



Rep. Brandon W. Phelps

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09700HB4242ham004

LRB097 15225 PJG 68250 a

1 AMENDMENT TO HOUSE BILL 4242

2 AMENDMENT NO. _____. Amend House Bill 4242, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Property Tax Code is amended by adding
6 Section 15-173 as follows:

7 (35 ILCS 200/15-173 new)

8 Sec. 15-173. Natural Disaster Homestead Exemption.

9 (a) This Section may be cited as the Natural Disaster
10 Homestead Exemption.

11 (b) As used in this Section:

12 "Base amount" means the base year equalized assessed value
13 of the residence.

14 "Base year" means the taxable year prior to the taxable
15 year in which the natural disaster occurred.

16 "Chief county assessment officer" means the County

1 Assessor or Supervisor of Assessments of the county in which
2 the property is located.

3 "Equalized assessed value" means the assessed value as
4 equalized by the Illinois Department of Revenue.

5 "Homestead property" has the meaning ascribed to that term
6 in Section 15-175 of this Code.

7 "Natural disaster" means an occurrence of widespread or
8 severe damage or loss of property resulting from any
9 catastrophic cause including but not limited to fire, flood,
10 earthquake, wind, storm, or extended period of severe inclement
11 weather. In the case of a residential structure affected by
12 flooding, the structure shall not be eligible for this
13 homestead improvement exemption unless it is located within a
14 local jurisdiction which is participating in the National Flood
15 Insurance Program. A proclamation of disaster by the President
16 of the United States or Governor of the State of Illinois is
17 not a prerequisite to the classification of an occurrence as a
18 natural disaster under this Section.

19 (c) A homestead exemption shall be granted by the chief
20 county assessment officer for homestead properties containing
21 a residential structure that has been rebuilt following a
22 natural disaster occurring in taxable year 2012 or any taxable
23 year thereafter. The amount of the exemption is the equalized
24 assessed value of the residence in the first taxable year for
25 which the taxpayer applies for an exemption under this Section
26 minus the base amount. To be eligible for an exemption under

1 this Section: (i) the residential structure must be rebuilt
2 within 2 years after the date of the natural disaster; and (ii)
3 the square footage of the rebuilt residential structure may not
4 be more than 110% of the square footage of the original
5 residential structure as it existed immediately prior to the
6 natural disaster. The taxpayer's initial application for an
7 exemption under this Section must be made no later than the
8 first taxable year after the residential structure is rebuilt.
9 The exemption shall continue at the same annual amount until
10 the taxable year in which the property is sold or transferred.

11 (d) To receive the exemption, the taxpayer shall submit an
12 application to the chief county assessment officer of the
13 county in which the property is located by July 1 of each
14 taxable year. A county may, by resolution, establish a date for
15 submission of applications that is different than July 1. The
16 chief county assessment officer may require additional
17 documentation to be provided by the applicant. The applications
18 shall be clearly marked as applications for the Natural
19 Disaster Homestead Exemption.

20 (e) Property is not eligible for an exemption under this
21 Section and Section 15-180 for the same natural disaster or
22 catastrophic event. The property may, however, remain eligible
23 for an additional exemption under Section 15-180 for any
24 separate event occurring after the property qualified for an
25 exemption under this Section.

26 (f) The exemption under this Section carries over to the

1 benefit of the surviving spouse as long as the spouse holds the
2 legal or beneficial title to the homestead and permanently
3 resides thereon.

4 (g) Notwithstanding Sections 6 and 8 of the State Mandates
5 Act, no reimbursement by the State is required for the
6 implementation of any mandate created by this Section.

7 Section 90. The State Mandates Act is amended by adding
8 Section 8.36 as follows:

9 (30 ILCS 805/8.36 new)

10 Sec. 8.36. Exempt mandate. Notwithstanding Sections 6 and 8
11 of this Act, no reimbursement by the State is required for the
12 implementation of any mandate created by this amendatory Act of
13 the 97th General Assembly.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.".