



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB0178

by Rep. David McSweeney

SYNOPSIS AS INTRODUCED:

35 ILCS 200/Art. 18 Div. 7 heading new
35 ILCS 200/18-280 new
35 ILCS 200/18-285 new
35 ILCS 200/18-290 new
30 ILCS 805/8.39 new

Amends the Property Tax Code. Creates a Township Property Tax Extension Freeze for the 2015 levy year for townships with a population of 100,000 or less that are located within a county that is subject to the Property Tax Extension Limitation Law. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB099 04052 HLH 25709 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 Division 7 to Article 18 as follows:

6 (35 ILCS 200/Art. 18 Div. 7 heading new)

7 Division 7. Township Property Tax Extension Freeze Law

8 (35 ILCS 200/18-280 new)

9 Sec. 18-280. Short title; definitions. This Division 7 may
10 be cited as the Township Property Tax Extension Freeze Law.

11 As used in this Division 7:

12 "Aggregate extension" means the annual corporate extension
13 for the town fund of the township, excluding highway funds,
14 general assistance funds, and any special purpose extensions.

15 "Town fund" means the fund or funds for which moneys are
16 appropriated by townships for general operating expenses in
17 compliance with Section 3 of the Illinois Municipal Budget Law.

18 "Special purpose extensions" include, but are not limited
19 to, extensions for levies made on an annual basis for
20 unemployment and workers' compensation, self-insurance, or
21 contributions to pension plans, whether levied annually or not.

22 The extension for a special service area is not included in the

1 aggregate extension.

2 "Aggregate extension base" means the township's aggregate
3 extension for the 2014 levy year.

4 "New property" means (i) the assessed value, after final
5 board of review or board of appeals action, of new improvements
6 or additions to existing improvements on any parcel of real
7 property that increase the assessed value of that real property
8 during the levy year multiplied by the equalization factor
9 issued by the Department under Section 17-30 and (ii) the
10 assessed value, after final board of review or board of appeals
11 action, of real property not exempt from real estate taxation,
12 which real property was exempt from real estate taxation for
13 any portion of the immediately preceding levy year, multiplied
14 by the equalization factor issued by the Department under
15 Section 17-30.

16 "Recovered tax increment value" means the equalized
17 assessed value in 2015 of each taxable lot, block, tract, or
18 parcel of real property located in a redevelopment project area
19 previously established under (i) the Tax Increment Allocation
20 Development Act of the Illinois Municipal Code, (ii) the
21 Industrial Jobs Recovery Law of the Illinois Municipal Code, or
22 (iii) the Economic Development Area Tax Increment Allocation
23 Act, over and above the initial equalized assessed value of
24 each of those lots, blocks, tracts, or parcels, if 2015 is the
25 first year after the municipality terminates the designation of
26 the area as a redevelopment project area.

1 "Natural disaster" means an occurrence of widespread or
2 severe damage or loss of property resulting from any
3 catastrophic cause including, but not limited to, fire, flood,
4 earthquake, wind, storm, or extended period of severe inclement
5 weather.

6 "Proclaimed natural disaster" means a natural disaster
7 that has been proclaimed as such by the Governor or the
8 President of the United States.

9 Except as otherwise provided in this Division, "limiting
10 rate" means a fraction the numerator of which is the aggregate
11 extension base and the denominator of which is the current
12 year's equalized assessed value of all real property in the
13 territory under the jurisdiction of the township during the
14 2014 levy year. The denominator shall not include new property
15 and shall not include the recovered tax increment value.

16 (35 ILCS 200/18-285 new)

17 Sec. 18-285. Township extensions.

18 (a) Notwithstanding any other provision of law, in counties
19 under township organization that are subject to the Property
20 Tax Extension Limitation Law, for the 2015 levy year, for those
21 townships with a population of 100,000 or less, according to
22 the most recent federal decennial census, for which the county
23 clerk extended taxes for any funds included in the aggregate
24 extension base for the 2014 levy year, the county clerk shall
25 extend a rate for the sum of the funds in the township's

1 aggregate extension base that is no greater than the limiting
2 rate. Notwithstanding any other provision of law, except as
3 provided in subsection (b), this Section limits the increase in
4 the township's 2015 aggregate extension to 0%. Notwithstanding
5 any other provision of law, this Section does not apply to (1)
6 townships located in any county in which a proclaimed natural
7 disaster occurred at any time during calendar year 2013 or (2)
8 the following townships: Addison, Bloom, Calumet, Orland,
9 Rich, Stickney, and Wayne.

10 (b) If and only if the township obtains referendum approval
11 for an increased limiting rate under Section 18-290, then the
12 county clerk shall extend a rate for the sum of the funds in
13 the township's aggregate extension base that is no greater than
14 the increased limiting rate.

15 (c) If the county clerk is required to reduce the aggregate
16 extension of a township under the provisions of this Division,
17 then the county clerk shall proportionally reduce the extension
18 for each fund included in the aggregate extension, unless a
19 different method of reduction is requested by the township.

20 (35 ILCS 200/18-290 new)

21 Sec. 18-290. Increased limiting rate. A township that is
22 subject to the limitation set forth in Section 18-285 may
23 increase its limiting rate for the 2015 levy year if and only
24 if the township submits the question at referendum before the
25 levy date for the applicable year, and if a majority of voters

1 voting on the issue approves adoption of the increased limiting
2 rate. Referenda shall be conducted at a regularly scheduled
3 election in accordance with the Election Code. The question
4 shall be presented in substantially the following manner:

5 Shall the limiting rate under the Township Property Tax
6 Extension Freeze Law for (township), Illinois, be
7 increased to (increased limiting rate)?

8 Votes shall be recorded as "Yes" or "No".

9 Section 90. The State Mandates Act is amended by adding
10 Section 8.39 as follows:

11 (30 ILCS 805/8.39 new)

12 Sec. 8.39. Exempt mandate. Notwithstanding Sections 6 and 8
13 of this Act, no reimbursement by the State is required for the
14 implementation of any mandate created by this amendatory Act of
15 the 99th General Assembly.

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