

SB1924



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB1924

Introduced 2/15/2013, by Sen. David S. Luechtefeld

SYNOPSIS AS INTRODUCED:

35 ILCS 200/10-30
35 ILCS 200/10-31

Amends the Property Tax Code. Provides that certain provisions concerning the assessment of platted and subdivided property apply through December 31, 2015 (instead of December 31, 2011). Effective immediately.

LRB098 09917 HLH 40075 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 Sections 10-30 and 10-31 as follows:

6 (35 ILCS 200/10-30)

7 Sec. 10-30. Subdivisions; counties of less than 3,000,000.

8 (a) In counties with less than 3,000,000 inhabitants, the
9 platting and subdivision of property into separate lots and the
10 development of the subdivided property with streets,
11 sidewalks, curbs, gutters, sewer, water and utility lines shall
12 not increase the assessed valuation of all or any part of the
13 property, if:

14 (1) The property is platted and subdivided in
15 accordance with the Plat Act;

16 (2) The platting occurs after January 1, 1978;

17 (3) At the time of platting the property is in excess
18 of 5 acres; and

19 (4) At the time of platting the property is vacant or
20 used as a farm as defined in Section 1-60.

21 (b) Except as provided in subsection (c) of this Section,
22 the assessed valuation of property so platted and subdivided
23 shall be determined each year based on the estimated price the

1 property would bring at a fair voluntary sale for use by the
2 buyer for the same purposes for which the property was used
3 when last assessed prior to its platting.

4 (c) Upon completion of a habitable structure on any lot of
5 subdivided property, or upon the use of any lot, either alone
6 or in conjunction with any contiguous property, for any
7 business, commercial or residential purpose, or upon the
8 initial sale of any platted lot, including a platted lot which
9 is vacant: (i) the provisions of subsection (b) of this Section
10 shall no longer apply in determining the assessed valuation of
11 the lot, (ii) each lot shall be assessed without regard to any
12 provision of this Section, and (iii) the assessed valuation of
13 the remaining property, when next determined, shall be reduced
14 proportionately to reflect the exclusion of the property that
15 no longer qualifies for valuation under this Section. Holding
16 or offering a platted lot for initial sale shall not constitute
17 a use of the lot for business, commercial or residential
18 purposes unless a habitable structure is situated on the lot or
19 unless the lot is otherwise used for a business, commercial or
20 residential purpose.

21 (d) This Section applies before August 14, 2009 (the
22 effective date of Public Act 96-480) ~~this amendatory Act of the~~
23 ~~96th General Assembly~~ and then applies again beginning January
24 1, 2016 ~~January 1, 2012~~.

25 (Source: P.A. 95-135, eff. 1-1-08; 96-480, eff. 8-14-09.)

1 (35 ILCS 200/10-31)

2 Sec. 10-31. Subdivisions; counties of less than 3,000,000.

3 (a) In counties with less than 3,000,000 inhabitants, the
4 platting and subdivision of property into separate lots and the
5 development of the subdivided property with streets,
6 sidewalks, curbs, gutters, sewer, water and utility lines shall
7 not increase the assessed valuation of all or any part of the
8 property, if:

9 (1) The property is platted and subdivided in
10 accordance with the Plat Act;

11 (2) The platting occurs after January 1, 1978;

12 (3) At the time of platting the property is in excess
13 of 5 acres; and

14 (4) At the time of platting or replatting the property
15 is vacant or used as a farm as defined in Section 1-60.

16 (b) Except as provided in subsection (c) of this Section,
17 the assessed valuation of property so platted and subdivided
18 shall be determined based on the assessed value assigned to the
19 property when last assessed prior to its last transfer or
20 conveyance. An initial sale of any platted lot, including a lot
21 that is vacant, or a transfer to a holder of a mortgage, as
22 defined in Section 15-1207 of the Code of Civil Procedure,
23 pursuant to a mortgage foreclosure proceeding or pursuant to a
24 transfer in lieu of foreclosure, does not disqualify that lot
25 from the provisions of this subsection (b).

26 (c) Upon completion of a habitable structure on any lot of

1 subdivided property, or upon the use of any lot, either alone
2 or in conjunction with any contiguous property, for any
3 business, commercial or residential purpose: (i) the
4 provisions of subsection (b) of this Section shall no longer
5 apply in determining the assessed valuation of the lot, (ii)
6 each lot shall be assessed without regard to any provision of
7 this Section, and (iii) the assessed valuation of the remaining
8 property, when next determined, shall be reduced
9 proportionately to reflect the exclusion of the property that
10 no longer qualifies for valuation under this Section. Holding
11 or offering a platted lot for initial sale shall not constitute
12 a use of the lot for business, commercial or residential
13 purposes unless a habitable structure is situated on the lot or
14 unless the lot is otherwise used for a business, commercial or
15 residential purpose. The replatting of a subdivision or portion
16 of a subdivision does not disqualify the replatted lots from
17 the provisions of subsection (b).

18 (d) This Section applies on and after August 14, 2009 (the
19 effective date of Public Act 96-480) ~~this amendatory Act of the~~
20 ~~96th General Assembly~~ and through December 31, 2015 ~~December~~
21 ~~31, 2011~~.

22 (Source: P.A. 96-480, eff. 8-14-09.)

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