

HB1339



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1339

Introduced 1/28/2025, by Rep. Paul Jacobs

SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-170

Amends the Property Tax Code. Provides that property that qualifies for the senior citizens homestead exemption is exempt from taxation under the Code. Effective immediately.

LRB104 03379 HLH 13401 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 15-170 as follows:

6 (35 ILCS 200/15-170)

7 Sec. 15-170. Senior citizens homestead exemption.

8 (a) An annual homestead exemption limited, except as
9 described here with relation to cooperatives or life care
10 facilities, to a maximum reduction set forth below from the
11 property's value, as equalized or assessed by the Department,
12 is granted for property that is occupied as a residence by a
13 person 65 years of age or older who is liable for paying real
14 estate taxes on the property and is an owner of record of the
15 property or has a legal or equitable interest therein as
16 evidenced by a written instrument, except for a leasehold
17 interest, other than a leasehold interest of land on which a
18 single family residence is located, which is occupied as a
19 residence by a person 65 years or older who has an ownership
20 interest therein, legal, equitable or as a lessee, and on
21 which he or she is liable for the payment of property taxes.
22 Before taxable year 2004, the maximum reduction shall be
23 \$2,500 in counties with 3,000,000 or more inhabitants and

1 \$2,000 in all other counties. For taxable years 2004 through
2 2005, the maximum reduction shall be \$3,000 in all counties.
3 For taxable years 2006 and 2007, the maximum reduction shall
4 be \$3,500. For taxable years 2008 through 2011, the maximum
5 reduction is \$4,000 in all counties. For taxable year 2012,
6 the maximum reduction is \$5,000 in counties with 3,000,000 or
7 more inhabitants and \$4,000 in all other counties. For taxable
8 years 2013 through 2016, the maximum reduction is \$5,000 in
9 all counties. For taxable years 2017 through 2022, the maximum
10 reduction is \$8,000 in counties with 3,000,000 or more
11 inhabitants and \$5,000 in all other counties. For taxable
12 years 2023 through 2024 ~~and thereafter~~, the maximum reduction
13 is \$8,000 in counties with 3,000,000 or more inhabitants and
14 counties that are contiguous to a county of 3,000,000 or more
15 inhabitants and \$5,000 in all other counties. For taxable
16 years 2025 and thereafter, property that qualifies for a
17 homestead exemption under this Section is exempt from taxation
18 under this Code.

19 (b) For land improved with an apartment building owned and
20 operated as a cooperative, the maximum reduction from the
21 value of the property, as equalized by the Department, shall
22 be multiplied by the number of apartments or units occupied by
23 a person 65 years of age or older who is liable, by contract
24 with the owner or owners of record, for paying property taxes
25 on the property and is an owner of record of a legal or
26 equitable interest in the cooperative apartment building,

1 other than a leasehold interest. For land improved with a life
2 care facility, the maximum reduction from the value of the
3 property, as equalized by the Department, shall be multiplied
4 by the number of apartments or units occupied by persons 65
5 years of age or older, irrespective of any legal, equitable,
6 or leasehold interest in the facility, who are liable, under a
7 contract with the owner or owners of record of the facility,
8 for paying property taxes on the property. In a cooperative or
9 a life care facility where a homestead exemption has been
10 granted, the cooperative association or the management firm of
11 the cooperative or facility shall credit the savings resulting
12 from that exemption only to the apportioned tax liability of
13 the owner or resident who qualified for the exemption. Any
14 person who willfully refuses to so credit the savings shall be
15 guilty of a Class B misdemeanor. Under this Section and
16 Sections 15-175, 15-176, and 15-177, "life care facility"
17 means a facility, as defined in Section 2 of the Life Care
18 Facilities Act, with which the applicant for the homestead
19 exemption has a life care contract as defined in that Act.

20 (c) When a homestead exemption has been granted under this
21 Section and the person qualifying subsequently becomes a
22 resident of a facility licensed under the Assisted Living and
23 Shared Housing Act, the Nursing Home Care Act, the Specialized
24 Mental Health Rehabilitation Act of 2013, the ID/DD Community
25 Care Act, or the MC/DD Act, the exemption shall continue so
26 long as the residence continues to be occupied by the

1 qualifying person's spouse if the spouse is 65 years of age or
2 older, or if the residence remains unoccupied but is still
3 owned by the person qualified for the homestead exemption.

4 (d) A person who will be 65 years of age during the current
5 assessment year shall be eligible to apply for the homestead
6 exemption during that assessment year. Application shall be
7 made during the application period in effect for the county of
8 his residence.

9 (e) Beginning with assessment year 2003, for taxes payable
10 in 2004, property that is first occupied as a residence after
11 January 1 of any assessment year by a person who is eligible
12 for the senior citizens homestead exemption under this Section
13 must be granted a pro-rata exemption for the assessment year.
14 The amount of the pro-rata exemption is the exemption allowed
15 in the county under this Section divided by 365 and multiplied
16 by the number of days during the assessment year the property
17 is occupied as a residence by a person eligible for the
18 exemption under this Section. The chief county assessment
19 officer must adopt reasonable procedures to establish
20 eligibility for this pro-rata exemption.

21 (f) The assessor or chief county assessment officer may
22 determine the eligibility of a life care facility to receive
23 the benefits provided by this Section, by affidavit,
24 application, visual inspection, questionnaire or other
25 reasonable methods in order to ensure that the tax savings
26 resulting from the exemption are credited by the management

1 firm to the apportioned tax liability of each qualifying
2 resident. The assessor may request reasonable proof that the
3 management firm has so credited the exemption.

4 (g) The chief county assessment officer of each county
5 with less than 3,000,000 inhabitants shall provide to each
6 person allowed a homestead exemption under this Section a form
7 to designate any other person to receive a duplicate of any
8 notice of delinquency in the payment of taxes assessed and
9 levied under this Code on the property of the person receiving
10 the exemption. The duplicate notice shall be in addition to
11 the notice required to be provided to the person receiving the
12 exemption, and shall be given in the manner required by this
13 Code. The person filing the request for the duplicate notice
14 shall pay a fee of \$5 to cover administrative costs to the
15 supervisor of assessments, who shall then file the executed
16 designation with the county collector. Notwithstanding any
17 other provision of this Code to the contrary, the filing of
18 such an executed designation requires the county collector to
19 provide duplicate notices as indicated by the designation. A
20 designation may be rescinded by the person who executed such
21 designation at any time, in the manner and form required by the
22 chief county assessment officer.

23 (h) The assessor or chief county assessment officer may
24 determine the eligibility of residential property to receive
25 the homestead exemption provided by this Section by
26 application, visual inspection, questionnaire or other

1 reasonable methods. The determination shall be made in
2 accordance with guidelines established by the Department.

3 (i) In counties with 3,000,000 or more inhabitants, for
4 taxable years 2010 through 2018, each taxpayer who has been
5 granted an exemption under this Section must reapply on an
6 annual basis.

7 If a reapplication is required, then the chief county
8 assessment officer shall mail the application to the taxpayer
9 at least 60 days prior to the last day of the application
10 period for the county.

11 For taxable years 2019 and thereafter, in counties with
12 3,000,000 or more inhabitants, a taxpayer who has been granted
13 an exemption under this Section need not reapply. However, if
14 the property ceases to be qualified for the exemption under
15 this Section in any year for which a reapplication is not
16 required under this Section, then the owner of record of the
17 property shall notify the chief county assessment officer that
18 the property is no longer qualified. In addition, for taxable
19 years 2019 and thereafter, the chief county assessment officer
20 of a county with 3,000,000 or more inhabitants shall enter
21 into an intergovernmental agreement with the county clerk of
22 that county and the Department of Public Health, as well as any
23 other appropriate governmental agency, to obtain information
24 that documents the death of a taxpayer who has been granted an
25 exemption under this Section. Notwithstanding any other
26 provision of law, the county clerk and the Department of

1 Public Health shall provide that information to the chief
2 county assessment officer. The Department of Public Health
3 shall supply this information no less frequently than every
4 calendar quarter. Information concerning the death of a
5 taxpayer may be shared with the county treasurer. The chief
6 county assessment officer shall also enter into a data
7 exchange agreement with the Social Security Administration or
8 its agent to obtain access to the information regarding deaths
9 in possession of the Social Security Administration. The chief
10 county assessment officer shall, subject to the notice
11 requirements under subsection (m) of Section 9-275, terminate
12 the exemption under this Section if the information obtained
13 indicates that the property is no longer qualified for the
14 exemption. In counties with 3,000,000 or more inhabitants, the
15 assessor and the county clerk shall establish policies and
16 practices for the regular exchange of information for the
17 purpose of alerting the assessor whenever the transfer of
18 ownership of any property receiving an exemption under this
19 Section has occurred. When such a transfer occurs, the
20 assessor shall mail a notice to the new owner of the property
21 (i) informing the new owner that the exemption will remain in
22 place through the year of the transfer, after which it will be
23 canceled, and (ii) providing information pertaining to the
24 rules for reapplying for the exemption if the owner qualifies.
25 In counties with 3,000,000 or more inhabitants, the chief
26 county assessment official shall conduct, by no later than

1 December 31 of the first year of each reassessment cycle, as
2 determined by Section 9-220, a review of all exemptions
3 granted under this Section for the preceding reassessment
4 cycle under this Section. The review shall be designed to
5 ascertain whether any senior homestead exemptions have been
6 granted erroneously. If it is determined that a senior
7 homestead exemption has been erroneously applied to a
8 property, the chief county assessment officer shall make use
9 of the appropriate provisions of Section 9-275 in relation to
10 the property that received the erroneous homestead exemption.

11 (j) In counties with less than 3,000,000 inhabitants, the
12 county board may by resolution provide that if a person has
13 been granted a homestead exemption under this Section, the
14 person qualifying need not reapply for the exemption. In
15 counties in which the county board passes such a resolution,
16 the chief county assessment official shall, prior to the
17 submission of the final abstract for the first year of each
18 reassessment cycle, as determined by Section 9-215, review all
19 exemptions granted for the preceding reassessment cycle under
20 this Section. The review shall be designed to ascertain
21 whether any senior homestead exemptions have been granted
22 erroneously.

23 In counties with less than 3,000,000 inhabitants, if the
24 assessor or chief county assessment officer requires annual
25 application for verification of eligibility for an exemption
26 once granted under this Section, the application shall be

1 mailed to the taxpayer.

2 (l) The assessor or chief county assessment officer shall
3 notify each person who qualifies for an exemption under this
4 Section that the person may also qualify for deferral of real
5 estate taxes under the Senior Citizens Real Estate Tax
6 Deferral Act. The notice shall set forth the qualifications
7 needed for deferral of real estate taxes, the address and
8 telephone number of county collector, and a statement that
9 applications for deferral of real estate taxes may be obtained
10 from the county collector.

11 (m) Notwithstanding Sections 6 and 8 of the State Mandates
12 Act, no reimbursement by the State is required for the
13 implementation of any mandate created by this Section.

14 (Source: P.A. 102-895, eff. 5-23-22; 103-592, eff. 1-1-25.)

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