



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5568

by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-184.15 new

Amends the Property Tax Code. Provides that each taxing district may, by a majority vote of its governing authority, order the county clerk to abate any portion of its taxes on property that contains a structure operating as a small business if that structure has been rebuilt following a natural disaster occurring in taxable year 2012 or any taxable year thereafter. Defines "small business" to mean a business that employs fewer than 50 full-time employees. Effective immediately.

LRB098 17840 HLH 52964 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 adding
5 Section 18-184.15 as follows:

6 (35 ILCS 200/18-184.15 new)

7 Sec. 18-184.15. Natural disaster abatement.

8 (a) Each taxing district may, by a majority vote of its
9 governing authority, order the county clerk to abate any
10 portion of its taxes on property that contains a structure
11 operating as a small business if that structure has been
12 rebuilt following a natural disaster occurring in taxable year
13 2012 or any taxable year thereafter. To be eligible for an
14 abatement under this Section: (i) the structure must be rebuilt
15 within 2 years after the date of the natural disaster; and (ii)
16 the square footage of the rebuilt structure may not be more
17 than 110% of the square footage of the original structure as it
18 existed immediately prior to the natural disaster.

19 (b) To receive the exemption, the taxpayer shall submit an
20 application to the chief county assessment officer of the
21 county in which the property is located by July 1 of each
22 taxable year. A county may, by resolution, establish a date for
23 submission of applications that is different than July 1. The

1 chief county assessment officer may require additional
2 documentation to be provided by the applicant.

3 (c) As used in this Section:

4 "Chief county assessment officer" means the County
5 Assessor or Supervisor of Assessments of the county in which
6 the property is located.

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 structure affected by flooding, the
12 structure shall not be eligible for this exemption unless it is
13 located within a local jurisdiction which is participating in
14 the National Flood Insurance Program. A proclamation of
15 disaster by the President of the United States or Governor of
16 the State of Illinois is not a prerequisite to the
17 classification of an occurrence as a natural disaster under
18 this Section.

19 "Small business" means a business that employs fewer than
20 50 full-time employees.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.