



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB4608

Introduced 2/1/2012, by Rep. Jack D. Franks

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-185  
35 ILCS 200/18-205

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that, for all taxing districts located in whole or in part within a county with a population between 300,000 and 400,000, if the total equalized assessed value of all taxable property in the taxing district for the current levy year (excluding new property, recovered tax increment value, and property that is annexed to or disconnected from the taxing district in the current levy year) is less than the total equalized assessed value of all taxable property in the taxing district for the previous levy year, then the extension limitation is (a) 0% or (b) the rate of increase approved by voters (instead of the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or the rate of increase approved by voters). Effective immediately.

LRB097 19879 HLH 65163 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

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 Sections 18-185 and 18-205 as follows:

6 (35 ILCS 200/18-185)

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

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

13 "Extension limitation" means (a) the lesser of 5% or the  
14 percentage increase in the Consumer Price Index during the  
15 12-month calendar year preceding the levy year or (b) the rate  
16 of increase approved by voters under Section 18-205.  
17 Notwithstanding any other provision of law, for all taxing  
18 districts located in whole or in part within a county with a  
19 population between 300,000 and 400,000 according to the most  
20 recent federal decennial census, if the total equalized  
21 assessed value of all taxable property in the taxing district  
22 for the current levy year (excluding new property, recovered  
23 tax increment value, and property that is annexed to or

1 disconnected from the taxing district in the current levy year)  
2 is less than the total equalized assessed value of all taxable  
3 property in the taxing district for the previous levy year,  
4 then the extension limitation is (a) 0% or (b) the rate of  
5 increase approved by voters under Section 18-205.

6 "Affected county" means a county of 3,000,000 or more  
7 inhabitants or a county contiguous to a county of 3,000,000 or  
8 more inhabitants.

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

25 "Aggregate extension" for taxing districts to which this  
26 Law applied before the 1995 levy year means the annual

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

1 Reclamation District Act to finance construction projects  
2 initiated before October 1, 1991; (i) made for payments of  
3 principal and interest on limited bonds, as defined in Section  
4 3 of the Local Government Debt Reform Act, in an amount not to  
5 exceed the debt service extension base less the amount in items  
6 (b), (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 on  
9 bonds issued under Section 15 of the Local Government Debt  
10 Reform Act; (k) made by a school district that participates in  
11 the Special Education District of Lake County, created by  
12 special education joint agreement under Section 10-22.31 of the  
13 School Code, for payment of the school district's share of the  
14 amounts required to be contributed by the Special Education  
15 District of Lake County to the Illinois Municipal Retirement  
16 Fund under Article 7 of the Illinois Pension Code; the amount  
17 of any extension under this item (k) shall be certified by the  
18 school district to the county clerk; (l) made to fund expenses  
19 of providing joint recreational programs for the handicapped  
20 under Section 5-8 of the Park District Code or Section 11-95-14  
21 of the Illinois Municipal Code; (m) made for temporary  
22 relocation loan repayment purposes pursuant to Sections 2-3.77  
23 and 17-2.2d of the School Code; (n) made for payment of  
24 principal and interest on any bonds issued under the authority  
25 of Section 17-2.2d of the School Code; (o) made for  
26 contributions to a firefighter's pension fund created under

1 Article 4 of the Illinois Pension Code, to the extent of the  
2 amount certified under item (5) of Section 4-134 of the  
3 Illinois Pension Code; and (p) made for road purposes in the  
4 first year after a township assumes the rights, powers, duties,  
5 assets, property, liabilities, obligations, and  
6 responsibilities of a road district abolished under the  
7 provisions of Section 6-133 of the Illinois Highway Code.

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

1 pledged; however, a tax for the payment of interest or  
2 principal on those bonds shall be made only after the governing  
3 body of the unit of local government finds that all other  
4 sources for payment are insufficient to make those payments;  
5 (f) made for payments under a building commission lease when  
6 the lease payments are for the retirement of bonds issued by  
7 the commission before March 1, 1995 to pay for the building  
8 project; (g) made for payments due under installment contracts  
9 entered into before March 1, 1995; (h) made for payments of  
10 principal and interest on bonds issued under the Metropolitan  
11 Water Reclamation District Act to finance construction  
12 projects initiated before October 1, 1991; (h-4) made for  
13 stormwater management purposes by the Metropolitan Water  
14 Reclamation District of Greater Chicago under Section 12 of the  
15 Metropolitan Water Reclamation District Act; (i) made for  
16 payments of principal and interest on limited bonds, as defined  
17 in Section 3 of the Local Government Debt Reform Act, in an  
18 amount not to exceed the debt service extension base less the  
19 amount in items (b), (c), and (e) of this definition for  
20 non-referendum obligations, except obligations initially  
21 issued pursuant to referendum and bonds described in subsection  
22 (h) of this definition; (j) made for payments of principal and  
23 interest on bonds issued under Section 15 of the Local  
24 Government Debt Reform Act; (k) made for payments of principal  
25 and interest on bonds authorized by Public Act 88-503 and  
26 issued under Section 20a of the Chicago Park District Act for

1 aquarium or museum projects; (l) made for payments of principal  
2 and interest on bonds authorized by Public Act 87-1191 or  
3 93-601 and (i) issued pursuant to Section 21.2 of the Cook  
4 County Forest Preserve District Act, (ii) issued under Section  
5 42 of the Cook County Forest Preserve District Act for  
6 zoological park projects, or (iii) issued under Section 44.1 of  
7 the Cook County Forest Preserve District Act for botanical  
8 gardens projects; (m) made pursuant to Section 34-53.5 of the  
9 School Code, whether levied annually or not; (n) made to fund  
10 expenses of providing joint recreational programs for the  
11 handicapped under Section 5-8 of the Park District Code or  
12 Section 11-95-14 of the Illinois Municipal Code; (o) made by  
13 the Chicago Park District for recreational programs for the  
14 handicapped under subsection (c) of Section 7.06 of the Chicago  
15 Park District Act; (p) made for contributions to a  
16 firefighter's pension fund created under Article 4 of the  
17 Illinois Pension Code, to the extent of the amount certified  
18 under item (5) of Section 4-134 of the Illinois Pension Code;  
19 and (q) made by Ford Heights School District 169 under Section  
20 17-9.02 of the School Code.

21 "Aggregate extension" for all taxing districts to which  
22 this Law applies in accordance with Section 18-213, except for  
23 those taxing districts subject to paragraph (2) of subsection  
24 (e) of Section 18-213, means the annual corporate extension for  
25 the taxing district and those special purpose extensions that  
26 are made annually for the taxing district, excluding special



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

1 issued by the commission before the date on which the  
2 referendum making this Law applicable to the taxing district is  
3 held to pay for the building project; (g) made for payments due  
4 under installment contracts entered into before the date on  
5 which the referendum making this Law applicable to the taxing  
6 district is held; (h) made for payments of principal and  
7 interest on limited bonds, as defined in Section 3 of the Local  
8 Government Debt Reform Act, in an amount not to exceed the debt  
9 service extension base less the amount in items (b), (c), and  
10 (e) of this definition for non-referendum obligations, except  
11 obligations initially issued pursuant to referendum; (i) made  
12 for payments of principal and interest on bonds issued under  
13 Section 15 of the Local Government Debt Reform Act; (j) made  
14 for a qualified airport authority to pay interest or principal  
15 on general obligation bonds issued for the purpose of paying  
16 obligations due under, or financing airport facilities  
17 required to be acquired, constructed, installed or equipped  
18 pursuant to, contracts entered into before March 1, 1996 (but  
19 not including any amendments to such a contract taking effect  
20 on or after that date); (k) made to fund expenses of providing  
21 joint recreational programs for the handicapped under Section  
22 5-8 of the Park District Code or Section 11-95-14 of the  
23 Illinois Municipal Code; (l) made for contributions to a  
24 firefighter's pension fund created under Article 4 of the  
25 Illinois Pension Code, to the extent of the amount certified  
26 under item (5) of Section 4-134 of the Illinois Pension Code;

1 and (m) made for the taxing district to pay interest or  
2 principal on general obligation bonds issued pursuant to  
3 Section 19-3.10 of the School Code.

4 "Aggregate extension" for all taxing districts to which  
5 this Law applies in accordance with paragraph (2) of subsection  
6 (e) of Section 18-213 means the annual corporate extension for  
7 the taxing district and those special purpose extensions that  
8 are made annually for the taxing district, excluding special  
9 purpose extensions: (a) made for the taxing district to pay  
10 interest or principal on general obligation bonds that were  
11 approved by referendum; (b) made for any taxing district to pay  
12 interest or principal on general obligation bonds issued before  
13 the effective date of this amendatory Act of 1997; (c) made for  
14 any taxing district to pay interest or principal on bonds  
15 issued to refund or continue to refund those bonds issued  
16 before the effective date of this amendatory Act of 1997; (d)  
17 made for any taxing district to pay interest or principal on  
18 bonds issued to refund or continue to refund bonds issued after  
19 the effective date of this amendatory Act of 1997 if the bonds  
20 were approved by referendum after the effective date of this  
21 amendatory Act of 1997; (e) made for any taxing district to pay  
22 interest or principal on revenue bonds issued before the  
23 effective date of this amendatory Act of 1997 for payment of  
24 which a property tax levy or the full faith and credit of the  
25 unit of local government is pledged; however, a tax for the  
26 payment of interest or principal on those bonds shall be made

1 only after the governing body of the unit of local government  
2 finds that all other sources for payment are insufficient to  
3 make those payments; (f) made for payments under a building  
4 commission lease when the lease payments are for the retirement  
5 of bonds issued by the commission before the effective date of  
6 this amendatory Act of 1997 to pay for the building project;  
7 (g) made for payments due under installment contracts entered  
8 into before the effective date of this amendatory Act of 1997;  
9 (h) made for payments of principal and interest on limited  
10 bonds, as defined in Section 3 of the Local Government Debt  
11 Reform Act, in an amount not to exceed the debt service  
12 extension base less the amount in items (b), (c), and (e) of  
13 this definition for non-referendum obligations, except  
14 obligations initially issued pursuant to referendum; (i) made  
15 for payments of principal and interest on bonds issued under  
16 Section 15 of the Local Government Debt Reform Act; (j) made  
17 for a qualified airport authority to pay interest or principal  
18 on general obligation bonds issued for the purpose of paying  
19 obligations due under, or financing airport facilities  
20 required to be acquired, constructed, installed or equipped  
21 pursuant to, contracts entered into before March 1, 1996 (but  
22 not including any amendments to such a contract taking effect  
23 on or after that date); (k) made to fund expenses of providing  
24 joint recreational programs for the handicapped under Section  
25 5-8 of the Park District Code or Section 11-95-14 of the  
26 Illinois Municipal Code; and (l) made for contributions to a

1 firefighter's pension fund created under Article 4 of the  
2 Illinois Pension Code, to the extent of the amount certified  
3 under item (5) of Section 4-134 of the Illinois Pension Code.

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

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

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

26 "Aggregate extension base" means the taxing district's

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

19 "Levy year" has the same meaning as "year" under Section  
20 1-155.

21 "New property" means (i) the assessed value, after final  
22 board of review or board of appeals action, of new improvements  
23 or additions to existing improvements on any parcel of real  
24 property that increase the assessed value of that real property  
25 during the levy year multiplied by the equalization factor  
26 issued by the Department under Section 17-30, (ii) the assessed

1 value, after final board of review or board of appeals action,  
2 of real property not exempt from real estate taxation, which  
3 real property was exempt from real estate taxation for any  
4 portion of the immediately preceding levy year, multiplied by  
5 the equalization factor issued by the Department under Section  
6 17-30, including the assessed value, upon final stabilization  
7 of occupancy after new construction is complete, of any real  
8 property located within the boundaries of an otherwise or  
9 previously exempt military reservation that is intended for  
10 residential use and owned by or leased to a private corporation  
11 or other entity, and (iii) in counties that classify in  
12 accordance with Section 4 of Article IX of the Illinois  
13 Constitution, an incentive property's additional assessed  
14 value resulting from a scheduled increase in the level of  
15 assessment as applied to the first year final board of review  
16 market value. In addition, the county clerk in a county  
17 containing a population of 3,000,000 or more shall include in  
18 the 1997 recovered tax increment value for any school district,  
19 any recovered tax increment value that was applicable to the  
20 1995 tax year calculations.

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

25 "Recovered tax increment value" means, except as otherwise  
26 provided in this paragraph, the amount of the current year's



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

1 the initial equalized assessed value of each property in the  
2 redevelopment project area. In the first year after a  
3 municipality removes a taxable lot, block, tract, or parcel of  
4 real property from a redevelopment project area established  
5 under the Tax Increment Allocation Development Act in the  
6 Illinois Municipal Code, the Industrial Jobs Recovery Law in  
7 the Illinois Municipal Code, or the Economic Development Area  
8 Tax Increment Allocation Act, "recovered tax increment value"  
9 means the amount of the current year's equalized assessed value  
10 of each taxable lot, block, tract, or parcel of real property  
11 removed from the redevelopment project area over and above the  
12 initial equalized assessed value of that real property before  
13 removal from the redevelopment project area.

14 Except as otherwise provided in this Section, "limiting  
15 rate" means a fraction the numerator of which is the last  
16 preceding aggregate extension base times an amount equal to one  
17 plus the extension limitation defined in this Section and the  
18 denominator of which is the current year's equalized assessed  
19 value of all real property in the territory under the  
20 jurisdiction of the taxing district during the prior levy year.  
21 For those taxing districts that reduced their aggregate  
22 extension for the last preceding levy year, the highest  
23 aggregate extension in any of the last 3 preceding levy years  
24 shall be used for the purpose of computing the limiting rate.  
25 The denominator shall not include new property or the recovered  
26 tax increment value. If a new rate, a rate decrease, or a

1 limiting rate increase has been approved at an election held  
2 after March 21, 2006, then (i) the otherwise applicable  
3 limiting rate shall be increased by the amount of the new rate  
4 or shall be reduced by the amount of the rate decrease, as the  
5 case may be, or (ii) in the case of a limiting rate increase,  
6 the limiting rate shall be equal to the rate set forth in the  
7 proposition approved by the voters for each of the years  
8 specified in the proposition, after which the limiting rate of  
9 the taxing district shall be calculated as otherwise provided.

10 (Source: P.A. 96-501, eff. 8-14-09; 96-517, eff. 8-14-09;  
11 96-1000, eff. 7-2-10; 96-1202, eff. 7-22-10; 97-611, eff.  
12 1-1-12.)

13 (35 ILCS 200/18-205)

14 Sec. 18-205. Referendum to increase the extension  
15 limitation. A taxing district is limited to an extension  
16 limitation as defined in Section 18-185 ~~of 5% or the percentage~~  
17 ~~increase in the Consumer Price Index during the 12 month~~  
18 ~~calendar year preceding the levy year, whichever is less.~~ A  
19 taxing district may increase its extension limitation for one  
20 or more levy years if that taxing district holds a referendum  
21 before the levy date for the first levy year at which a  
22 majority of voters voting on the issue approves adoption of a  
23 higher extension limitation. Referenda shall be conducted at a  
24 regularly scheduled election in accordance with the Election  
25 Code. The question shall be presented in substantially the

1 following manner for all elections held after March 21, 2006:

2 Shall the extension limitation under the Property Tax  
3 Extension Limitation Law for (insert the legal name,  
4 number, if any, and county or counties of the taxing  
5 district and geographic or other common name by which a  
6 school or community college district is known and referred  
7 to), Illinois, be increased from (applicable extension  
8 limitation) ~~the lesser of 5% or the percentage increase in~~  
9 ~~the Consumer Price Index over the prior levy year to~~  
10 (insert the percentage of the proposed increase)% per year  
11 for (insert each levy year for which the increased  
12 extension limitation will apply)?

13 The votes must be recorded as "Yes" or "No".

14 If a majority of voters voting on the issue approves the  
15 adoption of the increase, the increase shall be applicable for  
16 each levy year specified.

17 The ballot for any question submitted pursuant to this  
18 Section shall have printed thereon, but not as a part of the  
19 question submitted, only the following supplemental  
20 information (which shall be supplied to the election authority  
21 by the taxing district) in substantially the following form:

22 (1) For the (insert the first levy year for which the  
23 increased extension limitation will be applicable) levy  
24 year the approximate amount of the additional tax  
25 extendable against property containing a single family  
26 residence and having a fair market value at the time of the

1 referendum of \$100,000 is estimated to be \$....

2 (2) Based upon an average annual percentage increase  
3 (or decrease) in the market value of such property of ...%  
4 (insert percentage equal to the average annual percentage  
5 increase or decrease for the prior 3 levy years, at the  
6 time the submission of the question is initiated by the  
7 taxing district, in the amount of (A) the equalized  
8 assessed value of the taxable property in the taxing  
9 district less (B) the new property included in the  
10 equalized assessed value), the approximate amount of the  
11 additional tax extendable against such property for the ...  
12 levy year is estimated to be \$... and for the ... levy year  
13 is estimated to be \$....

14 Paragraph (2) shall be included only if the increased  
15 extension limitation will be applicable for more than one year  
16 and shall list each levy year for which the increased extension  
17 limitation will be applicable. The additional tax shown for  
18 each levy year shall be the approximate dollar amount of the  
19 increase over the amount of the most recently completed  
20 extension at the time the submission of the question is  
21 initiated by the taxing district. The approximate amount of the  
22 additional tax extendable shall be calculated by using (A)  
23 either (i) the lesser of 5% or the percentage increase in the  
24 Consumer Price Index for the prior levy year (or an estimate of  
25 the percentage increase for the prior levy year if the increase  
26 is unavailable at the time the submission of the question is

1 initiated by the taxing district) or (ii) 0%, as applicable,  
2 (B) the percentage increase proposed in the question, and (C)  
3 the last known equalized assessed value and aggregate extension  
4 base of the taxing district at the time the submission of the  
5 question is initiated by the taxing district. The approximate  
6 amount of the tax extendable shall be calculated (i) without  
7 regard to any property tax exemptions and (ii) based upon the  
8 percentage level of assessment prescribed for such property by  
9 statute or by ordinance of the county board in counties which  
10 classify property for purposes of taxation in accordance with  
11 Section 4 of Article IX of the Constitution. Any notice  
12 required to be published in connection with the submission of  
13 the question shall also contain this supplemental information  
14 and shall not contain any other supplemental information. Any  
15 error, miscalculation, or inaccuracy in computing any amount  
16 set forth on the ballot or in the notice that is not deliberate  
17 shall not invalidate or affect the validity of any proposition  
18 approved. Notice of the referendum shall be published and  
19 posted as otherwise required by law, and the submission of the  
20 question shall be initiated as provided by law.

21 (Source: P.A. 94-976, eff. 6-30-06.)

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