

HB4711



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4711

Introduced 2/18/2020, by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-169

Amends the Property Tax Code. In provisions concerning the homestead exemption for veterans with disabilities, provides that, if the veteran has a service connected disability of 10% or more but less than 30%, as certified by the United States Department of Veterans Affairs, then the annual exemption is \$1,500 (currently, there is no exemption if the veteran has a service connected disability of less than 30%). Effective immediately.

LRB101 17544 HLH 66962 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing
5 Section 15-169 as follows:

6 (35 ILCS 200/15-169)

7 Sec. 15-169. Homestead exemption for veterans with
8 disabilities.

9 (a) Beginning with taxable year 2007, an annual homestead
10 exemption, limited to the amounts set forth in subsections (b),
11 ~~and~~ (b-3), and (b-4) is granted for property that is used as a
12 qualified residence by a veteran with a disability.

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

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

21 (2) for veterans with a service-connected disability
22 of at least 50%, but less than (i) 75% for exemptions
23 granted in taxable years 2007 through 2009 and (ii) 70% for

1 exemptions granted in taxable year 2010 and each taxable
2 year thereafter, as certified by the United States
3 Department of Veterans Affairs, the annual exemption is
4 \$2,500.

5 (b-3) For taxable years 2015 through 2020 ~~and thereafter~~:

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

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

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

18 (b-4) For taxable years 2020 and thereafter:

19 (1) if the veteran has a service connected disability
20 of 10% or more but less than 30%, as certified by the
21 United States Department of Veterans Affairs, then the
22 annual exemption is \$1,500;

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

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

5 (4) if the veteran has a service connected disability
6 of 70% or more, as certified by the United States
7 Department of Veterans Affairs, then the property is exempt
8 from taxation under this Code.

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

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

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

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

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

19 (e-1) If the person qualifying for the exemption does not
20 occupy the qualified residence as of January 1 of the taxable
21 year, the exemption granted under this Section shall be
22 prorated on a monthly basis. The prorated exemption shall apply
23 beginning with the first complete month in which the person
24 occupies the qualified residence.

25 (f) For the purposes of this Section:

26 "Qualified residence" means real property, but less any

1 portion of that property that is used for commercial purposes,
2 with an equalized assessed value of less than \$250,000 that is
3 the primary residence of a veteran with a disability. Property
4 rented for more than 6 months is presumed to be used for
5 commercial purposes.

6 "Veteran" means an Illinois resident who has served as a
7 member of the United States Armed Forces on active duty or
8 State active duty, a member of the Illinois National Guard, or
9 a member of the United States Reserve Forces and who has
10 received an honorable discharge.

11 (Source: P.A. 99-143, eff. 7-27-15; 99-375, eff. 8-17-15;
12 99-642, eff. 7-28-16; 100-869, eff. 8-14-18.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.