

# HB0070



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB0070

Introduced 1/9/2025, by Rep. Diane Blair-Sherlock

### SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-168

Amends the Property Tax Code. Increases the amount of the homestead exemption for persons with disabilities from \$2,000 to \$4,000 beginning in tax year 2025. Effective immediately.

LRB104 02966 HLH 12982 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 changing  
5 Section 15-168 as follows:

6 (35 ILCS 200/15-168)

7 Sec. 15-168. Homestead exemption for persons with  
8 disabilities.

9 (a) Beginning with taxable year 2007, an annual homestead  
10 exemption is granted to persons with disabilities. The amount  
11 of the exemption shall ~~in the amount of \$2,000, except as~~  
12 ~~provided in subsection (c),~~ to be deducted from the property's  
13 value as equalized or assessed by the Department of Revenue.  
14 Except as provided in subsection (c), the amount of the  
15 exemption is (i) \$2,000 for tax years before tax year 2025 and  
16 (ii) \$4,000 for tax years 2025 and thereafter. The person with  
17 a disability shall receive the homestead exemption upon  
18 meeting the following requirements:

19 (1) The property must be occupied as the primary  
20 residence by the person with a disability.

21 (2) The person with a disability must be liable for  
22 paying the real estate taxes on the property.

23 (3) The person with a disability must be an owner of

1 record of the property or have a legal or equitable  
2 interest in the property as evidenced by a written  
3 instrument. In the case of a leasehold interest in  
4 property, the lease must be for a single family residence.

5 A person who has a disability during the taxable year is  
6 eligible to apply for this homestead exemption during that  
7 taxable year. Application must be made during the application  
8 period in effect for the county of residence. If a homestead  
9 exemption has been granted under this Section and the person  
10 awarded the exemption subsequently becomes a resident of a  
11 facility licensed under the Nursing Home Care Act, the  
12 Specialized Mental Health Rehabilitation Act of 2013, the  
13 ID/DD Community Care Act, or the MC/DD Act, then the exemption  
14 shall continue (i) so long as the residence continues to be  
15 occupied by the qualifying person's spouse or (ii) if the  
16 residence remains unoccupied but is still owned by the person  
17 qualified for the homestead exemption.

18 (b) For the purposes of this Section, "person with a  
19 disability" means a person unable to engage in any substantial  
20 gainful activity by reason of a medically determinable  
21 physical or mental impairment which can be expected to result  
22 in death or has lasted or can be expected to last for a  
23 continuous period of not less than 12 months. Persons with  
24 disabilities filing claims under this Act shall submit proof  
25 of disability in such form and manner as the Department shall  
26 by rule and regulation prescribe. Proof that a claimant is

1 eligible to receive disability benefits under the Federal  
2 Social Security Act shall constitute proof of disability for  
3 purposes of this Act. Issuance of an Illinois Person with a  
4 Disability Identification Card stating that the claimant is  
5 under a Class 2 disability, as defined in Section 4A of the  
6 Illinois Identification Card Act, shall constitute proof that  
7 the person named thereon is a person with a disability for  
8 purposes of this Act. A person with a disability not covered  
9 under the Federal Social Security Act and not presenting an  
10 Illinois Person with a Disability Identification Card stating  
11 that the claimant is under a Class 2 disability shall be  
12 examined by a physician, optometrist (if the person qualifies  
13 because of a visual disability), advanced practice registered  
14 nurse, or physician assistant designated by the Department,  
15 and his status as a person with a disability determined using  
16 the same standards as used by the Social Security  
17 Administration. The costs of any required examination shall be  
18 borne by the claimant.

19 (c) For land improved with (i) an apartment building owned  
20 and operated as a cooperative or (ii) a life care facility as  
21 defined under Section 2 of the Life Care Facilities Act that is  
22 considered to be a cooperative, the maximum reduction from the  
23 value of the property, as equalized or assessed by the  
24 Department, shall be multiplied by the number of apartments or  
25 units occupied by a person with a disability. The person with a  
26 disability shall receive the homestead exemption upon meeting

1 the following requirements:

2 (1) The property must be occupied as the primary  
3 residence by the person with a disability.

4 (2) The person with a disability must be liable by  
5 contract with the owner or owners of record for paying the  
6 apportioned property taxes on the property of the  
7 cooperative or life care facility. In the case of a life  
8 care facility, the person with a disability must be liable  
9 for paying the apportioned property taxes under a life  
10 care contract as defined in Section 2 of the Life Care  
11 Facilities Act.

12 (3) The person with a disability must be an owner of  
13 record of a legal or equitable interest in the cooperative  
14 apartment building. A leasehold interest does not meet  
15 this requirement.

16 If a homestead exemption is granted under this subsection, the  
17 cooperative association or management firm shall credit the  
18 savings resulting from the exemption to the apportioned tax  
19 liability of the qualifying person with a disability. The  
20 chief county assessment officer may request reasonable proof  
21 that the association or firm has properly credited the  
22 exemption. A person who willfully refuses to credit an  
23 exemption to the qualified person with a disability is guilty  
24 of a Class B misdemeanor.

25 (d) The chief county assessment officer shall determine  
26 the eligibility of property to receive the homestead exemption

1 according to guidelines established by the Department. After a  
2 person has received an exemption under this Section, an annual  
3 verification of eligibility for the exemption shall be mailed  
4 to the taxpayer.

5 In counties with fewer than 3,000,000 inhabitants, the  
6 chief county assessment officer shall provide to each person  
7 granted a homestead exemption under this Section a form to  
8 designate any other person to receive a duplicate of any  
9 notice of delinquency in the payment of taxes assessed and  
10 levied under this Code on the person's qualifying property.  
11 The duplicate notice shall be in addition to the notice  
12 required to be provided to the person receiving the exemption  
13 and shall be given in the manner required by this Code. The  
14 person filing the request for the duplicate notice shall pay  
15 an administrative fee of \$5 to the chief county assessment  
16 officer. The assessment officer shall then file the executed  
17 designation with the county collector, who shall issue the  
18 duplicate notices as indicated by the designation. A  
19 designation may be rescinded by the person with a disability  
20 in the manner required by the chief county assessment officer.

21 (d-5) Notwithstanding any other provision of law, each  
22 chief county assessment officer may approve this exemption for  
23 the 2020 taxable year, without application, for any property  
24 that was approved for this exemption for the 2019 taxable  
25 year, provided that:

26 (1) the county board has declared a local disaster as

1 provided in the Illinois Emergency Management Agency Act  
2 related to the COVID-19 public health emergency;

3 (2) the owner of record of the property as of January  
4 1, 2020 is the same as the owner of record of the property  
5 as of January 1, 2019;

6 (3) the exemption for the 2019 taxable year has not  
7 been determined to be an erroneous exemption as defined by  
8 this Code; and

9 (4) the applicant for the 2019 taxable year has not  
10 asked for the exemption to be removed for the 2019 or 2020  
11 taxable years.

12 (d-10) Notwithstanding any other provision of law, each  
13 chief county assessment officer may approve this exemption for  
14 the 2021 taxable year, without application, for any property  
15 that was approved for this exemption for the 2020 taxable  
16 year, if:

17 (1) the county board has declared a local disaster as  
18 provided in the Illinois Emergency Management Agency Act  
19 related to the COVID-19 public health emergency;

20 (2) the owner of record of the property as of January  
21 1, 2021 is the same as the owner of record of the property  
22 as of January 1, 2020;

23 (3) the exemption for the 2020 taxable year has not  
24 been determined to be an erroneous exemption as defined by  
25 this Code; and

26 (4) the taxpayer for the 2020 taxable year has not

1           asked for the exemption to be removed for the 2020 or 2021  
2           taxable years.

3           (d-15) For taxable years 2022 through 2027, in any county  
4           of more than 3,000,000 residents, and in any other county  
5           where the county board has authorized such action by ordinance  
6           or resolution, a chief county assessment officer may renew  
7           this exemption for any person who applied for the exemption  
8           and presented proof of eligibility, as described in subsection  
9           (b), without an annual application as required under  
10          subsection (d). A chief county assessment officer shall not  
11          automatically renew an exemption under this subsection if: the  
12          physician, advanced practice registered nurse, optometrist, or  
13          physician assistant who examined the claimant determined that  
14          the disability is not expected to continue for 12 months or  
15          more; the exemption has been deemed erroneous since the last  
16          application; or the claimant has reported their ineligibility  
17          to receive the exemption. A chief county assessment officer  
18          who automatically renews an exemption under this subsection  
19          shall notify a person of a subsequent determination not to  
20          automatically renew that person's exemption and shall provide  
21          that person with an application to renew the exemption.

22          (e) A taxpayer who claims an exemption under Section  
23          15-165 or 15-169 may not claim an exemption under this  
24          Section.

25          (Source: P.A. 102-136, eff. 7-23-21; 102-895, eff. 5-23-22;  
26          103-154, eff. 6-30-23.)

1           Section 99. Effective date. This Act takes effect upon  
2           becoming law.