

SB2968



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2968

Introduced 12/15/2021, by Sen. Patrick J. Joyce

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-185
65 ILCS 5/8-3-20 new

Amends the Illinois Municipal Code. Provides that the corporate authorities of a municipality may by ordinance declare that the municipality will have a projected surplus of revenues in a fiscal year from any source. Allows the corporate authorities to abate the property tax levied by the municipality by the projected surplus amount. Provides that any amounts abated shall be considered as part of the municipality's aggregate extension for the fiscal year in question. Amends the Property Tax Code making conforming changes.

LRB102 22147 AWJ 31276 b

A BILL FOR

1 AN ACT concerning local government.

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 18-185 as follows:

6 (35 ILCS 200/18-185)

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

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

13 "Extension limitation" means (a) the lesser of 5% or the
14 percentage increase in the Consumer Price Index during the
15 12-month calendar year preceding the levy year or (b) the rate
16 of increase approved by voters under Section 18-205.

17 "Affected county" means a county of 3,000,000 or more
18 inhabitants or a county contiguous to a county of 3,000,000 or
19 more inhabitants.

20 "Taxing district" has the same meaning provided in Section
21 1-150, except as otherwise provided in this Section. For the
22 1991 through 1994 levy years only, "taxing district" includes
23 only each non-home rule taxing district having the majority of

1 its 1990 equalized assessed value within any county or
2 counties contiguous to a county with 3,000,000 or more
3 inhabitants. Beginning with the 1995 levy year, "taxing
4 district" includes only each non-home rule taxing district
5 subject to this Law before the 1995 levy year and each non-home
6 rule taxing district not subject to this Law before the 1995
7 levy year having the majority of its 1994 equalized assessed
8 value in an affected county or counties. Beginning with the
9 levy year in which this Law becomes applicable to a taxing
10 district as provided in Section 18-213, "taxing district" also
11 includes those taxing districts made subject to this Law as
12 provided in Section 18-213.

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

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

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

23 "Aggregate extension" for the taxing districts to which
24 this Law did not apply before the 1995 levy year (except taxing
25 districts subject to this Law in accordance with Section
26 18-213) means the annual corporate extension for the taxing

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

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

1 pursuant to Section 34-53.5 of the School Code, whether levied
2 annually or not; (n) made to fund expenses of providing joint
3 recreational programs for persons with disabilities under
4 Section 5-8 of the Park District Code or Section 11-95-14 of
5 the Illinois Municipal Code; (o) made by the Chicago Park
6 District for recreational programs for persons with
7 disabilities under subsection (c) of Section 7.06 of the
8 Chicago Park District Act; (p) made for contributions to a
9 firefighter's pension fund created under Article 4 of the
10 Illinois Pension Code, to the extent of the amount certified
11 under item (5) of Section 4-134 of the Illinois Pension Code;
12 (q) made by Ford Heights School District 169 under Section
13 17-9.02 of the School Code; and (r) made for the purpose of
14 making employer contributions to the Public School Teachers'
15 Pension and Retirement Fund of Chicago under Section 34-53 of
16 the School Code.

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

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

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

26 "Aggregate extension" for all taxing districts to which

1 this Law applies in accordance with paragraph (2) of
2 subsection (e) of Section 18-213 means the annual corporate
3 extension for the taxing district and those special purpose
4 extensions that are made annually for the taxing district,
5 excluding special purpose extensions: (a) made for the taxing
6 district to pay interest or principal on general obligation
7 bonds that were approved by referendum; (b) made for any
8 taxing district to pay interest or principal on general
9 obligation bonds issued before March 7, 1997 (the effective
10 date of Public Act 89-718); (c) made for any taxing district to
11 pay interest or principal on bonds issued to refund or
12 continue to refund those bonds issued before March 7, 1997
13 (the effective date of Public Act 89-718); (d) made for any
14 taxing district to pay interest or principal on bonds issued
15 to refund or continue to refund bonds issued after March 7,
16 1997 (the effective date of Public Act 89-718) if the bonds
17 were approved by referendum after March 7, 1997 (the effective
18 date of Public Act 89-718); (e) made for any taxing district to
19 pay interest or principal on revenue bonds issued before March
20 7, 1997 (the effective date of Public Act 89-718) for payment
21 of which a property tax levy or the full faith and credit of
22 the unit of local government is pledged; however, a tax for the
23 payment of interest or principal on those bonds shall be made
24 only after the governing body of the unit of local government
25 finds that all other sources for payment are insufficient to
26 make those payments; (f) made for payments under a building

1 commission lease when the lease payments are for the
2 retirement of bonds issued by the commission before March 7,
3 1997 (the effective date of Public Act 89-718) to pay for the
4 building project; (g) made for payments due under installment
5 contracts entered into before March 7, 1997 (the effective
6 date of Public Act 89-718); (h) made for payments of principal
7 and interest on limited bonds, as defined in Section 3 of the
8 Local Government Debt Reform Act, in an amount not to exceed
9 the debt service extension base less the amount in items (b),
10 (c), and (e) of this definition for non-referendum
11 obligations, except obligations initially issued pursuant to
12 referendum; (i) made for payments of principal and interest on
13 bonds issued under Section 15 of the Local Government Debt
14 Reform Act; (j) made for a qualified airport authority to pay
15 interest or principal on general obligation bonds issued for
16 the purpose of paying obligations due under, or financing
17 airport facilities required to be acquired, constructed,
18 installed or equipped pursuant to, contracts entered into
19 before March 1, 1996 (but not including any amendments to such
20 a contract taking effect on or after that date); (k) made to
21 fund expenses of providing joint recreational programs for
22 persons with disabilities under Section 5-8 of the Park
23 District Code or Section 11-95-14 of the Illinois Municipal
24 Code; and (l) made for contributions to a firefighter's
25 pension fund created under Article 4 of the Illinois Pension
26 Code, to the extent of the amount certified under item (5) of

1 Section 4-134 of the Illinois Pension Code.

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

1 A debt service extension base established or increased at any
2 time pursuant to any provision of this Law, except Section
3 18-212, shall be increased each year commencing with the later
4 of (i) the 2009 levy year or (ii) the first levy year in which
5 this Law becomes applicable to the taxing district, by the
6 lesser of 5% or the percentage increase in the Consumer Price
7 Index during the 12-month calendar year preceding the levy
8 year. The debt service extension base may be established or
9 increased as provided under Section 18-212. "Excluded
10 non-referendum bonds" means (i) bonds authorized by Public Act
11 88-503 and issued under Section 20a of the Chicago Park
12 District Act for aquarium and museum projects; (ii) bonds
13 issued under Section 15 of the Local Government Debt Reform
14 Act; or (iii) refunding obligations issued to refund or to
15 continue to refund obligations initially issued pursuant to
16 referendum.

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

25 "Aggregate extension base" means the taxing district's
26 last preceding aggregate extension as adjusted under Sections

1 18-135, 18-215, 18-230, 18-206, and 18-233. An adjustment
2 under Section 18-135 shall be made for the 2007 levy year and
3 all subsequent levy years whenever one or more counties within
4 which a taxing district is located (i) used estimated
5 valuations or rates when extending taxes in the taxing
6 district for the last preceding levy year that resulted in the
7 over or under extension of taxes, or (ii) increased or
8 decreased the tax extension for the last preceding levy year
9 as required by Section 18-135(c). Whenever an adjustment is
10 required under Section 18-135, the aggregate extension base of
11 the taxing district shall be equal to the amount that the
12 aggregate extension of the taxing district would have been for
13 the last preceding levy year if either or both (i) actual,
14 rather than estimated, valuations or rates had been used to
15 calculate the extension of taxes for the last levy year, or
16 (ii) the tax extension for the last preceding levy year had not
17 been adjusted as required by subsection (c) of Section 18-135.

18 Notwithstanding any other provision of law, for levy year
19 2012, the aggregate extension base for West Northfield School
20 District No. 31 in Cook County shall be \$12,654,592.

21 Notwithstanding any other provision of law, for levy year
22 2022, the aggregate extension base of a home equity assurance
23 program that levied at least \$1,000,000 in property taxes in
24 levy year 2019 or 2020 under the Home Equity Assurance Act
25 shall be the amount that the program's aggregate extension
26 base for levy year 2021 would have been if the program had

1 levied a property tax for levy year 2021.

2 For the purpose of determining the taxing district's
3 aggregate extension base, the taxing district's last preceding
4 aggregate extension shall not be reduced by the amount of any
5 abatement granted under Section 8-3-20 of the Illinois
6 Municipal Code.

7 "Levy year" has the same meaning as "year" under Section
8 1-155.

9 "New property" means (i) the assessed value, after final
10 board of review or board of appeals action, of new
11 improvements or additions to existing improvements on any
12 parcel of real property that increase the assessed value of
13 that real property during the levy year multiplied by the
14 equalization factor issued by the Department under Section
15 17-30, (ii) the assessed value, after final board of review or
16 board of appeals action, of real property not exempt from real
17 estate taxation, which real property was exempt from real
18 estate taxation for any portion of the immediately preceding
19 levy year, multiplied by the equalization factor issued by the
20 Department under Section 17-30, including the assessed value,
21 upon final stabilization of occupancy after new construction
22 is complete, of any real property located within the
23 boundaries of an otherwise or previously exempt military
24 reservation that is intended for residential use and owned by
25 or leased to a private corporation or other entity, (iii) in
26 counties that classify in accordance with Section 4 of Article

1 IX of the Illinois Constitution, an incentive property's
2 additional assessed value resulting from a scheduled increase
3 in the level of assessment as applied to the first year final
4 board of review market value, and (iv) any increase in
5 assessed value due to oil or gas production from an oil or gas
6 well required to be permitted under the Hydraulic Fracturing
7 Regulatory Act that was not produced in or accounted for
8 during the previous levy year. In addition, the county clerk
9 in a county containing a population of 3,000,000 or more shall
10 include in the 1997 recovered tax increment value for any
11 school district, any recovered tax increment value that was
12 applicable to the 1995 tax year calculations.

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

17 "Recovered tax increment value" means, except as otherwise
18 provided in this paragraph, the amount of the current year's
19 equalized assessed value, in the first year after a
20 municipality terminates the designation of an area as a
21 redevelopment project area previously established under the
22 Tax Increment Allocation Redevelopment Act in the Illinois
23 Municipal Code, previously established under the Industrial
24 Jobs Recovery Law in the Illinois Municipal Code, previously
25 established under the Economic Development Project Area Tax
26 Increment Act of 1995, or previously established under the

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

1 Allocation Act, "recovered tax increment value" means the
2 amount of the current year's equalized assessed value of each
3 taxable lot, block, tract, or parcel of real property removed
4 from the redevelopment project area over and above the initial
5 equalized assessed value of that real property before removal
6 from the redevelopment project area.

7 Except as otherwise provided in this Section, "limiting
8 rate" means a fraction the numerator of which is the last
9 preceding aggregate extension base times an amount equal to
10 one plus the extension limitation defined in this Section and
11 the denominator of which is the current year's equalized
12 assessed value of all real property in the territory under the
13 jurisdiction of the taxing district during the prior levy
14 year. For those taxing districts that reduced their aggregate
15 extension for the last preceding levy year, except for school
16 districts that reduced their extension for educational
17 purposes pursuant to Section 18-206, the highest aggregate
18 extension in any of the last 3 preceding levy years shall be
19 used for the purpose of computing the limiting rate. The
20 denominator shall not include new property or the recovered
21 tax increment value. If a new rate, a rate decrease, or a
22 limiting rate increase has been approved at an election held
23 after March 21, 2006, then (i) the otherwise applicable
24 limiting rate shall be increased by the amount of the new rate
25 or shall be reduced by the amount of the rate decrease, as the
26 case may be, or (ii) in the case of a limiting rate increase,

1 the limiting rate shall be equal to the rate set forth in the
2 proposition approved by the voters for each of the years
3 specified in the proposition, after which the limiting rate of
4 the taxing district shall be calculated as otherwise provided.
5 In the case of a taxing district that obtained referendum
6 approval for an increased limiting rate on March 20, 2012, the
7 limiting rate for tax year 2012 shall be the rate that
8 generates the approximate total amount of taxes extendable for
9 that tax year, as set forth in the proposition approved by the
10 voters; this rate shall be the final rate applied by the county
11 clerk for the aggregate of all capped funds of the district for
12 tax year 2012.

13 (Source: P.A. 102-263, eff. 8-6-21; 102-311, eff. 8-6-21;
14 102-519, eff. 8-20-21; 102-558, eff. 8-20-21; revised
15 10-5-21.)

16 Section 10. The Illinois Municipal Code is amended by
17 adding Section 8-3-20 as follows:

18 (65 ILCS 5/8-3-20 new)

19 Sec. 8-3-20. Abatement of surplus levies.

20 If any municipality is, in the opinion of a majority of its
21 corporate authorities then holding office, projected to
22 collect a surplus of revenues from any source derived in any
23 given fiscal year, the corporate authorities of such
24 municipality may, by an ordinance approved by a majority of

1 such corporate authorities then holding office, declare the
2 existence and amount of such projected surplus revenues.
3 Thereafter, the corporate authorities may, by an ordinance
4 approved by a majority of such corporate authorities then
5 holding office (and which may be in the same ordinance
6 declaring the existence and amount of the surplus), abate its
7 property tax levy in an amount equal to such surplus. Any
8 abatement under this Section shall be applied uniformly to all
9 real property subject to taxation within the corporate
10 boundaries of the municipality regardless of its
11 classification or use and according to its equalized assessed
12 valuation as provided by law.

13 For any municipality that is subject to the provisions of
14 the Property Tax Extension Limitation Law, any amounts abated
15 pursuant to this Section shall be considered as part of the
16 municipality's aggregate extension for the fiscal year in
17 question in order to permit such municipality's limiting rate
18 to continue to grow in the normal course. This Section shall be
19 liberally construed in order to permit municipalities to
20 provide tax relief to property owners within their corporate
21 boundaries without limiting the municipality's ability to levy
22 property taxes in subsequent fiscal years. Accordingly, should
23 this Section be deemed to conflict with any other statutory
24 provision, this Section shall control to the extent necessary
25 to avoid the conflict. For the purpose of determining the
26 taxing district's aggregate extension base, the taxing

1 district's last preceding aggregate extension may not be
2 reduced by the amount of any abatement granted under Section
3 8-3-20 of this Code.