

1 AN ACT concerning taxes.

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.
9 As 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
16 rate 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
19 or more inhabitants.

20 "Taxing district" has the same meaning provided in
21 Section 1-150, except as otherwise provided in this Section.
22 For the 1991 through 1994 levy years only, "taxing district"
23 includes only each non-home rule taxing district having the
24 majority of its 1990 equalized assessed value within any
25 county or counties contiguous to a county with 3,000,000 or
26 more inhabitants. Beginning with the 1995 levy year, "taxing
27 district" includes only each non-home rule taxing district
28 subject to this Law before the 1995 levy year and each
29 non-home rule taxing district not subject to this Law before
30 the 1995 levy year having the majority of its 1994 equalized
31 assessed value in an affected county or counties. Beginning

1 with the levy year in which this Law becomes applicable to a
2 taxing district as provided in Section 18-213, "taxing
3 district" also includes those taxing districts made subject
4 to this Law as provided in Section 18-213.

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

1 1991; (i) made for payments of principal and interest on
2 limited bonds, as defined in Section 3 of the Local
3 Government Debt Reform Act, in an amount not to exceed the
4 debt service extension base less the amount in items (b),
5 (c), (e), and (h) of this definition for non-referendum
6 obligations, except obligations initially issued pursuant to
7 referendum; (j) made for payments of principal and interest
8 on bonds issued under Section 15 of the Local Government Debt
9 Reform Act; and (k) made by a school district that
10 participates in the Special Education District of Lake
11 County, created by special education joint agreement under
12 Section 10-22.31 of the School Code, for payment of the
13 school district's share of the amounts required to be
14 contributed by the Special Education District of Lake County
15 to the Illinois Municipal Retirement Fund under Article 7 of
16 the Illinois Pension Code; the amount of any extension under
17 this item (k) shall be certified by the school district to
18 the county clerk; and (l) made to fund expenses of providing
19 joint recreational programs for the handicapped under Section
20 5-8 of the Park District Code or Section 11-95-14 of the
21 Illinois Municipal Code.

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

1 for any taxing district to pay interest or principal on bonds
2 issued to refund or continue to refund bonds issued after
3 March 1, 1995 that were approved by referendum; (e) made for
4 any taxing district to pay interest or principal on revenue
5 bonds issued before March 1, 1995 for payment of which a
6 property tax levy or the full faith and credit of the unit of
7 local government is pledged; however, a tax for the payment
8 of interest or principal on those bonds shall be made only
9 after the governing body of the unit of local government
10 finds that all other sources for payment are insufficient to
11 make those payments; (f) made for payments under a building
12 commission lease when the lease payments are for the
13 retirement of bonds issued by the commission before March 1,
14 1995 to pay for the building project; (g) made for payments
15 due under installment contracts entered into before March 1,
16 1995; (h) made for payments of principal and interest on
17 bonds issued under the Metropolitan Water Reclamation
18 District Act to finance construction projects initiated
19 before October 1, 1991; (i) made for payments of principal
20 and interest on limited bonds, as defined in Section 3 of the
21 Local Government Debt Reform Act, in an amount not to exceed
22 the debt service extension base less the amount in items (b),
23 (c), and (e) of this definition for non-referendum
24 obligations, except obligations initially issued pursuant to
25 referendum and bonds described in subsection (h) of this
26 definition; (j) made for payments of principal and interest
27 on bonds issued under Section 15 of the Local Government Debt
28 Reform Act; (k) made for payments of principal and interest
29 on bonds authorized by Public Act 88-503 and issued under
30 Section 20a of the Chicago Park District Act for aquarium or
31 museum projects; (l) made for payments of principal and
32 interest on bonds authorized by Public Act 87-1191 and issued
33 under Section 42 of the Cook County Forest Preserve District
34 Act for zoological park projects; and (m) made pursuant to

1 Section 34-53.5 of the School Code, whether levied annually
2 or not; (n) made to fund expenses of providing joint
3 recreational programs for the handicapped under Section 5-8
4 of the Park District Code or Section 11-95-14 of the Illinois
5 Municipal Code; and (o) made by the Chicago Park District for
6 recreational programs for the handicapped under subsection
7 (c) of Section 7.06 of the Chicago Park District Act.

8 "Aggregate extension" for all taxing districts to which
9 this Law applies in accordance with Section 18-213, except
10 for those taxing districts subject to paragraph (2) of
11 subsection (e) of Section 18-213, means the annual corporate
12 extension for the taxing district and those special purpose
13 extensions that are made annually for the taxing district,
14 excluding special purpose extensions: (a) made for the taxing
15 district to pay interest or principal on general obligation
16 bonds that were approved by referendum; (b) made for any
17 taxing district to pay interest or principal on general
18 obligation bonds issued before the date on which the
19 referendum making this Law applicable to the taxing district
20 is held; (c) made for any taxing district to pay interest or
21 principal on bonds issued to refund or continue to refund
22 those bonds issued before the date on which the referendum
23 making this Law applicable to the taxing district is held;
24 (d) made for any taxing district to pay interest or principal
25 on bonds issued to refund or continue to refund bonds issued
26 after the date on which the referendum making this Law
27 applicable to the taxing district is held if the bonds were
28 approved by referendum after the date on which the referendum
29 making this Law applicable to the taxing district is held;
30 (e) made for any taxing district to pay interest or principal
31 on revenue bonds issued before the date on which the
32 referendum making this Law applicable to the taxing district
33 is held for payment of which a property tax levy or the full
34 faith and credit of the unit of local government is pledged;

1 however, a tax for the payment of interest or principal on
2 those bonds shall be made only after the governing body of
3 the unit of local government finds that all other sources for
4 payment are insufficient to make those payments; (f) made for
5 payments under a building commission lease when the lease
6 payments are for the retirement of bonds issued by the
7 commission before the date on which the referendum making
8 this Law applicable to the taxing district is held to pay for
9 the building project; (g) made for payments due under
10 installment contracts entered into before the date on which
11 the referendum making this Law applicable to the taxing
12 district is held; (h) made for payments of principal and
13 interest on limited bonds, as defined in Section 3 of the
14 Local Government Debt Reform Act, in an amount not to exceed
15 the debt service extension base less the amount in items (b),
16 (c), and (e) of this definition for non-referendum
17 obligations, except obligations initially issued pursuant to
18 referendum; (i) made for payments of principal and interest
19 on bonds issued under Section 15 of the Local Government Debt
20 Reform Act; and (j) made for a qualified airport authority to
21 pay interest or principal on general obligation bonds issued
22 for the purpose of paying obligations due under, or financing
23 airport facilities required to be acquired, constructed,
24 installed or equipped pursuant to, contracts entered into
25 before March 1, 1996 (but not including any amendments to
26 such a contract taking effect on or after that date); and (k)
27 made to fund expenses of providing joint recreational
28 programs for the handicapped under Section 5-8 of the Park
29 District Code or Section 11-95-14 of the Illinois Municipal
30 Code.

31 "Aggregate extension" for all taxing districts to which
32 this Law applies in accordance with paragraph (2) of
33 subsection (e) of Section 18-213 means the annual corporate
34 extension for the taxing district and those special purpose

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

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

14 "Debt service extension base" means an amount equal to
15 that portion of the extension for a taxing district for the
16 1994 levy year, or for those taxing districts subject to this
17 Law in accordance with Section 18-213, except for those
18 subject to paragraph (2) of subsection (e) of Section 18-213,
19 for the levy year in which the referendum making this Law
20 applicable to the taxing district is held, or for those
21 taxing districts subject to this Law in accordance with
22 paragraph (2) of subsection (e) of Section 18-213 for the
23 1996 levy year, constituting an extension for payment of
24 principal and interest on bonds issued by the taxing district
25 without referendum, but not including (i) bonds authorized by
26 Public Act 88-503 and issued under Section 20a of the Chicago
27 Park District Act for aquarium and museum projects; (ii)
28 bonds issued under Section 15 of the Local Government Debt
29 Reform Act; or (iii) refunding obligations issued to refund
30 or to continue to refund obligations initially issued
31 pursuant to referendum. The debt service extension base may
32 be established or increased as provided under Section 18-212.

33 "Special purpose extensions" include, but are not limited
34 to, extensions for levies made on an annual basis for

1 unemployment and workers' compensation, self-insurance,
2 contributions to pension plans, and extensions made pursuant
3 to Section 6-601 of the Illinois Highway Code for a road
4 district's permanent road fund whether levied annually or
5 not. The extension for a special service area is not
6 included in the aggregate extension.

7 "Aggregate extension base" means the taxing district's
8 last preceding aggregate extension as adjusted under Sections
9 18-215 through 18-230.

10 "Levy year" has the same meaning as "year" under Section
11 1-155.

12 "New property" means (i) the assessed value, after final
13 board of review or board of appeals action, of new
14 improvements or additions to existing improvements on any
15 parcel of real property that increase the assessed value of
16 that real property during the levy year multiplied by the
17 equalization factor issued by the Department under Section
18 17-30 and (ii) the assessed value, after final board of
19 review or board of appeals action, of real property not
20 exempt from real estate taxation, which real property was
21 exempt from real estate taxation for any portion of the
22 immediately preceding levy year, multiplied by the
23 equalization factor issued by the Department under Section
24 17-30. In addition, the county clerk in a county containing a
25 population of 3,000,000 or more shall include in the 1997
26 recovered tax increment value for any school district, any
27 recovered tax increment value that was applicable to the 1995
28 tax year calculations.

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

33 "Recovered tax increment value" means, except as
34 otherwise provided in this paragraph, the amount of the

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

1 increment value" means the amount of the current year's
2 equalized assessed value of each taxable lot, block, tract,
3 or parcel of real property removed from the redevelopment
4 project area over and above the initial equalized assessed
5 value of that real property before removal from the
6 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
13 the jurisdiction of the taxing district during the prior levy
14 year. For those taxing districts that reduced their
15 aggregate extension for the last preceding levy year, the
16 highest aggregate extension in any of the last 3 preceding
17 levy years shall be used for the purpose of computing the
18 limiting rate. The denominator shall not include new
19 property. The denominator shall not include the recovered
20 tax increment value.

21 (Source: P.A. 91-357, eff. 7-29-99; 91-478, eff. 11-1-99;
22 92-547, eff. 6-13-02.)

23 Section 10. The Chicago Park District Act is amended by
24 adding Section 7.06 as follows:

25 (70 ILCS 1505/7.06 new)

26 Sec. 7.06. Recreational programs for the handicapped;
27 tax.

28 (a) The Chicago Park District is authorized to
29 establish, maintain, and manage recreational programs for the
30 handicapped, including both mentally and physically
31 handicapped, to provide transportation for the handicapped to
32 and from these programs, to provide for the examination of

1 participants in such programs as deemed necessary, to charge
2 fees for participating in the programs (the fee charged for
3 non-residents of the district need not be the same as the
4 fees charged the residents of the district), and to charge
5 fees for transportation furnished to participants.

6 (b) For the purposes of the recreational programs for
7 the handicapped established under this Section, the Chicago
8 Park District is authorized to adopt procedures for approval
9 of budgets, authorization of expenditures, location of
10 recreational areas, acquisition of real estate by gift,
11 legacy, grant, or purchase, and employment of a director and
12 other professional workers for the programs.

13 (c) For the purposes of providing recreational programs
14 for the handicapped under this Section, the Chicago Park
15 District may levy and collect annually a tax of not to exceed
16 .04% of the value, as equalized or assessed by the Department
17 of Revenue, of all taxable property in the district for the
18 purpose of funding the district's expenses of providing these
19 programs. This tax shall be levied and collected in like
20 manner as the general taxes for the district. The tax shall
21 be in addition to all other taxes authorized by law to be
22 levied and collected in the district and shall not be
23 included within any limitation of rate contained in this Act
24 or any other law, but shall be excluded therefrom, in
25 addition thereto, and in excess thereof.

26 Section 99. Effective date. This Act takes effect upon
27 becoming law.