



Rep. Maurice A. West II

**Filed: 2/27/2019**

10100HB1448ham001

LRB101 06962 HLH 56651 a

1 AMENDMENT TO HOUSE BILL 1448

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1448 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing  
5 Section 18-165 as follows:

6 (35 ILCS 200/18-165)

7 Sec. 18-165. Abatement of taxes.

8 (a) Any taxing district, upon a majority vote of its  
9 governing authority, may, after the determination of the  
10 assessed valuation of its property, order the clerk of that  
11 county to abate any portion of its taxes on the following types  
12 of property:

13 (1) Commercial and industrial.

14 (A) The property of any commercial or industrial  
15 firm, including but not limited to the property of (i)  
16 any firm that is used for collecting, separating,

1 storing, or processing recyclable materials, locating  
2 within the taxing district during the immediately  
3 preceding year from another state, territory, or  
4 country, or having been newly created within this State  
5 during the immediately preceding year, or expanding an  
6 existing facility, or (ii) any firm that is used for  
7 the generation and transmission of electricity  
8 locating within the taxing district during the  
9 immediately preceding year or expanding its presence  
10 within the taxing district during the immediately  
11 preceding year by construction of a new electric  
12 generating facility that uses natural gas as its fuel,  
13 or any firm that is used for production operations at a  
14 new, expanded, or reopened coal mine within the taxing  
15 district, that has been certified as a High Impact  
16 Business by the Illinois Department of Commerce and  
17 Economic Opportunity. The property of any firm used for  
18 the generation and transmission of electricity shall  
19 include all property of the firm used for transmission  
20 facilities as defined in Section 5.5 of the Illinois  
21 Enterprise Zone Act. The abatement shall not exceed a  
22 period of 10 years and the aggregate amount of abated  
23 taxes for all taxing districts combined shall not  
24 exceed \$4,000,000.

25 (A-5) Any property in the taxing district of a new  
26 electric generating facility, as defined in Section

1           605-332 of the Department of Commerce and Economic  
2           Opportunity Law of the Civil Administrative Code of  
3           Illinois. The abatement shall not exceed a period of 10  
4           years. The abatement shall be subject to the following  
5           limitations:

6                   (i) if the equalized assessed valuation of the  
7                   new electric generating facility is equal to or  
8                   greater than \$25,000,000 but less than  
9                   \$50,000,000, then the abatement may not exceed (i)  
10                  over the entire term of the abatement, 5% of the  
11                  taxing district's aggregate taxes from the new  
12                  electric generating facility and (ii) in any one  
13                  year of abatement, 20% of the taxing district's  
14                  taxes from the new electric generating facility;

15                   (ii) if the equalized assessed valuation of  
16                   the new electric generating facility is equal to or  
17                   greater than \$50,000,000 but less than  
18                   \$75,000,000, then the abatement may not exceed (i)  
19                  over the entire term of the abatement, 10% of the  
20                  taxing district's aggregate taxes from the new  
21                  electric generating facility and (ii) in any one  
22                  year of abatement, 35% of the taxing district's  
23                  taxes from the new electric generating facility;

24                   (iii) if the equalized assessed valuation of  
25                   the new electric generating facility is equal to or  
26                  greater than \$75,000,000 but less than

1           \$100,000,000, then the abatement may not exceed  
2           (i) over the entire term of the abatement, 20% of  
3           the taxing district's aggregate taxes from the new  
4           electric generating facility and (ii) in any one  
5           year of abatement, 50% of the taxing district's  
6           taxes from the new electric generating facility;

7           (iv) if the equalized assessed valuation of  
8           the new electric generating facility is equal to or  
9           greater than \$100,000,000 but less than  
10          \$125,000,000, then the abatement may not exceed  
11          (i) over the entire term of the abatement, 30% of  
12          the taxing district's aggregate taxes from the new  
13          electric generating facility and (ii) in any one  
14          year of abatement, 60% of the taxing district's  
15          taxes from the new electric generating facility;

16          (v) if the equalized assessed valuation of the  
17          new electric generating facility is equal to or  
18          greater than \$125,000,000 but less than  
19          \$150,000,000, then the abatement may not exceed  
20          (i) over the entire term of the abatement, 40% of  
21          the taxing district's aggregate taxes from the new  
22          electric generating facility and (ii) in any one  
23          year of abatement, 60% of the taxing district's  
24          taxes from the new electric generating facility;

25          (vi) if the equalized assessed valuation of  
26          the new electric generating facility is equal to or

1 greater than \$150,000,000, then the abatement may  
2 not exceed (i) over the entire term of the  
3 abatement, 50% of the taxing district's aggregate  
4 taxes from the new electric generating facility  
5 and (ii) in any one year of abatement, 60% of the  
6 taxing district's taxes from the new electric  
7 generating facility.

8 The abatement is not effective unless the owner of  
9 the new electric generating facility agrees to repay to  
10 the taxing district all amounts previously abated,  
11 together with interest computed at the rate and in the  
12 manner provided for delinquent taxes, in the event that  
13 the owner of the new electric generating facility  
14 closes the new electric generating facility before the  
15 expiration of the entire term of the abatement.

16 The authorization of taxing districts to abate  
17 taxes under this subdivision (a)(1)(A-5) expires on  
18 January 1, 2010.

19 (B) The property of any commercial or industrial  
20 development of at least (i) 500 acres or (ii) 225 acres  
21 in the case of a commercial or industrial development  
22 that applies for and is granted designation as a High  
23 Impact Business under paragraph (F) of item (3) of  
24 subsection (a) of Section 5.5 of the Illinois  
25 Enterprise Zone Act, having been created within the  
26 taxing district. The abatement shall not exceed a

1 period of 20 years and the aggregate amount of abated  
2 taxes for all taxing districts combined shall not  
3 exceed \$12,000,000.

4 (C) The property of any commercial or industrial  
5 firm currently located in the taxing district that  
6 expands a facility or its number of employees. The  
7 abatement shall not exceed a period of 10 years and the  
8 aggregate amount of abated taxes for all taxing  
9 districts combined shall not exceed \$4,000,000. The  
10 abatement period may be renewed at the option of the  
11 taxing districts.

12 (2) Horse racing. Any property in the taxing district  
13 which is used for the racing of horses and upon which  
14 capital improvements consisting of expansion, improvement  
15 or replacement of existing facilities have been made since  
16 July 1, 1987. The combined abatements for such property  
17 from all taxing districts in any county shall not exceed  
18 \$5,000,000 annually and shall not exceed a period of 10  
19 years.

20 (3) Auto racing. Any property designed exclusively for  
21 the racing of motor vehicles. Such abatement shall not  
22 exceed a period of 10 years.

23 (4) Academic or research institute. The property of any  
24 academic or research institute in the taxing district that  
25 (i) is an exempt organization under paragraph (3) of  
26 Section 501(c) of the Internal Revenue Code, (ii) operates

1 for the benefit of the public by actually and exclusively  
2 performing scientific research and making the results of  
3 the research available to the interested public on a  
4 non-discriminatory basis, and (iii) employs more than 100  
5 employees. An abatement granted under this paragraph shall  
6 be for at least 15 years and the aggregate amount of abated  
7 taxes for all taxing districts combined shall not exceed  
8 \$5,000,000.

9 (5) Housing for older persons. Any property in the  
10 taxing district that is devoted exclusively to affordable  
11 housing for older households. For purposes of this  
12 paragraph, "older households" means those households (i)  
13 living in housing provided under any State or federal  
14 program that the Department of Human Rights determines is  
15 specifically designed and operated to assist elderly  
16 persons and is solely occupied by persons 55 years of age  
17 or older and (ii) whose annual income does not exceed 80%  
18 of the area gross median income, adjusted for family size,  
19 as such gross income and median income are determined from  
20 time to time by the United States Department of Housing and  
21 Urban Development. The abatement shall not exceed a period  
22 of 15 years, and the aggregate amount of abated taxes for  
23 all taxing districts shall not exceed \$3,000,000.

24 (6) Historical society. For assessment years 1998  
25 through 2018, the property of an historical society  
26 qualifying as an exempt organization under Section

1 501(c)(3) of the federal Internal Revenue Code.

2 (7) Recreational facilities. Any property in the  
3 taxing district (i) that is used for a municipal airport,  
4 (ii) that is subject to a leasehold assessment under  
5 Section 9-195 of this Code and (iii) which is sublet from a  
6 park district that is leasing the property from a  
7 municipality, but only if the property is used exclusively  
8 for recreational facilities or for parking lots used  
9 exclusively for those facilities. The abatement shall not  
10 exceed a period of 10 years.

11 (8) Relocated corporate headquarters. If approval  
12 occurs within 5 years after the effective date of this  
13 amendatory Act of the 92nd General Assembly, any property  
14 or a portion of any property in a taxing district that is  
15 used by an eligible business for a corporate headquarters  
16 as defined in the Corporate Headquarters Relocation Act.  
17 Instead of an abatement under this paragraph (8), a taxing  
18 district may enter into an agreement with an eligible  
19 business to make annual payments to that eligible business  
20 in an amount not to exceed the property taxes paid directly  
21 or indirectly by that eligible business to the taxing  
22 district and any other taxing districts for premises  
23 occupied pursuant to a written lease and may make those  
24 payments without the need for an annual appropriation. No  
25 school district, however, may enter into an agreement with,  
26 or abate taxes for, an eligible business unless the



1 municipality in which the corporate headquarters is  
2 located agrees to provide funding to the school district in  
3 an amount equal to the amount abated or paid by the school  
4 district as provided in this paragraph (8). Any abatement  
5 ordered or agreement entered into under this paragraph (8)  
6 may be effective for the entire term specified by the  
7 taxing district, except the term of the abatement or annual  
8 payments may not exceed 20 years.

9 (9) United States Military Public/Private Residential  
10 Developments. Each building, structure, or other  
11 improvement designed, financed, constructed, renovated,  
12 managed, operated, or maintained after January 1, 2006  
13 under a "PPV Lease", as set forth under Division 14 of  
14 Article 10, and any such PPV Lease.

15 (10) Property located in a business corridor that  
16 qualifies for an abatement under Section 18-184.10.

17 (11) Under Section 11-15.4-25 of the Illinois  
18 Municipal Code, property located within an urban  
19 agricultural area that is used by a qualifying farmer for  
20 processing, growing, raising, or otherwise producing  
21 agricultural products.

22 (12) Residential property that qualifies for an  
23 abatement under any program adopted by the governing  
24 authority of the taxing district for the purpose of  
25 revitalizing or stabilizing neighborhoods.

26 (b) Upon a majority vote of its governing authority, any

1 municipality may, after the determination of the assessed  
2 valuation of its property, order the county clerk to abate any  
3 portion of its taxes on any property that is located within the  
4 corporate limits of the municipality in accordance with Section  
5 8-3-18 of the Illinois Municipal Code.  
6 (Source: P.A. 100-1133, eff. 1-1-19.)".