

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 10-35 as follows:

6 (35 ILCS 200/10-35)

7 Sec. 10-35. Subdivision common areas.

8 (a) Residential property which is part of a development,
9 but which is individually owned and ownership of which
10 includes the right, by easement, covenant, deed or other
11 interest in property, to the use of any common area for
12 recreational or similar residential purposes shall be assessed
13 at a value which includes the proportional share of the value
14 of that common area or areas.

15 Property is used as a "common area or areas" under this
16 Section if it is a lot, parcel, or area, the beneficial use and
17 enjoyment of which is reserved in whole as an appurtenance to
18 the separately owned lots, parcels, or areas within the
19 planned development.

20 The common area or areas which are used for recreational
21 or similar residential purposes and which are assessed to a
22 separate owner and are located on separately identified
23 parcels, shall be listed for assessment purposes at \$1 per

1 year.

2 (b) In counties with 3,000,000 or more inhabitants, any
3 person desiring to establish or to reestablish an assessment
4 of \$1 for any parcel on the grounds of common area status under
5 this Section shall submit an application for the assessment to
6 the assessor. The application shall be submitted at the time
7 within which other applications for revisions of assessment
8 may be made under Section 14-35 by taxpayers in the township
9 where the parcel is located, and shall be in the form and
10 accompanied by documentation, as the assessor may require.

11 (b-5) In counties with fewer than 3,000,000 inhabitants,
12 the chief county assessment officer may require any person
13 desiring to establish or reestablish an assessment of \$1 for
14 any parcel on the grounds of common area status under this
15 Section to submit an application for the assessment to the
16 chief county assessment officer. The application shall be
17 submitted no later than June 30 of the year for which the
18 assessment is sought and shall be in the form and accompanied
19 by documentation that the chief county assessment officer
20 requires.

21 (c) If a \$1 assessment is established pursuant to the
22 application it may be maintained from year to year so long as
23 the ownership or use of the parcel has not changed. When any
24 change in ownership, use or other relevant fact occurs it
25 shall be the duty of the new owner in cases of change in
26 ownership, or of the current owner in all other cases, to

1 notify the assessor in writing within 30 days of the change.
2 The notice shall be sent by certified mail, return receipt
3 requested, and shall include the name and address of the
4 taxpayer, the legal description of the property, and the
5 permanent index number of the property where such number
6 exists. If the failure to give such notification results in
7 the assessor continuing to assess the property at \$1 in
8 subsequent years in error, the property shall be considered
9 omitted property under Section 9-265. Nothing in this Section
10 shall be construed to limit the assessor's authority to
11 annually revise assessments subject to this Section under the
12 procedures of Section 9-85.

13 (d) No objection shall be made to the denial of an
14 assessment of \$1 under this Section in any court except under
15 Sections 21-175 and 23-5. No person may object to or otherwise
16 challenge the failure of any parcel to receive an assessment
17 of \$1 under this Section in any proceeding in any court unless
18 an application for the \$1 assessment was made under
19 subsections ~~subsection~~ (b) and (b-5) of this Section.

20 (Source: P.A. 85-1386; 88-455.)

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