



Rep. Michael J. Zalewski

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1 AMENDMENT TO SENATE BILL 484

2 AMENDMENT NO. _____. Amend Senate Bill 484 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing
5 Sections 9-275, 15-169, 15-170, 15-175, 18-185, 18-205,
6 18-213, and 18-214 and by adding Sections 15-172.5 and 15-178
7 and by adding Section 18-242 as follows:

8 (35 ILCS 200/9-275)

9 Sec. 9-275. Erroneous homestead exemptions.

10 (a) For purposes of this Section:

11 "Erroneous homestead exemption" means a homestead
12 exemption that was granted for real property in a taxable year
13 if the property was not eligible for that exemption in that
14 taxable year. If the taxpayer receives an erroneous homestead
15 exemption under a single Section of this Code for the same
16 property in multiple years, that exemption is considered a

1 single erroneous homestead exemption for purposes of this
2 Section. However, if the taxpayer receives erroneous homestead
3 exemptions under multiple Sections of this Code for the same
4 property, or if the taxpayer receives erroneous homestead
5 exemptions under the same Section of this Code for multiple
6 properties, then each of those exemptions is considered a
7 separate erroneous homestead exemption for purposes of this
8 Section.

9 "Homestead exemption" means an exemption under Section
10 15-165 (veterans with disabilities), 15-167 (returning
11 veterans), 15-168 (persons with disabilities), 15-169
12 (standard homestead for veterans with disabilities and
13 veterans 75 years of age or older), 15-170 (senior citizens),
14 15-172 (senior citizens assessment freeze), 15-175 (general
15 homestead), 15-176 (alternative general homestead), or 15-177
16 (long-time occupant).

17 "Erroneous exemption principal amount" means the total
18 difference between the property taxes actually billed to a
19 property index number and the amount of property taxes that
20 would have been billed but for the erroneous exemption or
21 exemptions.

22 "Taxpayer" means the property owner or leasehold owner that
23 erroneously received a homestead exemption upon property.

24 (b) Notwithstanding any other provision of law, in counties
25 with 3,000,000 or more inhabitants, the chief county assessment
26 officer shall include the following information with each

1 assessment notice sent in a general assessment year: (1) a list
2 of each homestead exemption available under Article 15 of this
3 Code and a description of the eligibility criteria for that
4 exemption; (2) a list of each homestead exemption applied to
5 the property in the current assessment year; (3) information
6 regarding penalties and interest that may be incurred under
7 this Section if the taxpayer received an erroneous homestead
8 exemption in a previous taxable year; and (4) notice of the
9 60-day grace period available under this subsection. If, within
10 60 days after receiving his or her assessment notice, the
11 taxpayer notifies the chief county assessment officer that he
12 or she received an erroneous homestead exemption in a previous
13 taxable year, and if the taxpayer pays the erroneous exemption
14 principal amount, plus interest as provided in subsection (f),
15 then the taxpayer shall not be liable for the penalties
16 provided in subsection (f) with respect to that exemption.

17 (c) In counties with 3,000,000 or more inhabitants, when
18 the chief county assessment officer determines that one or more
19 erroneous homestead exemptions was applied to the property, the
20 erroneous exemption principal amount, together with all
21 applicable interest and penalties as provided in subsections
22 (f) and (j), shall constitute a lien in the name of the People
23 of Cook County on the property receiving the erroneous
24 homestead exemption. Upon becoming aware of the existence of
25 one or more erroneous homestead exemptions, the chief county
26 assessment officer shall cause to be served, by both regular

1 mail and certified mail, a notice of discovery as set forth in
2 subsection (c-5). The chief county assessment officer in a
3 county with 3,000,000 or more inhabitants may cause a lien to
4 be recorded against property that (1) is located in the county
5 and (2) received one or more erroneous homestead exemptions if,
6 upon determination of the chief county assessment officer, the
7 taxpayer received: (A) one or 2 erroneous homestead exemptions
8 for real property, including at least one erroneous homestead
9 exemption granted for the property against which the lien is
10 sought, during any of the 3 collection years immediately prior
11 to the current collection year in which the notice of discovery
12 is served; or (B) 3 or more erroneous homestead exemptions for
13 real property, including at least one erroneous homestead
14 exemption granted for the property against which the lien is
15 sought, during any of the 6 collection years immediately prior
16 to the current collection year in which the notice of discovery
17 is served. Prior to recording the lien against the property,
18 the chief county assessment officer shall cause to be served,
19 by both regular mail and certified mail, return receipt
20 requested, on the person to whom the most recent tax bill was
21 mailed and the owner of record, a notice of intent to record a
22 lien against the property. The chief county assessment officer
23 shall cause the notice of intent to record a lien to be served
24 within 3 years from the date on which the notice of discovery
25 was served.

26 (c-5) The notice of discovery described in subsection (c)

1 shall: (1) identify, by property index number, the property for
2 which the chief county assessment officer has knowledge
3 indicating the existence of an erroneous homestead exemption;
4 (2) set forth the taxpayer's liability for principal, interest,
5 penalties, and administrative costs including, but not limited
6 to, recording fees described in subsection (f); (3) inform the
7 taxpayer that he or she will be served with a notice of intent
8 to record a lien within 3 years from the date of service of the
9 notice of discovery; (4) inform the taxpayer that he or she may
10 pay the outstanding amount, plus interest, penalties, and
11 administrative costs at any time prior to being served with the
12 notice of intent to record a lien or within 30 days after the
13 notice of intent to record a lien is served; and (5) inform the
14 taxpayer that, if the taxpayer provided notice to the chief
15 county assessment officer as provided in subsection (d-1) of
16 Section 15-175 of this Code, upon submission by the taxpayer of
17 evidence of timely notice and receipt thereof by the chief
18 county assessment officer, the chief county assessment officer
19 will withdraw the notice of discovery and reissue a notice of
20 discovery in compliance with this Section in which the taxpayer
21 is not liable for interest and penalties for the current tax
22 year in which the notice was received.

23 For the purposes of this subsection (c-5):

24 "Collection year" means the year in which the first and
25 second installment of the current tax year is billed.

26 "Current tax year" means the year prior to the collection

1 year.

2 (d) The notice of intent to record a lien described in
3 subsection (c) shall: (1) identify, by property index number,
4 the property against which the lien is being sought; (2)
5 identify each specific homestead exemption that was
6 erroneously granted and the year or years in which each
7 exemption was granted; (3) set forth the erroneous exemption
8 principal amount due and the interest amount and any penalty
9 and administrative costs due; (4) inform the taxpayer that he
10 or she may request a hearing within 30 days after service and
11 may appeal the hearing officer's ruling to the circuit court;
12 (5) inform the taxpayer that he or she may pay the erroneous
13 exemption principal amount, plus interest and penalties,
14 within 30 days after service; and (6) inform the taxpayer that,
15 if the lien is recorded against the property, the amount of the
16 lien will be adjusted to include the applicable recording fee
17 and that fees for recording a release of the lien shall be
18 incurred by the taxpayer. A lien shall not be filed pursuant to
19 this Section if the taxpayer pays the erroneous exemption
20 principal amount, plus penalties and interest, within 30 days
21 of service of the notice of intent to record a lien.

22 (e) The notice of intent to record a lien shall also
23 include a form that the taxpayer may return to the chief county
24 assessment officer to request a hearing. The taxpayer may
25 request a hearing by returning the form within 30 days after
26 service. The hearing shall be held within 90 days after the

1 taxpayer is served. The chief county assessment officer shall
2 promulgate rules of service and procedure for the hearing. The
3 chief county assessment officer must generally follow rules of
4 evidence and practices that prevail in the county circuit
5 courts, but, because of the nature of these proceedings, the
6 chief county assessment officer is not bound by those rules in
7 all particulars. The chief county assessment officer shall
8 appoint a hearing officer to oversee the hearing. The taxpayer
9 shall be allowed to present evidence to the hearing officer at
10 the hearing. After taking into consideration all the relevant
11 testimony and evidence, the hearing officer shall make an
12 administrative decision on whether the taxpayer was
13 erroneously granted a homestead exemption for the taxable year
14 in question. The taxpayer may appeal the hearing officer's
15 ruling to the circuit court of the county where the property is
16 located as a final administrative decision under the
17 Administrative Review Law.

18 (f) A lien against the property imposed under this Section
19 shall be filed with the county recorder of deeds, but may not
20 be filed sooner than 60 days after the notice of intent to
21 record a lien was delivered to the taxpayer if the taxpayer
22 does not request a hearing, or until the conclusion of the
23 hearing and all appeals if the taxpayer does request a hearing.
24 If a lien is filed pursuant to this Section and the taxpayer
25 received one or 2 erroneous homestead exemptions during any of
26 the 3 collection years immediately prior to the current

1 collection year in which the notice of discovery is served,
2 then the erroneous exemption principal amount, plus 10%
3 interest per annum or portion thereof from the date the
4 erroneous exemption principal amount would have become due if
5 properly included in the tax bill, shall be charged against the
6 property by the chief county assessment officer. However, if a
7 lien is filed pursuant to this Section and the taxpayer
8 received 3 or more erroneous homestead exemptions during any of
9 the 6 collection years immediately prior to the current
10 collection year in which the notice of discovery is served, the
11 erroneous exemption principal amount, plus a penalty of 50% of
12 the total amount of the erroneous exemption principal amount
13 for that property and 10% interest per annum or portion thereof
14 from the date the erroneous exemption principal amount would
15 have become due if properly included in the tax bill, shall be
16 charged against the property by the chief county assessment
17 officer. If a lien is filed pursuant to this Section, the
18 taxpayer shall not be liable for interest that accrues between
19 the date the notice of discovery is served and the date the
20 lien is filed. Before recording the lien with the county
21 recorder of deeds, the chief county assessment officer shall
22 adjust the amount of the lien to add administrative costs,
23 including but not limited to the applicable recording fee, to
24 the total lien amount.

25 (g) If a person received an erroneous homestead exemption
26 under Section 15-170 and: (1) the person was the spouse, child,

1 grandchild, brother, sister, niece, or nephew of the previous
2 taxpayer; and (2) the person received the property by bequest
3 or inheritance; then the person is not liable for the penalties
4 imposed under this Section for any year or years during which
5 the chief county assessment officer did not require an annual
6 application for the exemption. However, that person is
7 responsible for any interest owed under subsection (f).

8 (h) If the erroneous homestead exemption was granted as a
9 result of a clerical error or omission on the part of the chief
10 county assessment officer, and if the taxpayer has paid the tax
11 bills as received for the year in which the error occurred,
12 then the interest and penalties authorized by this Section with
13 respect to that homestead exemption shall not be chargeable to
14 the taxpayer. However, nothing in this Section shall prevent
15 the collection of the erroneous exemption principal amount due
16 and owing.

17 (i) A lien under this Section is not valid as to (1) any
18 bona fide purchaser for value without notice of the erroneous
19 homestead exemption whose rights in and to the underlying
20 parcel arose after the erroneous homestead exemption was
21 granted but before the filing of the notice of lien; or (2) any
22 mortgagee, judgment creditor, or other lienor whose rights in
23 and to the underlying parcel arose before the filing of the
24 notice of lien. A title insurance policy for the property that
25 is issued by a title company licensed to do business in the
26 State showing that the property is free and clear of any liens

1 imposed under this Section shall be prima facie evidence that
2 the taxpayer is without notice of the erroneous homestead
3 exemption. Nothing in this Section shall be deemed to impair
4 the rights of subsequent creditors and subsequent purchasers
5 under Section 30 of the Conveyances Act.

6 (j) When a lien is filed against the property pursuant to
7 this Section, the chief county assessment officer shall mail a
8 copy of the lien to the person to whom the most recent tax bill
9 was mailed and to the owner of record, and the outstanding
10 liability created by such a lien is due and payable within 30
11 days after the mailing of the lien by the chief county
12 assessment officer. This liability is deemed delinquent and
13 shall bear interest beginning on the day after the due date at
14 a rate of 1.5% per month or portion thereof. Payment shall be
15 made to the county treasurer. Upon receipt of the full amount
16 due, as determined by the chief county assessment officer, the
17 county treasurer shall distribute the amount paid as provided
18 in subsection (k). Upon presentment by the taxpayer to the
19 chief county assessment officer of proof of payment of the
20 total liability, the chief county assessment officer shall
21 provide in reasonable form a release of the lien. The release
22 of the lien provided shall clearly inform the taxpayer that it
23 is the responsibility of the taxpayer to record the lien
24 release form with the county recorder of deeds and to pay any
25 applicable recording fees.

26 (k) The county treasurer shall pay collected erroneous

1 exemption principal amounts, pro rata, to the taxing districts,
2 or their legal successors, that levied upon the subject
3 property in the taxable year or years for which the erroneous
4 homestead exemptions were granted, except as set forth in this
5 Section. The county treasurer shall deposit collected
6 penalties and interest into a special fund established by the
7 county treasurer to offset the costs of administration of the
8 provisions of this Section by the chief county assessment
9 officer's office, as appropriated by the county board. If the
10 costs of administration of this Section exceed the amount of
11 interest and penalties collected in the special fund, the chief
12 county assessor shall be reimbursed by each taxing district or
13 their legal successors for those costs. Such costs shall be
14 paid out of the funds collected by the county treasurer on
15 behalf of each taxing district pursuant to this Section.

16 (1) The chief county assessment officer in a county with
17 3,000,000 or more inhabitants shall establish an amnesty period
18 for all taxpayers owing any tax due to an erroneous homestead
19 exemption granted in a tax year prior to the 2013 tax year. The
20 amnesty period shall begin on the effective date of this
21 amendatory Act of the 98th General Assembly and shall run
22 through December 31, 2013. If, during the amnesty period, the
23 taxpayer pays the entire arrearage of taxes due for tax years
24 prior to 2013, the county clerk shall abate and not seek to
25 collect any interest or penalties that may be applicable and
26 shall not seek civil or criminal prosecution for any taxpayer

1 for tax years prior to 2013. Failure to pay all such taxes due
2 during the amnesty period established under this Section shall
3 invalidate the amnesty period for that taxpayer.

4 The chief county assessment officer in a county with
5 3,000,000 or more inhabitants shall (i) mail notice of the
6 amnesty period with the tax bills for the second installment of
7 taxes for the 2012 assessment year and (ii) as soon as possible
8 after the effective date of this amendatory Act of the 98th
9 General Assembly, publish notice of the amnesty period in a
10 newspaper of general circulation in the county. Notices shall
11 include information on the amnesty period, its purpose, and the
12 method by which to make payment.

13 Taxpayers who are a party to any criminal investigation or
14 to any civil or criminal litigation that is pending in any
15 circuit court or appellate court, or in the Supreme Court of
16 this State, for nonpayment, delinquency, or fraud in relation
17 to any property tax imposed by any taxing district located in
18 the State on the effective date of this amendatory Act of the
19 98th General Assembly may not take advantage of the amnesty
20 period.

21 A taxpayer who has claimed 3 or more homestead exemptions
22 in error shall not be eligible for the amnesty period
23 established under this subsection.

24 (Source: P.A. 98-93, eff. 7-16-13; 98-756, eff. 7-16-14;
25 98-811, eff. 1-1-15; 98-1143, eff. 1-1-15; 99-143, eff.
26 7-27-15; 99-851, eff. 8-19-16.)

1 (35 ILCS 200/15-169)

2 Sec. 15-169. Homestead exemption for veterans with
3 disabilities and veterans who are 75 years of age or older.

4 (a) Beginning with taxable year 2007, an annual homestead
5 exemption, limited to the amounts set forth in subsections (b),
6 ~~and~~ (b-3), and (b-4) is granted for property that is used as a
7 qualified residence by a veteran with a disability or,
8 beginning in taxable year 2017, a veteran who is 75 years of
9 age or older.

10 (b) For taxable years prior to 2015, the amount of the
11 exemption under this Section is as follows:

12 (1) for veterans with a service-connected disability
13 of at least (i) 75% for exemptions granted in taxable years
14 2007 through 2009 and (ii) 70% for exemptions granted in
15 taxable year 2010 and each taxable year thereafter, as
16 certified by the United States Department of Veterans
17 Affairs, the annual exemption is \$5,000; and

18 (2) for veterans with a service-connected disability
19 of at least 50%, but less than (i) 75% for exemptions
20 granted in taxable years 2007 through 2009 and (ii) 70% for
21 exemptions granted in taxable year 2010 and each taxable
22 year thereafter, as certified by the United States
23 Department of Veterans Affairs, the annual exemption is
24 \$2,500.

25 (b-3) For taxable years 2015 and 2016 ~~thereafter~~:

1 (1) if the veteran has a service connected disability
2 of 30% or more but less than 50%, as certified by the
3 United States Department of Veterans Affairs, then the
4 annual exemption is \$2,500;

5 (2) if the veteran has a service connected disability
6 of 50% or more but less than 70%, as certified by the
7 United States Department of Veterans Affairs, then the
8 annual exemption is \$5,000; and

9 (3) if the veteran has a service connected disability
10 of 70% or more, as certified by the United States
11 Department of Veterans Affairs, then the property is exempt
12 from taxation under this Code.

13 (b-4) For taxable years 2017 and thereafter:

14 (1) if the veteran has a service connected disability
15 of 20% or more but less than 50%, as certified by the
16 United States Department of Veterans Affairs or the United
17 States Department of Defense, then the annual exemption is
18 \$2,500;

19 (2) if the veteran has a service connected disability
20 of 50% or more but less than 70%, as certified by the
21 United States Department of Veterans Affairs or the United
22 States Department of Defense, then the annual exemption is
23 \$5,000;

24 (3) if the veteran has a service connected disability
25 of 70% or more, as certified by the United States
26 Department of Veterans Affairs or the United States

1 Department of Defense, then the property is exempt from
2 taxation under this Code; and

3 (4) if the veteran does not qualify under paragraphs
4 (1) through (3) of this subsection (b-4), but the veteran
5 is 75 years of age or older during the taxable year, then
6 the annual exemption is \$2,500.

7 (b-5) If a homestead exemption is granted under this
8 Section and the person awarded the exemption subsequently
9 becomes a resident of a facility licensed under the Nursing
10 Home Care Act or a facility operated by the United States
11 Department of Veterans Affairs, then the exemption shall
12 continue (i) so long as the residence continues to be occupied
13 by the qualifying person's spouse or (ii) if the residence
14 remains unoccupied but is still owned by the person who
15 qualified for the homestead exemption.

16 (c) The tax exemption under this Section carries over to
17 the benefit of the veteran's surviving spouse as long as the
18 spouse holds the legal or beneficial title to the homestead,
19 permanently resides thereon, and does not remarry. If the
20 surviving spouse sells the property, an exemption not to exceed
21 the amount granted from the most recent ad valorem tax roll may
22 be transferred to his or her new residence as long as it is
23 used as his or her primary residence and he or she does not
24 remarry.

25 As used in this subsection (c):

26 (1) for taxable years prior to 2015, "surviving spouse"

1 means the surviving spouse of a veteran who obtained an
2 exemption under this Section prior to his or her death;

3 (2) for taxable year 2015 and 2016, "surviving spouse"
4 means (i) the surviving spouse of a veteran who obtained an
5 exemption under this Section prior to his or her death and
6 (ii) the surviving spouse of a veteran who was killed in
7 the line of duty; and

8 (3) for taxable year 2017 and thereafter, "surviving
9 spouse" means (i) the surviving spouse of a veteran who
10 qualified for the exemption under this Section prior to his
11 or her death, (ii) the surviving spouse of a veteran who
12 was killed in the line of duty, and (iii) the surviving
13 spouse of a veteran who did not obtain an exemption under
14 this Section before death, but who applied for a
15 service-connected disability certification from the United
16 States Department of Veterans Affairs or the United States
17 Department of Defense no earlier than January 1, 2007 and
18 would have qualified for the exemption under this Section
19 in the current taxable year if he or she had survived.

20 (c-1) Beginning with taxable year 2015, nothing in this
21 Section shall require the veteran to have qualified for or
22 obtained the exemption before death if the veteran was killed
23 in the line of duty.

24 (d) The exemption under this Section applies for taxable
25 year 2007 and thereafter. A taxpayer who claims an exemption
26 under Section 15-165 or 15-168 may not claim an exemption under

1 this Section.

2 (e) Each taxpayer who has been granted an exemption under
3 this Section must reapply on an annual basis. Application must
4 be made during the application period in effect for the county
5 of his or her residence. The assessor or chief county
6 assessment officer may determine the eligibility of
7 residential property to receive the homestead exemption
8 provided by this Section by application, visual inspection,
9 questionnaire, or other reasonable methods. The determination
10 must be made in accordance with guidelines established by the
11 Department.

12 (e-5) If the property is first used as a qualified
13 residence by a qualified veteran after January 1 of a taxable
14 year, the exemption under this Section shall be prorated for
15 that taxable year.

16 (f) For the purposes of this Section:

17 "Qualified residence" means real property, but less any
18 portion of that property that is used for commercial purposes,
19 with an equalized assessed value of less than \$250,000 that is
20 the primary residence of a veteran with a disability or,
21 beginning in taxable year 2017, a veteran who is 75 years of
22 age or older. Property rented for more than 6 months is
23 presumed to be used for commercial purposes.

24 "Veteran" means an Illinois resident who has served as a
25 member of the United States Armed Forces on active duty or
26 State active duty, a member of the Illinois National Guard, or

1 a member of the United States Reserve Forces and who has
2 received an honorable discharge.

3 (Source: P.A. 98-1145, eff. 12-30-14; 99-143, eff. 7-27-15;
4 99-375, eff. 8-17-15; 99-642, eff. 7-28-16.)

5 (35 ILCS 200/15-170)

6 Sec. 15-170. Senior Citizens Homestead Exemption. An
7 annual homestead exemption limited, except as described here
8 with relation to cooperatives or life care facilities, to a
9 maximum reduction set forth below from the property's value, as
10 equalized or assessed by the Department, is granted for
11 property that is occupied as a residence by a person 65 years
12 of age or older who is liable for paying real estate taxes on
13 the property and is an owner of record of the property or has a
14 legal or equitable interest therein as evidenced by a written
15 instrument, except for a leasehold interest, other than a
16 leasehold interest of land on which a single family residence
17 is located, which is occupied as a residence by a person 65
18 years or older who has an ownership interest therein, legal,
19 equitable or as a lessee, and on which he or she is liable for
20 the payment of property taxes. Before taxable year 2004, the
21 maximum reduction shall be \$2,500 in counties with 3,000,000 or
22 more inhabitants and \$2,000 in all other counties. For taxable
23 years 2004 through 2005, the maximum reduction shall be \$3,000
24 in all counties. For taxable years 2006 and 2007, the maximum
25 reduction shall be \$3,500. For taxable years 2008 through 2011,

1 the maximum reduction is \$4,000 in all counties. For taxable
2 year 2012, the maximum reduction is \$5,000 in counties with
3 3,000,000 or more inhabitants and \$4,000 in all other counties.
4 For taxable years 2013 through 2016 ~~and thereafter~~, the maximum
5 reduction is \$5,000 in all counties. For taxable years 2017 and
6 thereafter, the maximum reduction is \$6,000 in all counties.

7 For land improved with an apartment building owned and
8 operated as a cooperative, the maximum reduction from the value
9 of the property, as equalized by the Department, shall be
10 multiplied by the number of apartments or units occupied by a
11 person 65 years of age or older who is liable, by contract with
12 the owner or owners of record, for paying property taxes on the
13 property and is an owner of record of a legal or equitable
14 interest in the cooperative apartment building, other than a
15 leasehold interest. For land improved with a life care
16 facility, the maximum reduction from the value of the property,
17 as equalized by the Department, shall be multiplied by the
18 number of apartments or units occupied by persons 65 years of
19 age or older, irrespective of any legal, equitable, or
20 leasehold interest in the facility, who are liable, under a
21 contract with the owner or owners of record of the facility,
22 for paying property taxes on the property. In a cooperative or
23 a life care facility where a homestead exemption has been
24 granted, the cooperative association or the management firm of
25 the cooperative or facility shall credit the savings resulting
26 from that exemption only to the apportioned tax liability of

1 the owner or resident who qualified for the exemption. Any
2 person who willfully refuses to so credit the savings shall be
3 guilty of a Class B misdemeanor. Under this Section and
4 Sections 15-175, 15-176, and 15-177, "life care facility" means
5 a facility, as defined in Section 2 of the Life Care Facilities
6 Act, with which the applicant for the homestead exemption has a
7 life care contract as defined in that Act.

8 When a homestead exemption has been granted under this
9 Section and the person qualifying subsequently becomes a
10 resident of a facility licensed under the Assisted Living and
11 Shared Housing Act, the Nursing Home Care Act, the Specialized
12 Mental Health Rehabilitation Act of 2013, the ID/DD Community
13 Care Act, or the MC/DD Act, the exemption shall continue so
14 long as the residence continues to be occupied by the
15 qualifying person's spouse if the spouse is 65 years of age or
16 older, or if the residence remains unoccupied but is still
17 owned by the person qualified for the homestead exemption.

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

23 Beginning with assessment year 2003, for taxes payable in
24 2004, property that is first occupied as a residence after
25 January 1 of any assessment year by a person who is eligible
26 for the senior citizens homestead exemption under this Section

1 must be granted a pro-rata exemption for the assessment year.
2 The amount of the pro-rata exemption is the exemption allowed
3 in the county under this Section divided by 365 and multiplied
4 by the number of days during the assessment year the property
5 is occupied as a residence by a person eligible for the
6 exemption under this Section. The chief county assessment
7 officer must adopt reasonable procedures to establish
8 eligibility for this pro-rata exemption.

9 The assessor or chief county assessment officer may
10 determine the eligibility of a life care facility to receive
11 the benefits provided by this Section, by affidavit,
12 application, visual inspection, questionnaire or other
13 reasonable methods in order to insure that the tax savings
14 resulting from the exemption are credited by the management
15 firm to the apportioned tax liability of each qualifying
16 resident. The assessor may request reasonable proof that the
17 management firm has so credited the exemption.

18 The chief county assessment officer of each county with
19 less than 3,000,000 inhabitants shall provide to each person
20 allowed a homestead exemption under this Section a form to
21 designate any other person to receive a duplicate of any notice
22 of delinquency in the payment of taxes assessed and levied
23 under this Code on the property of the person receiving the
24 exemption. The duplicate notice shall be in addition to the
25 notice required to be provided to the person receiving the
26 exemption, and shall be given in the manner required by this

1 Code. The person filing the request for the duplicate notice
2 shall pay a fee of \$5 to cover administrative costs to the
3 supervisor of assessments, who shall then file the executed
4 designation with the county collector. Notwithstanding any
5 other provision of this Code to the contrary, the filing of
6 such an executed designation requires the county collector to
7 provide duplicate notices as indicated by the designation. A
8 designation may be rescinded by the person who executed such
9 designation at any time, in the manner and form required by the
10 chief county assessment officer.

11 The assessor or chief county assessment officer may
12 determine the eligibility of residential property to receive
13 the homestead exemption provided by this Section by
14 application, visual inspection, questionnaire or other
15 reasonable methods. The determination shall be made in
16 accordance with guidelines established by the Department.

17 In counties with 3,000,000 or more inhabitants, beginning
18 in taxable year 2010, each taxpayer who has been granted an
19 exemption under this Section must reapply on an annual basis.
20 The chief county assessment officer shall mail the application
21 to the taxpayer. In counties with less than 3,000,000
22 inhabitants, the county board may by resolution provide that if
23 a person has been granted a homestead exemption under this
24 Section, the person qualifying need not reapply for the
25 exemption.

26 In counties with less than 3,000,000 inhabitants, if the

1 assessor or chief county assessment officer requires annual
2 application for verification of eligibility for an exemption
3 once granted under this Section, the application shall be
4 mailed to the taxpayer.

5 The assessor or chief county assessment officer shall
6 notify each person who qualifies for an exemption under this
7 Section that the person may also qualify for deferral of real
8 estate taxes under the Senior Citizens Real Estate Tax Deferral
9 Act. The notice shall set forth the qualifications needed for
10 deferral of real estate taxes, the address and telephone number
11 of county collector, and a statement that applications for
12 deferral of real estate taxes may be obtained from the county
13 collector.

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

17 (Source: P.A. 98-7, eff. 4-23-13; 98-104, eff. 7-22-13; 98-756,
18 eff. 7-16-14; 99-180, eff. 7-29-15.)

19 (35 ILCS 200/15-172.5 new)

20 Sec. 15-172.5. Assessment Freeze Homestead Exemption for
21 persons receiving Supplemental Security Income.

22 (a) This Section may be cited as the Assessment Freeze
23 Homestead Exemption for persons receiving Supplemental
24 Security Income.

25 (b) As used in this Section:

1 "Applicant" means an individual who has filed an
2 application under this Section.

3 "Base amount" means the base year equalized assessed value
4 of the residence plus the first year's equalized assessed value
5 of any added improvements which increased the assessed value of
6 the residence after the base year.

7 "Base year" means the taxable year prior to the taxable
8 year for which the applicant first qualifies and applies for
9 the exemption, provided that, in the prior taxable year, the
10 property was improved with a permanent structure that was
11 occupied as a residence by the applicant who was liable for
12 paying real property taxes on the property and who was either
13 (i) an owner of record of the property or had legal or
14 equitable interest in the property as evidenced by a written
15 instrument or (ii) had a legal or equitable interest as a
16 lessee in the parcel of property that was single family
17 residence.

18 "Chief County Assessment Officer" means the County
19 Assessor or Supervisor of Assessments of the county in which
20 the property is located.

21 "Equalized assessed value" means the assessed value of the
22 property as equalized by the Department of Revenue.

23 "Household" means the applicant, the spouse of the
24 applicant, and all persons using the residence of the applicant
25 as their principal place of residence.

26 "Household income" means the combined income of the members

1 of a household for the calendar year preceding the taxable
2 year.

3 "Income" has the same meaning as provided in Section 3.07
4 of the Senior Citizens and Persons with Disabilities Property
5 Tax Relief Act, but does not include veteran's benefits.

6 "Internal Revenue Code of 1986" means the United States
7 Internal Revenue Code of 1986 or any successor law or laws
8 relating to federal income taxes in effect for the year
9 preceding the taxable year.

10 "Life care facility that qualifies as a cooperative" means
11 a facility as defined in Section 2 of the Life Care Facilities
12 Act.

13 "Maximum income limitation" means \$55,000.

14 "Residence" means the principal dwelling place and
15 appurtenant structures used for residential purposes in this
16 State occupied on January 1 of the taxable year by a household
17 and so much of the surrounding land, constituting the parcel
18 upon which the dwelling place is situated, as is used for
19 residential purposes. If the chief county assessment officer
20 has established a specific legal description for a portion of
21 property constituting the residence, then that portion of
22 property shall be deemed the residence for the purposes of this
23 Section.

24 "Taxable year" means the calendar year during which ad
25 valorem property taxes payable in the next succeeding year are
26 levied.

1 (c) Beginning in taxable year 2017, an assessment freeze
2 homestead exemption is granted for real property that is
3 improved with a permanent structure that is occupied as a
4 residence by an applicant who (i) receives federal Supplemental
5 Security Income during the taxable year, (ii) has a household
6 income that does not exceed the maximum income limitation,
7 (iii) is liable for paying real property taxes on the property,
8 and (iv) is an owner of record of the property or has a legal or
9 equitable interest in the property as evidenced by a written
10 instrument. This homestead exemption shall also apply to a
11 leasehold interest in a parcel of property improved with a
12 permanent structure that is a single family residence that is
13 occupied as a residence by a person who (i) receives federal
14 Supplemental Security Income during the taxable year, (ii) has
15 a household income that does not exceed the maximum income
16 limitation, (iii) has a legal or equitable ownership interest
17 in the property as lessee, and (iv) is liable for the payment
18 of real property taxes on that property.

19 The amount of the exemption is the equalized assessed value
20 of the residence in the taxable year for which application is
21 made minus the base amount.

22 When the applicant is a surviving spouse of an applicant
23 for a prior year for the same residence for which an exemption
24 under this Section has been granted, the base year and base
25 amount for that residence are the same as for the applicant for
26 the prior year.

1 Each year at the time the assessment books are certified to
2 the County Clerk, the Board of Review or Board of Appeals shall
3 give to the County Clerk a list of the assessed values of
4 improvements on each parcel qualifying for this exemption that
5 were added after the base year for this parcel and that
6 increased the assessed value of the property.

7 In the case of land improved with an apartment building
8 owned and operated as a cooperative or a building that is a
9 life care facility that qualifies as a cooperative, the maximum
10 reduction from the equalized assessed value of the property is
11 limited to the sum of the reductions calculated for each unit
12 occupied as a residence by a person or persons (i) who receive
13 federal Supplemental Security Income during the taxable year,
14 (ii) with a household income that does not exceed the maximum
15 income limitation, (iii) who are liable, by contract with the
16 owner or owners of record, for paying real property taxes on
17 the property, and (iv) who is an owner of record of a legal or
18 equitable interest in the cooperative apartment building,
19 other than a leasehold interest. In the instance of a
20 cooperative where a homestead exemption has been granted under
21 this Section, the cooperative association or its management
22 firm shall credit the savings resulting from that exemption
23 only to the apportioned tax liability of the owner who
24 qualified for the exemption. Any person who willfully refuses
25 to credit that savings to an owner who qualifies for the
26 exemption is guilty of a Class B misdemeanor.

1 When a homestead exemption has been granted under this
2 Section and an applicant then becomes a resident of a facility
3 licensed under the Assisted Living and Shared Housing Act, the
4 Nursing Home Care Act, the Specialized Mental Health
5 Rehabilitation Act of 2013, the ID/DD Community Care Act, or
6 the MC/DD Act, the exemption shall be granted in subsequent
7 years so long as the residence (i) continues to be occupied by
8 the qualified applicant's spouse or (ii) if remaining
9 unoccupied, is still owned by the qualified applicant for the
10 homestead exemption.

11 When an individual dies who would have qualified for an
12 exemption under this Section, and the surviving spouse does not
13 independently qualify for this exemption because he or she does
14 not receive Supplemental Security Income, the exemption under
15 this Section shall be granted to the surviving spouse for the
16 taxable year preceding and the taxable year of the death,
17 provided that the surviving spouse meets all other
18 qualifications for the granting of this exemption for those
19 years.

20 When married persons maintain separate residences, the
21 exemption provided for in this Section may be claimed by only
22 one of such persons and for only one residence.

23 In counties having 3,000,000 or more inhabitants, to
24 receive the exemption, a person may submit an application to
25 the chief county assessment officer of the county in which the
26 property is located during such period as may be specified by

1 the chief county assessment officer. The chief county
2 assessment officer in counties of 3,000,000 or more inhabitants
3 shall annually give notice of the application period by mail or
4 by publication. In counties having less than 3,000,000
5 inhabitants, to receive the exemption, a person shall submit an
6 application by July 1 of each taxable year to the chief county
7 assessment officer of the county in which the property is
8 located. A county having less than 3,000,000 inhabitants may,
9 by ordinance, establish a date for submission of applications
10 that is different than July 1. The applicant shall submit with
11 the application an affidavit verifying the applicant's
12 qualifications for the exemption under this Section. The
13 Department shall establish, by rule, a method for verifying the
14 accuracy of such affidavits, and the chief county assessment
15 officer may conduct audits of any taxpayer claiming an
16 exemption under this Section to verify that the taxpayer is
17 eligible to receive the exemption. Each application shall
18 contain or be verified by a written declaration that it is made
19 under the penalties of perjury. A taxpayer's signing a
20 fraudulent application under this Act is perjury, as defined in
21 Section 32-2 of the Criminal Code of 2012. The applications
22 shall be clearly marked as applications for the Assessment
23 Freeze Homestead Exemption for Persons Receiving Supplemental
24 Security Income and must contain a notice that any taxpayer who
25 receives the exemption is subject to an audit by the chief
26 county assessment officer.

1 If an applicant fails to file the application required by
2 this Section in a timely manner and this failure to file is due
3 to a mental or physical condition sufficiently severe so as to
4 render the applicant incapable of filing the application in a
5 timely manner, the chief county assessment officer may extend
6 the filing deadline for a period of 30 days after the applicant
7 regains the capability to file the application, but in no case
8 may the filing deadline be extended beyond 3 months of the
9 original filing deadline. In order to receive the extension
10 provided in this paragraph, the applicant shall provide the
11 chief county assessment officer with a signed statement from
12 the applicant's physician, advanced practice nurse, or
13 physician assistant stating the nature and extent of the
14 condition, that, in the physician's, advanced practice
15 nurse's, or physician assistant's opinion, the condition was so
16 severe that it rendered the applicant incapable of filing the
17 application in a timely manner, and the date on which the
18 applicant regained the capability to file the application.

19 The chief county assessment officer may determine the
20 eligibility of a life care facility that qualifies as a
21 cooperative to receive the benefits provided by this Section by
22 use of an affidavit, application, visual inspection,
23 questionnaire, or other reasonable method in order to insure
24 that the tax savings resulting from the exemption are credited
25 by the management firm to the apportioned tax liability of each
26 qualifying resident. The chief county assessment officer may

1 request reasonable proof that the management firm has so
2 credited that exemption.

3 Except as provided in this Section, all information
4 received by the chief county assessment officer or the
5 Department from applications filed under this Section, or from
6 any investigation conducted under the provisions of this
7 Section, shall be confidential, except for official purposes or
8 pursuant to official procedures for collection of any State or
9 local tax or enforcement of any civil or criminal penalty or
10 sanction imposed by this Act or by any statute or ordinance
11 imposing a State or local tax. Any person who divulges any such
12 information in any manner, except in accordance with a proper
13 judicial order, is guilty of a Class A misdemeanor.

14 Nothing contained in this Section shall prevent the
15 Director or chief county assessment officer from publishing or
16 making available reasonable statistics concerning the
17 operation of the exemption contained in this Section in which
18 the contents of claims are grouped into aggregates in such a
19 way that information contained in any individual claim shall
20 not be disclosed.

21 (d) Each Chief County Assessment Officer shall annually
22 publish a notice of availability of the exemption provided
23 under this Section. The notice shall be published at least 60
24 days but no more than 75 days prior to the date on which the
25 application must be submitted to the Chief County Assessment
26 Officer of the county in which the property is located. The

1 notice shall appear in a newspaper of general circulation in
2 the county.

3 Notwithstanding any other provision of law, no person who
4 receives an exemption under this Section may receive an
5 exemption under Section 15-172 (senior citizens assessment
6 freeze homestead exemption) or Section 15-177 (long-time
7 occupant homestead exemption) for the same tax year.

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

11 (35 ILCS 200/15-175)

12 Sec. 15-175. General homestead exemption.

13 (a) Except as provided in Sections 15-176 and 15-177,
14 homestead property is entitled to an annual homestead exemption
15 limited, except as described here with relation to
16 cooperatives, to a reduction in the equalized assessed value of
17 homestead property equal to the increase in equalized assessed
18 value for the current assessment year above the equalized
19 assessed value of the property for 1977, up to the maximum
20 reduction set forth below. If however, the 1977 equalized
21 assessed value upon which taxes were paid is subsequently
22 determined by local assessing officials, the Property Tax
23 Appeal Board, or a court to have been excessive, the equalized
24 assessed value which should have been placed on the property
25 for 1977 shall be used to determine the amount of the

1 exemption.

2 (b) Except as provided in Section 15-176, the maximum
3 reduction before taxable year 2004 shall be \$4,500 in counties
4 with 3,000,000 or more inhabitants and \$3,500 in all other
5 counties. Except as provided in Sections 15-176 and 15-177, for
6 taxable years 2004 through 2007, the maximum reduction shall be
7 \$5,000, for taxable year 2008, the maximum reduction is \$5,500,
8 and, for taxable years 2009 through 2011, the maximum reduction
9 is \$6,000 in all counties. For taxable years 2012 through 2016
10 ~~and thereafter~~, the maximum reduction is \$7,000 in counties
11 with 3,000,000 or more inhabitants and \$6,000 in all other
12 counties. For taxable years 2017 and thereafter, the maximum
13 reduction is \$8,000 in all counties. If a county has elected to
14 subject itself to the provisions of Section 15-176 as provided
15 in subsection (k) of that Section, then, for the first taxable
16 year only after the provisions of Section 15-176 no longer
17 apply, for owners who, for the taxable year, have not been
18 granted a senior citizens assessment freeze homestead
19 exemption under Section 15-172 or a long-time occupant
20 homestead exemption under Section 15-177, there shall be an
21 additional exemption of \$5,000 for owners with a household
22 income of \$30,000 or less.

23 (c) In counties with fewer than 3,000,000 inhabitants, if,
24 based on the most recent assessment, the equalized assessed
25 value of the homestead property for the current assessment year
26 is greater than the equalized assessed value of the property

1 for 1977, the owner of the property shall automatically receive
2 the exemption granted under this Section in an amount equal to
3 the increase over the 1977 assessment up to the maximum
4 reduction set forth in this Section.

5 (d) If in any assessment year beginning with the 2000
6 assessment year, homestead property has a pro-rata valuation
7 under Section 9-180 resulting in an increase in the assessed
8 valuation, a reduction in equalized assessed valuation equal to
9 the increase in equalized assessed value of the property for
10 the year of the pro-rata valuation above the equalized assessed
11 value of the property for 1977 shall be applied to the property
12 on a proportionate basis for the period the property qualified
13 as homestead property during the assessment year. The maximum
14 proportionate homestead exemption shall not exceed the maximum
15 homestead exemption allowed in the county under this Section
16 divided by 365 and multiplied by the number of days the
17 property qualified as homestead property.

18 (d-1) In counties with 3,000,000 or more inhabitants, where
19 the chief county assessment officer provides a notice of
20 discovery, if a property is not occupied by its owner as a
21 principal residence as of January 1 of the current tax year,
22 then the property owner shall notify the chief county
23 assessment officer of that fact on a form prescribed by the
24 chief county assessment officer. That notice must be received
25 by the chief county assessment officer on or before March 1 of
26 the collection year. If mailed, the form shall be sent by

1 certified mail, return receipt requested. If the form is
2 provided in person, the chief county assessment officer shall
3 provide a date stamped copy of the notice. Failure to provide
4 timely notice pursuant to this subsection (d-1) shall result in
5 the exemption being treated as an erroneous exemption. Upon
6 timely receipt of the notice for the current tax year, no
7 exemption shall be applied to the property for the current tax
8 year. If the exemption is not removed upon timely receipt of
9 the notice by the chief assessment officer, then the error is
10 considered granted as a result of a clerical error or omission
11 on the part of the chief county assessment officer as described
12 in subsection (h) of Section 9-275, and the property owner
13 shall not be liable for the payment of interest and penalties
14 due to the erroneous exemption for the current tax year for
15 which the notice was filed after the date that notice was
16 timely received pursuant to this subsection. Notice provided
17 under this subsection shall not constitute a defense or amnesty
18 for prior year erroneous exemptions.

19 For the purposes of this subsection (d-1):

20 "Collection year" means the year in which the first and
21 second installment of the current tax year is billed.

22 "Current tax year" means the year prior to the collection
23 year.

24 (e) The chief county assessment officer may, when
25 considering whether to grant a leasehold exemption under this
26 Section, require the following conditions to be met:

1 (1) that a notarized application for the exemption,
2 signed by both the owner and the lessee of the property,
3 must be submitted each year during the application period
4 in effect for the county in which the property is located;

5 (2) that a copy of the lease must be filed with the
6 chief county assessment officer by the owner of the
7 property at the time the notarized application is
8 submitted;

9 (3) that the lease must expressly state that the lessee
10 is liable for the payment of property taxes; and

11 (4) that the lease must include the following language
12 in substantially the following form:

13 "Lessee shall be liable for the payment of real
14 estate taxes with respect to the residence in
15 accordance with the terms and conditions of Section
16 15-175 of the Property Tax Code (35 ILCS 200/15-175).
17 The permanent real estate index number for the premises
18 is (insert number), and, according to the most recent
19 property tax bill, the current amount of real estate
20 taxes associated with the premises is (insert amount)
21 per year. The parties agree that the monthly rent set
22 forth above shall be increased or decreased pro rata
23 (effective January 1 of each calendar year) to reflect
24 any increase or decrease in real estate taxes. Lessee
25 shall be deemed to be satisfying Lessee's liability for
26 the above mentioned real estate taxes with the monthly

1 rent payments as set forth above (or increased or
2 decreased as set forth herein).".

3 In addition, if there is a change in lessee, or if the
4 lessee vacates the property, then the chief county assessment
5 officer may require the owner of the property to notify the
6 chief county assessment officer of that change.

7 This subsection (e) does not apply to leasehold interests
8 in property owned by a municipality.

9 (f) "Homestead property" under this Section includes
10 residential property that is occupied by its owner or owners as
11 his or their principal dwelling place, or that is a leasehold
12 interest on which a single family residence is situated, which
13 is occupied as a residence by a person who has an ownership
14 interest therein, legal or equitable or as a lessee, and on
15 which the person is liable for the payment of property taxes.
16 For land improved with an apartment building owned and operated
17 as a cooperative or a building which is a life care facility as
18 defined in Section 15-170 and considered to be a cooperative
19 under Section 15-170, the maximum reduction from the equalized
20 assessed value shall be limited to the increase in the value
21 above the equalized assessed value of the property for 1977, up
22 to the maximum reduction set forth above, multiplied by the
23 number of apartments or units occupied by a person or persons
24 who is liable, by contract with the owner or owners of record,
25 for paying property taxes on the property and is an owner of
26 record of a legal or equitable interest in the cooperative

1 apartment building, other than a leasehold interest. For
2 purposes of this Section, the term "life care facility" has the
3 meaning stated in Section 15-170.

4 "Household", as used in this Section, means the owner, the
5 spouse of the owner, and all persons using the residence of the
6 owner as their principal place of residence.

7 "Household income", as used in this Section, means the
8 combined income of the members of a household for the calendar
9 year preceding the taxable year.

10 "Income", as used in this Section, has the same meaning as
11 provided in Section 3.07 of the Senior Citizens and Persons
12 with Disabilities Property Tax Relief Act, except that "income"
13 does not include veteran's benefits.

14 (g) In a cooperative where a homestead exemption has been
15 granted, the cooperative association or its management firm
16 shall credit the savings resulting from that exemption only to
17 the apportioned tax liability of the owner who qualified for
18 the exemption. Any person who willfully refuses to so credit
19 the savings shall be guilty of a Class B misdemeanor.

20 (h) Where married persons maintain and reside in separate
21 residences qualifying as homestead property, each residence
22 shall receive 50% of the total reduction in equalized assessed
23 valuation provided by this Section.

24 (i) In all counties, the assessor or chief county
25 assessment officer may determine the eligibility of
26 residential property to receive the homestead exemption and the

1 amount of the exemption by application, visual inspection,
2 questionnaire or other reasonable methods. The determination
3 shall be made in accordance with guidelines established by the
4 Department, provided that the taxpayer applying for an
5 additional general exemption under this Section shall submit to
6 the chief county assessment officer an application with an
7 affidavit of the applicant's total household income, age,
8 marital status (and, if married, the name and address of the
9 applicant's spouse, if known), and principal dwelling place of
10 members of the household on January 1 of the taxable year. The
11 Department shall issue guidelines establishing a method for
12 verifying the accuracy of the affidavits filed by applicants
13 under this paragraph. The applications shall be clearly marked
14 as applications for the Additional General Homestead
15 Exemption.

16 (i-5) This subsection (i-5) applies to counties with
17 3,000,000 or more inhabitants. In the event of a sale of
18 homestead property, the homestead exemption shall remain in
19 effect for the remainder of the assessment year of the sale.
20 Upon receipt of a transfer declaration transmitted by the
21 recorder pursuant to Section 31-30 of the Real Estate Transfer
22 Tax Law for property receiving an exemption under this Section,
23 the assessor shall mail a notice and forms to the new owner of
24 the property providing information pertaining to the rules and
25 applicable filing periods for applying or reapplying for
26 homestead exemptions under this Code for which the property may

1 be eligible. If the new owner fails to apply or reapply for a
2 homestead exemption during the applicable filing period or the
3 property no longer qualifies for an existing homestead
4 exemption, the assessor shall cancel such exemption for any
5 ensuing assessment year.

6 (j) In counties with fewer than 3,000,000 inhabitants, in
7 the event of a sale of homestead property the homestead
8 exemption shall remain in effect for the remainder of the
9 assessment year of the sale. The assessor or chief county
10 assessment officer may require the new owner of the property to
11 apply for the homestead exemption for the following assessment
12 year.

13 (k) Notwithstanding Sections 6 and 8 of the State Mandates
14 Act, no reimbursement by the State is required for the
15 implementation of any mandate created by this Section.

16 (Source: P.A. 98-7, eff. 4-23-13; 98-463, eff. 8-16-13; 99-143,
17 eff. 7-27-15; 99-164, eff. 7-28-15; 99-642, eff. 7-28-16;
18 99-851, eff. 8-19-16.)

19 (35 ILCS 200/15-178 new)

20 Sec. 15-178. The statewide long-time occupant homestead
21 exemption.

22 (a) For taxable years 2017 and thereafter, homestead
23 property that is occupied as a principal residence by a
24 long-time occupant is entitled to an annual homestead exemption
25 equal to a reduction in the property's equalized assessed value

1 calculated as provided in subsection (b) of this Section.

2 (b) The amount of the reduction shall be as follows:

3 (1) if the taxpayer has occupied the property as his or
4 her principal residence for not fewer than 8 but not more
5 than 11 years as of January 1 of the taxable year, then the
6 amount of the reduction shall be 25% of the amount of the
7 general homestead exemption under Section 15-175 for the
8 taxable year;

9 (2) if the taxpayer has occupied the property as his or
10 her principal residence for not fewer than 11 but not more
11 than 16 years as of January 1 of the taxable year, then the
12 amount of the reduction shall be 35% of the amount of the
13 general homestead exemption under Section 15-175 for the
14 taxable year;

15 (3) if the taxpayer has occupied the property as his or
16 her principal residence for not fewer than 16 but not more
17 than 21 years as of January 1 of the taxable year, then the
18 amount of the reduction shall be 45% of the amount of the
19 general homestead exemption under Section 15-175 for the
20 taxable year; and

21 (4) if the taxpayer has occupied the property as his or
22 her principal residence for 21 years or more as of January
23 1 of the taxable year, then the amount of the reduction
24 shall be 60% of the amount of the general homestead
25 exemption under Section 15-175 for the taxable year.

26 (c) In the case of an apartment building owned and operated

1 as a cooperative or a life care facility that contains
2 residential units that qualify as homestead property of a
3 long-time occupant under this Section, the maximum cumulative
4 exemption amount attributed to the entire building or facility
5 shall not exceed the sum of the exemptions calculated for each
6 unit that is homestead property of a long-time occupant. The
7 cooperative association, management firm, or other person or
8 entity that manages or controls the cooperative apartment
9 building or life care facility shall credit the exemption
10 attributable to each residential unit only to the apportioned
11 tax liability of the long-time occupant of that unit. Any
12 person who willfully refuses to so credit the exemption is
13 guilty of a Class B misdemeanor.

14 (d) To receive the exemption, a person must submit an
15 application to the county assessor during the period specified
16 by the county assessor.

17 Notwithstanding any other provision of law, no person who
18 receives an exemption under this Section may receive an
19 exemption under Section 15-177 (long-time occupant homestead
20 exemption) for the same tax year.

21 (e) As used in this Section:

22 "Equalized assessed value" means the property's assessed
23 value as equalized by the Department.

24 "Homestead" or "homestead property" means residential
25 property that, as of January 1 of the tax year, is owned and
26 occupied by a long-time occupant as his or her principal

1 dwelling place, or that is a leasehold interest on which a
2 single family residence is situated, that is occupied as a
3 residence by a long-time occupant who has a legal or equitable
4 interest therein evidenced by a written instrument, as an owner
5 or as a lessee, and on which the long-time occupant is liable
6 for the payment of property taxes. Residential units in an
7 apartment building owned and operated as a cooperative, or as a
8 life care facility, which are occupied by persons who hold a
9 legal or equitable interest in the cooperative apartment
10 building or life care facility as owners or lessees, and who
11 are liable by contract for the payment of property taxes, are
12 included within this definition of homestead property. A
13 homestead includes the dwelling place, appurtenant structures,
14 and so much of the surrounding land constituting the parcel on
15 which the dwelling place is situated as is used for residential
16 purposes. If the assessor has established a specific legal
17 description for a portion of property constituting the
18 homestead, then the homestead is limited to the property within
19 that description.

20 "Long-time occupant" means an individual who (i) for at
21 least 8 continuous years as of January 1 of the taxable year,
22 has occupied the same homestead property as a principal
23 residence and domicile and (ii) has a household income of
24 \$100,000 or less.

25 "Household income" has the meaning set forth under Section
26 15-172 of this Code.

1 (f) Notwithstanding Sections 6 and 8 of the State Mandates
2 Act, no reimbursement by the State is required for the
3 implementation of any mandate created by this Section.

4 (35 ILCS 200/18-185)

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

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

11 "Extension limitation", except as otherwise provided in
12 this paragraph, means (a) the lesser of 5% or the percentage
13 increase in the Consumer Price Index during the 12-month
14 calendar year preceding the levy year or (b) the rate of
15 increase approved by voters under Section 18-205. For levy
16 years 2017 through 2020 only, for taxing districts other than
17 the City of Chicago School District #299 and qualified school
18 districts, "extension limitation" means 0% or the rate of
19 increase approved by the voters under Section 18-205. For levy
20 years 2017 through 2020, for the City of Chicago School
21 District #299 and qualified school districts that were subject
22 to this Law in the 2016 levy year, "extension limitation" means
23 (1) the lesser of 5% or the percentage increase in the Consumer
24 Price Index during the 12-month calendar year preceding the
25 levy year or (2) the rate of increase approved by voters under

1 Section 18-205. For levy years 2017 through 2020, for taxing
2 districts that were subject to this Law in the 2016 levy year,
3 if a special purpose extension (i) made for the payment of
4 principal and interest on bonds or other evidences of
5 indebtedness issued by the taxing district or (ii) made for
6 contributions to a pension fund created under the Illinois
7 Pension Code was required to be included in the district's
8 aggregate extension for the 2016 levy year, then the extension
9 limitation for those extensions for levy years 2017 through
10 2020 shall be (1) the lesser of 5% or the percentage increase
11 in the Consumer Price Index during the 12-month calendar year
12 preceding the levy year or (2) the rate of increase approved by
13 voters under Section 18-205.

14 "Affected county" means a county of 3,000,000 or more
15 inhabitants or a county contiguous to a county of 3,000,000 or
16 more inhabitants.

17 "Taxing district" has the same meaning provided in Section
18 1-150, except as otherwise provided in this Section. For the
19 1991 through 1994 levy years only, "taxing district" includes
20 only each non-home rule taxing district having the majority of
21 its 1990 equalized assessed value within any county or counties
22 contiguous to a county with 3,000,000 or more inhabitants.
23 Beginning with the 1995 levy year, "taxing district" includes
24 only each non-home rule taxing district subject to this Law
25 before the 1995 levy year and each non-home rule taxing
26 district not subject to this Law before the 1995 levy year

1 having the majority of its 1994 equalized assessed value in an
2 affected county or counties. Beginning with the levy year in
3 which this Law becomes applicable to a taxing district as
4 provided in Section 18-213, "taxing district" also includes
5 those taxing districts made subject to this Law as provided in
6 Section 18-213. For levy years 2017 through 2020, "taxing
7 district" has the same meaning provided in Section 1-150, and
8 includes home rule units, but does not include (i) the City of
9 Chicago (as a taxing district) or (ii) qualified school
10 districts that were not subject to this Law in the 2016 levy
11 year.

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

1 principal on revenue bonds issued before October 1, 1991 for
2 payment of which a property tax levy or the full faith and
3 credit of the unit of local government is pledged; however, a
4 tax for the payment of interest or principal on those bonds
5 shall be made only after the governing body of the unit of
6 local government finds that all other sources for payment are
7 insufficient to make those payments; (f) made for payments
8 under a building commission lease when the lease payments are
9 for the retirement of bonds issued by the commission before
10 October 1, 1991, to pay for the building project; (g) made for
11 payments due under installment contracts entered into before
12 October 1, 1991; (h) made for payments of principal and
13 interest on bonds issued under the Metropolitan Water
14 Reclamation District Act to finance construction projects
15 initiated before October 1, 1991; (i) made for payments of
16 principal and interest on limited bonds, as defined in Section
17 3 of the Local Government Debt Reform Act, in an amount not to
18 exceed the debt service extension base less the amount in items
19 (b), (c), (e), and (h) of this definition for non-referendum
20 obligations, except obligations initially issued pursuant to
21 referendum; (j) made for payments of principal and interest on
22 bonds issued under Section 15 of the Local Government Debt
23 Reform Act; (k) made by a school district that participates in
24 the Special Education District of Lake County, created by
25 special education joint agreement under Section 10-22.31 of the
26 School Code, for payment of the school district's share of the

1 amounts required to be contributed by the Special Education
2 District of Lake County to the Illinois Municipal Retirement
3 Fund under Article 7 of the Illinois Pension Code; the amount
4 of any extension under this item (k) shall be certified by the
5 school district to the county clerk; (l) made to fund expenses
6 of providing joint recreational programs for persons with
7 disabilities under Section 5-8 of the Park District Code or
8 Section 11-95-14 of the Illinois Municipal Code; (m) made for
9 temporary relocation loan repayment purposes pursuant to
10 Sections 2-3.77 and 17-2.2d of the School Code; (n) made for
11 payment of principal and interest on any bonds issued under the
12 authority of Section 17-2.2d of the School Code; (o) made for
13 contributions to a firefighter's pension fund created under
14 Article 4 of the Illinois Pension Code, to the extent of the
15 amount certified under item (5) of Section 4-134 of the
16 Illinois Pension Code; and (p) made for road purposes in the
17 first year after a township assumes the rights, powers, duties,
18 assets, property, liabilities, obligations, and
19 responsibilities of a road district abolished under the
20 provisions of Section 6-133 of the Illinois Highway Code. For
21 levy years 2017 through 2020, this definition of "aggregate
22 extension" applies to each taxing district that was subject to
23 this definition of "aggregate extension" for the 2016 levy
24 year.

25 "Aggregate extension" for the taxing districts to which
26 this Law did not apply before the 1995 levy year (except taxing

1 districts subject to this Law in accordance with Section
2 18-213) means the annual corporate extension for the taxing
3 district and those special purpose extensions that are made
4 annually for the taxing district, excluding special purpose
5 extensions: (a) made for the taxing district to pay interest or
6 principal on general obligation bonds that were approved by
7 referendum; (b) made for any taxing district to pay interest or
8 principal on general obligation bonds issued before March 1,
9 1995; (c) made for any taxing district to pay interest or
10 principal on bonds issued to refund or continue to refund those
11 bonds issued before March 1, 1995; (d) made for any taxing
12 district to pay interest or principal on bonds issued to refund
13 or continue to refund bonds issued after March 1, 1995 that
14 were approved by referendum; (e) made for any taxing district
15 to pay interest or principal on revenue bonds issued before
16 March 1, 1995 for payment of which a property tax levy or the
17 full faith and credit of the unit of local government is
18 pledged; however, a tax for the payment of interest or
19 principal on those bonds shall be made only after the governing
20 body of the unit of local government finds that all other
21 sources for payment are insufficient to make those payments;
22 (f) made for payments under a building commission lease when
23 the lease payments are for the retirement of bonds issued by
24 the commission before March 1, 1995 to pay for the building
25 project; (g) made for payments due under installment contracts
26 entered into before March 1, 1995; (h) made for payments of

1 principal and interest on bonds issued under the Metropolitan
2 Water Reclamation District Act to finance construction
3 projects initiated before October 1, 1991; (h-4) made for
4 stormwater management purposes by the Metropolitan Water
5 Reclamation District of Greater Chicago under Section 12 of the
6 Metropolitan Water Reclamation District Act; (i) made for
7 payments of principal and interest on limited bonds, as defined
8 in Section 3 of the Local Government Debt Reform Act, in an
9 amount not to exceed the debt service extension base less the
10 amount in items (b), (c), and (e) of this definition for
11 non-referendum obligations, except obligations initially
12 issued pursuant to referendum and bonds described in subsection
13 (h) of this definition; (j) made for payments of principal and
14 interest on bonds issued under Section 15 of the Local
15 Government Debt Reform Act; (k) made for payments of principal
16 and interest on bonds authorized by Public Act 88-503 and
17 issued under Section 20a of the Chicago Park District Act for
18 aquarium or museum projects; (l) made for payments of principal
19 and interest on bonds authorized by Public Act 87-1191 or
20 93-601 and (i) issued pursuant to Section 21.2 of the Cook
21 County Forest Preserve District Act, (ii) issued under Section
22 42 of the Cook County Forest Preserve District Act for
23 zoological park projects, or (iii) issued under Section 44.1 of
24 the Cook County Forest Preserve District Act for botanical
25 gardens projects; (m) made pursuant to Section 34-53.5 of the
26 School Code, whether levied annually or not; (n) made to fund

1 expenses of providing joint recreational programs for persons
2 with disabilities under Section 5-8 of the Park District Code
3 or Section 11-95-14 of the Illinois Municipal Code; (o) made by
4 the Chicago Park District for recreational programs for persons
5 with disabilities under subsection (c) of Section 7.06 of the
6 Chicago Park District Act; (p) made for contributions to a
7 firefighter's pension fund created under Article 4 of the
8 Illinois Pension Code, to the extent of the amount certified
9 under item (5) of Section 4-134 of the Illinois Pension Code;
10 (q) made by Ford Heights School District 169 under Section
11 17-9.02 of the School Code; and (r) made for the purpose of
12 making employer contributions to the Public School Teachers'
13 Pension and Retirement Fund of Chicago under Section 34-53 of
14 the School Code. For levy years 2017 through 2020, this
15 definition of "aggregate extension" applies to each taxing
16 district that was subject to this definition of "aggregate
17 extension" for the 2016 levy year.

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

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

1 under installment contracts entered into before the date on
2 which the referendum making this Law applicable to the taxing
3 district is held; (h) made for payments of principal and
4 interest on limited bonds, as defined in Section 3 of the Local
5 Government Debt Reform Act, in an amount not to exceed the debt
6 service extension base less the amount in items (b), (c), and
7 (e) of this definition for non-referendum obligations, except
8 obligations initially issued pursuant to referendum; (i) made
9 for payments of principal and interest on bonds issued under
10 Section 15 of the Local Government Debt Reform Act; (j) made
11 for a qualified airport authority to pay interest or principal
12 on general obligation bonds issued for the purpose of paying
13 obligations due under, or financing airport facilities
14 required to be acquired, constructed, installed or equipped
15 pursuant to, contracts entered into before March 1, 1996 (but
16 not including any amendments to such a contract taking effect
17 on or after that date); (k) made to fund expenses of providing
18 joint recreational programs for persons with disabilities
19 under Section 5-8 of the Park District Code or Section 11-95-14
20 of the Illinois Municipal Code; (l) made for contributions to a
21 firefighter's pension fund created under Article 4 of the
22 Illinois Pension Code, to the extent of the amount certified
23 under item (5) of Section 4-134 of the Illinois Pension Code;
24 and (m) made for the taxing district to pay interest or
25 principal on general obligation bonds issued pursuant to
26 Section 19-3.10 of the School Code. For levy years 2017 through

1 2020, this definition of "aggregate extension" applies to each
2 taxing district that was subject to this definition of
3 "aggregate extension" for the 2016 levy year.

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 persons with disabilities
25 under Section 5-8 of the Park District Code or Section 11-95-14
26 of the Illinois Municipal Code; and (l) made for contributions

1 to a 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 For levy years 2017 through 2020, this definition of "aggregate
5 extension" applies to each taxing district that was subject to
6 this definition of "aggregate extension" for the 2016 levy
7 year.

8 For levy years 2017 through 2020, for taxing districts that
9 became subject to this Law as a result of this amendatory Act
10 of the 100th General Assembly, "aggregate extension" means the
11 annual corporate extension for the taxing district and those
12 special purpose extensions that are made annually for the
13 taxing district, excluding special purpose extensions (i) made
14 for the payment of principal and interest on bonds or other
15 evidences of indebtedness issued by the taxing district,
16 including payments under a building commission lease issued or
17 entered into by the taxing district, or (ii) made for
18 contributions to a pension fund created under the Illinois
19 Pension Code.

20 "Debt service extension base" means an amount equal to that
21 portion of the extension for a taxing district for the 1994
22 levy year, or for those taxing districts subject to this Law in
23 accordance with Section 18-213, except for those subject to
24 paragraph (2) of subsection (e) of Section 18-213, for the levy
25 year in which the referendum making this Law applicable to the
26 taxing district is held, or for those taxing districts subject

1 to this Law in accordance with paragraph (2) of subsection (e)
2 of Section 18-213 for the 1996 levy year, or for those taxing
3 districts that become subject to this Law as a result of this
4 amendatory Act of the 100th General Assembly for the 2016 levy
5 year, constituting an extension for payment of principal and
6 interest on bonds issued by the taxing district without
7 referendum, but not including excluded non-referendum bonds.
8 For park districts (i) that were first subject to this Law in
9 1991 or 1995 and (ii) whose extension for the 1994 levy year
10 for the payment of principal and interest on bonds issued by
11 the park district without referendum (but not including
12 excluded non-referendum bonds) was less than 51% of the amount
13 for the 1991 levy year constituting an extension for payment of
14 principal and interest on bonds issued by the park district
15 without referendum (but not including excluded non-referendum
16 bonds), "debt service extension base" means an amount equal to
17 that portion of the extension for the 1991 levy year
18 constituting an extension for payment of principal and interest
19 on bonds issued by the park district without referendum (but
20 not including excluded non-referendum bonds). A debt service
21 extension base established or increased at any time pursuant to
22 any provision of this Law, except Section 18-212, shall be
23 increased each year commencing with the later of (i) the 2009
24 levy year or (ii) the first levy year in which this Law becomes
25 applicable to the taxing district, by the lesser of 5% or the
26 percentage increase in the Consumer Price Index during the

1 12-month calendar year preceding the levy year; except that,
2 for levy years 2017 through 2020, the amount of the increase
3 shall be 0%. The debt service extension base may be established
4 or increased as provided under Section 18-212. "Excluded
5 non-referendum bonds" means (i) bonds authorized by Public Act
6 88-503 and issued under Section 20a of the Chicago Park
7 District Act for aquarium and museum projects; (ii) bonds
8 issued under Section 15 of the Local Government Debt Reform
9 Act; or (iii) refunding obligations issued to refund or to
10 continue to refund obligations initially issued pursuant to
11 referendum.

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

20 "Aggregate extension base" means the taxing district's
21 last preceding aggregate extension as adjusted under Sections
22 18-135, 18-215, and 18-230. An adjustment under Section 18-135
23 shall be made for the 2007 levy year and all subsequent levy
24 years whenever one or more counties within which a taxing
25 district is located (i) used estimated valuations or rates when
26 extending taxes in the taxing district for the last preceding

1 levy year that resulted in the over or under extension of
2 taxes, or (ii) increased or decreased the tax extension for the
3 last preceding levy year as required by Section 18-135(c).
4 Whenever an adjustment is required under Section 18-135, the
5 aggregate extension base of the taxing district shall be equal
6 to the amount that the aggregate extension of the taxing
7 district would have been for the last preceding levy year if
8 either or both (i) actual, rather than estimated, valuations or
9 rates had been used to calculate the extension of taxes for the
10 last levy year, or (ii) the tax extension for the last
11 preceding levy year had not been adjusted as required by
12 subsection (c) of Section 18-135.

13 Notwithstanding any other provision of law, for levy year
14 2012, the aggregate extension base for West Northfield School
15 District No. 31 in Cook County shall be \$12,654,592.

16 "Levy year" has the same meaning as "year" under Section
17 1-155.

18 "New property" means (i) the assessed value, after final
19 board of review or board of appeals action, of new improvements
20 or additions to existing improvements on any parcel of real
21 property that increase the assessed value of that real property
22 during the levy year multiplied by the equalization factor
23 issued by the Department under Section 17-30, (ii) the assessed
24 value, after final board of review or board of appeals action,
25 of real property not exempt from real estate taxation, which
26 real property was exempt from real estate taxation for any

1 portion of the immediately preceding levy year, multiplied by
2 the equalization factor issued by the Department under Section
3 17-30, including the assessed value, upon final stabilization
4 of occupancy after new construction is complete, of any real
5 property located within the boundaries of an otherwise or
6 previously exempt military reservation that is intended for
7 residential use and owned by or leased to a private corporation
8 or other entity, (iii) in counties that classify in accordance
9 with Section 4 of Article IX of the Illinois Constitution, an
10 incentive property's additional assessed value resulting from
11 a scheduled increase in the level of assessment as applied to
12 the first year final board of review market value, and (iv) any
13 increase in assessed value due to oil or gas production from an
14 oil or gas well required to be permitted under the Hydraulic
15 Fracturing Regulatory Act that was not produced in or accounted
16 for during the previous levy year. In addition, the county
17 clerk in a county containing a population of 3,000,000 or more
18 shall include in the 1997 recovered tax increment value for any
19 school district, any recovered tax increment value that was
20 applicable to the 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 In the case of a taxing district that obtained referendum
11 approval for an increased limiting rate on March 20, 2012, the
12 limiting rate for tax year 2012 shall be the rate that
13 generates the approximate total amount of taxes extendable for
14 that tax year, as set forth in the proposition approved by the
15 voters; this rate shall be the final rate applied by the county
16 clerk for the aggregate of all capped funds of the district for
17 tax year 2012.

18 "Qualified school district" means, for levy years 2017
19 through 2020, a school district that has been granted a
20 financial hardship exemption from this amendatory Act of the
21 100th General Assembly by the State Superintendent of
22 Education; to be eligible for such an exemption, the district
23 must have been designated, through the State Board of
24 Education's School District Financial Profile System, as on
25 financial watch status for the most recent fiscal year. After
26 independently verifying that a district meets this

1 requirement, the State Superintendent shall notify the
2 appropriate taxing authorities that the district is to be
3 exempt from the provisions of this amendatory Act of the 100th
4 General Assembly for the next appropriate levy year. The
5 exemption shall be for a period of one levy year. School
6 districts may reapply on an annual basis to be exempt from the
7 provisions of this amendatory Act of the 100th General
8 Assembly.

9 (Source: P.A. 98-6, eff. 3-29-13; 98-23, eff. 6-17-13; 99-143,
10 eff. 7-27-15; 99-521, eff. 6-1-17.)

11 (35 ILCS 200/18-205)

12 Sec. 18-205. Referendum to increase the extension
13 limitation.

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

24 (b) The question shall be presented in substantially the
25 following manner ~~for all elections held after March 21, 2006:~~

1 Shall the extension limitation under the Property Tax
2 Extension Limitation Law for (insert the legal name,
3 number, if any, and county or counties of the taxing
4 district and geographic or other common name by which a
5 school or community college district is known and referred
6 to), Illinois, be increased from (applicable extension
7 limitation set forth in Section 18-185) ~~the lesser of 5% or~~
8 ~~the percentage increase in the Consumer Price Index over~~
9 ~~the prior levy year~~ to (insert the percentage of the
10 proposed increase)% per year for (insert each levy year for
11 which the increased extension limitation will apply)?

12 (c) The votes must be recorded as "Yes" or "No".

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

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

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

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

13 Paragraph (2) shall be included only if the increased
14 extension limitation will be applicable for more than one year
15 and shall list each levy year for which the increased extension
16 limitation will be applicable. The additional tax shown for
17 each levy year shall be the approximate dollar amount of the
18 increase over the amount of the most recently completed
19 extension at the time the submission of the question is
20 initiated by the taxing district. The approximate amount of the
21 additional tax extendable shown in paragraphs (1) and (2) shall
22 be calculated by multiplying \$100,000 (the fair market value of
23 the property without regard to any property tax exemptions) by
24 (i) the percentage level of assessment prescribed for that
25 property by statute, or by ordinance of the county board in
26 counties that classify property for purposes of taxation in

1 accordance with Section 4 of Article IX of the Illinois
2 Constitution; (ii) the most recent final equalization factor
3 certified to the county clerk by the Department of Revenue at
4 the time the taxing district initiates the submission of the
5 proposition to the electors; (iii) the last known aggregate
6 extension base of the taxing district at the time the
7 submission of the question is initiated by the taxing district;
8 and (iv) the difference between the percentage increase
9 proposed in the question and the otherwise applicable extension
10 limitation under Section 18-185 ~~the lesser of 5% or the~~
11 ~~percentage increase in the Consumer Price Index for the prior~~
12 ~~levy year (or an estimate of the percentage increase for the~~
13 ~~prior levy year if the increase is unavailable at the time the~~
14 ~~submission of the question is initiated by the taxing~~
15 ~~district);~~ and dividing the result by the last known equalized
16 assessed value of the taxing district at the time the
17 submission of the question is initiated by the taxing district.
18 This amendatory Act of the 97th General Assembly is intended to
19 clarify the existing requirements of this Section, and shall
20 not be construed to validate any prior non-compliant referendum
21 language. Any notice required to be published in connection
22 with the submission of the question shall also contain this
23 supplemental information and shall not contain any other
24 supplemental information. Any error, miscalculation, or
25 inaccuracy in computing any amount set forth on the ballot or
26 in the notice that is not deliberate shall not invalidate or

1 affect the validity of any proposition approved. Notice of the
2 referendum shall be published and posted as otherwise required
3 by law, and the submission of the question shall be initiated
4 as provided by law.

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

6 (35 ILCS 200/18-213)

7 Sec. 18-213. Referenda on applicability of the Property Tax
8 Extension Limitation Law.

9 (a) The provisions of this Section do not apply to a taxing
10 district subject to this Law because a majority of its 1990
11 equalized assessed value is in a county or counties contiguous
12 to a county of 3,000,000 or more inhabitants, or because a
13 majority of its 1994 equalized assessed value is in an affected
14 county and the taxing district was not subject to this Law
15 before the 1995 levy year.

16 (b) The county board of a county that is not subject to
17 this Law may, by ordinance or resolution, submit to the voters
18 of the county the question of whether to make all non-home rule
19 taxing districts that have all or a portion of their equalized
20 assessed valuation situated in the county subject to this Law
21 in the manner set forth in this Section.

22 For purposes of this Section only:

23 "Taxing district" has the same meaning provided in Section
24 1-150.

25 "Equalized assessed valuation" means the equalized

1 assessed valuation for a taxing district for the immediately
2 preceding levy year.

3 (c) The ordinance or resolution shall request the
4 submission of the proposition at any election, except a
5 consolidated primary election, for the purpose of voting for or
6 against making the Property Tax Extension Limitation Law
7 applicable to all non-home rule taxing districts that have all
8 or a portion of their equalized assessed valuation situated in
9 the county.

10 The question shall be placed on a separate ballot and shall
11 be in substantially the following form:

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

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

18 (d) The county clerk shall order the proposition submitted
19 to the electors of the county at the election specified in the
20 ordinance or resolution. If part of the county is under the
21 jurisdiction of a board or boards of election commissioners,
22 the county clerk shall submit a certified copy of the ordinance
23 or resolution to each board of election commissioners, which
24 shall order the proposition submitted to the electors of the
25 taxing district within its jurisdiction at the election
26 specified in the ordinance or resolution.

1 (e) (1) With respect to taxing districts having all of
2 their equalized assessed valuation located in the county,
3 if a majority of the votes cast on the proposition are in
4 favor of the proposition, then this Law becomes applicable
5 to the taxing district beginning on January 1 of the year
6 following the date of the referendum.

7 (2) With respect to taxing districts that meet all the
8 following conditions this Law shall become applicable to
9 the taxing district beginning on January 1, 1997. The
10 districts to which this paragraph (2) is applicable

11 (A) do not have all of their equalized assessed
12 valuation located in a single county,

13 (B) have equalized assessed valuation in an
14 affected county,

15 (C) meet the condition that each county, other than
16 an affected county, in which any of the equalized
17 assessed valuation of the taxing district is located
18 has held a referendum under this Section at any
19 election, except a consolidated primary election, held
20 prior to the effective date of this amendatory Act of
21 1997, and

22 (D) have a majority of the district's equalized
23 assessed valuation located in one or more counties in
24 each of which the voters have approved a referendum
25 under this Section prior to the effective date of this
26 amendatory Act of 1997. For purposes of this Section,

1 in determining whether a majority of the equalized
2 assessed valuation of the taxing district is located in
3 one or more counties in which the voters have approved
4 a referendum under this Section, the equalized
5 assessed valuation of the taxing district in any
6 affected county shall be included with the equalized
7 assessed value of the taxing district in counties in
8 which the voters have approved the referendum.

9 (3) With respect to taxing districts that do not have
10 all of their equalized assessed valuation located in a
11 single county and to which paragraph (2) of subsection (e)
12 is not applicable, if each county other than an affected
13 county in which any of the equalized assessed valuation of
14 the taxing district is located has held a referendum under
15 this Section at any election, except a consolidated primary
16 election, held in any year and if a majority of the
17 equalized assessed valuation of the taxing district is
18 located in one or more counties that have each approved a
19 referendum under this Section, then this Law shall become
20 applicable to the taxing district on January 1 of the year
21 following the year in which the last referendum in a county
22 in which the taxing district has any equalized assessed
23 valuation is held. For the purposes of this Law, the last
24 referendum shall be deemed to be the referendum making this
25 Law applicable to the taxing district. For purposes of this
26 Section, in determining whether a majority of the equalized

1 assessed valuation of the taxing district is located in one
2 or more counties that have approved a referendum under this
3 Section, the equalized assessed valuation of the taxing
4 district in any affected county shall be included with the
5 equalized assessed value of the taxing district in counties
6 that have approved the referendum.

7 (f) Immediately after a referendum is held under this
8 Section, the county clerk of the county holding the referendum
9 shall give notice of the referendum having been held and its
10 results to all taxing districts that have all or a portion of
11 their equalized assessed valuation located in the county, the
12 county clerk of any other county in which any of the equalized
13 assessed valuation of any taxing district is located, and the
14 Department of Revenue. After the last referendum affecting a
15 multi-county taxing district is held, the Department of Revenue
16 shall determine whether the taxing district is subject to this
17 Law and, if so, shall notify the taxing district and the county
18 clerks of all of the counties in which a portion of the
19 equalized assessed valuation of the taxing district is located
20 that, beginning the following January 1, the taxing district is
21 subject to this Law. For each taxing district subject to
22 paragraph (2) of subsection (e) of this Section, the Department
23 of Revenue shall notify the taxing district and the county
24 clerks of all of the counties in which a portion of the
25 equalized assessed valuation of the taxing district is located
26 that, beginning January 1, 1997, the taxing district is subject

1 to this Law.

2 (g) Referenda held under this Section shall be conducted in
3 accordance with the Election Code.

4 (h) Notwithstanding any other provision of law, no
5 referenda may be held under this Section with respect to levy
6 years 2017 through 2020.

7 (Source: P.A. 89-510, eff. 7-11-96; 89-718, eff. 3-7-97.)

8 (35 ILCS 200/18-214)

9 Sec. 18-214. Referenda on removal of the applicability of
10 the Property Tax Extension Limitation Law to non-home rule
11 taxing districts.

12 (a) The provisions of this Section do not apply to a taxing
13 district that is subject to this Law because a majority of its
14 1990 equalized assessed value is in a county or counties
15 contiguous to a county of 3,000,000 or more inhabitants, or
16 because a majority of its 1994 equalized assessed value is in
17 an affected county and the taxing district was not subject to
18 this Law before the 1995 levy year.

19 (b) For purposes of this Section only:

20 "Taxing district" means any non-home rule taxing district
21 that became subject to this Law under Section 18-213 of this
22 Law.

23 "Equalized assessed valuation" means the equalized
24 assessed valuation for a taxing district for the immediately
25 preceding levy year.

1 (c) The county board of a county that became subject to
2 this Law by a referendum approved by the voters of the county
3 under Section 18-213 may, by ordinance or resolution, in the
4 manner set forth in this Section, submit to the voters of the
5 county the question of whether this Law applies to all non-home
6 rule taxing districts that have all or a portion of their
7 equalized assessed valuation situated in the county in the
8 manner set forth in this Section.

9 (d) The ordinance or resolution shall request the
10 submission of the proposition at any election, except a
11 consolidated primary election, for the purpose of voting for or
12 against the continued application of the Property Tax Extension
13 Limitation Law to all non-home rule taxing districts that have
14 all or a portion of their equalized assessed valuation situated
15 in the county.

16 The question shall be placed on a separate ballot and shall
17 be in substantially the following form:

18 Shall the Property Tax Extension Limitation Law (35
19 ILCS 200/18-185 through 35 ILCS 200/18-245), which limits
20 annual property tax extension increases, apply to non-home
21 rule taxing districts with all or a portion of their
22 equalized assessed valuation located in (name of county)?
23 Votes on the question shall be recorded as "yes" or "no".

24 (e) The county clerk shall order the proposition submitted
25 to the electors of the county at the election specified in the
26 ordinance or resolution. If part of the county is under the

1 jurisdiction of a board or boards of election commissioners,
2 the county clerk shall submit a certified copy of the ordinance
3 or resolution to each board of election commissioners, which
4 shall order the proposition submitted to the electors of the
5 taxing district within its jurisdiction at the election
6 specified in the ordinance or resolution.

7 (f) With respect to taxing districts having all of their
8 equalized assessed valuation located in one county, if a
9 majority of the votes cast on the proposition are against the
10 proposition, then this Law shall not apply to the taxing
11 district beginning on January 1 of the year following the date
12 of the referendum.

13 (g) With respect to taxing districts that do not have all
14 of their equalized assessed valuation located in a single
15 county, if both of the following conditions are met, then this
16 Law shall no longer apply to the taxing district beginning on
17 January 1 of the year following the date of the referendum.

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

24 (2) The majority of the equalized assessed valuation of
25 the taxing district, other than any equalized assessed
26 valuation in an affected county, is in one or more counties

1 in which the voters rejected the proposition. For purposes
2 of this Section, in determining whether a majority of the
3 equalized assessed valuation of the taxing district is
4 located in one or more counties in which the voters have
5 rejected the proposition under this Section, the equalized
6 assessed valuation of any taxing district in a county which
7 has held a referendum under Section 18-213 at which the
8 voters rejected that proposition, at the most recent
9 election at which the question was on the ballot in the
10 county, will be included with the equalized assessed value
11 of the taxing district in counties in which the voters have
12 rejected the referendum held under this Section.

13 (h) Immediately after a referendum is held under this
14 Section, the county clerk of the county holding the referendum
15 shall give notice of the referendum having been held and its
16 results to all taxing districts that have all or a portion of
17 their equalized assessed valuation located in the county, the
18 county clerk of any other county in which any of the equalized
19 assessed valuation of any such taxing district is located, and
20 the Department of Revenue. After the last referendum affecting
21 a multi-county taxing district is held, the Department of
22 Revenue shall determine whether the taxing district is no
23 longer subject to this Law and, if the taxing district is no
24 longer subject to this Law, the Department of Revenue shall
25 notify the taxing district and the county clerks of all of the
26 counties in which a portion of the equalized assessed valuation

1 of the taxing district is located that, beginning on January 1
2 of the year following the date of the last referendum, the
3 taxing district is no longer subject to this Law.

4 (i) Notwithstanding any other provision of law, no
5 referenda may be held under this Section with respect to levy
6 years 2017 through 2020.

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

8 (35 ILCS 200/18-242 new)

9 Sec. 18-242. Home rule. This Division 5 is a limitation,
10 under subsection (g) of Section 6 of Article VII of the
11 Illinois Constitution, on the power of home rule units to tax.

12 Section 10. The Senior Citizens Real Estate Tax Deferral
13 Act is amended by changing Section 3 as follows:

14 (320 ILCS 30/3) (from Ch. 67 1/2, par. 453)

15 Sec. 3. A taxpayer may, on or before March 1 of each year,
16 apply to the county collector of the county where his
17 qualifying property is located, or to the official designated
18 by a unit of local government to collect special assessments on
19 the qualifying property, as the case may be, for a deferral of
20 all or a part of real estate taxes payable during that year for
21 the preceding year in the case of real estate taxes other than
22 special assessments, or for a deferral of any installments
23 payable during that year in the case of special assessments, on

1 all or part of his qualifying property. The application shall
2 be on a form prescribed by the Department and furnished by the
3 collector, (a) showing that the applicant will be 65 years of
4 age or older by June 1 of the year for which a tax deferral is
5 claimed, (b) describing the property and verifying that the
6 property is qualifying property as defined in Section 2, (c)
7 certifying that the taxpayer has owned and occupied as his
8 residence such property or other qualifying property in the
9 State for at least the last 3 years except for any periods
10 during which the taxpayer may have temporarily resided in a
11 nursing or sheltered care home, and (d) specifying whether the
12 deferral is for all or a part of the taxes, and, if for a part,
13 the amount of deferral applied for. As to qualifying property
14 not having a separate assessed valuation, the taxpayer shall
15 also file with the county collector a written appraisal of the
16 property prepared by a qualified real estate appraiser together
17 with a certificate signed by the appraiser stating that he has
18 personally examined the property and setting forth the value of
19 the land and the value of the buildings thereon occupied by the
20 taxpayer as his residence.

21 The collector shall grant the tax deferral provided such
22 deferral does not exceed funds available in the Senior Citizens
23 Real Estate Deferred Tax Revolving Fund and provided that the
24 owner or owners of such real property have entered into a tax
25 deferral and recovery agreement with the collector on behalf of
26 the county or other unit of local government, which agreement

1 expressly states:

2 (1) That the total amount of taxes deferred under this Act,
3 plus interest, for the year for which a tax deferral is claimed
4 as well as for those previous years for which taxes are not
5 delinquent and for which such deferral has been claimed may not
6 exceed 80% of the taxpayer's equity interest in the property
7 for which taxes are to be deferred and that, if the total
8 deferred taxes plus interest equals 80% of the taxpayer's
9 equity interest in the property, the taxpayer shall thereafter
10 pay the annual interest due on such deferred taxes plus
11 interest so that total deferred taxes plus interest will not
12 exceed such 80% of the taxpayer's equity interest in the
13 property. For ~~Effective as of~~ the January 1, 2011 assessment
14 year or tax year 2012 through assessment year 2016 ~~and~~
15 ~~thereafter~~, the total amount of any such deferral shall not
16 exceed \$5,000 per taxpayer in each tax year. For the 2017
17 assessment year and thereafter, the total amount of any such
18 deferral shall not exceed \$6,000 per taxpayer in each tax year.

19 (2) That any real estate taxes deferred under this Act and
20 any interest accrued thereon at the rate of 6% per year are a
21 lien on the real estate and improvements thereon until paid. No
22 sale or transfer of such real property may be legally closed
23 and recorded until the taxes which would otherwise have been
24 due on the property, plus accrued interest, have been paid
25 unless the collector certifies in writing that an arrangement
26 for prompt payment of the amount due has been made with his

1 office. The same shall apply if the property is to be made the
2 subject of a contract of sale.

3 (3) That upon the death of the taxpayer claiming the
4 deferral the heirs-at-law, assignees or legatees shall have
5 first priority to the real property upon which taxes have been
6 deferred by paying in full the total taxes which would
7 otherwise have been due, plus interest. However, if such
8 heir-at-law, assignee, or legatee is a surviving spouse, the
9 tax deferred status of the property shall be continued during
10 the life of that surviving spouse if the spouse is 55 years of
11 age or older within 6 months of the date of death of the
12 taxpayer and enters into a tax deferral and recovery agreement
13 before the time when deferred taxes become due under this
14 Section. Any additional taxes deferred, plus interest, on the
15 real property under a tax deferral and recovery agreement
16 signed by a surviving spouse shall be added to the taxes and
17 interest which would otherwise have been due, and the payment
18 of which has been postponed during the life of such surviving
19 spouse, in determining the 80% equity requirement provided by
20 this Section.

21 (4) That if the taxes due, plus interest, are not paid by
22 the heir-at-law, assignee or legatee or if payment is not
23 postponed during the life of a surviving spouse, the deferred
24 taxes and interest shall be recovered from the estate of the
25 taxpayer within one year of the date of his death. In addition,
26 deferred real estate taxes and any interest accrued thereon are

1 due within 90 days after any tax deferred property ceases to be
2 qualifying property as defined in Section 2.

3 If payment is not made when required by this Section,
4 foreclosure proceedings may be instituted under the Property
5 Tax Code.

6 (5) That any joint owner has given written prior approval
7 for such agreement, which written approval shall be made a part
8 of such agreement.

9 (6) That a guardian for a person under legal disability
10 appointed for a taxpayer who otherwise qualifies under this Act
11 may act for the taxpayer in complying with this Act.

12 (7) That a taxpayer or his agent has provided to the
13 satisfaction of the collector, sufficient evidence that the
14 qualifying property on which the taxes are to be deferred is
15 insured against fire or casualty loss for at least the total
16 amount of taxes which have been deferred.

17 If the taxes to be deferred are special assessments, the
18 unit of local government making the assessments shall forward a
19 copy of the agreement entered into pursuant to this Section and
20 the bills for such assessments to the county collector of the
21 county in which the qualifying property is located.

22 (Source: P.A. 97-481, eff. 8-22-11.)

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