



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5127

by Rep. Jim Watson

SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-169

Amends the Property Tax Code. Provides that, beginning in assessment year 2012, 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 16922 HLH 62110 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 2012, for taxes payable
2 in 2013, property that is first occupied as a qualified
3 residence after January 1 of any assessment year beginning on
4 or after January 1, 2012, 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. 96-1298, eff. 1-1-11; 96-1418, eff. 8-2-10;
11 97-333, eff. 8-12-11.)

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