

SB1642



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1642

Introduced 2/8/2023, by Sen. Robert F. Martwick

SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-169.1 new

Amends the Property Tax Code. Creates a homestead exemption in the amount of a reduction of \$5,000 from the equalized assessed value of property of police officers and firefighters with duty-related disabilities. Effective immediately.

LRB103 27797 HLH 54175 b

A BILL FOR

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 15-169.1 as follows:

6 (35 ILCS 200/15-169.1 new)

7 Sec. 15-169.1. Homestead exemption for police officers and
8 firefighters with certain duty-related injuries.

9 (a) Beginning with taxable year 2023, an annual homestead
10 exemption, limited to a reduction of \$5,000 from the equalized
11 assessed value of the property, is granted for property that
12 is used as a qualified residence by a qualified police officer
13 or a qualified firefighter.

14 (b) If a homestead exemption is granted under this Section
15 to a qualified police officer or a qualified firefighter and
16 the person awarded the exemption subsequently becomes a
17 resident of a facility licensed under the Nursing Home Care
18 Act or a facility operated by the United States Department of
19 Veterans Affairs, then the exemption shall continue so long as
20 (i) the residence continues to be occupied by the qualifying
21 person's spouse or (ii) the residence remains unoccupied but
22 is still owned by the person who qualified for the homestead
23 exemption.

1 (c) The tax exemption under this Section carries over to
2 the benefit of the surviving spouse of a qualified police
3 officer or qualified firefighter as long as the spouse holds
4 the legal or beneficial title to the homestead, permanently
5 resides thereon, and does not remarry. If the surviving spouse
6 sells the property, an exemption not to exceed the amount
7 granted from the most recent ad valorem tax roll may be
8 transferred to his or her new residence as long as it is used
9 as his or her primary residence and he or she does not remarry.

10 (d) The homestead exemption under this Section is also
11 granted for property that is used as a qualified residence by
12 the surviving spouse of a police officer or firefighter killed
13 in the line of duty, so long as the surviving spouse does not
14 remarry. If a homestead exemption is granted under this
15 Section to a surviving spouse and the surviving spouse awarded
16 the exemption subsequently becomes a resident of a facility
17 licensed under the Nursing Home Care Act or a facility
18 operated by the United States Department of Veterans Affairs,
19 then the exemption shall continue if the residence remains
20 unoccupied but is still owned by the person who qualified for
21 the homestead exemption.

22 (e) Each qualified police officer or qualified firefighter
23 shall submit proof of the qualifying injury in such form and
24 manner as the Department shall by rule prescribe. Each
25 taxpayer who has been granted an exemption under this Section
26 must reapply on an annual basis. Application must be made

1 during the application period in effect for the county of his
2 or her residence. The assessor or chief county assessment
3 officer may determine the eligibility of residential property
4 to receive the homestead exemption provided by this Section by
5 application, visual inspection, questionnaire, or other
6 reasonable methods. The determination must be made in
7 accordance with guidelines established by the Department.

8 (f) As used in this Section:

9 "Firefighter" means: (i) a person who is a "firefighter"
10 or "fireman" as defined in Sections 4-106 or 6-106 of the
11 Illinois Pension Code; (ii) a paramedic employed by a unit of
12 local government; or (iii) an EMT, emergency medical
13 technician-intermediate (EMT-I), or advanced emergency medical
14 technician (A-EMT) employed by a unit of local government.

15 "Police officer" means: a policeman, as defined in Section
16 10-3-1 of the Illinois Municipal Code; a conservation police
17 officer; a sheriff or deputy sheriff; or a law enforcement
18 officer employed by the State Police, the Secretary of State,
19 or any other State agency, college, or university.

20 "Qualified firefighter" means a firefighter who:

21 (1) has suffered an injury related to his or her
22 service as a firefighter resulting in one or more of the
23 following:

24 (A) paraplegia;

25 (B) quadriplegia;

26 (C) dismemberment of a limb or other body part; or

1 (D) amputation of a limb or other body part; and
2 (2) currently receives, or prior to retiring received,
3 a disability benefit under Section 4-110 of the Illinois
4 Pension Code or Section 6-151 of the Illinois Pension
5 Code.

6 "Qualified police officer" means a police officer who:

7 (1) has suffered an injury related to his or her
8 service as a police officer resulting in one or more of the
9 following:

10 (A) paraplegia;

11 (B) quadriplegia;

12 (C) dismemberment of a limb or other body part; or

13 (D) amputation of a limb or other body part; and

14 (2) currently receives, or prior to retiring received,
15 a disability benefit under Section 3-114.1 of the Illinois
16 Pension Code or Section 5-154 of the Illinois Pension
17 Code.

18 "Qualified residence" means real property, but less any
19 portion of that property that is used for commercial purposes,
20 with an equalized assessed value of less than \$250,000 that is
21 owned and occupied as the primary residence of (i) a qualified
22 police officer, (ii) a qualified firefighter, or (iii) if
23 applicable, the surviving spouse of a qualified police officer
24 or qualified firefighter killed in the line of duty, if that
25 police officer, firefighter, or spouse is liable for paying
26 real estate taxes on the property and is an owner of record of

1 the property or has a legal or equitable interest therein, as
2 evidenced by a written instrument. In the case of a leasehold
3 interest in the property, the lease must be for a single family
4 residence. Property rented for more than 6 months is presumed
5 to be used for commercial purposes.

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