



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3129

by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-40
35 ILCS 200/18-185
35 ILCS 200/18-205
35 ILCS 200/18-212
35 ILCS 200/18-214
30 ILCS 805/8.39 new

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that, beginning with the 2020 levy year, the Law applies to all taxing districts in the State (currently, the Law applies to non-home rule taxing districts in Cook County, non-home rule taxing districts in counties that are contiguous to Cook, and other taxing districts by referendum). Provides that, beginning in levy year 2020, the extension limitation shall be 1.75% or the rate of increase approved by voters (currently, (A) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (B) the rate of increase approved by voters). Preempts home rule powers. Provides that, beginning in levy year 2016, when calculating the equalized assessed value of property, the multiplier shall be applied to the mean value of the previous 3 general assessments. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB099 04089 HLH 24108 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 18-40, 18-185, 18-205, 18-212, and 18-214 as follows:

6 (35 ILCS 200/18-40)

7 Sec. 18-40. Application of equalization factor. Each
8 county clerk shall apply the percentages certified by the
9 Department and enter the equalized valuations in the columns
10 provided for that purpose. The percentages certified by the
11 Department shall be applied to the assessed valuation of
12 property, as corrected and equalized by the board of review,
13 board of appeals, or local assessment officers. Beginning in
14 levy year 2016, the percentages certified by the Department
15 shall be applied to the mean value of the previous 3 general
16 assessments, as those values are corrected and equalized by the
17 board of review, board of appeals, or local assessment
18 officers. In all cases of extension of valuations where the
19 equalized valuations are fractional, the clerk shall reject all
20 fractions that fall below 50¢. Fractions of 50¢ or more shall
21 be extended as \$1.

22 If the equalized assessed value of any property is less
23 than \$150 for an assessment year, the county clerk may declare

1 the imposition and collection of all tax for that year to be
2 extended on the parcel to be unfeasible and cancelled. No tax
3 shall be extended or collected on the parcel for that year and
4 the parcel shall not be sold for delinquent taxes.

5 (Source: P.A. 85-312; 88-455.)

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:

14 (1) for levy years prior to 2020, (a) the lesser of 5%
15 or the percentage increase in the Consumer Price Index
16 during the 12-month calendar year preceding the levy year
17 or (b) the rate of increase approved by voters under
18 Section 18-205; and ~~and~~

19 (2) for levy year 2020 and thereafter, the greater of
20 (a) 1.75% or (b) the rate of increase approved by voters
21 under Section 18-205.

22 "Affected county" means a county of 3,000,000 or more
23 inhabitants or a county contiguous to a county of 3,000,000 or
24 more inhabitants.

25 "Taxing district" has the same meaning provided in Section

1 1-150, except as otherwise provided in this Section. For the
2 1991 through 1994 levy years only, "taxing district" includes
3 only each non-home rule taxing district having the majority of
4 its 1990 equalized assessed value within any county or counties
5 contiguous to a county with 3,000,000 or more inhabitants.
6 Beginning with the 1995 levy year and until levy year 2020,
7 "taxing district" includes only each non-home rule taxing
8 district subject to this Law before the 1995 levy year and each
9 non-home rule taxing district not subject to this Law before
10 the 1995 levy year having the majority of its 1994 equalized
11 assessed value in an affected county or counties. Beginning
12 with the levy year in which this Law becomes applicable to a
13 taxing district as provided in Section 18-213, "taxing
14 district" also includes those taxing districts made subject to
15 this Law as provided in Section 18-213. Beginning with the 2020
16 levy year, "taxing district" means each taxing district in the
17 State, as defined in Section 1-150, including home rule units.

18 "Aggregate extension" for taxing districts to which this
19 Law applied before the 1995 levy year means the annual
20 corporate extension for the taxing district and those special
21 purpose extensions that are made annually for the taxing
22 district, excluding special purpose extensions: (a) made for
23 the taxing district to pay interest or principal on general
24 obligation bonds that were approved by referendum; (b) made for
25 any taxing district to pay interest or principal on general
26 obligation bonds issued before October 1, 1991; (c) made for

1 any taxing district to pay interest or principal on bonds
2 issued to refund or continue to refund those bonds issued
3 before October 1, 1991; (d) made for any taxing district to pay
4 interest or principal on bonds issued to refund or continue to
5 refund bonds issued after October 1, 1991 that were approved by
6 referendum; (e) made for any taxing district to pay interest or
7 principal on revenue bonds issued before October 1, 1991 for
8 payment of which a property tax levy or the full faith and
9 credit of the unit of local government is pledged; however, a
10 tax for the payment of interest or principal on those bonds
11 shall be made only after the governing body of the unit of
12 local government finds that all other sources for payment are
13 insufficient to make those payments; (f) made for payments
14 under a building commission lease when the lease payments are
15 for the retirement of bonds issued by the commission before
16 October 1, 1991, to pay for the building project; (g) made for
17 payments due under installment contracts entered into before
18 October 1, 1991; (h) made for payments of principal and
19 interest on bonds issued under the Metropolitan Water
20 Reclamation District Act to finance construction projects
21 initiated before October 1, 1991; (i) made for payments of
22 principal and interest on limited bonds, as defined in Section
23 3 of the Local Government Debt Reform Act, in an amount not to
24 exceed the debt service extension base less the amount in items
25 (b), (c), (e), and (h) of this definition for non-referendum
26 obligations, except obligations initially issued pursuant to

1 referendum; (j) made for payments of principal and interest on
2 bonds issued under Section 15 of the Local Government Debt
3 Reform Act; (k) made by a school district that participates in
4 the Special Education District of Lake County, created by
5 special education joint agreement under Section 10-22.31 of the
6 School Code, for payment of the school district's share of the
7 amounts required to be contributed by the Special Education
8 District of Lake County to the Illinois Municipal Retirement
9 Fund under Article 7 of the Illinois Pension Code; the amount
10 of any extension under this item (k) shall be certified by the
11 school district to the county clerk; (l) made to fund expenses
12 of providing joint recreational programs for the handicapped
13 under Section 5-8 of the Park District Code or Section 11-95-14
14 of the Illinois Municipal Code; (m) made for temporary
15 relocation loan repayment purposes pursuant to Sections 2-3.77
16 and 17-2.2d of the School Code; (n) made for payment of
17 principal and interest on any bonds issued under the authority
18 of Section 17-2.2d of the School Code; (o) made for
19 contributions to a firefighter's pension fund created under
20 Article 4 of the Illinois Pension Code, to the extent of the
21 amount certified under item (5) of Section 4-134 of the
22 Illinois Pension Code; and (p) made for road purposes in the
23 first year after a township assumes the rights, powers, duties,
24 assets, property, liabilities, obligations, and
25 responsibilities of a road district abolished under the
26 provisions of Section 6-133 of the Illinois Highway Code.

1 "Aggregate extension" for the taxing districts to which
2 this Law did not apply before the 1995 levy year (except taxing
3 districts subject to this Law in accordance with Section
4 18-213) means the annual corporate extension for the taxing
5 district and those special purpose extensions that are made
6 annually for the taxing district, excluding special purpose
7 extensions: (a) made for the taxing district to pay interest or
8 principal on general obligation bonds that were approved by
9 referendum; (b) made for any taxing district to pay interest or
10 principal on general obligation bonds issued before March 1,
11 1995; (c) made for any taxing district to pay interest or
12 principal on bonds issued to refund or continue to refund those
13 bonds issued before March 1, 1995; (d) made for any taxing
14 district to pay interest or principal on bonds issued to refund
15 or continue to refund bonds issued after March 1, 1995 that
16 were approved by referendum; (e) made for any taxing district
17 to pay interest or principal on revenue bonds issued before
18 March 1, 1995 for payment of which a property tax levy or the
19 full faith and credit of the unit of local government is
20 pledged; however, a tax for the payment of interest or
21 principal on those bonds shall be made only after the governing
22 body of the unit of local government finds that all other
23 sources for payment are insufficient to make those payments;
24 (f) made for payments under a building commission lease when
25 the lease payments are for the retirement of bonds issued by
26 the commission before March 1, 1995 to pay for the building

1 project; (g) made for payments due under installment contracts
2 entered into before March 1, 1995; (h) made for payments of
3 principal and interest on bonds issued under the Metropolitan
4 Water Reclamation District Act to finance construction
5 projects initiated before October 1, 1991; (h-4) made for
6 stormwater management purposes by the Metropolitan Water
7 Reclamation District of Greater Chicago under Section 12 of the
8 Metropolitan Water Reclamation District Act; (i) made for
9 payments of principal and interest on limited bonds, as defined
10 in Section 3 of the Local Government Debt Reform Act, in an
11 amount not to exceed the debt service extension base less the
12 amount in items (b), (c), and (e) of this definition for
13 non-referendum obligations, except obligations initially
14 issued pursuant to referendum and bonds described in subsection
15 (h) of this definition; (j) made for payments of principal and
16 interest on bonds issued under Section 15 of the Local
17 Government Debt Reform Act; (k) made for payments of principal
18 and interest on bonds authorized by Public Act 88-503 and
19 issued under Section 20a of the Chicago Park District Act for
20 aquarium or museum projects; (l) made for payments of principal
21 and interest on bonds authorized by Public Act 87-1191 or
22 93-601 and (i) issued pursuant to Section 21.2 of the Cook
23 County Forest Preserve District Act, (ii) issued under Section
24 42 of the Cook County Forest Preserve District Act for
25 zoological park projects, or (iii) issued under Section 44.1 of
26 the Cook County Forest Preserve District Act for botanical

1 gardens projects; (m) made pursuant to Section 34-53.5 of the
2 School Code, whether levied annually or not; (n) made to fund
3 expenses of providing joint recreational programs for the
4 handicapped under Section 5-8 of the Park District Code or
5 Section 11-95-14 of the Illinois Municipal Code; (o) made by
6 the Chicago Park District for recreational programs for the
7 handicapped under subsection (c) of Section 7.06 of the Chicago
8 Park District Act; (p) made for contributions to a
9 firefighter's pension fund created under Article 4 of the
10 Illinois Pension Code, to the extent of the amount certified
11 under item (5) of Section 4-134 of the Illinois Pension Code;
12 and (q) made by Ford Heights School District 169 under Section
13 17-9.02 of the School Code.

14 "Aggregate extension" for all taxing districts to which
15 this Law applies in accordance with Section 18-213, except for
16 those taxing districts subject to paragraph (2) of subsection
17 (e) of Section 18-213, means the annual corporate extension for
18 the taxing district and those special purpose extensions that
19 are made annually for the taxing district, excluding special
20 purpose extensions: (a) made for the taxing district to pay
21 interest or principal on general obligation bonds that were
22 approved by referendum; (b) made for any taxing district to pay
23 interest or principal on general obligation bonds issued before
24 the date on which the referendum making this Law applicable to
25 the taxing district is held; (c) made for any taxing district
26 to pay interest or principal on bonds issued to refund or

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

1 Government Debt Reform Act, in an amount not to exceed the debt
2 service extension base less the amount in items (b), (c), and
3 (e) of this definition for non-referendum obligations, except
4 obligations initially issued pursuant to referendum; (i) made
5 for payments of principal and interest on bonds issued under
6 Section 15 of the Local Government Debt Reform Act; (j) made
7 for a qualified airport authority to pay interest or principal
8 on general obligation bonds issued for the purpose of paying
9 obligations due under, or financing airport facilities
10 required to be acquired, constructed, installed or equipped
11 pursuant to, contracts entered into before March 1, 1996 (but
12 not including any amendments to such a contract taking effect
13 on or after that date); (k) made to fund expenses of providing
14 joint recreational programs for the handicapped under Section
15 5-8 of the Park District Code or Section 11-95-14 of the
16 Illinois Municipal Code; (l) made for contributions to a
17 firefighter's pension fund created under Article 4 of the
18 Illinois Pension Code, to the extent of the amount certified
19 under item (5) of Section 4-134 of the Illinois Pension Code;
20 and (m) made for the taxing district to pay interest or
21 principal on general obligation bonds issued pursuant to
22 Section 19-3.10 of the School Code.

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

1 are made annually for the taxing district, excluding special
2 purpose extensions: (a) made for the taxing district to pay
3 interest or principal on general obligation bonds that were
4 approved by referendum; (b) made for any taxing district to pay
5 interest or principal on general obligation bonds issued before
6 the effective date of this amendatory Act of 1997; (c) made for
7 any taxing district to pay interest or principal on bonds
8 issued to refund or continue to refund those bonds issued
9 before the effective date of this amendatory Act of 1997; (d)
10 made for any taxing district to pay interest or principal on
11 bonds issued to refund or continue to refund bonds issued after
12 the effective date of this amendatory Act of 1997 if the bonds
13 were approved by referendum after the effective date of this
14 amendatory Act of 1997; (e) made for any taxing district to pay
15 interest or principal on revenue bonds issued before the
16 effective date of this amendatory Act of 1997 for payment of
17 which a property tax levy or the full faith and credit of the
18 unit of local government is pledged; however, a tax for the
19 payment of interest or principal on those bonds shall be made
20 only after the governing body of the unit of local government
21 finds that all other sources for payment are insufficient to
22 make those payments; (f) made for payments under a building
23 commission lease when the lease payments are for the retirement
24 of bonds issued by the commission before the effective date of
25 this amendatory Act of 1997 to pay for the building project;
26 (g) made for payments due under installment contracts entered

1 into before the effective date of this amendatory Act of 1997;
2 (h) made for payments of principal and interest on limited
3 bonds, as defined in Section 3 of the Local Government Debt
4 Reform Act, in an amount not to exceed the debt service
5 extension base less the amount in items (b), (c), and (e) of
6 this definition for non-referendum obligations, except
7 obligations initially issued pursuant to referendum; (i) made
8 for payments of principal and interest on bonds issued under
9 Section 15 of the Local Government Debt Reform Act; (j) made
10 for a qualified airport authority to pay interest or principal
11 on general obligation bonds issued for the purpose of paying
12 obligations due under, or financing airport facilities
13 required to be acquired, constructed, installed or equipped
14 pursuant to, contracts entered into before March 1, 1996 (but
15 not including any amendments to such a contract taking effect
16 on or after that date); (k) made to fund expenses of providing
17 joint recreational programs for the handicapped under Section
18 5-8 of the Park District Code or Section 11-95-14 of the
19 Illinois Municipal Code; and (l) made for contributions to a
20 firefighter's pension fund created under Article 4 of the
21 Illinois Pension Code, to the extent of the amount certified
22 under item (5) of Section 4-134 of the Illinois Pension Code.

23 For all other taxing districts, beginning with the 2020
24 levy year, "aggregate extension" means the annual corporate
25 extension for the taxing district and those special purpose
26 levies which are made annually (other than debt service levies

1 and levies made for the purpose of paying amounts due under
2 public building commission leases).

3 "Debt service extension base" means an amount equal to that
4 portion of the extension for a taxing district for the 1994
5 levy year, or for those taxing districts subject to this Law in
6 accordance with Section 18-213, except for those subject to
7 paragraph (2) of subsection (e) of Section 18-213, for the levy
8 year in which the referendum making this Law applicable to the
9 taxing district is held, or for those taxing districts subject
10 to this Law in accordance with paragraph (2) of subsection (e)
11 of Section 18-213 for the 1996 levy year, or for all other
12 taxing districts, for levy year 2020, constituting an extension
13 for payment of principal and interest on bonds issued by the
14 taxing district without referendum, but not including excluded
15 non-referendum bonds. For park districts (i) that were first
16 subject to this Law in 1991 or 1995 and (ii) whose extension
17 for the 1994 levy year for the payment of principal and
18 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 (A) until levy year 2020, the lesser
8 of 5% or the percentage increase in the Consumer Price Index
9 during the 12-month calendar year preceding the levy year and
10 (B) for levy year 2020 and thereafter, 1.75%. The debt service
11 extension base may be established or increased as provided
12 under Section 18-212. "Excluded non-referendum bonds" means
13 (i) bonds authorized by Public Act 88-503 and issued under
14 Section 20a of the Chicago Park District Act for aquarium and
15 museum projects; (ii) bonds issued under Section 15 of the
16 Local Government Debt Reform Act; or (iii) refunding
17 obligations issued to refund or to continue to refund
18 obligations initially issued pursuant to referendum.

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

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

20 Notwithstanding any other provision of law, for levy year
21 2012, the aggregate extension base for West Northfield School
22 District No. 31 in Cook County shall be \$12,654,592.

23 "Levy year" has the same meaning as "year" under Section
24 1-155.

25 "New property" means (i) the assessed value, after final
26 board of review or board of appeals action, of new improvements

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

1 applicable to the 1995 tax year calculations.

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

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

1 the Tax Increment Allocation Development Act in the Illinois
2 Municipal Code, previously established under the Industrial
3 Jobs Recovery Law in the Illinois Municipal Code, or previously
4 established under the Economic Development Area Tax Increment
5 Allocation Act, by an amount equal to the 1994 equalized
6 assessed value of each taxable lot, block, tract, or parcel of
7 real property in the redevelopment project area over and above
8 the initial equalized assessed value of each property in the
9 redevelopment project area. In the first year after a
10 municipality removes a taxable lot, block, tract, or parcel of
11 real property from a redevelopment project area established
12 under the Tax Increment Allocation Development Act in the
13 Illinois Municipal Code, the Industrial Jobs Recovery Law in
14 the Illinois Municipal Code, or the Economic Development Area
15 Tax Increment Allocation Act, "recovered tax increment value"
16 means the amount of the current year's equalized assessed value
17 of each taxable lot, block, tract, or parcel of real property
18 removed from the redevelopment project area over and above the
19 initial equalized assessed value of that real property before
20 removal from the redevelopment project area.

21 Except as otherwise provided in this Section, "limiting
22 rate" means a fraction the numerator of which is the last
23 preceding aggregate extension base times an amount equal to one
24 plus the extension limitation defined in this Section and the
25 denominator of which is the current year's equalized assessed
26 value of all real property in the territory under the

1 jurisdiction of the taxing district during the prior levy year.
2 For those taxing districts that reduced their aggregate
3 extension for the last preceding levy year, the highest
4 aggregate extension in any of the last 3 preceding levy years
5 shall be used for the purpose of computing the limiting rate.
6 The denominator shall not include new property or the recovered
7 tax increment value. If a new rate, a rate decrease, or a
8 limiting rate increase has been approved at an election held
9 after March 21, 2006, then (i) the otherwise applicable
10 limiting rate shall be increased by the amount of the new rate
11 or shall be reduced by the amount of the rate decrease, as the
12 case may be, or (ii) in the case of a limiting rate increase,
13 the limiting rate shall be equal to the rate set forth in the
14 proposition approved by the voters for each of the years
15 specified in the proposition, after which the limiting rate of
16 the taxing district shall be calculated as otherwise provided.
17 In the case of a taxing district that obtained referendum
18 approval for an increased limiting rate on March 20, 2012, the
19 limiting rate for tax year 2012 shall be the rate that
20 generates the approximate total amount of taxes extendable for
21 that tax year, as set forth in the proposition approved by the
22 voters; this rate shall be the final rate applied by the county
23 clerk for the aggregate of all capped funds of the district for
24 tax year 2012.

25 The changes made by this amendatory Act of the 99th General
26 Assembly are a denial and limitation, under subsection (g) of

1 Section 6 of Article VII of the Illinois Constitution, on the
2 power of home rule units to tax.

3 (Source: P.A. 97-611, eff. 1-1-12; 97-1154, eff. 1-25-13; 98-6,
4 eff. 3-29-13; 98-23, eff. 6-17-13.)

5 (35 ILCS 200/18-205)

6 Sec. 18-205. Referendum to increase the extension
7 limitation. For levy years prior to levy year 2020, a ~~A~~ taxing
8 district is limited to an extension limitation of 5% or the
9 percentage increase in the Consumer Price Index during the
10 12-month calendar year preceding the levy year, whichever is
11 less. Beginning in levy year 2020, a taxing district is limited
12 to an extension limitation of 1.75%. A taxing district may
13 increase its extension limitation for one or more levy years if
14 that taxing district holds a referendum before the levy date
15 for the first levy year at which a majority of voters voting on
16 the issue approves adoption of a higher extension limitation.
17 Referenda shall be conducted at a regularly scheduled election
18 in accordance with the Election Code. The question shall be
19 presented in substantially the following manner for all
20 elections held after March 21, 2006:

21 Shall the extension limitation under the Property Tax
22 Extension Limitation Law for (insert the legal name,
23 number, if any, and county or counties of the taxing
24 district and geographic or other common name by which a
25 school or community college district is known and referred

1 to), Illinois, be increased from the (applicable extension
2 limitation) ~~lesser of 5% or the percentage increase in the~~
3 ~~Consumer Price Index over the prior levy year~~ to (insert
4 the percentage of the proposed increase)% per year for
5 (insert each levy year for which the increased extension
6 limitation will apply)?

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

8 If a majority of voters voting on the issue approves the
9 adoption of the increase, the increase shall be applicable for
10 each levy year specified.

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

16 (1) For the (insert the first levy year for which the
17 increased extension limitation will be applicable) levy
18 year the approximate amount of the additional tax
19 extendable against property containing a single family
20 residence and having a fair market value at the time of the
21 referendum of \$100,000 is estimated to be \$....

22 (2) Based upon an average annual percentage increase
23 (or decrease) in the market value of such property of ...%
24 (insert percentage equal to the average annual percentage
25 increase or decrease for the prior 3 levy years, at the
26 time the submission of the question is initiated by the

1 taxing district, in the amount of (A) the equalized
2 assessed value of the taxable property in the taxing
3 district less (B) the new property included in the
4 equalized assessed value), the approximate amount of the
5 additional tax extendable against such property for the ...
6 levy year is estimated to be \$... and for the ... levy year
7 is estimated to be \$....

8 Paragraph (2) shall be included only if the increased
9 extension limitation will be applicable for more than one year
10 and shall list each levy year for which the increased extension
11 limitation will be applicable. The additional tax shown for
12 each levy year shall be the approximate dollar amount of the
13 increase over the amount of the most recently completed
14 extension at the time the submission of the question is
15 initiated by the taxing district. The approximate amount of the
16 additional tax extendable shown in paragraphs (1) and (2) shall
17 be calculated by multiplying \$100,000 (the fair market value of
18 the property without regard to any property tax exemptions) by
19 (i) the percentage level of assessment prescribed for that
20 property by statute, or by ordinance of the county board in
21 counties that classify property for purposes of taxation in
22 accordance with Section 4 of Article IX of the Illinois
23 Constitution; (ii) the most recent final equalization factor
24 certified to the county clerk by the Department of Revenue at
25 the time the taxing district initiates the submission of the
26 proposition to the electors; (iii) the last known aggregate

1 extension base of the taxing district at the time the
2 submission of the question is initiated by the taxing district;
3 and (iv) the difference between the percentage increase
4 proposed in the question and the extension limitation (for levy
5 years in which the percentage increase in the Consumer Price
6 Index is used to calculate the extension limitation, ~~lesser of~~
7 ~~5% or the percentage increase in the Consumer Price Index for~~
8 ~~the prior levy year (or an estimate of the percentage increase~~
9 for the prior levy year may be used if the increase is
10 unavailable at the time the submission of the question is
11 initiated by the taxing district); and dividing the result by
12 the last known equalized assessed value of the taxing district
13 at the time the submission of the question is initiated by the
14 taxing district. This amendatory Act of the 97th General
15 Assembly is intended to clarify the existing requirements of
16 this Section, and shall not be construed to validate any prior
17 non-compliant referendum language. Any notice required to be
18 published in connection with the submission of the question
19 shall also contain this supplemental information and shall not
20 contain any other supplemental information. Any error,
21 miscalculation, or inaccuracy in computing any amount set forth
22 on the ballot or in the notice that is not deliberate shall not
23 invalidate or affect the validity of any proposition approved.
24 Notice of the referendum shall be published and posted as
25 otherwise required by law, and the submission of the question
26 shall be initiated as provided by law.

1 (Source: P.A. 97-1087, eff. 8-24-12.)

2 (35 ILCS 200/18-212)

3 Sec. 18-212. Referendum on debt service extension base. A
4 taxing district may establish or increase its debt service
5 extension base if (i) that taxing district holds a referendum
6 before the date on which the levy must be filed with the county
7 clerk of the county or counties in which the taxing district is
8 situated and (ii) a majority of voters voting on the issue
9 approves the establishment of or increase in the debt service
10 extension base. A debt service extension base established or
11 increased by a referendum held pursuant to this Section after
12 February 2, 2010, shall be increased each year, commencing with
13 the first levy year beginning after the date of the referendum,
14 by (1) for levy years prior to levy year 2020, the lesser of 5%
15 or the percentage increase in the Consumer Price Index during
16 the 12-month calendar year preceding the levy year or (2) for
17 levy year 2020 and thereafter, 1.75%, if the optional language
18 concerning the annual increase is included in the question
19 submitted to the electors of the taxing district. Referenda
20 under this Section shall be conducted at a regularly scheduled
21 election in accordance with the Election Code. The governing
22 body of the taxing district shall certify the question to the
23 proper election authorities who shall submit the question to
24 the electors of the taxing district in substantially the
25 following form:

1 "Shall the debt service extension base under the Property
2 Tax Extension Limitation Law for ... (taxing district name)
3 ... for payment of principal and interest on limited bonds
4 be ((established at \$) . (or) (increased from \$
5 to \$)) .. for the levy year and all
6 subsequent levy years (optional language: , such debt
7 service extension base to be increased each year by debt
8 service extension limitation ~~the lesser of 5% or the~~
9 ~~percentage increase in the Consumer Price Index during the~~
10 ~~12 month calendar year preceding the levy year)? "~~

11 Votes on the question shall be recorded as "Yes" or "No".

12 If a majority of voters voting on the issue approves the
13 establishment of or increase in the debt service extension
14 base, the establishment of or increase in the debt service
15 extension base shall be applicable for the levy years
16 specified.

17 (Source: P.A. 96-1202, eff. 7-22-10.)

18 (35 ILCS 200/18-214)

19 Sec. 18-214. Referenda on removal of the applicability of
20 the Property Tax Extension Limitation Law to non-home rule
21 taxing districts.

22 (a) The provisions of this Section do not apply to a taxing
23 district that is subject to this Law because a majority of its
24 1990 equalized assessed value is in a county or counties
25 contiguous to a county of 3,000,000 or more inhabitants, or

1 because a majority of its 1994 equalized assessed value is in
2 an affected county and the taxing district was not subject to
3 this Law before the 1995 levy year.

4 (b) For purposes of this Section only:

5 "Taxing district" means any non-home rule taxing district
6 that became subject to this Law under Section 18-213 of this
7 Law.

8 "Equalized assessed valuation" means the equalized
9 assessed valuation for a taxing district for the immediately
10 preceding levy year.

11 (c) The county board of a county that became subject to
12 this Law by a referendum approved by the voters of the county
13 under Section 18-213 may, by ordinance or resolution, in the
14 manner set forth in this Section, submit to the voters of the
15 county the question of whether this Law applies to all non-home
16 rule taxing districts that have all or a portion of their
17 equalized assessed valuation situated in the county in the
18 manner set forth in this Section.

19 (d) The ordinance or resolution shall request the
20 submission of the proposition at any election, except a
21 consolidated primary election, for the purpose of voting for or
22 against the continued application of the Property Tax Extension
23 Limitation Law to all non-home rule taxing districts that have
24 all or a portion of their equalized assessed valuation situated
25 in the county.

26 The question shall be placed on a separate ballot and shall

1 be in substantially the following form:

2 Shall the Property Tax Extension Limitation Law (35
3 ILCS 200/18-185 through 35 ILCS 200/18-245), which limits
4 annual property tax extension increases, apply to non-home
5 rule taxing districts with all or a portion of their
6 equalized assessed valuation located in (name of county)?

7 Votes on the question shall be recorded as "yes" or "no".

8 (e) The county clerk shall order the proposition submitted
9 to the electors of the county at the election specified in the
10 ordinance or resolution. If part of the county is under the
11 jurisdiction of a board or boards of election commissioners,
12 the county clerk shall submit a certified copy of the ordinance
13 or resolution to each board of election commissioners, which
14 shall order the proposition submitted to the electors of the
15 taxing district within its jurisdiction at the election
16 specified in the ordinance or resolution.

17 (f) With respect to taxing districts having all of their
18 equalized assessed valuation located in one county, if a
19 majority of the votes cast on the proposition are against the
20 proposition, then this Law shall not apply to the taxing
21 district beginning on January 1 of the year following the date
22 of the referendum.

23 (g) With respect to taxing districts that do not have all
24 of their equalized assessed valuation located in a single
25 county, if both of the following conditions are met, then this
26 Law shall no longer apply to the taxing district beginning on

1 January 1 of the year following the date of the referendum.

2 (1) Each county in which the district has any equalized
3 assessed valuation must either, (i) have held a referendum
4 under this Section, (ii) be an affected county, or (iii)
5 have held a referendum under Section 18-213 at which the
6 voters rejected the proposition at the most recent election
7 at which the question was on the ballot in the county.

8 (2) The majority of the equalized assessed valuation of
9 the taxing district, other than any equalized assessed
10 valuation in an affected county, is in one or more counties
11 in which the voters rejected the proposition. For purposes
12 of this Section, in determining whether a majority of the
13 equalized assessed valuation of the taxing district is
14 located in one or more counties in which the voters have
15 rejected the proposition under this Section, the equalized
16 assessed valuation of any taxing district in a county which
17 has held a referendum under Section 18-213 at which the
18 voters rejected that proposition, at the most recent
19 election at which the question was on the ballot in the
20 county, will be included with the equalized assessed value
21 of the taxing district in counties in which the voters have
22 rejected the referendum held under this Section.

23 (h) Immediately after a referendum is held under this
24 Section, the county clerk of the county holding the referendum
25 shall give notice of the referendum having been held and its
26 results to all taxing districts that have all or a portion of

1 their equalized assessed valuation located in the county, the
2 county clerk of any other county in which any of the equalized
3 assessed valuation of any such taxing district is located, and
4 the Department of Revenue. After the last referendum affecting
5 a multi-county taxing district is held, the Department of
6 Revenue shall determine whether the taxing district is no
7 longer subject to this Law and, if the taxing district is no
8 longer subject to this Law, the Department of Revenue shall
9 notify the taxing district and the county clerks of all of the
10 counties in which a portion of the equalized assessed valuation
11 of the taxing district is located that, beginning on January 1
12 of the year following the date of the last referendum, the
13 taxing district is no longer subject to this Law.

14 (i) This Section does not apply to the 2020 levy year or
15 any subsequent levy year. If the voters of a taxing district
16 approve a referendum under this Section prior to the 2020 levy
17 year, then that district shall again become subject to this Law
18 beginning in the 2020 levy year.

19 (Source: P.A. 89-718, eff. 3-7-97.)

20 Section 90. The State Mandates Act is amended by adding
21 Section 8.39 as follows:

22 (30 ILCS 805/8.39 new)

23 Sec. 8.39. Exempt mandate. Notwithstanding Sections 6 and 8
24 of this Act, no reimbursement by the State is required for the

1 implementation of any mandate created by this amendatory Act of
2 the 99th General Assembly.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.