



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4093

Introduced 1/16/2020, by Rep. Allen Skillicorn

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-185
35 ILCS 200/18-205
35 ILCS 200/18-214

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that, for the 2021 levy year and thereafter, for certain school districts, "extension limitation" means 0% or the rate of increase approved by the voters. Provides that all school districts in the State are subject to the Property Tax Extension Limitation Law. Provides that qualified school districts may be granted an exemption from the amendatory Act by an affirmative vote of the State Board of Education. Sets forth the qualifications for those school districts. Effective immediately.

LRB101 16441 HLH 65820 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Property Tax Code is amended by changing
5 Sections 18-185, 18-205, and 18-214 and by adding Section
6 18-242 as follows:

7 (35 ILCS 200/18-185)

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

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

14 "Extension limitation" means, except as otherwise provided
15 in this paragraph with respect to school districts, (a) the
16 lesser of 5% or the percentage increase in the Consumer Price
17 Index during the 12-month calendar year preceding the levy year
18 or (b) the rate of increase approved by voters under Section
19 18-205. For the 2021 levy year and thereafter, for school
20 districts other than the City of Chicago School District #299
21 and qualified school districts that were subject to this Law in
22 the 2020 levy year, "extension limitation" means 0% or the rate
23 of increase approved by the voters under Section 18-205. For

1 the 2021 levy year and thereafter, for the City of Chicago
2 School District #299 and qualified school districts that were
3 subject to this Law in the 2020 levy year, "extension
4 limitation" means (a) the lesser of 5% or the percentage
5 increase in the Consumer Price Index during the 12-month
6 calendar year preceding the levy year or (b) the rate of
7 increase approved by voters under Section 18-205.

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

11 "Taxing district" has the same meaning provided in Section
12 1-150, except as otherwise provided in this Section. For the
13 1991 through 1994 levy years only, "taxing district" includes
14 only each non-home rule taxing district having the majority of
15 its 1990 equalized assessed value within any county or counties
16 contiguous to a county with 3,000,000 or more inhabitants.
17 Beginning with the 1995 levy year, "taxing district" includes
18 only each non-home rule taxing district subject to this Law
19 before the 1995 levy year and each non-home rule taxing
20 district not subject to this Law before the 1995 levy year
21 having the majority of its 1994 equalized assessed value in an
22 affected county or counties. Beginning with the levy year in
23 which this Law becomes applicable to a taxing district as
24 provided in Section 18-213, "taxing district" also includes
25 those taxing districts made subject to this Law as provided in
26 Section 18-213. For the 2021 levy year and thereafter, "taxing

1 district" also includes each school district in the State, but
2 does not include a qualified school district that was not
3 subject to this Law in the 2020 levy year.

4 "Aggregate extension" for taxing districts to which this
5 Law applied before the 1995 levy year means the annual
6 corporate extension for the taxing district and those special
7 purpose extensions that are made annually for the taxing
8 district, excluding special purpose extensions: (a) made for
9 the taxing district to pay interest or principal on general
10 obligation bonds that were approved by referendum; (b) made for
11 any taxing district to pay interest or principal on general
12 obligation bonds issued before October 1, 1991; (c) made for
13 any taxing district to pay interest or principal on bonds
14 issued to refund or continue to refund those bonds issued
15 before October 1, 1991; (d) made for any taxing district to pay
16 interest or principal on bonds issued to refund or continue to
17 refund bonds issued after October 1, 1991 that were approved by
18 referendum; (e) made for any taxing district to pay interest or
19 principal on revenue bonds issued before October 1, 1991 for
20 payment of which a property tax levy or the full faith and
21 credit of the unit of local government is pledged; however, a
22 tax for the payment of interest or principal on those bonds
23 shall be made only after the governing body of the unit of
24 local government finds that all other sources for payment are
25 insufficient to make those payments; (f) made for payments
26 under a building commission lease when the lease payments are

1 for the retirement of bonds issued by the commission before
2 October 1, 1991, to pay for the building project; (g) made for
3 payments due under installment contracts entered into before
4 October 1, 1991; (h) made for payments of principal and
5 interest on bonds issued under the Metropolitan Water
6 Reclamation District Act to finance construction projects
7 initiated before October 1, 1991; (i) made for payments of
8 principal and interest on limited bonds, as defined in Section
9 3 of the Local Government Debt Reform Act, in an amount not to
10 exceed the debt service extension base less the amount in items
11 (b), (c), (e), and (h) of this definition for non-referendum
12 obligations, except obligations initially issued pursuant to
13 referendum; (j) made for payments of principal and interest on
14 bonds issued under Section 15 of the Local Government Debt
15 Reform Act; (k) made by a school district that participates in
16 the Special Education District of Lake County, created by
17 special education joint agreement under Section 10-22.31 of the
18 School Code, for payment of the school district's share of the
19 amounts required to be contributed by the Special Education
20 District of Lake County to the Illinois Municipal Retirement
21 Fund under Article 7 of the Illinois Pension Code; the amount
22 of any extension under this item (k) shall be certified by the
23 school district to the county clerk; (l) made to fund expenses
24 of providing joint recreational programs for persons with
25 disabilities under Section 5-8 of the Park District Code or
26 Section 11-95-14 of the Illinois Municipal Code; (m) made for

1 temporary relocation loan repayment purposes pursuant to
2 Sections 2-3.77 and 17-2.2d of the School Code; (n) made for
3 payment of principal and interest on any bonds issued under the
4 authority of Section 17-2.2d of the School Code; (o) made for
5 contributions to a firefighter's pension fund created under
6 Article 4 of the Illinois Pension Code, to the extent of the
7 amount certified under item (5) of Section 4-134 of the
8 Illinois Pension Code; and (p) made for road purposes in the
9 first year after a township assumes the rights, powers, duties,
10 assets, property, liabilities, obligations, and
11 responsibilities of a road district abolished under the
12 provisions of Section 6-133 of the Illinois Highway Code.

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

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

1 (h) of this definition; (j) made for payments of principal and
2 interest on bonds issued under Section 15 of the Local
3 Government Debt Reform Act; (k) made for payments of principal
4 and interest on bonds authorized by Public Act 88-503 and
5 issued under Section 20a of the Chicago Park District Act for
6 aquarium or museum projects; (l) made for payments of principal
7 and interest on bonds authorized by Public Act 87-1191 or
8 93-601 and (i) issued pursuant to Section 21.2 of the Cook
9 County Forest Preserve District Act, (ii) issued under Section
10 42 of the Cook County Forest Preserve District Act for
11 zoological park projects, or (iii) issued under Section 44.1 of
12 the Cook County Forest Preserve District Act for botanical
13 gardens projects; (m) made pursuant to Section 34-53.5 of the
14 School Code, whether levied annually or not; (n) made to fund
15 expenses of providing joint recreational programs for persons
16 with disabilities under Section 5-8 of the Park District Code
17 or Section 11-95-14 of the Illinois Municipal Code; (o) made by
18 the Chicago Park District for recreational programs for persons
19 with disabilities under subsection (c) of Section 7.06 of the
20 Chicago Park District Act; (p) 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 (q) made by Ford Heights School District 169 under Section
25 17-9.02 of the School Code; and (r) made for the purpose of
26 making employer contributions to the Public School Teachers'

1 Pension and Retirement Fund of Chicago under Section 34-53 of
2 the School Code.

3 "Aggregate extension" for all taxing districts to which
4 this Law applies in accordance with Section 18-213, except for
5 those taxing districts subject to 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 date on which the referendum making this Law applicable to
14 the taxing district is held; (c) made for any taxing district
15 to pay interest or principal on bonds issued to refund or
16 continue to refund those bonds issued before the date on which
17 the referendum making this Law applicable to the taxing
18 district is held; (d) made for any taxing district to pay
19 interest or principal on bonds issued to refund or continue to
20 refund bonds issued after the date on which the referendum
21 making this Law applicable to the taxing district is held if
22 the bonds were approved by referendum after the date on which
23 the referendum making this Law applicable to the taxing
24 district is held; (e) made for any taxing district to pay
25 interest or principal on revenue bonds issued before the date
26 on which the referendum making this Law applicable to the

1 taxing district is held for payment of which a property tax
2 levy or the full faith and credit of the unit of local
3 government is pledged; however, a tax for the payment of
4 interest or principal on those bonds shall be made only after
5 the governing body of the unit of local government finds that
6 all other sources for payment are insufficient to make those
7 payments; (f) made for payments under a building commission
8 lease when the lease payments are for the retirement of bonds
9 issued by the commission before the date on which the
10 referendum making this Law applicable to the taxing district is
11 held to pay for the building project; (g) made for payments due
12 under installment contracts entered into before the date on
13 which the referendum making this Law applicable to the taxing
14 district is held; (h) made for payments of principal and
15 interest on limited bonds, as defined in Section 3 of the Local
16 Government Debt Reform Act, in an amount not to exceed the debt
17 service extension base less the amount in items (b), (c), and
18 (e) of this definition for non-referendum obligations, except
19 obligations initially issued pursuant to referendum; (i) made
20 for payments of principal and interest on bonds issued under
21 Section 15 of the Local Government Debt Reform Act; (j) made
22 for a qualified airport authority to pay interest or principal
23 on general obligation bonds issued for the purpose of paying
24 obligations due under, or financing airport facilities
25 required to be acquired, constructed, installed or equipped
26 pursuant to, contracts entered into before March 1, 1996 (but

1 not including any amendments to such a contract taking effect
2 on or after that date); (k) made to fund expenses of providing
3 joint recreational programs for persons with disabilities
4 under Section 5-8 of the Park District Code or Section 11-95-14
5 of the Illinois Municipal Code; (l) made for contributions to a
6 firefighter's pension fund created under Article 4 of the
7 Illinois Pension Code, to the extent of the amount certified
8 under item (5) of Section 4-134 of the Illinois Pension Code;
9 and (m) made for the taxing district to pay interest or
10 principal on general obligation bonds issued pursuant to
11 Section 19-3.10 of the School Code.

12 "Aggregate extension" for all taxing districts to which
13 this Law applies in accordance with paragraph (2) of subsection
14 (e) of Section 18-213 means the annual corporate extension for
15 the taxing district and those special purpose extensions that
16 are made annually for the taxing district, excluding special
17 purpose extensions: (a) made for the taxing district to pay
18 interest or principal on general obligation bonds that were
19 approved by referendum; (b) made for any taxing district to pay
20 interest or principal on general obligation bonds issued before
21 March 7, 1997 (the effective date of Public Act 89-718) ~~this~~
22 ~~amendatory Act of 1997~~; (c) made for any taxing district to pay
23 interest or principal on bonds issued to refund or continue to
24 refund those bonds issued before March 7, 1997 (the effective
25 date of Public Act 89-718) ~~this amendatory Act of 1997~~; (d)
26 made for any taxing district to pay interest or principal on

1 bonds issued to refund or continue to refund bonds issued after
2 March 7, 1997 (the effective date of Public Act 89-718) ~~this~~
3 ~~amendatory Act of 1997~~ if the bonds were approved by referendum
4 after March 7, 1997 (the effective date of Public Act 89-718)
5 ~~this amendatory Act of 1997~~; (e) made for any taxing district
6 to pay interest or principal on revenue bonds issued before
7 March 7, 1997 (the effective date of Public Act 89-718) ~~this~~
8 ~~amendatory Act of 1997~~ for payment of which a property tax levy
9 or the full faith and credit of the unit of local government is
10 pledged; however, a tax for the payment of interest or
11 principal on those bonds shall be made only after the governing
12 body of the unit of local government finds that all other
13 sources for payment are insufficient to make those payments;
14 (f) made for payments under a building commission lease when
15 the lease payments are for the retirement of bonds issued by
16 the commission before March 7, 1997 (the effective date of
17 Public Act 89-718) ~~this amendatory Act of 1997~~ to pay for the
18 building project; (g) made for payments due under installment
19 contracts entered into before March 7, 1997 (the effective date
20 of Public Act 89-718) ~~this amendatory Act of 1997~~; (h) made for
21 payments of principal and interest on limited bonds, as defined
22 in Section 3 of the Local Government Debt Reform Act, in an
23 amount not to exceed the debt service extension base less the
24 amount in items (b), (c), and (e) of this definition for
25 non-referendum obligations, except obligations initially
26 issued pursuant to referendum; (i) made for payments of

1 principal and interest on bonds issued under Section 15 of the
2 Local Government Debt Reform Act; (j) made for a qualified
3 airport authority to pay interest or principal on general
4 obligation bonds issued for the purpose of paying obligations
5 due under, or financing airport facilities required to be
6 acquired, constructed, installed or equipped pursuant to,
7 contracts entered into before March 1, 1996 (but not including
8 any amendments to such a contract taking effect on or after
9 that date); (k) made to fund expenses of providing joint
10 recreational programs for persons with disabilities under
11 Section 5-8 of the Park District Code or Section 11-95-14 of
12 the Illinois Municipal Code; and (l) made for contributions to
13 a firefighter's pension fund created under Article 4 of the
14 Illinois Pension Code, to the extent of the amount certified
15 under item (5) of Section 4-134 of the Illinois Pension Code.

16 "Aggregate extension" means, beginning in levy year 2021,
17 for school districts that were not subject to this Law in the
18 2020 levy year, the annual corporate extension for the school
19 district and those special purpose extensions that are made
20 annually for the school district.

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

1 taxing district is held, or for those taxing districts subject
2 to this Law in accordance with paragraph (2) of subsection (e)
3 of Section 18-213 for the 1996 levy year, or for school
4 districts that were not subject to this Law in the 2020 levy
5 year for the 2020 levy year, constituting an extension for
6 payment of principal and interest on bonds issued by the taxing
7 district without referendum, but not including excluded
8 non-referendum bonds. For park districts (i) that were first
9 subject to this Law in 1991 or 1995 and (ii) whose extension
10 for the 1994 levy year for the payment of principal and
11 interest on bonds issued by the park district without
12 referendum (but not including excluded non-referendum bonds)
13 was less than 51% of the amount for the 1991 levy year
14 constituting an extension for payment of principal and interest
15 on bonds issued by the park district without referendum (but
16 not including excluded non-referendum bonds), "debt service
17 extension base" means an amount equal to that portion of the
18 extension for the 1991 levy year constituting an extension for
19 payment of principal and interest on bonds issued by the park
20 district without referendum (but not including excluded
21 non-referendum bonds). A debt service extension base
22 established or increased at any time pursuant to any provision
23 of this Law, except Section 18-212, shall be increased each
24 year commencing with the later of (i) the 2009 levy year or
25 (ii) the first levy year in which this Law becomes applicable
26 to the taxing district, by the lesser of 5% or the percentage

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

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

19 "Aggregate extension base" means the taxing district's
20 last preceding aggregate extension as adjusted under Sections
21 18-135, 18-215, 18-230, and 18-206. An adjustment under Section
22 18-135 shall be made for the 2007 levy year and all subsequent
23 levy years whenever one or more counties within which a taxing
24 district is located (i) used estimated valuations or rates when
25 extending taxes in the taxing district for the last preceding
26 levy year that resulted in the over or under extension of

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

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

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

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

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

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

24 "Qualified school district" means, for the 2021 levy year
25 and thereafter, a school district that has been granted an
26 exemption from this amendatory Act of the 101st General

1 Assembly by an affirmative vote of the State Board of
2 Education; to be eligible for such an exemption, one or more of
3 the following criteria must apply:

4 (1) the school district must meet the conditions
5 described in subsection (a) of Section 1A-8 of the School
6 Code or in paragraph (3) or (5) of subsection (b) of
7 Section 1A-8 of the School Code; to determine if a school
8 district meets this criteria, the State Superintendent of
9 Education may require the school district, including a
10 school district subject to Article 34A of the School Code,
11 to share financial information relevant to a proper
12 investigation of the district's financial condition;

13 (2) the equalized assessed valuation used in
14 calculating the school district's general State aid claim
15 under Section 18-8.05 of the School Code or the district's
16 evidence-based funding claim under Section 18-8.15 of the
17 School Code, as applicable, for the year in which the
18 district is applying has decreased by 10% or more compared
19 with the equalized assessed valuation used for that
20 calculation in the previous school year; or

21 (3) the school district is a Tier 1 district, as
22 defined in subparagraph (A) of subsection (g) of Section
23 18-8.15 of the School Code.

24 The State Board of Education shall notify the county clerk
25 as soon as possible after the exemption is granted that the
26 district is exempt from the provisions of this amendatory Act

1 of the 101st General Assembly; school districts shall reapply
2 for the exemption on an annual basis.

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

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

19 Except as otherwise provided in this Section, "limiting
20 rate" means a fraction the numerator of which is the last
21 preceding aggregate extension base times an amount equal to one
22 plus the extension limitation defined in this Section and the
23 denominator of which is the current year's equalized assessed
24 value of all real property in the territory under the
25 jurisdiction of the taxing district during the prior levy year.
26 For those taxing districts that reduced their aggregate

1 extension for the last preceding levy year, except for school
2 districts that reduced their extension for educational
3 purposes pursuant to Section 18-206, the highest aggregate
4 extension in any of the last 3 preceding levy years shall be
5 used for the purpose of computing the limiting rate. The
6 denominator shall not include new property or the recovered tax
7 increment value. If a new rate, a rate decrease, or a limiting
8 rate increase has been approved at an election held after March
9 21, 2006, then (i) the otherwise applicable limiting rate shall
10 be increased by the amount of the new rate or shall be reduced
11 by the amount of the rate decrease, as the case may be, or (ii)
12 in the case of a limiting rate increase, the limiting rate
13 shall be equal to the rate set forth in the proposition
14 approved by the voters for each of the years specified in the
15 proposition, after which the limiting rate of the taxing
16 district shall be calculated as otherwise provided. In the case
17 of a taxing district that obtained referendum approval for an
18 increased limiting rate on March 20, 2012, the limiting rate
19 for tax year 2012 shall be the rate that generates the
20 approximate total amount of taxes extendable for that tax year,
21 as set forth in the proposition approved by the voters; this
22 rate shall be the final rate applied by the county clerk for
23 the aggregate of all capped funds of the district for tax year
24 2012.

25 (Source: P.A. 99-143, eff. 7-27-15; 99-521, eff. 6-1-17;
26 100-465, eff. 8-31-17; revised 8-12-19.)

1 (35 ILCS 200/18-205)

2 Sec. 18-205. Referendum to increase the extension
3 limitation.

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

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

16 Shall the extension limitation under the Property Tax
17 Extension Limitation Law for (insert the legal name,
18 number, if any, and county or counties of the taxing
19 district and geographic or other common name by which a
20 school or community college district is known and referred
21 to), Illinois, be increased from (applicable extension
22 limitation set forth in Section 18-185) ~~the lesser of 5% or~~
23 ~~the percentage increase in the Consumer Price Index over~~
24 ~~the prior levy year~~ to (insert the percentage of the
25 proposed increase)% per year for (insert each levy year for

1 which the increased extension limitation will apply)?

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

3 If a majority of voters voting on the issue approves the
4 adoption of the increase, the increase shall be applicable for
5 each levy year specified.

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

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

17 (2) Based upon an average annual percentage increase
18 (or decrease) in the market value of such property of ...%
19 (insert percentage equal to the average annual percentage
20 increase or decrease for the prior 3 levy years, at the
21 time the submission of the question is initiated by the
22 taxing district, in the amount of (A) the equalized
23 assessed value of the taxable property in the taxing
24 district less (B) the new property included in the
25 equalized assessed value), the approximate amount of the
26 additional tax extendable against such property for the ...

1 levy year is estimated to be \$... and for the ... levy year
2 is estimated to be \$....

3 Paragraph (2) shall be included only if the increased
4 extension limitation will be applicable for more than one year
5 and shall list each levy year for which the increased extension
6 limitation will be applicable. The additional tax shown for
7 each levy year shall be the approximate dollar amount of the
8 increase over the amount of the most recently completed
9 extension at the time the submission of the question is
10 initiated by the taxing district. The approximate amount of the
11 additional tax extendable shown in paragraphs (1) and (2) shall
12 be calculated by multiplying \$100,000 (the fair market value of
13 the property without regard to any property tax exemptions) by
14 (i) the percentage level of assessment prescribed for that
15 property by statute, or by ordinance of the county board in
16 counties that classify property for purposes of taxation in
17 accordance with Section 4 of Article IX of the Illinois
18 Constitution; (ii) the most recent final equalization factor
19 certified to the county clerk by the Department of Revenue at
20 the time the taxing district initiates the submission of the
21 proposition to the electors; (iii) the last known aggregate
22 extension base of the taxing district at the time the
23 submission of the question is initiated by the taxing district;
24 and (iv) the difference between the percentage increase
25 proposed in the question and the otherwise applicable extension
26 limitation under Section 18-185 ~~the lesser of 5% or the~~

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

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

22 (35 ILCS 200/18-214)

23 Sec. 18-214. Referenda on removal of the applicability of
24 the Property Tax Extension Limitation Law to non-home rule
25 taxing districts.

1 (a) The provisions of this Section do not apply to a taxing
2 district that is subject to this Law because a majority of its
3 1990 equalized assessed value is in a county or counties
4 contiguous to a county of 3,000,000 or more inhabitants, or
5 because a majority of its 1994 equalized assessed value is in
6 an affected county and the taxing district was not subject to
7 this Law before the 1995 levy year.

8 (b) For purposes of this Section only:

9 "Taxing district" means any non-home rule taxing district
10 that became subject to this Law under Section 18-213 of this
11 Law.

12 "Equalized assessed valuation" means the equalized
13 assessed valuation for a taxing district for the immediately
14 preceding levy year.

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

23 (d) The ordinance or resolution shall request the
24 submission of the proposition at any election, except a
25 consolidated primary election, for the purpose of voting for or
26 against the continued application of the Property Tax Extension

1 Limitation Law to all non-home rule taxing districts that have
2 all or a portion of their equalized assessed valuation situated
3 in the county.

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

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

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

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

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

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

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

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

1 (h) Immediately after a referendum is held under this
2 Section, the county clerk of the county holding the referendum
3 shall give notice of the referendum having been held and its
4 results to all taxing districts that have all or a portion of
5 their equalized assessed valuation located in the county, the
6 county clerk of any other county in which any of the equalized
7 assessed valuation of any such taxing district is located, and
8 the Department of Revenue. After the last referendum affecting
9 a multi-county taxing district is held, the Department of
10 Revenue shall determine whether the taxing district is no
11 longer subject to this Law and, if the taxing district is no
12 longer subject to this Law, the Department of Revenue shall
13 notify the taxing district and the county clerks of all of the
14 counties in which a portion of the equalized assessed valuation
15 of the taxing district is located that, beginning on January 1
16 of the year following the date of the last referendum, the
17 taxing district is no longer subject to this Law.

18 (i) Notwithstanding any other provision of law, no
19 referenda may be held under this Section with respect to a
20 school district for levy year 2021 or thereafter.

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

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