



Sen. Linda Holmes

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LRB098 07357 HLH 44682 a

1 AMENDMENT TO SENATE BILL 1657

2 AMENDMENT NO. _____. Amend Senate Bill 1657 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing
5 Sections 6-15, 9-5, and 16-55 as follows:

6 (35 ILCS 200/6-15)

7 Sec. 6-15. Political makeup and compensation. The board of
8 review appointed under Section 6-5 shall consist of 3 ~~2~~
9 members, 2 of whom are affiliated with the political party
10 polling the highest vote for any county office in the county~~r~~
11 ~~and one member of the party polling the second highest vote for~~
12 ~~the same county office~~ at the last general election prior to
13 any appointment made under this Section. Each member of the
14 board of review shall receive an annual salary to be fixed by
15 the county board and paid out of the county treasury.

16 (Source: P.A. 86-905; 87-1189; 88-455.)

1 (35 ILCS 200/9-5)

2 Sec. 9-5. Rules. Each county assessor, board of appeals,
3 and board of review shall make and publish reasonable rules for
4 the guidance of persons doing business with them and for the
5 orderly dispatch of business.

6 In counties with fewer than 3,000,000 inhabitants, these
7 rules shall not require specific proof to be offered nor limit
8 the nature of evidence which may be offered as a condition of
9 filing an assessment complaint under Section 16-55.

10 In counties with 3,000,000 or more inhabitants, the county
11 assessor and board of appeals (ending the first Monday in
12 December 1998 and the board of review beginning the first
13 Monday in December 1998 and thereafter), jointly shall make and
14 prescribe rules for the assessment of property and the
15 preparation of the assessment books by the township assessors
16 in their respective townships and for the return of those books
17 to the county assessor.

18 (Source: P.A. 88-455; 89-126, eff. 7-11-95; 89-671, eff.
19 8-14-96.)

20 (35 ILCS 200/16-55)

21 Sec. 16-55. Complaints.

22 (a) On written complaint that any property is overassessed
23 or underassessed, the board shall review the assessment, and
24 correct it, as appears to be just, but in no case shall the

1 property be assessed at a higher percentage of fair cash value
2 than other property in the assessment district prior to
3 equalization by the board or the Department.

4 (b) The board shall include compulsory sales in reviewing
5 and correcting assessments, including, but not limited to,
6 those compulsory sales submitted by the taxpayer, if the board
7 determines that those sales reflect the same property
8 characteristics and condition as those originally used to make
9 the assessment. The board shall also consider whether the
10 compulsory sale would otherwise be considered an arm's length
11 transaction.

12 (c) If a complaint is filed by an attorney on behalf of a
13 taxpayer, all notices and correspondence from the board
14 relating to the appeal shall be directed to the attorney. The
15 board may require proof of the attorney's authority to
16 represent the taxpayer. If the attorney fails to provide proof
17 of authority within the compliance period granted by the board
18 pursuant to subsection (d), the board may dismiss the
19 complaint. The Board shall send, electronically or by mail,
20 notice of the dismissal to the attorney and taxpayer.

21 (d) A complaint to affect the assessment for the current
22 year shall be filed on or before 30 calendar days after the
23 date of publication of the assessment list under Section 12-10.
24 Upon receipt of a written complaint that is timely filed under
25 this Section, the board of review shall docket the complaint.
26 If the complaint does not comply with the board of review rules

1 adopted under Section 9-5 entitling the complainant to a
2 hearing, the board shall send, electronically or by mail,
3 notification acknowledging receipt of the complaint. The
4 notification must identify which rules have not been complied
5 with and provide the complainant with not less than 10 business
6 days to bring the complaint into compliance with those rules.
7 If the complainant complies with the board of review rules
8 either upon the initial filing of a complaint or within the
9 time as extended by the board of review for compliance, then
10 the board of review shall send, electronically or by mail, a
11 notice of hearing and the board shall hear the complaint and
12 shall issue and send, electronically or by mail, a decision
13 upon resolution. Except as otherwise provided in subsection
14 (c), if the complainant has not complied with the rules within
15 the time as extended by the board of review, the board shall
16 nonetheless issue and send a decision. The board of review may
17 adopt rules allowing any party to attend and participate in a
18 hearing by telephone or electronically.

19 (e) The board may also, at any time before its revision of
20 the assessments is completed in every year, increase, reduce or
21 otherwise adjust the assessment of any property, making changes
22 in the valuation as may be just, and shall have full power over
23 the assessment of any person and may do anything in regard
24 thereto that it may deem necessary to make a just assessment,
25 but the property shall not be assessed at a higher percentage
26 of fair cash value than the assessed valuation of other

1 property in the assessment district prior to equalization by
2 the board or the Department.

3 (f) No assessment shall be increased until the person to be
4 affected has been notified and given an opportunity to be
5 heard, except as provided below.

6 (g) Before making any reduction in assessments of its own
7 motion, the board of review shall give notice to the assessor
8 or chief county assessment officer who certified the
9 assessment, and give the assessor or chief county assessment
10 officer an opportunity to be heard thereon.

11 (h) All complaints of errors in assessments of property
12 shall be in writing, and shall be filed by the complaining
13 party with the board of review, in duplicate. The duplicate
14 shall be filed by the board of review with the assessor or
15 chief county assessment officer who certified the assessment.

16 (i) In all cases where a change in assessed valuation of
17 \$100,000 or more is sought, the board of review shall also
18 serve a copy of the petition on all taxing districts as shown
19 on the last available tax bill at least 14 days prior to the
20 hearing on the complaint. All taxing districts shall have an
21 opportunity to be heard on the complaint.

22 (j) Complaints shall be classified by townships or taxing
23 districts by the clerk of the board of review. All classes of
24 complaints shall be docketed numerically, each in its own
25 class, in the order in which they are presented, in books kept
26 for that purpose, which books shall be open to public

1 inspection. Complaints shall be considered by townships or
2 taxing districts until all complaints have been heard and
3 passed upon by the board.

4 (Source: P.A. 96-1083, eff. 7-16-10; 97-812, eff. 7-13-12.)".

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.".