



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB1134

Introduced 02/07/11, by Rep. Jim Watson

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-169

Amends the Property Tax Code. Provides that, beginning in assessment year 2011, the disabled veterans standard homestead exemption shall be granted on a pro-rata basis if the property is first used as a qualified residence after January 1 of the assessment year. Provides that the amount of the pro-rata exemption is the amount of the annual exemption divided by 365 and multiplied by the number of days during the assessment year the property is occupied as a residence by a qualified disabled veteran. Provides that the chief county assessment officer must adopt reasonable procedures to establish eligibility for this pro-rata exemption. Effective immediately.

LRB097 05121 HLH 45166 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 Section 15-169 as follows:

6 (35 ILCS 200/15-169)

7 Sec. 15-169. Disabled veterans standard homestead  
8 exemption.

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

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

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

23 (d) The exemption under this Section applies for taxable  
24 year 2007 and thereafter. A taxpayer who claims an exemption  
25 under Section 15-165 or 15-168 may not claim an exemption under  
26 this Section.

1       (d-5) Beginning in assessment year 2011, for taxes payable  
2 in 2012, property that is first occupied as a qualified  
3 residence after January 1 of any assessment year beginning on  
4 or after January 1, 2011, by a person who is eligible for an  
5 exemption under this Section must be granted a pro-rata  
6 exemption for that assessment year. The amount of the pro-rata  
7 exemption is the amount of the annual exemption granted under  
8 this Section divided by 365 and multiplied by the number of  
9 days during the assessment year the property is occupied as a  
10 primary residence by a person who is eligible for an exemption  
11 under this Section. The chief county assessment officer must  
12 adopt reasonable procedures to establish eligibility for this  
13 pro-rata exemption.

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

24       (f) For the purposes of this Section:

25       "Qualified residence" means real property, but less any  
26 portion of that property that is used for commercial purposes,

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

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

10 (Source: P.A. 95-644, eff. 10-12-07; 96-1298, eff. 1-1-11;  
11 96-1418, eff. 8-2-10; revised 9-2-10.)

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