interest therein, legal, equitable or as a lessee, and on  
21 which he or she is liable for the payment of property taxes.

22 The maximum reduction shall be \$2,500 plus the additional  
23 exemption provided in this paragraph, if applicable, in  
24 counties with 3,000,000 or more inhabitants and \$2,000 in all  
25 other counties. For owners whose qualified property is in a  
26 county with 3,000,000 or more inhabitants and has an assessed  
27 valuation that has increased by more than 20% over the  
28 previous assessed valuation of that property, there shall be  
29 an additional exemption of: \$500 for owners with a household  
30 income of \$30,000 or more; \$1,000 for owners with a household  
31 income of \$20,000 or more but less than \$30,000; and \$1,500

1 for owners with a household income of less than \$20,000.

2 For land improved with an apartment building owned and  
3 operated as a cooperative, the maximum reduction from the  
4 value of the property, as equalized by the Department, shall  
5 be multiplied by the number of apartments or units occupied  
6 by a person 65 years of age or older who is liable, by  
7 contract with the owner or owners of record, for paying  
8 property taxes on the property and is an owner of record of a  
9 legal or equitable interest in the cooperative apartment  
10 building, other than a leasehold interest. For land improved  
11 with a life care facility, the maximum reduction from the  
12 value of the property, as equalized by the Department, shall  
13 be multiplied by the number of apartments or units occupied  
14 by persons 65 years of age or older, irrespective of any  
15 legal, equitable, or leasehold interest in the facility, who  
16 are liable, under a contract with the owner or owners of  
17 record of the facility, for paying property taxes on the  
18 property. In a cooperative or a life care facility where a  
19 homestead exemption has been granted, the cooperative  
20 association or the management firm of the cooperative or  
21 facility shall credit the savings resulting from that  
22 exemption only to the apportioned tax liability of the owner  
23 or resident who qualified for the exemption. Any person who  
24 willfully refuses to so credit the savings shall be guilty of  
25 a Class B misdemeanor. Under this Section and Section 15-175,  
26 "life care facility" means a facility as defined in Section 2  
27 of the Life Care Facilities Act, with which the applicant for  
28 the homestead exemption has a life care contract as defined  
29 in that Act.

30 "Household", as used in this Section, means the owner,  
31 the spouse of the owner, and all persons using the residence  
32 of the owner as their principal place of residence.

33 "Household income", as used in this Section, means the  
34 combined income of the members of a household for the

1 calendar year preceding the taxable year.

2 "Income", as used in this Section, has the same meaning  
3 as provided in Section 3.07 of the Senior Citizens and  
4 Disabled Persons Property Tax Relief and Pharmaceutical  
5 Assistance Act, except that "income" does not include  
6 veteran's benefits.

7 When a homestead exemption has been granted under this  
8 Section and the person qualifying subsequently becomes a  
9 resident of a facility licensed under the Nursing Home Care  
10 Act, the exemption shall continue so long as the residence  
11 continues to be occupied by the qualifying person's spouse if  
12 the spouse is 65 years of age or older, or if the residence  
13 remains unoccupied but is still owned by the person qualified  
14 for the homestead exemption.

15 A person who will be 65 years of age during the current  
16 assessment year shall be eligible to apply for the homestead  
17 exemption during that assessment year. Application shall be  
18 made during the application period in effect for the county  
19 of his residence.

20 Beginning with assessment year 2003, for taxes payable in  
21 2004, property that is first occupied as a residence after  
22 January 1 of any assessment year by a person who is eligible  
23 for the senior citizens homestead exemption under this  
24 Section must be granted a pro-rata exemption for the  
25 assessment year. The amount of the pro-rata exemption is the  
26 exemption allowed in the county under this Section divided by  
27 365 and multiplied by the number of days during the  
28 assessment year the property is occupied as a residence by a  
29 person eligible for the exemption under this Section. The  
30 chief county assessment officer must adopt reasonable  
31 procedures to establish eligibility for this pro-rata  
32 exemption.

33 The assessor or chief county assessment officer may  
34 determine the eligibility of a life care facility to receive

1 the benefits provided by this Section, by affidavit,  
2 application, visual inspection, questionnaire or other  
3 reasonable methods in order to insure that the tax savings  
4 resulting from the exemption are credited by the management  
5 firm to the apportioned tax liability of each qualifying  
6 resident. The assessor may request reasonable proof that the  
7 management firm has so credited the exemption.

8 The chief county assessment officer of each county with  
9 less than 3,000,000 inhabitants shall provide to each person  
10 allowed a homestead exemption under this Section a form to  
11 designate any other person to receive a duplicate of any  
12 notice of delinquency in the payment of taxes assessed and  
13 levied under this Code on the property of the person  
14 receiving the exemption. The duplicate notice shall be in  
15 addition to the notice required to be provided to the person  
16 receiving the exemption, and shall be given in the manner  
17 required by this Code. The person filing the request for the  
18 duplicate notice shall pay a fee of \$5 to cover  
19 administrative costs to the supervisor of assessments, who  
20 shall then file the executed designation with the county  
21 collector. Notwithstanding any other provision of this Code  
22 to the contrary, the filing of such an executed designation  
23 requires the county collector to provide duplicate notices as  
24 indicated by the designation. A designation may be rescinded  
25 by the person who executed such designation at any time, in  
26 the manner and form required by the chief county assessment  
27 officer.

28 The assessor or chief county assessment officer may  
29 determine the eligibility of residential property to receive  
30 the homestead exemption provided by this Section by  
31 application, visual inspection, questionnaire or other  
32 reasonable methods. The determination shall be made in  
33 accordance with guidelines established by the Department.

34 In counties with less than 3,000,000 inhabitants, the

1 county board may by resolution provide that if a person has  
2 been granted a homestead exemption under this Section, the  
3 person qualifying need not reapply for the exemption.

4 In counties with 3,000,000 or more inhabitants, if a  
5 person has been granted a homestead exemption under this  
6 Section, the person qualifying need not reapply for the  
7 exemption unless the person is applying for an additional  
8 exemption based upon a household income of less than \$40,000.

9 In counties with less than 3,000,000 inhabitants, if the  
10 assessor or chief county assessment officer requires annual  
11 application for verification of eligibility for an exemption  
12 once granted under this Section, the application shall be  
13 mailed to the taxpayer.

14 The assessor or chief county assessment officer shall  
15 notify each person who qualifies for an exemption under this  
16 Section that the person may also qualify for deferral of real  
17 estate taxes under the Senior Citizens Real Estate Tax  
18 Deferral Act. The notice shall set forth the qualifications  
19 needed for deferral of real estate taxes, the address and  
20 telephone number of county collector, and a statement that  
21 applications for deferral of real estate taxes may be  
22 obtained from the county collector.

23 Notwithstanding Sections 6 and 8 of the State Mandates  
24 Act, no reimbursement by the State is required for the  
25 implementation of any mandate created by this Section.

26 (Source: P.A. 92-196, eff. 1-1-02; 93-511, eff. 8-11-03.)

27 Section 99. Effective date. This Act takes effect upon  
28 becoming law.