



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

**HB3798**

Introduced 2/10/2017, by Rep. Daniel V. Beiser

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-169

Amends the Property Tax Code. In a Section concerning the homestead exemption for veterans with disabilities, provides that, for taxable years 2017 and thereafter, if the veteran has a service connected disability of 20% (currently, 30%) or more but less than 50%, then the annual exemption is \$2,500. Provides that that exemption also applies to veterans who are not disabled but are over the age of 75. Removes a requirement that the homestead exemption for veterans with disabilities applies only to residences with an equalized assessed value of less than \$250,000. Effective immediately.

LRB100 10359 HLH 20551 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. Homestead exemption for veterans with  
8 disabilities and veterans who are over the age of 75.

9 (a) Beginning with taxable year 2007, an annual homestead  
10 exemption, limited to the amounts set forth in subsections (b), ~~and~~  
11 ~~and~~ (b-3), and (b-4) is granted for property that is used as a  
12 qualified residence by a veteran with a disability.

13 (b) For taxable years prior to 2015, the amount of the  
14 exemption under this Section is as 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-3) For taxable years 2015 and 2016 ~~thereafter~~:

6 (1) if the veteran has a service connected disability  
7 of 30% or more but less than 50%, as certified by the  
8 United States Department of Veterans Affairs, then the  
9 annual exemption is \$2,500;

10 (2) if the veteran has a service connected disability  
11 of 50% or more but less than 70%, as certified by the  
12 United States Department of Veterans Affairs, then the  
13 annual exemption is \$5,000; and

14 (3) if the veteran has a service connected disability  
15 of 70% or more, as certified by the United States  
16 Department of Veterans Affairs, then the property is exempt  
17 from taxation under this Code.

18 (b-4) For taxable years 2017 and thereafter:

19 (1) if the veteran has a service connected disability  
20 of 20% or more but less than 50%, as certified by the  
21 United States Department of Veterans Affairs, or if the  
22 veteran is over the age of 75 and does not have a service  
23 connected disability or has a service connected disability  
24 of less than 50%, then the annual exemption is \$2,500;

25 (2) if, regardless of the veteran's age, the veteran  
26 has a service connected disability of 50% or more but less

1 than 70%, as certified by the United States Department of  
2 Veterans Affairs, then the annual exemption is \$5,000; and

3 (3) if, regardless of the veteran's age, the veteran  
4 has a service connected disability of 70% or more, as  
5 certified by the United States Department of Veterans  
6 Affairs, then the property is exempt from taxation under  
7 this Code.

8 (b-5) If a homestead exemption is granted under this  
9 Section and the person awarded the exemption subsequently  
10 becomes a resident of a facility licensed under the Nursing  
11 Home Care Act or a facility operated by the United States  
12 Department of Veterans Affairs, then the exemption shall  
13 continue (i) so long as the residence continues to be occupied  
14 by the qualifying person's spouse or (ii) if the residence  
15 remains unoccupied but is still owned by the person who  
16 qualified for the homestead exemption.

17 (c) The tax exemption under this Section carries over to  
18 the benefit of the veteran's surviving spouse as long as the  
19 spouse holds the legal or beneficial title to the homestead,  
20 permanently resides thereon, and does not remarry. If the  
21 surviving spouse sells the property, an exemption not to exceed  
22 the amount granted from the most recent ad valorem tax roll may  
23 be transferred to his or her new residence as long as it is  
24 used as his or her primary residence and he or she does not  
25 remarry.

26 (c-1) Beginning with taxable year 2015, nothing in this

1 Section shall require the veteran to have qualified for or  
2 obtained the exemption before death if the veteran was killed  
3 in the line of duty.

4 (d) The exemption under this Section applies for taxable  
5 year 2007 and thereafter. A taxpayer who claims an exemption  
6 under Section 15-165 or 15-168 may not claim an exemption under  
7 this Section.

8 (e) Each taxpayer who has been granted an exemption under  
9 this Section must reapply on an annual basis. Application must  
10 be made during the application period in effect for the county  
11 of his or her residence. The assessor or chief county  
12 assessment officer may determine the eligibility of  
13 residential property to receive the homestead exemption  
14 provided by this Section by application, visual inspection,  
15 questionnaire, or other reasonable methods. The determination  
16 must be made in accordance with guidelines established by the  
17 Department.

18 (f) For the purposes of this Section:

19 "Qualified residence" means real property, but less any  
20 portion of that property that is used for commercial purposes,  
21 ~~with an equalized assessed value of less than \$250,000~~ that is  
22 the primary residence of a veteran with a disability. Property  
23 rented for more than 6 months is presumed to be used for  
24 commercial purposes.

25 "Veteran" means an Illinois resident who has served as a  
26 member of the United States Armed Forces on active duty or

1 State active duty, a member of the Illinois National Guard, or  
2 a member of the United States Reserve Forces and who has  
3 received an honorable discharge.

4 (Source: P.A. 98-1145, eff. 12-30-14; 99-143, eff. 7-27-15;  
5 99-375, eff. 8-17-15; 99-642, eff. 7-28-16.)

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