

HB1386



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1386

by Rep. John E. Bradley

SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-167

Amends the Property Tax Code. Provides that the returning veterans' homestead exemption may be granted to a returning veteran each year the veteran returns from active duty in an armed conflict. Provides that the reduction is \$6,000 for a veteran who returns from two or more tours of active duty in armed conflicts. Effective immediately.

LRB097 07181 HLH 47285 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing
5 Section 15-167 as follows:

6 (35 ILCS 200/15-167)

7 Sec. 15-167. Returning Veterans' Homestead Exemption.

8 (a) Beginning with taxable year 2007, a homestead
9 exemption, limited to a reduction set forth under subsection
10 (b), from the property's value, as equalized or assessed by the
11 Department, is granted for property that is owned and occupied
12 as the principal residence of a veteran returning from an armed
13 conflict involving the armed forces of the United States who is
14 liable for paying real estate taxes on the property and is an
15 owner of record of the property or has a legal or equitable
16 interest therein as evidenced by a written instrument, except
17 for a leasehold interest, other than a leasehold interest of
18 land on which a single family residence is located, which is
19 occupied as the principal residence of a veteran returning from
20 an armed conflict involving the armed forces of the United
21 States who has an ownership interest therein, legal, equitable
22 or as a lessee, and on which he or she is liable for the payment
23 of property taxes. The homestead exemption granted under this

1 Section shall apply to a veteran each taxable year in which the
2 veteran returns from an armed conflict involving the armed
3 forces of the United States. For purposes of the exemption
4 under this Section, "veteran" means an Illinois resident who
5 has served as a member of the United States Armed Forces, a
6 member of the Illinois National Guard, or a member of the
7 United States Reserve Forces.

8 (b) In all counties, the reduction is \$5,000 for the
9 taxable year in which the veteran returns from active duty in
10 an armed conflict involving the armed forces of the United
11 States; however, if the veteran first acquires his or her
12 principal residence during the taxable year in which he or she
13 returns, but after January 1 of that year, and if the property
14 is owned and occupied by the veteran as a principal residence
15 on January 1 of the next taxable year, he or she may apply the
16 exemption for the next taxable year, and only the next taxable
17 year, after he or she returns. For a veteran who has returned
18 from two or more tours of active duty in armed conflicts
19 involving the armed forces of the United States, the reduction
20 is \$6,000 for any taxable year in which the veteran returns
21 from active duty in an armed conflict involving the armed
22 forces of the United States subsequent to the first taxable
23 year in which the veteran returned from active duty in an armed
24 conflict involving the armed forces of the United States.
25 Beginning in taxable year 2010, the reduction shall also be
26 allowed for the taxable year after the taxable year in which

1 the veteran returns from active duty in an armed conflict
2 involving the armed forces of the United States. For land
3 improved with an apartment building owned and operated as a
4 cooperative, the maximum reduction from the value of the
5 property, as equalized by the Department, must be multiplied by
6 the number of apartments or units occupied by a veteran
7 returning from an armed conflict involving the armed forces of
8 the United States who is liable, by contract with the owner or
9 owners of record, for paying property taxes on the property and
10 is an owner of record of a legal or equitable interest in the
11 cooperative apartment building, other than a leasehold
12 interest. In a cooperative where a homestead exemption has been
13 granted, the cooperative association or the management firm of
14 the cooperative or facility shall credit the savings resulting
15 from that exemption only to the apportioned tax liability of
16 the owner or resident who qualified for the exemption. Any
17 person who willfully refuses to so credit the savings is guilty
18 of a Class B misdemeanor.

19 (c) Application must be made during the application period
20 in effect for the county of his or her residence. The assessor
21 or chief county assessment officer may determine the
22 eligibility of residential property to receive the homestead
23 exemption provided by this Section by application, visual
24 inspection, questionnaire, or other reasonable methods. The
25 determination must be made in accordance with guidelines
26 established by the Department.

1 (d) The exemption under this Section is in addition to any
2 other homestead exemption provided in this Article 15.
3 Notwithstanding Sections 6 and 8 of the State Mandates Act, no
4 reimbursement by the State is required for the implementation
5 of any mandate created by this Section.

6 (Source: P.A. 95-644, eff. 10-12-07; 96-1288, eff. 7-26-10;
7 96-1418, eff. 8-2-10; revised 9-2-10.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.