

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 Sections 15-175 and 21-205 as follows:

6 (35 ILCS 200/15-175)

7 Sec. 15-175. General homestead exemption.

8 (a) Except as provided in Sections 15-176 and 15-177,
9 homestead property is entitled to an annual homestead exemption
10 limited, except as described here with relation to
11 cooperatives, to a reduction in the equalized assessed value of
12 homestead property equal to the increase in equalized assessed
13 value for the current assessment year above the equalized
14 assessed value of the property for 1977, up to the maximum
15 reduction set forth below. If however, the 1977 equalized
16 assessed value upon which taxes were paid is subsequently
17 determined by local assessing officials, the Property Tax
18 Appeal Board, or a court to have been excessive, the equalized
19 assessed value which should have been placed on the property
20 for 1977 shall be used to determine the amount of the
21 exemption.

22 (b) Except as provided in Section 15-176, the maximum
23 reduction before taxable year 2004 shall be \$4,500 in counties

1 with 3,000,000 or more inhabitants and \$3,500 in all other
2 counties. Except as provided in Sections 15-176 and 15-177, for
3 taxable years 2004 through 2007, the maximum reduction shall be
4 \$5,000, for taxable year 2008, the maximum reduction is \$5,500,
5 and, for taxable years 2009 and thereafter, the maximum
6 reduction is \$6,000 in all counties. If a county has elected to
7 subject itself to the provisions of Section 15-176 as provided
8 in subsection (k) of that Section, then, for the first taxable
9 year only after the provisions of Section 15-176 no longer
10 apply, for owners who, for the taxable year, have not been
11 granted a senior citizens assessment freeze homestead
12 exemption under Section 15-172 or a long-time occupant
13 homestead exemption under Section 15-177, there shall be an
14 additional exemption of \$5,000 for owners with a household
15 income of \$30,000 or less.

16 (c) In counties with fewer than 3,000,000 inhabitants, if,
17 based on the most recent assessment, the equalized assessed
18 value of the homestead property for the current assessment year
19 is greater than the equalized assessed value of the property
20 for 1977, the owner of the property shall automatically receive
21 the exemption granted under this Section in an amount equal to
22 the increase over the 1977 assessment up to the maximum
23 reduction set forth in this Section.

24 (d) If in any assessment year beginning with the 2000
25 assessment year, homestead property has a pro-rata valuation
26 under Section 9-180 resulting in an increase in the assessed

1 valuation, a reduction in equalized assessed valuation equal to
2 the increase in equalized assessed value of the property for
3 the year of the pro-rata valuation above the equalized assessed
4 value of the property for 1977 shall be applied to the property
5 on a proportionate basis for the period the property qualified
6 as homestead property during the assessment year. The maximum
7 proportionate homestead exemption shall not exceed the maximum
8 homestead exemption allowed in the county under this Section
9 divided by 365 and multiplied by the number of days the
10 property qualified as homestead property.

11 (e) The chief county assessment officer may, when
12 considering whether to grant a leasehold exemption under this
13 Section, require the following conditions to be met:

14 (1) that a notarized application for the exemption,
15 signed by both the owner and the lessee of the property,
16 must be submitted each year during the application period
17 in effect for the county in which the property is located;

18 (2) that a copy of the lease must be filed with the
19 chief county assessment officer by the owner of the
20 property at the time the notarized application is
21 submitted;

22 (3) that the lease must expressly state that the lessee
23 is liable for the payment of property taxes; and

24 (4) that the lease must include the following language
25 in substantially the following form:

26 "Lessee shall be liable for the payment of real

1 estate taxes with respect to the residence in
2 accordance with the terms and conditions of 35 ILCS
3 200/15-175. The permanent real estate index number for
4 the premises is (insert number), and, according to the
5 most recent property tax bill, the current amount of
6 real estate taxes associated with the premises is
7 (insert amount) per year. The parties agree that the
8 monthly rent set forth above shall be increased or
9 decreased pro rata (effective January 1 of each
10 calendar year) to reflect any increase or decrease in
11 real estate taxes. Lessee shall be deemed to be
12 satisfying Lessee's liability for the above mentioned
13 real estate taxes with the monthly rent payments as set
14 forth above (or increased or decreased as set forth
15 herein)."

16 In addition, if there is a change in lessee, or if the
17 lessee vacates the property, then the chief county assessment
18 officer may require the owner of the property to notify the
19 chief county assessment officer of that change.

20 This subsection (e) does not apply to leasehold interests
21 in property owned by a municipality.

22 (f) "Homestead property" under this Section includes
23 residential property that is occupied by its owner or owners as
24 his or their principal dwelling place, or that is a leasehold
25 interest on which a single family residence is situated, which
26 is occupied as a residence by a person who has an ownership

1 interest therein, legal or equitable or as a lessee, and on
2 which the person is liable for the payment of property taxes.
3 For land improved with an apartment building owned and operated
4 as a cooperative or a building which is a life care facility as
5 defined in Section 15-170 and considered to be a cooperative
6 under Section 15-170, the maximum reduction from the equalized
7 assessed value shall be limited to the increase in the value
8 above the equalized assessed value of the property for 1977, up
9 to the maximum reduction set forth above, multiplied by the
10 number of apartments or units occupied by a person or persons
11 who is liable, by contract with the owner or owners of record,
12 for paying property taxes on the property and is an owner of
13 record of a legal or equitable interest in the cooperative
14 apartment building, other than a leasehold interest. For
15 purposes of this Section, the term "life care facility" has the
16 meaning stated in Section 15-170.

17 "Household", as used in this Section, means the owner, the
18 spouse of the owner, and all persons using the residence of the
19 owner as their principal place of residence.

20 "Household income", as used in this Section, means the
21 combined income of the members of a household for the calendar
22 year preceding the taxable year.

23 "Income", as used in this Section, has the same meaning as
24 provided in Section 3.07 of the Senior Citizens and Disabled
25 Persons Property Tax Relief and Pharmaceutical Assistance Act,
26 except that "income" does not include veteran's benefits.

1 (g) In a cooperative where a homestead exemption has been
2 granted, the cooperative association or its management firm
3 shall credit the savings resulting from that exemption only to
4 the apportioned tax liability of the owner who qualified for
5 the exemption. Any person who willfully refuses to so credit
6 the savings shall be guilty of a Class B misdemeanor.

7 (h) Where married persons maintain and reside in separate
8 residences qualifying as homestead property, each residence
9 shall receive 50% of the total reduction in equalized assessed
10 valuation provided by this Section.

11 (i) In all counties, the assessor or chief county
12 assessment officer may determine the eligibility of
13 residential property to receive the homestead exemption and the
14 amount of the exemption by application, visual inspection,
15 questionnaire or other reasonable methods. The determination
16 shall be made in accordance with guidelines established by the
17 Department, provided that the taxpayer applying for an
18 additional general exemption under this Section shall submit to
19 the chief county assessment officer an application with an
20 affidavit of the applicant's total household income, age,
21 marital status (and, if married, the name and address of the
22 applicant's spouse, if known), and principal dwelling place of
23 members of the household on January 1 of the taxable year. The
24 Department shall issue guidelines establishing a method for
25 verifying the accuracy of the affidavits filed by applicants
26 under this paragraph. The applications shall be clearly marked

1 as applications for the Additional General Homestead
2 Exemption.

3 (j) In counties with fewer than 3,000,000 inhabitants, in
4 the event of a sale of homestead property the homestead
5 exemption shall remain in effect for the remainder of the
6 assessment year of the sale. The assessor or chief county
7 assessment officer may require the new owner of the property to
8 apply for the homestead exemption for the following assessment
9 year.

10 (k) Notwithstanding Sections 6 and 8 of the State Mandates
11 Act, no reimbursement by the State is required for the
12 implementation of any mandate created by this Section.

13 (Source: P.A. 95-644, eff. 10-12-07.)

14 (35 ILCS 200/21-205)

15 (Text of Section before amendment by P.A. 97-557)

16 Sec. 21-205. Tax sale procedures. The collector, in person
17 or by deputy, shall attend, on the day and in the place
18 specified in the notice for the sale of property for taxes, and
19 shall, between 9:00 a.m. and 4:00 p.m., or later at the
20 collector's discretion, proceed to offer for sale, separately
21 and in consecutive order, all property in the list on which the
22 taxes, special assessments, interest or costs have not been
23 paid. However, in any county with 3,000,000 or more
24 inhabitants, the offer for sale shall be made between 8:00 a.m.
25 and 8:00 p.m. The collector's office shall be kept open during

1 all hours in which the sale is in progress. The sale shall be
2 continued from day to day, until all property in the delinquent
3 list has been offered for sale. However, any city, village or
4 incorporated town interested in the collection of any tax or
5 special assessment, may, in default of bidders, withdraw from
6 collection the special assessment levied against any property
7 by the corporate authorities of the city, village or
8 incorporated town. In case of a withdrawal, there shall be no
9 sale of that property on account of the delinquent special
10 assessment thereon.

11 In every sale of property pursuant to the provisions of
12 this Code, the collector may employ any automated means that
13 the collector deems appropriate, provided that bidders are
14 required to personally attend the sale. The changes made by
15 this amendatory Act of the 94th General Assembly are
16 declarative of existing law.

17 (Source: P.A. 94-922, eff. 1-1-07.)

18 (Text of Section after amendment by P.A. 97-557)

19 Sec. 21-205. Tax sale procedures. The collector, in person
20 or by deputy, shall attend, on the day and in the place
21 specified in the notice for the sale of property for taxes, and
22 shall, between 9:00 a.m. and 4:00 p.m., or later at the
23 collector's discretion, proceed to offer for sale, separately
24 and in consecutive order, all property in the list on which the
25 taxes, special assessments, interest or costs have not been

1 paid. However, in any county with 3,000,000 or more
2 inhabitants, the offer for sale shall be made between 8:00 a.m.
3 and 8:00 p.m. The collector's office shall be kept open during
4 all hours in which the sale is in progress. The sale shall be
5 continued from day to day, until all property in the delinquent
6 list has been offered for sale. However, any city, village or
7 incorporated town interested in the collection of any tax or
8 special assessment, may, in default of bidders, withdraw from
9 collection the special assessment levied against any property
10 by the corporate authorities of the city, village or
11 incorporated town. In case of a withdrawal, there shall be no
12 sale of that property on account of the delinquent special
13 assessment thereon.

14 Until January 1, 2013 ~~the effective date of this amendatory~~
15 ~~Act of the 97th General Assembly~~, in every sale of property
16 pursuant to the provisions of this Code, the collector may
17 employ any automated means that the collector deems
18 appropriate. Beginning on January 1, 2013 ~~the effective date of~~
19 ~~this amendatory Act of the 97th General Assembly~~, either (i)
20 the collector shall employ an automated bidding system that is
21 programmed to accept the lowest redemption price bid by an
22 eligible tax purchaser, subject to the penalty percentage
23 limitation set forth in Section 21-215, or (ii) all tax sales
24 shall be digitally recorded with video and audio. All bidders
25 are required to personally attend the sale and, if automated
26 means are used, all hardware and software used with respect to

1 those automated means must be certified by the Department and
2 re-certified by the Department every 5 years. If the tax sales
3 are digitally recorded and no automated bidding system is used,
4 then the recordings shall be maintained by the collector for a
5 period of at least 3 years from the date of the tax sale. The
6 changes made by this amendatory Act of the 94th General
7 Assembly are declarative of existing law.

8 (Source: P.A. 97-557, eff. 7-1-12.)

9 Section 95. No acceleration or delay. Where this Act makes
10 changes in a statute that is represented in this Act by text
11 that is not yet or no longer in effect (for example, a Section
12 represented by multiple versions), the use of that text does
13 not accelerate or delay the taking effect of (i) the changes
14 made by this Act or (ii) provisions derived from any other
15 Public Act.

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.