

HB2571



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2571

Introduced 2/4/2025, by Rep. Jed Davis

SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-168

Amends the Property Tax Code. Provides that, if property was granted a homestead exemption for persons with disabilities for any taxable year beginning on or after January 1, 2025, and if the property remains eligible for the exemption in a subsequent consecutive taxable year, then the total property tax liability for the property for the applicable taxable year may not exceed the total property tax liability for (i) taxable year 2025 or (ii) the first year in which the property became eligible for the exemption, whichever occurs later, unless the chief county assessment officer finds that there were substantial improvements made to the property during the previous taxable year or years. Effective immediately.

LRB104 05685 HLH 21428 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 in the
11 amount of \$2,000, except as provided in subsection (c), to be
12 deducted from the property's value as equalized or assessed by
13 the Department of Revenue. The person with a disability shall
14 receive the homestead exemption upon meeting the following
15 requirements:

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

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

20 (3) The person with a disability must be an owner of
21 record of the property or have a legal or equitable
22 interest in the property as evidenced by a written
23 instrument. In the case of a leasehold interest in

1 property, the lease must be for a single family residence.

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

15 (a-5) Notwithstanding any other provision of law, if
16 property was granted a homestead exemption under this Section
17 for any taxable year beginning on or after January 1, 2025, and
18 if the property remains eligible for the homestead exemption
19 under this Section in a subsequent consecutive taxable year,
20 then the total property tax liability for the property for the
21 applicable taxable year may not exceed the total property tax
22 liability for (i) taxable year 2025 or (ii) the first year in
23 which the property became eligible for the exemption under
24 this Section with respect to the particular applicant,
25 whichever occurs later, unless the chief county assessment
26 officer finds that there were substantial improvements made to

1 the property during the previous taxable year or years. This
2 subsection applies continuously as long as the property
3 remains eligible for the exemption under this Section.

4 (b) For the purposes of this Section, "person with a
5 disability" means a person unable to engage in any substantial
6 gainful activity by reason of a medically determinable
7 physical or mental impairment which can be expected to result
8 in death or has lasted or can be expected to last for a
9 continuous period of not less than 12 months. Persons with
10 disabilities filing claims under this Act shall submit proof
11 of disability in such form and manner as the Department shall
12 by rule and regulation prescribe. Proof that a claimant is
13 eligible to receive disability benefits under the Federal
14 Social Security Act shall constitute proof of disability for
15 purposes of this Act. Issuance of an Illinois Person with a
16 Disability Identification Card stating that the claimant is
17 under a Class 2 disability, as defined in Section 4A of the
18 Illinois Identification Card Act, shall constitute proof that
19 the person named thereon is a person with a disability for
20 purposes of this Act. A person with a disability not covered
21 under the Federal Social Security Act and not presenting an
22 Illinois Person with a Disability Identification Card stating
23 that the claimant is under a Class 2 disability shall be
24 examined by a physician, optometrist (if the person qualifies
25 because of a visual disability), advanced practice registered
26 nurse, or physician assistant designated by the Department,

1 and his status as a person with a disability determined using
2 the same standards as used by the Social Security
3 Administration. The costs of any required examination shall be
4 borne by the claimant.

5 (c) For land improved with (i) an apartment building owned
6 and operated as a cooperative or (ii) a life care facility as
7 defined under Section 2 of the Life Care Facilities Act that is
8 considered to be a cooperative, the maximum reduction from the
9 value of the property, as equalized or assessed by the
10 Department, shall be multiplied by the number of apartments or
11 units occupied by a person with a disability. The person with a
12 disability shall receive the homestead exemption upon meeting
13 the following requirements:

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

16 (2) The person with a disability must be liable by
17 contract with the owner or owners of record for paying the
18 apportioned property taxes on the property of the
19 cooperative or life care facility. In the case of a life
20 care facility, the person with a disability must be liable
21 for paying the apportioned property taxes under a life
22 care contract as defined in Section 2 of the Life Care
23 Facilities Act.

24 (3) The person with a disability must be an owner of
25 record of a legal or equitable interest in the cooperative
26 apartment building. A leasehold interest does not meet

1 this requirement.

2 If a homestead exemption is granted under this subsection, the
3 cooperative association or management firm shall credit the
4 savings resulting from the exemption to the apportioned tax
5 liability of the qualifying person with a disability. The
6 chief county assessment officer may request reasonable proof
7 that the association or firm has properly credited the
8 exemption. A person who willfully refuses to credit an
9 exemption to the qualified person with a disability is guilty
10 of a Class B misdemeanor.

11 (d) The chief county assessment officer shall determine
12 the eligibility of property to receive the homestead exemption
13 according to guidelines established by the Department. After a
14 person has received an exemption under this Section, an annual
15 verification of eligibility for the exemption shall be mailed
16 to the taxpayer.

17 In counties with fewer than 3,000,000 inhabitants, the
18 chief county assessment officer shall provide to each person
19 granted a homestead exemption under this Section a form to
20 designate any other person to receive a duplicate of any
21 notice of delinquency in the payment of taxes assessed and
22 levied under this Code on the person's qualifying property.
23 The duplicate notice shall be in addition to the notice
24 required to be provided to the person receiving the exemption
25 and shall be given in the manner required by this Code. The
26 person filing the request for the duplicate notice shall pay

1 an administrative fee of \$5 to the chief county assessment
2 officer. The assessment officer shall then file the executed
3 designation with the county collector, who shall issue the
4 duplicate notices as indicated by the designation. A
5 designation may be rescinded by the person with a disability
6 in the manner required by the chief county assessment officer.

7 (d-5) Notwithstanding any other provision of law, each
8 chief county assessment officer may approve this exemption for
9 the 2020 taxable year, without application, for any property
10 that was approved for this exemption for the 2019 taxable
11 year, provided that:

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

15 (2) the owner of record of the property as of January
16 1, 2020 is the same as the owner of record of the property
17 as of January 1, 2019;

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

21 (4) the applicant for the 2019 taxable year has not
22 asked for the exemption to be removed for the 2019 or 2020
23 taxable years.

24 (d-10) Notwithstanding any other provision of law, each
25 chief county assessment officer may approve this exemption for
26 the 2021 taxable year, without application, for any property

1 that was approved for this exemption for the 2020 taxable
2 year, if:

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

6 (2) the owner of record of the property as of January
7 1, 2021 is the same as the owner of record of the property
8 as of January 1, 2020;

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

12 (4) the taxpayer for the 2020 taxable year has not
13 asked for the exemption to be removed for the 2020 or 2021
14 taxable years.

15 (d-15) For taxable years 2022 through 2027, in any county
16 of more than 3,000,000 residents, and in any other county
17 where the county board has authorized such action by ordinance
18 or resolution, a chief county assessment officer may renew
19 this exemption for any person who applied for the exemption
20 and presented proof of eligibility, as described in subsection
21 (b), without an annual application as required under
22 subsection (d). A chief county assessment officer shall not
23 automatically renew an exemption under this subsection if: the
24 physician, advanced practice registered nurse, optometrist, or
25 physician assistant who examined the claimant determined that
26 the disability is not expected to continue for 12 months or

1 more; the exemption has been deemed erroneous since the last
2 application; or the claimant has reported their ineligibility
3 to receive the exemption. A chief county assessment officer
4 who automatically renews an exemption under this subsection
5 shall notify a person of a subsequent determination not to
6 automatically renew that person's exemption and shall provide
7 that person with an application to renew the exemption.

8 (e) A taxpayer who claims an exemption under Section
9 15-165 or 15-169 may not claim an exemption under this
10 Section.

11 (Source: P.A. 102-136, eff. 7-23-21; 102-895, eff. 5-23-22;
12 103-154, eff. 6-30-23.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.