



Sen. Celina Villanueva

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10400HB3790sam002

LRB104 09716 HLH 27127 a

1 AMENDMENT TO HOUSE BILL 3790

2 AMENDMENT NO. _____. Amend House Bill 3790, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Property Tax Code is amended by changing
6 Sections 15-172, 21-150, and 21-385 and by adding Sections
7 1-71, 1-72, 21-254, and 21-291 as follows:

8 (35 ILCS 200/1-71 new)

9 Sec. 1-71. Homestead. Unless otherwise provided by law,
10 residential property that is occupied by its owner or owners
11 as his or their principal dwelling place, or that is a
12 leasehold interest on which a single family residence is
13 situated, which is occupied as a residence by a person who has
14 an ownership interest therein, legal or equitable or as a
15 lessee, and on which the person is liable for the payment of
16 property taxes.

1 (35 ILCS 200/1-72 new)

2 Sec. 1-72. Homestead exemption. An exemption under Section
3 15-165 (veterans with disabilities), 15-167 (returning
4 veterans), 15-168 (persons with disabilities), 15-169
5 (standard homestead for veterans with disabilities), 15-170
6 (senior citizens), 15-172 (low-income senior citizens
7 assessment freeze), 15-175 (general homestead), 15-176
8 (alternative general homestead), or 15-177 (long-time
9 occupant), or any other property tax exemption that decreases
10 all or a portion of the equalized assessed value of homestead
11 property for a designated group of taxpayers for the purpose
12 of residential property tax relief and that has one or more of
13 the following goals: (i) lowering the tax burden on targeted
14 and identified groups; (ii) promoting progressivity in the
15 property tax system; (iii) sheltering groups that are at risk
16 by lowering their tax burden; or (iv) supporting the
17 rehabilitation and maintenance of existing housing.

18 (35 ILCS 200/15-172)

19 Sec. 15-172. Low-Income Senior Citizens Assessment Freeze
20 Homestead Exemption.

21 (a) This Section may be cited as the Low-Income Senior
22 Citizens Assessment Freeze Homestead Exemption.

23 (b) As used in this Section:

24 "Applicant" means an individual who has filed an

1 application under this Section.

2 "Base amount" means the base year equalized assessed value
3 of the residence plus the first year's equalized assessed
4 value of any added improvements which increased the assessed
5 value of the residence after the base year.

6 "Base year" means the taxable year prior to the taxable
7 year for which the applicant first qualifies and applies for
8 the exemption provided that in the prior taxable year the
9 property was improved with a permanent structure that was
10 occupied as a residence by the applicant who was liable for
11 paying real property taxes on the property and who was either
12 (i) an owner of record of the property or had legal or
13 equitable interest in the property as evidenced by a written
14 instrument or (ii) had a legal or equitable interest as a
15 lessee in the parcel of property that was single family
16 residence. If in any subsequent taxable year for which the
17 applicant applies and qualifies for the exemption the
18 equalized assessed value of the residence is less than the
19 equalized assessed value in the existing base year (provided
20 that such equalized assessed value is not based on an assessed
21 value that results from a temporary irregularity in the
22 property that reduces the assessed value for one or more
23 taxable years), then that subsequent taxable year shall become
24 the base year until a new base year is established under the
25 terms of this paragraph. For taxable year 1999 only, the Chief
26 County Assessment Officer shall review (i) all taxable years

1 for which the applicant applied and qualified for the
2 exemption and (ii) the existing base year. The assessment
3 officer shall select as the new base year the year with the
4 lowest equalized assessed value. An equalized assessed value
5 that is based on an assessed value that results from a
6 temporary irregularity in the property that reduces the
7 assessed value for one or more taxable years shall not be
8 considered the lowest equalized assessed value. The selected
9 year shall be the base year for taxable year 1999 and
10 thereafter until a new base year is established under the
11 terms of this paragraph.

12 "Chief County Assessment Officer" means the County
13 Assessor or Supervisor of Assessments of the county in which
14 the property is located.

15 "Equalized assessed value" means the assessed value as
16 equalized by the Illinois Department of Revenue.

17 "Household" means the applicant, the spouse of the
18 applicant, and all persons using the residence of the
19 applicant as their principal place of residence.

20 "Household income" means the combined income of the
21 members of a household for the calendar year preceding the
22 taxable year.

23 "Income" has the same meaning as provided in Section 3.07
24 of the Senior Citizens and Persons with Disabilities Property
25 Tax Relief Act, except that, beginning in assessment year
26 2001, "income" does not include veteran's benefits.

1 "Internal Revenue Code of 1986" means the United States
2 Internal Revenue Code of 1986 or any successor law or laws
3 relating to federal income taxes in effect for the year
4 preceding the taxable year.

5 "Life care facility that qualifies as a cooperative" means
6 a facility as defined in Section 2 of the Life Care Facilities
7 Act.

8 "Maximum income limitation" means:

- 9 (1) \$35,000 prior to taxable year 1999;
- 10 (2) \$40,000 in taxable years 1999 through 2003;
- 11 (3) \$45,000 in taxable years 2004 through 2005;
- 12 (4) \$50,000 in taxable years 2006 and 2007;
- 13 (5) \$55,000 in taxable years 2008 through 2016;
- 14 (6) for taxable year 2017, (i) \$65,000 for qualified
15 property located in a county with 3,000,000 or more
16 inhabitants and (ii) \$55,000 for qualified property
17 located in a county with fewer than 3,000,000 inhabitants;
18 ~~and~~
- 19 (7) for taxable years 2018 through 2025 ~~and~~
20 ~~thereafter~~, \$65,000 for all qualified property;~~:-~~
- 21 (8) for taxable year 2026, \$75,000 for all qualified
22 property;
- 23 (9) for taxable year 2027, \$77,000 for all qualified
24 property; and
- 25 (10) for taxable years 2028 and thereafter, \$79,000
26 for all qualified property.

1 As an alternative income valuation, a homeowner who is
2 enrolled in any of the following programs may be presumed to
3 have household income that does not exceed the maximum income
4 limitation for that tax year as required by this Section: Aid
5 to the Aged, Blind or Disabled (AABD) Program or the
6 Supplemental Nutrition Assistance Program (SNAP), both of
7 which are administered by the Department of Human Services;
8 the Low Income Home Energy Assistance Program (LIHEAP), which
9 is administered by the Department of Commerce and Economic
10 Opportunity; The Benefit Access program, which is administered
11 by the Department on Aging; and the Senior Citizens Real
12 Estate Tax Deferral Program.

13 A chief county assessment officer may indicate that he or
14 she has verified an applicant's income eligibility for this
15 exemption but may not report which program or programs, if
16 any, enroll the applicant. Release of personal information
17 submitted pursuant to this Section shall be deemed an
18 unwarranted invasion of personal privacy under the Freedom of
19 Information Act.

20 "Residence" means the principal dwelling place and
21 appurtenant structures used for residential purposes in this
22 State occupied on January 1 of the taxable year by a household
23 and so much of the surrounding land, constituting the parcel
24 upon which the dwelling place is situated, as is used for
25 residential purposes. If the Chief County Assessment Officer
26 has established a specific legal description for a portion of

1 property constituting the residence, then that portion of
2 property shall be deemed the residence for the purposes of
3 this Section.

4 "Taxable year" means the calendar year during which ad
5 valorem property taxes payable in the next succeeding year are
6 levied.

7 (c) Beginning in taxable year 1994, a low-income senior
8 citizens assessment freeze homestead exemption is granted for
9 real property that is improved with a permanent structure that
10 is occupied as a residence by an applicant who (i) is 65 years
11 of age or older during the taxable year, (ii) has a household
12 income that does not exceed the maximum income limitation,
13 (iii) is liable for paying real property taxes on the
14 property, and (iv) is an owner of record of the property or has
15 a legal or equitable interest in the property as evidenced by a
16 written instrument. This homestead exemption shall also apply
17 to a leasehold interest in a parcel of property improved with a
18 permanent structure that is a single family residence that is
19 occupied as a residence by a person who (i) is 65 years of age
20 or older during the taxable year, (ii) has a household income
21 that does not exceed the maximum income limitation, (iii) has
22 a legal or equitable ownership interest in the property as
23 lessee, and (iv) is liable for the payment of real property
24 taxes on that property.

25 In counties of 3,000,000 or more inhabitants, the amount
26 of the exemption for all taxable years is the equalized

1 assessed value of the residence in the taxable year for which
2 application is made minus the base amount. In all other
3 counties, the amount of the exemption is as follows: (i)
4 through taxable year 2005 and for taxable year 2007 and
5 thereafter, the amount of this exemption shall be the
6 equalized assessed value of the residence in the taxable year
7 for which application is made minus the base amount; and (ii)
8 for taxable year 2006, the amount of the exemption is as
9 follows:

10 (1) For an applicant who has a household income of
11 \$45,000 or less, the amount of the exemption is the
12 equalized assessed value of the residence in the taxable
13 year for which application is made minus the base amount.

14 (2) For an applicant who has a household income
15 exceeding \$45,000 but not exceeding \$46,250, the amount of
16 the exemption is (i) the equalized assessed value of the
17 residence in the taxable year for which application is
18 made minus the base amount (ii) multiplied by 0.8.

19 (3) For an applicant who has a household income
20 exceeding \$46,250 but not exceeding \$47,500, the amount of
21 the exemption is (i) the equalized assessed value of the
22 residence in the taxable year for which application is
23 made minus the base amount (ii) multiplied by 0.6.

24 (4) For an applicant who has a household income
25 exceeding \$47,500 but not exceeding \$48,750, the amount of
26 the exemption is (i) the equalized assessed value of the

1 residence in the taxable year for which application is
2 made minus the base amount (ii) multiplied by 0.4.

3 (5) For an applicant who has a household income
4 exceeding \$48,750 but not exceeding \$50,000, the amount of
5 the exemption is (i) the equalized assessed value of the
6 residence in the taxable year for which application is
7 made minus the base amount (ii) multiplied by 0.2.

8 When the applicant is a surviving spouse of an applicant
9 for a prior year for the same residence for which an exemption
10 under this Section has been granted, the base year and base
11 amount for that residence are the same as for the applicant for
12 the prior year.

13 Each year at the time the assessment books are certified
14 to the County Clerk, the Board of Review or Board of Appeals
15 shall give to the County Clerk a list of the assessed values of
16 improvements on each parcel qualifying for this exemption that
17 were added after the base year for this parcel and that
18 increased the assessed value of the property.

19 In the case of land improved with an apartment building
20 owned and operated as a cooperative or a building that is a
21 life care facility that qualifies as a cooperative, the
22 maximum reduction from the equalized assessed value of the
23 property is limited to the sum of the reductions calculated
24 for each unit occupied as a residence by a person or persons
25 (i) 65 years of age or older, (ii) with a household income that
26 does not exceed the maximum income limitation, (iii) who is

1 liable, by contract with the owner or owners of record, for
2 paying real property taxes on the property, and (iv) who is an
3 owner of record of a legal or equitable interest in the
4 cooperative apartment building, other than a leasehold
5 interest. In the instance of a cooperative where a homestead
6 exemption has been granted under this Section, the cooperative
7 association or its management firm shall credit the savings
8 resulting from that exemption only to the apportioned tax
9 liability of the owner who qualified for the exemption. Any
10 person who willfully refuses to credit that savings to an
11 owner who qualifies for the exemption is guilty of a Class B
12 misdemeanor.

13 When a homestead exemption has been granted under this
14 Section and an applicant then becomes a resident of a facility
15 licensed under the Assisted Living and Shared Housing Act, the
16 Nursing Home Care Act, the Specialized Mental Health
17 Rehabilitation Act of 2013, the ID/DD Community Care Act, or
18 the MC/DD Act, the exemption shall be granted in subsequent
19 years so long as the residence (i) continues to be occupied by
20 the qualified applicant's spouse or (ii) if remaining
21 unoccupied, is still owned by the qualified applicant for the
22 homestead exemption.

23 Beginning January 1, 1997, when an individual dies who
24 would have qualified for an exemption under this Section, and
25 the surviving spouse does not independently qualify for this
26 exemption because of age, the exemption under this Section

1 shall be granted to the surviving spouse for the taxable year
2 preceding and the taxable year of the death, provided that,
3 except for age, the surviving spouse meets all other
4 qualifications for the granting of this exemption for those
5 years.

6 When married persons maintain separate residences, the
7 exemption provided for in this Section may be claimed by only
8 one of such persons and for only one residence.

9 For taxable year 1994 only, in counties having less than
10 3,000,000 inhabitants, to receive the exemption, a person
11 shall submit an application by February 15, 1995 to the Chief
12 County Assessment Officer of the county in which the property
13 is located. In counties having 3,000,000 or more inhabitants,
14 for taxable year 1994 and all subsequent taxable years, to
15 receive the exemption, a person may submit an application to
16 the Chief County Assessment Officer of the county in which the
17 property is located during such period as may be specified by
18 the Chief County Assessment Officer. The Chief County
19 Assessment Officer in counties of 3,000,000 or more
20 inhabitants shall annually give notice of the application
21 period by mail or by publication. In counties having less than
22 3,000,000 inhabitants, beginning with taxable year 1995 and
23 thereafter, to receive the exemption, a person shall submit an
24 application by July 1 of each taxable year to the Chief County
25 Assessment Officer of the county in which the property is
26 located. A county may, by ordinance, establish a date for

1 submission of applications that is different than July 1. The
2 applicant shall submit with the application an affidavit of
3 the applicant's total household income, age, marital status
4 (and if married the name and address of the applicant's
5 spouse, if known), and principal dwelling place of members of
6 the household on January 1 of the taxable year. The Department
7 shall establish, by rule, a method for verifying the accuracy
8 of affidavits filed by applicants under this Section, and the
9 Chief County Assessment Officer may conduct audits of any
10 taxpayer claiming an exemption under this Section to verify
11 that the taxpayer is eligible to receive the exemption. Each
12 application shall contain or be verified by a written
13 declaration that it is made under the penalties of perjury. A
14 taxpayer's signing a fraudulent application under this Act is
15 perjury, as defined in Section 32-2 of the Criminal Code of
16 2012. The applications shall be clearly marked as applications
17 for the Low-Income Senior Citizens Assessment Freeze Homestead
18 Exemption and must contain a notice that any taxpayer who
19 receives the exemption is subject to an audit by the Chief
20 County Assessment Officer.

21 Notwithstanding any other provision to the contrary, in
22 counties having fewer than 3,000,000 inhabitants, if an
23 applicant fails to file the application required by this
24 Section in a timely manner and this failure to file is due to a
25 mental or physical condition sufficiently severe so as to
26 render the applicant incapable of filing the application in a

1 timely manner, the Chief County Assessment Officer may extend
2 the filing deadline for a period of 30 days after the applicant
3 regains the capability to file the application, but in no case
4 may the filing deadline be extended beyond 3 months of the
5 original filing deadline. In order to receive the extension
6 provided in this paragraph, the applicant shall provide the
7 Chief County Assessment Officer with a signed statement from
8 the applicant's physician, advanced practice registered nurse,
9 or physician assistant stating the nature and extent of the
10 condition, that, in the physician's, advanced practice
11 registered nurse's, or physician assistant's opinion, the
12 condition was so severe that it rendered the applicant
13 incapable of filing the application in a timely manner, and
14 the date on which the applicant regained the capability to
15 file the application.

16 Beginning January 1, 1998, notwithstanding any other
17 provision to the contrary, in counties having fewer than
18 3,000,000 inhabitants, if an applicant fails to file the
19 application required by this Section in a timely manner and
20 this failure to file is due to a mental or physical condition
21 sufficiently severe so as to render the applicant incapable of
22 filing the application in a timely manner, the Chief County
23 Assessment Officer may extend the filing deadline for a period
24 of 3 months. In order to receive the extension provided in this
25 paragraph, the applicant shall provide the Chief County
26 Assessment Officer with a signed statement from the

1 applicant's physician, advanced practice registered nurse, or
2 physician assistant stating the nature and extent of the
3 condition, and that, in the physician's, advanced practice
4 registered nurse's, or physician assistant's opinion, the
5 condition was so severe that it rendered the applicant
6 incapable of filing the application in a timely manner.

7 In counties having less than 3,000,000 inhabitants, if an
8 applicant was denied an exemption in taxable year 1994 and the
9 denial occurred due to an error on the part of an assessment
10 official, or his or her agent or employee, then beginning in
11 taxable year 1997 the applicant's base year, for purposes of
12 determining the amount of the exemption, shall be 1993 rather
13 than 1994. In addition, in taxable year 1997, the applicant's
14 exemption shall also include an amount equal to (i) the amount
15 of any exemption denied to the applicant in taxable year 1995
16 as a result of using 1994, rather than 1993, as the base year,
17 (ii) the amount of any exemption denied to the applicant in
18 taxable year 1996 as a result of using 1994, rather than 1993,
19 as the base year, and (iii) the amount of the exemption
20 erroneously denied for taxable year 1994.

21 For purposes of this Section, a person who will be 65 years
22 of age during the current taxable year shall be eligible to
23 apply for the homestead exemption during that taxable year.
24 Application shall be made during the application period in
25 effect for the county of his or her residence.

26 The Chief County Assessment Officer may determine the

1 eligibility of a life care facility that qualifies as a
2 cooperative to receive the benefits provided by this Section
3 by use of an affidavit, application, visual inspection,
4 questionnaire, or other reasonable method in order to insure
5 that the tax savings resulting from the exemption are credited
6 by the management firm to the apportioned tax liability of
7 each qualifying resident. The Chief County Assessment Officer
8 may request reasonable proof that the management firm has so
9 credited that exemption.

10 Except as provided in this Section, all information
11 received by the chief county assessment officer or the
12 Department from applications filed under this Section, or from
13 any investigation conducted under the provisions of this
14 Section, shall be confidential, except for official purposes
15 or pursuant to official procedures for collection of any State
16 or local tax or enforcement of any civil or criminal penalty or
17 sanction imposed by this Act or by any statute or ordinance
18 imposing a State or local tax. Any person who divulges any such
19 information in any manner, except in accordance with a proper
20 judicial order, is guilty of a Class A misdemeanor.

21 Nothing contained in this Section shall prevent the
22 Director or chief county assessment officer from publishing or
23 making available reasonable statistics concerning the
24 operation of the exemption contained in this Section in which
25 the contents of claims are grouped into aggregates in such a
26 way that information contained in any individual claim shall

1 not be disclosed.

2 Notwithstanding any other provision of law, for taxable
3 year 2017 and thereafter, in counties of 3,000,000 or more
4 inhabitants, the amount of the exemption shall be the greater
5 of (i) the amount of the exemption otherwise calculated under
6 this Section or (ii) \$2,000.

7 (c-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 Nothing in this subsection shall preclude or impair the
25 authority of a chief county assessment officer to conduct
26 audits of any taxpayer claiming an exemption under this

1 Section to verify that the taxpayer is eligible to receive the
2 exemption as provided elsewhere in this Section.

3 (c-10) Notwithstanding any other provision of law, each
4 chief county assessment officer may approve this exemption for
5 the 2021 taxable year, without application, for any property
6 that was approved for this exemption for the 2020 taxable
7 year, if:

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

11 (2) the owner of record of the property as of January
12 1, 2021 is the same as the owner of record of the property
13 as of January 1, 2020;

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

17 (4) the taxpayer for the 2020 taxable year has not
18 asked for the exemption to be removed for the 2020 or 2021
19 taxable years.

20 Nothing in this subsection shall preclude or impair the
21 authority of a chief county assessment officer to conduct
22 audits of any taxpayer claiming an exemption under this
23 Section to verify that the taxpayer is eligible to receive the
24 exemption as provided elsewhere in this Section.

25 (d) Each Chief County Assessment Officer shall annually
26 publish a notice of availability of the exemption provided

1 under this Section. The notice shall be published at least 60
2 days but no more than 75 days prior to the date on which the
3 application must be submitted to the Chief County Assessment
4 Officer of the county in which the property is located. The
5 notice shall appear in a newspaper of general circulation in
6 the county.

7 Notwithstanding Sections 6 and 8 of the State Mandates
8 Act, no reimbursement by the State is required for the
9 implementation of any mandate created by this Section.

10 (Source: P.A. 101-635, eff. 6-5-20; 102-136, eff. 7-23-21;
11 102-895, eff. 5-23-22.)

12 (35 ILCS 200/21-150)

13 Sec. 21-150. Time of applying for judgment. Except as
14 otherwise provided in this Section or by ordinance or
15 resolution enacted under subsection (c) of Section 21-40, in
16 any county with fewer than 3,000,000 inhabitants, all
17 applications for judgment and order of sale for taxes and
18 special assessments on delinquent properties shall be made
19 within 90 days after the second installment due date. In Cook
20 County, all applications for judgment and order of sale for
21 taxes and special assessments on delinquent properties shall
22 be made (i) by July 1, 2011 for tax year 2009, (ii) by July 1,
23 2012 for tax year 2010, (iii) by July 1, 2013 for tax year
24 2011, (iv) by July 1, 2014 for tax year 2012, (v) by July 1,
25 2015 for tax year 2013, (vi) by May 1, 2016 for tax year 2014,

1 (vii) by March 1, 2017 for tax year 2015, (viii) by April 1 of
2 the next calendar year after the second installment due date
3 for tax year 2016 and 2017, and (ix) within 365 days of the
4 second installment due date for each tax year thereafter.
5 Notwithstanding these dates, in Cook County, the application
6 for judgment and order of sale for the 2018 annual tax sale
7 that would normally be held in calendar year 2020 shall not be
8 filed earlier than the first day of the first month during
9 which there is no longer a statewide COVID-19 public health
10 emergency, as evidenced by an effective disaster declaration
11 of the Governor covering all counties in the State, except
12 that in no event may this application for judgment and order of
13 sale be filed later than October 1, 2021. When a tax sale is
14 delayed because of a statewide COVID-19 public health
15 emergency, no subsequent annual tax sale may begin earlier
16 than 180 days after the last day of the prior delayed tax sale,
17 and no scavenger tax sale may begin earlier than 90 days after
18 the last day of the prior delayed tax sale. Notwithstanding
19 any other provision of law, any deadlines set forth in this
20 Section for applications for judgment and order of sale for
21 taxes and special assessments on delinquent properties that
22 occur on or after the effective date of this amendatory Act of
23 the 104th General Assembly but before March 10, 2026 shall be
24 tolled until March 10, 2026. In those counties which have
25 adopted an ordinance under Section 21-40, the application for
26 judgment and order of sale for delinquent taxes shall be made

1 in December. In the 10 years next following the completion of a
2 general reassessment of property in any county with 3,000,000
3 or more inhabitants, made under an order of the Department,
4 applications for judgment and order of sale shall be made as
5 soon as may be and on the day specified in the advertisement
6 required by Section 21-110 and 21-115. If for any cause the
7 court is not held on the day specified, the cause shall stand
8 continued, and it shall be unnecessary to re-advertise the
9 list or notice.

10 Within 30 days after the day specified for the application
11 for judgment the court shall hear and determine the matter. If
12 judgment is rendered, the sale shall begin on the date within 5
13 business days specified in the notice as provided in Section
14 21-115. If the collector is prevented from advertising and
15 obtaining judgment within the time periods specified by this
16 Section, the collector may obtain judgment at any time
17 thereafter; but if the failure arises by the county
18 collector's not complying with any of the requirements of this
19 Code, he or she shall be held on his or her official bond for
20 the full amount of all taxes and special assessments charged
21 against him or her. Any failure on the part of the county
22 collector shall not be allowed as a valid objection to the
23 collection of any tax or assessment, or to entry of a judgment
24 against any delinquent properties included in the application
25 of the county collector.

26 (Source: P.A. 101-635, eff. 6-5-20; 102-519, eff. 8-20-21.)

1 (35 ILCS 200/21-254 new)

2 Sec. 21-254. Annual tax sale postponed. Notwithstanding
3 any other provision of law, no annual tax sale shall be held on
4 or after the effective date of this amendatory Act of the 104th
5 General Assembly and before March 10, 2026. This Section is a
6 limitation under subsection (i) of Section 6 of Article VII of
7 the Illinois Constitution on the concurrent exercise by home
8 rule units of powers and functions exercised by the State.

9 (35 ILCS 200/21-291 new)

10 Sec. 21-291. Scavenger sale postponed. Notwithstanding any
11 other provision of law, no scavenger sale shall be held on or
12 after the effective date of this amendatory Act of the 104th
13 General Assembly and before March 10, 2026. This Section is a
14 limitation under subsection (i) of Section 6 of Article VII of
15 the Illinois Constitution on the concurrent exercise by home
16 rule units of powers and functions exercised by the State.

17 (35 ILCS 200/21-385)

18 Sec. 21-385. Extension of period of redemption.

19 (a) For any tax certificates held by a county pursuant to
20 Section 21-90, the redemption period for each tax certificate
21 shall be extended by operation of law until the date
22 established by the county as the redemption deadline in a
23 petition for tax deed filed under Section 22-30. The

1 redemption deadline established in the petition shall be
2 identified in the notices provided under Sections 22-10
3 through 22-25 of this Code. After a redemption deadline is
4 established in the petition for tax deed, the county may
5 further extend the redemption deadline by filing with the
6 county clerk of the county in which the property is located a
7 written notice to that effect describing the property,
8 identifying the certificate number, and specifying the
9 extended period of redemption. Notwithstanding any expiration
10 of a prior redemption period, all tax certificates forfeited
11 to the county and held pursuant to Section 21-90 shall remain
12 enforceable by the county or its assignee, and redemption
13 shall be extended by operation of law until the date
14 established by the county as the redemption deadline in a
15 petition for tax deed filed under Section 22-30.

16 (b) Within 60 days of the date of assignment, assignees of
17 forfeited certificates under Section 21-90 or Section 21-145
18 of this Code must file with the county clerk of the county in
19 which the property is located a written notice describing the
20 property, stating the date of the assignment, identifying the
21 certificate number and specifying a deadline for redemption
22 that is not later than 3 years from the date of assignment.
23 Upon receiving the notice, the county clerk shall stamp the
24 date of receipt upon the notice. If the notice is submitted as
25 an electronic record, the county clerk shall acknowledge
26 receipt of the record and shall provide confirmation in the

1 same manner to the certificate holder. The confirmation from
2 the county clerk shall include the date of receipt and shall
3 serve as proof that the notice was filed with the county clerk.
4 In no event shall a county clerk permit an assignee of
5 forfeited certificates under Section 21-90 or Section 21-145
6 of this Code to extend the period of redemption beyond 3 years
7 from the date of assignment. If the redemption period expires
8 and no petition for tax deed has been filed under Section
9 22-30, the assigned tax certificate shall be forfeited to and
10 held by the county pursuant to Section 21-90.

11 (c) Except for the county as trustee pursuant to Section
12 21-90, the purchaser or his or her assignee of property sold
13 for nonpayment of general taxes or special assessments may
14 extend the period of redemption at any time before the
15 expiration of the original period of redemption, or thereafter
16 prior to the expiration of any extended period of redemption,
17 but only for a period that will expire not later than 3 years
18 from the date of sale, by filing with the county clerk of the
19 county in which the property is located a written notice to
20 that effect describing the property, stating the date of the
21 sale and specifying the extended period of redemption. Upon
22 receiving the notice, the county clerk shall stamp the date of
23 receipt upon the notice. If the notice is submitted as an
24 electronic record, the county clerk shall acknowledge receipt
25 of the record and shall provide confirmation in the same
26 manner to the certificate holder. The confirmation from the

1 county clerk shall include the date of receipt and shall serve
2 as proof that the notice was filed with the county clerk. The
3 county clerk shall not be required to extend the period of
4 redemption unless the purchaser or his or her assignee obtains
5 this acknowledgement of delivery. If prior to the expiration
6 of the period of redemption or extended period of redemption a
7 petition for tax deed has been filed under Section 22-30, upon
8 application of the petitioner, the court shall allow the
9 purchaser or his or her assignee to extend the period of
10 redemption after expiration of the original period or any
11 extended period of redemption, provided that any extension
12 allowed will expire not later than 3 years from the date of
13 sale. If the period of redemption is extended, the purchaser
14 or his or her assignee must give the notices provided for in
15 Section 22-10 at the specified times prior to the expiration
16 of the extended period of redemption by causing a sheriff (or
17 if he or she is disqualified, a coroner) of the county in which
18 the property, or any part thereof, is located to serve the
19 notices as provided in Sections 22-15 and 22-20. The notices
20 may also be served as provided in Sections 22-15 and 22-20 by a
21 special process server appointed by the court under Section
22 22-15 and as provided in Sections 22-15 and 22-20.

23 The changes made to this Section by this amendatory Act of
24 the 103rd General Assembly apply to matters concerning tax
25 certificates issued on or after January 1, 2024.

26 (d) For any tax certificates held by a county, the county

1 clerk may create and administer a payment plan during the
2 redemption period. Under the payment plan, the county clerk
3 may waive interest penalties when payments are made in
4 accordance with the parameters set forth in the payment plan.

5 (Source: P.A. 103-555, eff. 1-1-24.)

6 Section 10. The Senior Citizens Real Estate Tax Deferral
7 Act is amended by changing Sections 2 and 3 as follows:

8 (320 ILCS 30/2) (from Ch. 67 1/2, par. 452)

9 Sec. 2. Definitions. As used in this Act:

10 (a) "Qualified Taxpayer" means an individual (i) who will
11 be 65 years of age or older by June 1 of the year for which a
12 tax deferral is claimed; (ii) who certifies that they have
13 owned and occupied as their residence such property or other
14 qualifying property in the State for at least the last 3 years,
15 except for any periods during which the taxpayer may have
16 temporarily resided in a nursing or sheltered care home; and
17 (iii) whose household income for the year is no greater than
18 the maximum household income. ~~÷ (i) \$40,000 through tax year~~
19 ~~2005; (ii) \$50,000 for tax years 2006 through 2011; (iii)~~
20 ~~\$55,000 for tax years 2012 through 2021; (iv) \$65,000 for tax~~
21 ~~years 2022 through 2025; and (v) \$55,000 for tax year 2026 and~~
22 ~~thereafter.~~

23 (b) "Tax deferred property" means the property upon which
24 real estate taxes are deferred under this Act.

1 (c) "Homestead" means the land and buildings thereon,
2 including a condominium or a dwelling unit in a multidwelling
3 building that is owned and operated as a cooperative, occupied
4 by the taxpayer as his residence or which are temporarily
5 unoccupied by the taxpayer because such taxpayer is
6 temporarily residing, for not more than 1 year, in a licensed
7 facility as defined in Section 1-113 of the Nursing Home Care
8 Act.

9 (d) "Real estate taxes" or "taxes" means the taxes on real
10 property for which the taxpayer would be liable under the
11 Property Tax Code, including special service area taxes, and
12 special assessments on benefited real property for which the
13 taxpayer would be liable to a unit of local government.

14 (e) "Department" means the Department of Revenue.

15 (f) "Qualifying property" means a homestead which (a) the
16 taxpayer or the taxpayer and his spouse own in fee simple or
17 are purchasing in fee simple under a recorded instrument of
18 sale, (b) is not income-producing property, (c) is not subject
19 to a lien for unpaid real estate taxes when a claim under this
20 Act is filed, and (d) is not held in trust, other than an
21 Illinois land trust with the taxpayer identified as the sole
22 beneficiary, if the taxpayer is filing for the program for the
23 first time effective as of the January 1, 2011 assessment year
24 or tax year 2012 and thereafter.

25 (g) "Equity interest" means the current assessed valuation
26 of the qualified property times the fraction necessary to

1 convert that figure to full market value minus any outstanding
2 debts or liens on that property. In the case of qualifying
3 property not having a separate assessed valuation, the
4 appraised value as determined by a qualified real estate
5 appraiser shall be used instead of the current assessed
6 valuation.

7 (h) "Household income" has the meaning ascribed to that
8 term in the Senior Citizens and Persons with Disabilities
9 Property Tax Relief Act.

10 (i) "Collector" means the county collector or, if the
11 taxes to be deferred are special assessments, an official
12 designated by a unit of local government to collect special
13 assessments.

14 (j) "Maximum household income" means:

15 (1) \$40,000 through tax year 2005;

16 (2) \$50,000 for tax years 2006 through 2011;

17 (3) \$55,000 for tax years 2012 through 2021;

18 (4) \$65,000 for tax years 2022 through 2024;

19 (5) \$75,000 for tax year 2025;

20 (6) \$77,000 for tax year 2026; and

21 (7) \$79,000 for tax years 2027 and thereafter.

22 (Source: P.A. 102-644, eff. 8-27-21.)

23 (320 ILCS 30/3) (from Ch. 67 1/2, par. 453)

24 Sec. 3. A taxpayer may, on or before March 1 of each year,
25 apply to the county collector of the county where his

1 qualifying property is located, or to the official designated
2 by a unit of local government to collect special assessments
3 on the qualifying property, as the case may be, for a deferral
4 of all or a part of real estate taxes payable during that year
5 for the preceding year in the case of real estate taxes other
6 than special assessments, or for a deferral of any
7 installments payable during that year in the case of special
8 assessments, on all or part of his qualifying property. The
9 application shall be on a form prescribed by the Department
10 and furnished by the collector, (a) showing that the applicant
11 will be 65 years of age or older by June 1 of the year for
12 which a tax deferral is claimed, (b) describing the property
13 and verifying that the property is qualifying property as
14 defined in Section 2, (c) certifying that the taxpayer has
15 owned and occupied as his residence such property or other
16 qualifying property in the State for at least the last 3 years
17 except for any periods during which the taxpayer may have
18 temporarily resided in a nursing or sheltered care home, and
19 (d) specifying whether the deferral is for all or a part of the
20 taxes, and, if for a part, the amount of deferral applied for.
21 As to qualifying property not having a separate assessed
22 valuation, the taxpayer shall also file with the county
23 collector a written appraisal of the property prepared by a
24 qualified real estate appraiser together with a certificate
25 signed by the appraiser stating that he has personally
26 examined the property and setting forth the value of the land

1 and the value of the buildings thereon occupied by the
2 taxpayer as his residence. The county collector may use
3 eligibility for the Low-Income Senior Citizens Assessment
4 Freeze Homestead Exemption under Section 15-172 of the
5 Property Tax Code as qualification for items (a) and (c).

6 The collector shall grant the tax deferral provided such
7 deferral does not exceed funds available in the Senior
8 Citizens Real Estate Deferred Tax Revolving Fund and provided
9 that the owner or owners of such real property have entered
10 into a tax deferral and recovery agreement with the collector
11 on behalf of the county or other unit of local government,
12 which agreement expressly states:

13 (1) That the total amount of taxes deferred under this
14 Act, plus interest, for the year for which a tax deferral is
15 claimed as well as for those previous years for which taxes are
16 not delinquent and for which such deferral has been claimed
17 may not exceed 80% of the taxpayer's equity interest in the
18 property for which taxes are to be deferred and that, if the
19 total deferred taxes plus interest equals 80% of the
20 taxpayer's equity interest in the property, the taxpayer shall
21 thereafter pay the annual interest due on such deferred taxes
22 plus interest so that total deferred taxes plus interest will
23 not exceed such 80% of the taxpayer's equity interest in the
24 property. Effective as of the January 1, 2011 assessment year
25 or tax year 2012 and through the 2021 tax year, ~~and beginning~~
26 ~~again with the 2026 tax year,~~ the total amount of any such

1 deferral shall not exceed \$5,000 per taxpayer in each tax
2 year. For the 2022 tax year and every tax year after ~~through~~
3 ~~the 2025 tax year~~, the total amount of any such deferral shall
4 not exceed \$7,500 per taxpayer in each tax year.

5 (2) That any real estate taxes deferred under this Act and
6 any interest accrued thereon are a lien on the real estate and
7 improvements thereon until paid. If the taxes deferred are for
8 a tax year prior to 2023, then interest shall accrue at the
9 rate of 6% per year. If the taxes deferred are for the 2023 tax
10 year or any tax year thereafter, then interest shall accrue at
11 the rate of 3% per year. No sale or transfer of such real
12 property may be legally closed and recorded until the taxes
13 which would otherwise have been due on the property, plus
14 accrued interest, have been paid unless the collector
15 certifies in writing that an arrangement for prompt payment of
16 the amount due has been made with his office. The same shall
17 apply if the property is to be made the subject of a contract
18 of sale.

19 (3) That upon the death of the taxpayer claiming the
20 deferral the heirs-at-law, assignees or legatees shall have
21 first priority to the real property upon which taxes have been
22 deferred by paying in full the total taxes which would
23 otherwise have been due, plus interest. However, if such
24 heir-at-law, assignee, or legatee is a surviving spouse, the
25 tax deferred status of the property shall be continued during
26 the life of that surviving spouse if the spouse is 55 years of

1 age or older within 6 months of the date of death of the
2 taxpayer and enters into a tax deferral and recovery agreement
3 before the time when deferred taxes become due under this
4 Section. Any additional taxes deferred, plus interest, on the
5 real property under a tax deferral and recovery agreement
6 signed by a surviving spouse shall be added to the taxes and
7 interest which would otherwise have been due, and the payment
8 of which has been postponed during the life of such surviving
9 spouse, in determining the 80% equity requirement provided by
10 this Section.

11 (4) That if the taxes due, plus interest, are not paid by
12 the heir-at-law, assignee or legatee or if payment is not
13 postponed during the life of a surviving spouse, the deferred
14 taxes and interest shall be recovered from the estate of the
15 taxpayer within one year of the date of his death. In addition,
16 deferred real estate taxes and any interest accrued thereon
17 are due within 90 days after any tax deferred property ceases
18 to be qualifying property as defined in Section 2.

19 If payment is not made when required by this Section,
20 foreclosure proceedings may be instituted under the Property
21 Tax Code.

22 (5) That any joint owner has given written prior approval
23 for such agreement, which written approval shall be made a
24 part of such agreement.

25 (6) That a guardian for a person under legal disability
26 appointed for a taxpayer who otherwise qualifies under this

1 Act may act for the taxpayer in complying with this Act.

2 (7) That a taxpayer or his agent has provided to the
3 satisfaction of the collector, sufficient evidence that the
4 qualifying property on which the taxes are to be deferred is
5 insured against fire or casualty loss for at least the total
6 amount of taxes which have been deferred.

7 If the taxes to be deferred are special assessments, the
8 unit of local government making the assessments shall forward
9 a copy of the agreement entered into pursuant to this Section
10 and the bills for such assessments to the county collector of
11 the county in which the qualifying property is located.

12 (Source: P.A. 102-644, eff. 8-27-21; 102-895, eff. 5-23-22.)

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