

**SB2660**



**104TH GENERAL ASSEMBLY**

**State of Illinois**

**2025 and 2026**

**SB2660**

Introduced 5/9/2025, by Sen. Mike Porfirio

**SYNOPSIS AS INTRODUCED:**

35 ILCS 200/18-185  
35 ILCS 200/18-190

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that a special purpose extension made by a non-home rule municipality for mandatory contributions to a police pension fund or a firefighters' pension fund is not considered part of the municipality's aggregate extension, but only for the first year during which the levy is ever imposed by the non-home rule municipality. Provides that certain levies made under the Illinois Pension Code are not considered new rates.

LRB104 13562 HLH 26122 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           Sections 18-185 and 18-190 as follows:

6           (35 ILCS 200/18-185)

7           Sec. 18-185. Short title; definitions. This Division 5  
8           may be cited as the Property Tax Extension Limitation Law. As  
9           used in this Division 5:

10           "Consumer Price Index" means the Consumer Price Index for  
11           All Urban Consumers for all items published by the United  
12           States Department of Labor.

13           "Extension limitation" means (a) the lesser of 5% or the  
14           percentage increase in the Consumer Price Index during the  
15           12-month calendar year preceding the levy year or (b) the rate  
16           of increase approved by voters under Section 18-205.

17           "Affected county" means a county of 3,000,000 or more  
18           inhabitants or a county contiguous to a county of 3,000,000 or  
19           more inhabitants.

20           "Taxing district" has the same meaning provided in Section  
21           1-150, except as otherwise provided in this Section. For the  
22           1991 through 1994 levy years only, "taxing district" includes  
23           only each non-home rule taxing district having the majority of

1       its 1990 equalized assessed value within any county or  
2       counties contiguous to a county with 3,000,000 or more  
3       inhabitants. Beginning with the 1995 levy year, "taxing  
4       district" includes only each non-home rule taxing district  
5       subject to this Law before the 1995 levy year and each non-home  
6       rule taxing district not subject to this Law before the 1995  
7       levy year having the majority of its 1994 equalized assessed  
8       value in an affected county or counties. Beginning with the  
9       levy year in which this Law becomes applicable to a taxing  
10      district as provided in Section 18-213, "taxing district" also  
11      includes those taxing districts made subject to this Law as  
12      provided in Section 18-213.

13       "Aggregate extension" for taxing districts to which this  
14      Law applied before the 1995 levy year means the annual  
15      corporate extension for the taxing district and those special  
16      purpose extensions that are made annually for the taxing  
17      district, excluding special purpose extensions: (a) made for  
18      the taxing district to pay interest or principal on general  
19      obligation bonds that were approved by referendum; (b) made  
20      for any taxing district to pay interest or principal on  
21      general obligation bonds issued before October 1, 1991; (c)  
22      made for any taxing district to pay interest or principal on  
23      bonds issued to refund or continue to refund those bonds  
24      issued before October 1, 1991; (d) made for any taxing  
25      district to pay interest or principal on bonds issued to  
26      refund or continue to refund bonds issued after October 1,

1 1991 that were approved by referendum; (e) made for any taxing  
2 district to pay interest or principal on revenue bonds issued  
3 before October 1, 1991 for payment of which a property tax levy  
4 or the full faith and credit of the unit of local government is  
5 pledged; however, a tax for the payment of interest or  
6 principal on those bonds shall be made only after the  
7 governing body of the unit of local government finds that all  
8 other sources for payment are insufficient to make those  
9 payments; (f) made for payments under a building commission  
10 lease when the lease payments are for the retirement of bonds  
11 issued by the commission before October 1, 1991, to pay for the  
12 building project; (g) made for payments due under installment  
13 contracts entered into before October 1, 1991; (h) made for  
14 payments of principal and interest on bonds issued under the  
15 Metropolitan Water Reclamation District Act to finance  
16 construction projects initiated before October 1, 1991; (i)  
17 made for payments of principal and interest on limited bonds,  
18 as defined in Section 3 of the Local Government Debt Reform  
19 Act, in an amount not to exceed the debt service extension base  
20 less the amount in items (b), (c), (e), and (h) of this  
21 definition for non-referendum obligations, except obligations  
22 initially issued pursuant to referendum; (j) made for payments  
23 of principal and interest on bonds issued under Section 15 of  
24 the Local Government Debt Reform Act; (k) made by a school  
25 district that participates in the Special Education District  
26 of Lake County, created by special education joint agreement

1 under Section 10-22.31 of the School Code, for payment of the  
2 school district's share of the amounts required to be  
3 contributed by the Special Education District of Lake County  
4 to the Illinois Municipal Retirement Fund under Article 7 of  
5 the Illinois Pension Code; the amount of any extension under  
6 this item (k) shall be certified by the school district to the  
7 county clerk; (l) made to fund expenses of providing joint  
8 recreational programs for persons with disabilities under  
9 Section 5-8 of the Park District Code or Section 11-95-14 of  
10 the Illinois Municipal Code; (m) made for temporary relocation  
11 loan repayment purposes pursuant to Sections 2-3.77 and  
12 17-2.2d of the School Code; (n) made for payment of principal  
13 and interest on any bonds issued under the authority of  
14 Section 17-2.2d of the School Code; (o) made for contributions  
15 to a firefighter's pension fund created under Article 4 of the  
16 Illinois Pension Code, to the extent of the amount certified  
17 under item (5) of Section 4-134 of the Illinois Pension Code;  
18 (p) made for road purposes in the first year after a township  
19 assumes the rights, powers, duties, assets, property,  
20 liabilities, obligations, and responsibilities of a road  
21 district abolished under the provisions of Section 6-133 of  
22 the Illinois Highway Code; and (q) made under Section 4 of the  
23 Community Mental Health Act to provide the necessary funds or  
24 to supplement existing funds for community mental health  
25 facilities and services, including facilities and services for  
26 the person with a developmental disability or a substance use

1 disorder; and (r) ~~(e)~~ made for the payment of principal and  
2 interest on any bonds issued under the authority of Section  
3 17-2.11 of the School Code or to refund or continue to refund  
4 those bonds.

5 "Aggregate extension" for the taxing districts to which  
6 this Law did not apply before the 1995 levy year (except taxing  
7 districts subject to this Law in accordance with Section  
8 18-213) means the annual corporate extension for the taxing  
9 district and those special purpose extensions that are made  
10 annually for the taxing district, excluding special purpose  
11 extensions: (a) made for the taxing district to pay interest  
12 or principal on general obligation bonds that were approved by  
13 referendum; (b) made for any taxing district to pay interest  
14 or principal on general obligation bonds issued before March  
15 1, 1995; (c) made for any taxing district to pay interest or  
16 principal on bonds issued to refund or continue to refund  
17 those bonds issued before March 1, 1995; (d) made for any  
18 taxing district to pay interest or principal on bonds issued  
19 to refund or continue to refund bonds issued after March 1,  
20 1995 that were approved by referendum; (e) made for any taxing  
21 district to pay interest or principal on revenue bonds issued  
22 before March 1, 1995 for payment of which a property tax levy  
23 or the full faith and credit of the unit of local government is  
24 pledged; however, a tax for the payment of interest or  
25 principal on those bonds shall be made only after the  
26 governing body of the unit of local government finds that all

1 other sources for payment are insufficient to make those  
2 payments; (f) made for payments under a building commission  
3 lease when the lease payments are for the retirement of bonds  
4 issued by the commission before March 1, 1995 to pay for the  
5 building project; (g) made for payments due under installment  
6 contracts entered into before March 1, 1995; (h) made for  
7 payments of principal and interest on bonds issued under the  
8 Metropolitan Water Reclamation District Act to finance  
9 construction projects initiated before October 1, 1991; (h-4)  
10 made for stormwater management purposes by the Metropolitan  
11 Water Reclamation District of Greater Chicago under Section 12  
12 of the Metropolitan Water Reclamation District Act; (h-8) made  
13 for payments of principal and interest on bonds issued under  
14 Section 9.6a of the Metropolitan Water Reclamation District  
15 Act to make contributions to the pension fund established  
16 under Article 13 of the Illinois Pension Code; (i) made for  
17 payments of principal and interest on limited bonds, as  
18 defined in Section 3 of the Local Government Debt Reform Act,  
19 in an amount not to exceed the debt service extension base less  
20 the amount in items (b), (c), and (e) of this definition for  
21 non-referendum obligations, except obligations initially  
22 issued pursuant to referendum and bonds described in  
23 subsections (h) and (h-8) of this definition; (j) made for  
24 payments of principal and interest on bonds issued under  
25 Section 15 of the Local Government Debt Reform Act; (k) made  
26 for payments of principal and interest on bonds authorized by

1       Public Act 88-503 and issued under Section 20a of the Chicago  
2       Park District Act for aquarium or museum projects and bonds  
3       issued under Section 20a of the Chicago Park District Act for  
4       the purpose of making contributions to the pension fund  
5       established under Article 12 of the Illinois Pension Code; (l)  
6       made for payments of principal and interest on bonds  
7       authorized by Public Act 87-1191 or 93-601 and (i) issued  
8       pursuant to Section 21.2 of the Cook County Forest Preserve  
9       District Act, (ii) issued under Section 42 of the Cook County  
10      Forest Preserve District Act for zoological park projects, or  
11      (iii) issued under Section 44.1 of the Cook County Forest  
12      Preserve District Act for botanical gardens projects; (m) made  
13      pursuant to Section 34-53.5 of the School Code, whether levied  
14      annually or not; (n) made to fund expenses of providing joint  
15      recreational programs for persons with disabilities under  
16      Section 5-8 of the Park District Code or Section 11-95-14 of  
17      the Illinois Municipal Code; (o) made by the Chicago Park  
18      District for recreational programs for persons with  
19      disabilities under subsection (c) of Section 7.06 of the  
20      Chicago Park District Act; (p) made for contributions to a  
21      firefighter's pension fund created under Article 4 of the  
22      Illinois Pension Code, to the extent of the amount certified  
23      under item (5) of Section 4-134 of the Illinois Pension Code;  
24      (q) made by Ford Heights School District 169 under Section  
25      17-9.02 of the School Code; (r) made for the purpose of making  
26      employer contributions to the Public School Teachers' Pension

1 and Retirement Fund of Chicago under Section 34-53 of the  
2 School Code; ~~and~~ (s) made under Section 4 of the Community  
3 Mental Health Act to provide the necessary funds or to  
4 supplement existing funds for community mental health  
5 facilities and services, including facilities and services for  
6 the person with a developmental disability or a substance use  
7 disorder; ~~(t)~~ ~~and~~ (s) made for the payment of principal and  
8 interest on any bonds issued under the authority of Section  
9 17-2.11 of the School Code or to refund or continue to refund  
10 those bonds; and (u) made by a non-home rule municipality for  
mandatory contributions to a police pension fund created under  
Article 3 of the Illinois Pension Code or a firefighters'  
pension fund created under Article 4 of the Illinois Pension  
Code, but only for the first year during which the levy is ever  
imposed by the non-home rule municipality; a levy described in  
item (u) shall be included in the non-home rule municipality's  
aggregate extension base in the following levy year and in  
each subsequent levy year after its first imposition.

19 "Aggregate extension" for all taxing districts to which  
20 this Law applies in accordance with Section 18-213, except for  
21 those taxing districts subject to paragraph (2) of subsection  
22 (e) of Section 18-213, means the annual corporate extension  
23 for the taxing district and those special purpose extensions  
24 that are made annually for the taxing district, excluding  
25 special purpose extensions: (a) made for the taxing district  
26 to pay interest or principal on general obligation bonds that

1       were approved by referendum; (b) made for any taxing district  
2       to pay interest or principal on general obligation bonds  
3       issued before the date on which the referendum making this Law  
4       applicable to the taxing district is held; (c) made for any  
5       taxing district to pay interest or principal on bonds issued  
6       to refund or continue to refund those bonds issued before the  
7       date on which the referendum making this Law applicable to the  
8       taxing district is held; (d) made for any taxing district to  
9       pay interest or principal on bonds issued to refund or  
10      continue to refund bonds issued after the date on which the  
11      referendum making this Law applicable to the taxing district  
12      is held if the bonds were approved by referendum after the date  
13      on which the referendum making this Law applicable to the  
14      taxing district is held; (e) made for any taxing district to  
15      pay interest or principal on revenue bonds issued before the  
16      date on which the referendum making this Law applicable to the  
17      taxing district is held for payment of which a property tax  
18      levy or the full faith and credit of the unit of local  
19      government is pledged; however, a tax for the payment of  
20      interest or principal on those bonds shall be made only after  
21      the governing body of the unit of local government finds that  
22      all other sources for payment are insufficient to make those  
23      payments; (f) made for payments under a building commission  
24      lease when the lease payments are for the retirement of bonds  
25      issued by the commission before the date on which the  
26      referendum making this Law applicable to the taxing district

1 is held to pay for the building project; (g) made for payments  
2 due under installment contracts entered into before the date  
3 on which the referendum making this Law applicable to the  
4 taxing district is held; (h) made for payments of principal  
5 and interest on limited bonds, as defined in Section 3 of the  
6 Local Government Debt Reform Act, in an amount not to exceed  
7 the debt service extension base less the amount in items (b),  
8 (c), and (e) of this definition for non-referendum  
9 obligations, except obligations initially issued pursuant to  
10 referendum; (i) made for payments of principal and interest on  
11 bonds issued under Section 15 of the Local Government Debt  
12 Reform Act; (j) made for a qualified airport authority to pay  
13 interest or principal on general obligation bonds issued for  
14 the purpose of paying obligations due under, or financing  
15 airport facilities required to be acquired, constructed,  
16 installed or equipped pursuant to, contracts entered into  
17 before March 1, 1996 (but not including any amendments to such  
18 a contract taking effect on or after that date); (k) made to  
19 fund expenses of providing joint recreational programs for  
20 persons with disabilities under Section 5-8 of the Park  
21 District Code or Section 11-95-14 of the Illinois Municipal  
22 Code; (l) made for contributions to a firefighter's pension  
23 fund created under Article 4 of the Illinois Pension Code, to  
24 the extent of the amount certified under item (5) of Section  
25 4-134 of the Illinois Pension Code; (m) made for the taxing  
26 district to pay interest or principal on general obligation

1 bonds issued pursuant to Section 19-3.10 of the School Code;  
2 ~~and~~ (n) made under Section 4 of the Community Mental Health Act  
3 to provide the necessary funds or to supplement existing funds  
4 for community mental health facilities and services, including  
5 facilities and services for the person with a developmental  
6 disability or a substance use disorder; and (o) ~~(n)~~ made for  
7 the payment of principal and interest on any bonds issued  
8 under the authority of Section 17-2.11 of the School Code or to  
9 refund or continue to refund those bonds.

10 "Aggregate extension" for all taxing districts to which  
11 this Law applies in accordance with paragraph (2) of  
12 subsection (e) of Section 18-213 means the annual corporate  
13 extension for the taxing district and those special purpose  
14 extensions that are made annually for the taxing district,  
15 excluding special purpose extensions: (a) made for the taxing  
16 district to pay interest or principal on general obligation  
17 bonds that were approved by referendum; (b) made for any  
18 taxing district to pay interest or principal on general  
19 obligation bonds issued before March 7, 1997 (the effective  
20 date of Public Act 89-718); (c) made for any taxing district to  
21 pay interest or principal on bonds issued to refund or  
22 continue to refund those bonds issued before March 7, 1997  
23 (the effective date of Public Act 89-718); (d) made for any  
24 taxing district to pay interest or principal on bonds issued  
25 to refund or continue to refund bonds issued after March 7,  
26 1997 (the effective date of Public Act 89-718) if the bonds

1       were approved by referendum after March 7, 1997 (the effective  
2       date of Public Act 89-718); (e) made for any taxing district to  
3       pay interest or principal on revenue bonds issued before March  
4       7, 1997 (the effective date of Public Act 89-718) for payment  
5       of which a property tax levy or the full faith and credit of  
6       the unit of local government is pledged; however, a tax for the  
7       payment of interest or principal on those bonds shall be made  
8       only after the governing body of the unit of local government  
9       finds that all other sources for payment are insufficient to  
10       make those payments; (f) made for payments under a building  
11       commission lease when the lease payments are for the  
12       retirement of bonds issued by the commission before March 7,  
13       1997 (the effective date of Public Act 89-718) to pay for the  
14       building project; (g) made for payments due under installment  
15       contracts entered into before March 7, 1997 (the effective  
16       date of Public Act 89-718); (h) made for payments of principal  
17       and interest on limited bonds, as defined in Section 3 of the  
18       Local Government Debt Reform Act, in an amount not to exceed  
19       the debt service extension base less the amount in items (b),  
20       (c), and (e) of this definition for non-referendum  
21       obligations, except obligations initially issued pursuant to  
22       referendum; (i) made for payments of principal and interest on  
23       bonds issued under Section 15 of the Local Government Debt  
24       Reform Act; (j) made for a qualified airport authority to pay  
25       interest or principal on general obligation bonds issued for  
26       the purpose of paying obligations due under, or financing

1       airport facilities required to be acquired, constructed,  
2       installed or equipped pursuant to, contracts entered into  
3       before March 1, 1996 (but not including any amendments to such  
4       a contract taking effect on or after that date); (k) made to  
5       fund expenses of providing joint recreational programs for  
6       persons with disabilities under Section 5-8 of the Park  
7       District Code or Section 11-95-14 of the Illinois Municipal  
8       Code; (l) made for contributions to a firefighter's pension  
9       fund created under Article 4 of the Illinois Pension Code, to  
10       the extent of the amount certified under item (5) of Section  
11       4-134 of the Illinois Pension Code; ~~and~~ (m) made under Section  
12       4 of the Community Mental Health Act to provide the necessary  
13       funds or to supplement existing funds for community mental  
14       health facilities and services, including facilities and  
15       services for the person with a developmental disability or a  
16       substance use disorder; and (n) ~~(n)~~ made for the payment of  
17       principal and interest on any bonds issued under the authority  
18       of Section 17-2.11 of the School Code or to refund or continue  
19       to refund those bonds.

20       "Debt service extension base" means an amount equal to  
21       that portion of the extension for a taxing district for the  
22       1994 levy year, or for those taxing districts subject to this  
23       Law in accordance with Section 18-213, except for those  
24       subject to paragraph (2) of subsection (e) of Section 18-213,  
25       for the levy year in which the referendum making this Law  
26       applicable to the taxing district is held, or for those taxing

1 districts subject to this Law in accordance with paragraph (2)  
2 of subsection (e) of Section 18-213 for the 1996 levy year,  
3 constituting an extension for payment of principal and  
4 interest on bonds issued by the taxing district without  
5 referendum, but not including excluded non-referendum bonds.  
6 For park districts (i) that were first subject to this Law in  
7 1991 or 1995 and (ii) whose extension for the 1994 levy year  
8 for the payment of principal and interest on bonds issued by  
9 the park district without referendum (but not including  
10 excluded non-referendum bonds) was less than 51% of the amount  
11 for the 1991 levy year constituting an extension for payment  
12 of principal and interest on bonds issued by the park district  
13 without referendum (but not including excluded non-referendum  
14 bonds), "debt service extension base" means an amount equal to  
15 that portion of the extension for the 1991 levy year  
16 constituting an extension for payment of principal and  
17 interest on bonds issued by the park district without  
18 referendum (but not including excluded non-referendum bonds).  
19 A debt service extension base established or increased at any  
20 time pursuant to any provision of this Law, except Section  
21 18-212, shall be increased each year commencing with the later  
22 of (i) the 2009 levy year or (ii) the first levy year in which  
23 this Law becomes applicable to the taxing district, by the  
24 lesser of 5% or the percentage increase in the Consumer Price  
25 Index during the 12-month calendar year preceding the levy  
26 year. The debt service extension base may be established or

1 increased as provided under Section 18-212. "Excluded  
2 non-referendum bonds" means (i) bonds authorized by Public Act  
3 88-503 and issued under Section 20a of the Chicago Park  
4 District Act for aquarium and museum projects; (ii) bonds  
5 issued under Section 15 of the Local Government Debt Reform  
6 Act; or (iii) refunding obligations issued to refund or to  
7 continue to refund obligations initially issued pursuant to  
8 referendum.

9 "Special purpose extensions" include, but are not limited  
10 to, extensions for levies made on an annual basis for  
11 unemployment and workers' compensation, self-insurance,  
12 contributions to pension plans, and extensions made pursuant  
13 to Section 6-601 of the Illinois Highway Code for a road  
14 district's permanent road fund whether levied annually or not.  
15 The extension for a special service area is not included in the  
16 aggregate extension.

17 "Aggregate extension base" means the taxing district's  
18 last preceding aggregate extension as adjusted under Sections  
19 18-135, 18-215, 18-230, 18-206, and 18-233. Beginning with  
20 levy year 2022, for taxing districts that are specified in  
21 Section 18-190.7, the taxing district's aggregate extension  
22 base shall be calculated as provided in Section 18-190.7. An  
23 adjustment under Section 18-135 shall be made for the 2007  
24 levy year and all subsequent levy years whenever one or more  
25 counties within which a taxing district is located (i) used  
26 estimated valuations or rates when extending taxes in the

1 taxing district for the last preceding levy year that resulted  
2 in the over or under extension of taxes, or (ii) increased or  
3 decreased the tax extension for the last preceding levy year  
4 as required by Section 18-135(c). Whenever an adjustment is  
5 required under Section 18-135, the aggregate extension base of  
6 the taxing district shall be equal to the amount that the  
7 aggregate extension of the taxing district would have been for  
8 the last preceding levy year if either or both (i) actual,  
9 rather than estimated, valuations or rates had been used to  
10 calculate the extension of taxes for the last levy year, or  
11 (ii) the tax extension for the last preceding levy year had not  
12 been adjusted as required by subsection (c) of Section 18-135.

13 Notwithstanding any other provision of law, for levy year  
14 2012, the aggregate extension base for West Northfield School  
15 District No. 31 in Cook County shall be \$12,654,592.

16 Notwithstanding any other provision of law, for the  
17 purpose of calculating the limiting rate for levy year 2023,  
18 the last preceding aggregate extension base for Homewood  
19 School District No. 153 in Cook County shall be \$19,535,377.

20 Notwithstanding any other provision of law, for levy year  
21 2022, the aggregate extension base of a home equity assurance  
22 program that levied at least \$1,000,000 in property taxes in  
23 levy year 2019 or 2020 under the Home Equity Assurance Act  
24 shall be the amount that the program's aggregate extension  
25 base for levy year 2021 would have been if the program had  
26 levied a property tax for levy year 2021.

1       "Levy year" has the same meaning as "year" under Section  
2 1-155.

3       "New property" means (i) the assessed value, after final  
4 board of review or board of appeals action, of new  
5 improvements or additions to existing improvements on any  
6 parcel of real property that increase the assessed value of  
7 that real property during the levy year multiplied by the  
8 equalization factor issued by the Department under Section  
9 17-30, (ii) the assessed value, after final board of review or  
10 board of appeals action, of real property not exempt from real  
11 estate taxation, which real property was exempt from real  
12 estate taxation for any portion of the immediately preceding  
13 levy year, multiplied by the equalization factor issued by the  
14 Department under Section 17-30, including the assessed value,  
15 upon final stabilization of occupancy after new construction  
16 is complete, of any real property located within the  
17 boundaries of an otherwise or previously exempt military  
18 reservation that is intended for residential use and owned by  
19 or leased to a private corporation or other entity, (iii) in  
20 counties that classify in accordance with Section 4 of Article  
21 IX of the Illinois Constitution, an incentive property's  
22 additional assessed value resulting from a scheduled increase  
23 in the level of assessment as applied to the first year final  
24 board of review market value, and (iv) any increase in  
25 assessed value due to oil or gas production from an oil or gas  
26 well required to be permitted under the Hydraulic Fracturing

1       Regulatory Act that was not produced in or accounted for  
2       during the previous levy year. In addition, the county clerk  
3       in a county containing a population of 3,000,000 or more shall  
4       include in the 1997 recovered tax increment value for any  
5       school district, any recovered tax increment value that was  
6       applicable to the 1995 tax year calculations.

7       "Qualified airport authority" means an airport authority  
8       organized under the Airport Authorities Act and located in a  
9       county bordering on the State of Wisconsin and having a  
10      population in excess of 200,000 and not greater than 500,000.

11      "Recovered tax increment value" means, except as otherwise  
12      provided in this paragraph, the amount of the current year's  
13      equalized assessed value, in the first year after a  
14      municipality terminates the designation of an area as a  
15      redevelopment project area previously established under the  
16      Tax Increment Allocation Redevelopment Act in the Illinois  
17      Municipal Code, previously established under the Industrial  
18      Jobs Recovery Law in the Illinois Municipal Code, previously  
19      established under the Economic Development Project Area Tax  
20      Increment Act of 1995, or previously established under the  
21      Economic Development Area Tax Increment Allocation Act, of  
22      each taxable lot, block, tract, or parcel of real property in  
23      the redevelopment project area over and above the initial  
24      equalized assessed value of each property in the redevelopment  
25      project area. For the taxes which are extended for the 1997  
26      levy year, the recovered tax increment value for a non-home

1 rule taxing district that first became subject to this Law for  
2 the 1995 levy year because a majority of its 1994 equalized  
3 assessed value was in an affected county or counties shall be  
4 increased if a municipality terminated the designation of an  
5 area in 1993 as a redevelopment project area previously  
6 established under the Tax Increment Allocation Redevelopment  
7 Act in the Illinois Municipal Code, previously established  
8 under the Industrial Jobs Recovery Law in the Illinois  
9 Municipal Code, or previously established under the Economic  
10 Development Area Tax Increment Allocation Act, by an amount  
11 equal to the 1994 equalized assessed value of each taxable  
12 lot, block, tract, or parcel of real property in the  
13 redevelopment project area over and above the initial  
14 equalized assessed value of each property in the redevelopment  
15 project area. In the first year after a municipality removes a  
16 taxable lot, block, tract, or parcel of real property from a  
17 redevelopment project area established under the Tax Increment  
18 Allocation Redevelopment Act in the Illinois Municipal Code,  
19 the Industrial Jobs Recovery Law in the Illinois Municipal  
20 Code, or the Economic Development Area Tax Increment  
21 Allocation Act, "recovered tax increment value" means the  
22 amount of the current year's equalized assessed value of each  
23 taxable lot, block, tract, or parcel of real property removed  
24 from the redevelopment project area over and above the initial  
25 equalized assessed value of that real property before removal  
26 from the redevelopment project area.

1        Except as otherwise provided in this Section, "limiting  
2        rate" means a fraction the numerator of which is the last  
3        preceding aggregate extension base times an amount equal to  
4        one plus the extension limitation defined in this Section and  
5        the denominator of which is the current year's equalized  
6        assessed value of all real property in the territory under the  
7        jurisdiction of the taxing district during the prior levy  
8        year. For those taxing districts that reduced their aggregate  
9        extension for the last preceding levy year, except for school  
10       districts that reduced their extension for educational  
11       purposes pursuant to Section 18-206, the highest aggregate  
12       extension in any of the last 3 preceding levy years shall be  
13       used for the purpose of computing the limiting rate. The  
14       denominator shall not include new property or the recovered  
15       tax increment value. If a new rate, a rate decrease, or a  
16       limiting rate increase has been approved at an election held  
17       after March 21, 2006, then (i) the otherwise applicable  
18       limiting rate shall be increased by the amount of the new rate  
19       or shall be reduced by the amount of the rate decrease, as the  
20       case may be, or (ii) in the case of a limiting rate increase,  
21       the limiting rate shall be equal to the rate set forth in the  
22       proposition approved by the voters for each of the years  
23       specified in the proposition, after which the limiting rate of  
24       the taxing district shall be calculated as otherwise provided.  
25       In the case of a taxing district that obtained referendum  
26       approval for an increased limiting rate on March 20, 2012, the

1 limiting rate for tax year 2012 shall be the rate that  
2 generates the approximate total amount of taxes extendable for  
3 that tax year, as set forth in the proposition approved by the  
4 voters; this rate shall be the final rate applied by the county  
5 clerk for the aggregate of all capped funds of the district for  
6 tax year 2012.

7 (Source: P.A. 102-263, eff. 8-6-21; 102-311, eff. 8-6-21;  
8 102-519, eff. 8-20-21; 102-558, eff. 8-20-21; 102-707, eff.  
9 4-22-22; 102-813, eff. 5-13-22; 102-895, eff. 5-23-22;  
10 103-154, eff. 6-30-23; 103-587, eff. 5-28-24; 103-591, eff.  
11 7-1-24; 103-592, eff. 6-7-24; revised 7-9-24.)

12 (35 ILCS 200/18-190)

13 Sec. 18-190. Direct referendum; new rate or increased  
14 limiting rate.

15 (a) If a new rate is authorized by statute to be imposed  
16 without referendum or is subject to a backdoor referendum, as  
17 defined in Section 28-2 of the Election Code, the governing  
18 body of the affected taxing district before levying the new  
19 rate shall submit the new rate to direct referendum under the  
20 provisions of this Section and of Article 28 of the Election  
21 Code. Notwithstanding any other provision of law, the levies  
22 authorized by Sections 21-110 and 21-110.1 of the Illinois  
23 Pension Code shall not be considered new rates; however,  
24 nothing in Public Act 98-1088 ~~this amendatory Act of the 98th~~  
25 ~~General Assembly~~ authorizes a taxing district to increase its

1 limiting rate or its aggregate extension without first  
2 obtaining referendum approval as provided in this Section.  
3 Notwithstanding any other provision of law, the levies  
4 authorized by Sections 3-125 and 4-118 of the Illinois Pension  
5 Code shall not be considered new rates. Notwithstanding any  
6 other provision of law, the levy authorized by Section 18-17  
7 is considered part of the annual corporate extension for the  
8 taxing district and is not considered a new rate.  
9 Notwithstanding the provisions, requirements, or limitations  
10 of any other law, any tax levied for the 2005 levy year and all  
11 subsequent levy years by any taxing district subject to this  
12 Law may be extended at a rate exceeding the rate established  
13 for that tax by referendum or statute, provided that the rate  
14 does not exceed the statutory ceiling above which the tax is  
15 not authorized to be further increased either by referendum or  
16 in any other manner. Notwithstanding the provisions,  
17 requirements, or limitations of any other law, all taxing  
18 districts subject to this Law shall follow the provisions of  
19 this Section whenever seeking referenda approval after March  
20 21, 2006 to (i) levy a new tax rate authorized by statute or  
21 (ii) increase the limiting rate applicable to the taxing  
22 district. All taxing districts subject to this Law are  
23 authorized to seek referendum approval of each proposition  
24 described and set forth in this Section.

25 The proposition seeking to obtain referendum approval to  
26 levy a new tax rate as authorized in clause (i) shall be in

1 substantially the following form:

2           Shall ... (insert legal name, number, if any, and  
3 county or counties of taxing district and geographic or  
4 other common name by which a school or community college  
5 district is known and referred to), Illinois, be  
6 authorized to levy a new tax for ... purposes and have an  
7 additional tax of ...% of the equalized assessed value of  
8 the taxable property therein extended for such purposes?

9 The votes must be recorded as "Yes" or "No".

10          The proposition seeking to obtain referendum approval to  
11 increase the limiting rate as authorized in clause (ii) shall  
12 be in substantially the following form:

13           Shall the limiting rate under the Property Tax  
14 Extension Limitation Law for ... (insert legal name,  
15 number, if any, and county or counties of taxing district  
16 and geographic or other common name by which a school or  
17 community college district is known and referred to),  
18 Illinois, be increased by an additional amount equal to  
19 ...% above the limiting rate for the purpose of...(insert  
20 purpose) for levy year ... (insert the most recent levy  
21 year for which the limiting rate of the taxing district is  
22 known at the time the submission of the proposition is  
23 initiated by the taxing district) and be equal to ...% of  
24 the equalized assessed value of the taxable property  
25 therein for levy year(s) (insert each levy year for which  
26 the increase will be applicable, which years must be

1 consecutive and may not exceed 4)?

2 The votes must be recorded as "Yes" or "No".

3 The ballot for any proposition submitted pursuant to this  
4 Section shall have printed thereon, but not as a part of the  
5 proposition submitted, only the following supplemental  
6 information (which shall be supplied to the election authority  
7 by the taxing district) in substantially the following form:

8 (1) The approximate amount of taxes extendable at the  
9 most recently extended limiting rate is \$..., and the  
10 approximate amount of taxes extendable if the proposition  
11 is approved is \$....

12 (2) For the ... (insert the first levy year for which  
13 the new rate or increased limiting rate will be  
14 applicable) levy year the approximate amount of the  
15 additional tax extendable against property containing a  
16 single family residence and having a fair market value at  
17 the time of the referendum of \$100,000 is estimated to be  
18 \$....

19 (3) Based upon an average annual percentage increase  
20 (or decrease) in the market value of such property of %...  
21 (insert percentage equal to the average annual percentage  
22 increase or decrease for the prior 3 levy years, at the  
23 time the submission of the proposition is initiated by the  
24 taxing district, in the amount of (A) the equalized  
25 assessed value of the taxable property in the taxing  
26 district less (B) the new property included in the

1       equalized assessed value), the approximate amount of the  
2       additional tax extendable against such property for the  
3       ... levy year is estimated to be \$... and for the ... levy  
4       year is estimated to be \$ ....

5               (4) If the proposition is approved, the aggregate  
6       extension for ... (insert each levy year for which the  
7       increase will apply) will be determined by the limiting  
8       rate set forth in the proposition, rather than the  
9       otherwise applicable limiting rate calculated under the  
10      provisions of the Property Tax Extension Limitation Law  
11      (commonly known as the Property Tax Cap Law).

12      The approximate amount of taxes extendable shown in paragraph  
13      (1) shall be computed upon the last known equalized assessed  
14      value of taxable property in the taxing district (at the time  
15      the submission of the proposition is initiated by the taxing  
16      district). Paragraph (3) shall be included only if the  
17      increased limiting rate will be applicable for more than one  
18      levy year and shall list each levy year for which the increased  
19      limiting rate will be applicable. The additional tax shown for  
20      each levy year shall be the approximate dollar amount of the  
21      increase over the amount of the most recently completed  
22      extension at the time the submission of the proposition is  
23      initiated by the taxing district. The approximate amount of  
24      the additional taxes extendable shown in paragraphs (2) and  
25      (3) shall be calculated by multiplying \$100,000 (the fair  
26      market value of the property without regard to any property

1 tax exemptions) by (i) the percentage level of assessment  
2 prescribed for that property by statute, or by ordinance of  
3 the county board in counties that classify property for  
4 purposes of taxation in accordance with Section 4 of Article  
5 IX of the Illinois Constitution; (ii) the most recent final  
6 equalization factor certified to the county clerk by the  
7 Department of Revenue at the time the taxing district  
8 initiates the submission of the proposition to the electors;  
9 and (iii) either the new rate or the amount by which the  
10 limiting rate is to be increased. This amendatory Act of the  
11 97th General Assembly is intended to clarify the existing  
12 requirements of this Section, and shall not be construed to  
13 validate any prior non-compliant referendum language.  
14 Paragraph (4) shall be included if the proposition concerns a  
15 limiting rate increase but shall not be included if the  
16 proposition concerns a new rate. Any notice required to be  
17 published in connection with the submission of the proposition  
18 shall also contain this supplemental information and shall not  
19 contain any other supplemental information regarding the  
20 proposition. Any error, miscalculation, or inaccuracy in  
21 computing any amount set forth on the ballot and in the notice  
22 that is not deliberate shall not invalidate or affect the  
23 validity of any proposition approved. Notice of the referendum  
24 shall be published and posted as otherwise required by law,  
25 and the submission of the proposition shall be initiated as  
26 provided by law.

1       If a majority of all ballots cast on the proposition are in  
2 favor of the proposition, the following provisions shall be  
3 applicable to the extension of taxes for the taxing district:

4           (A) a new tax rate shall be first effective for the  
5 levy year in which the new rate is approved;

6           (B) if the proposition provides for a new tax rate,  
7 the taxing district is authorized to levy a tax after the  
8 canvass of the results of the referendum by the election  
9 authority for the purposes for which the tax is  
10 authorized;

11           (C) a limiting rate increase shall be first effective  
12 for the levy year in which the limiting rate increase is  
13 approved, provided that the taxing district may elect to  
14 have a limiting rate increase be effective for the levy  
15 year prior to the levy year in which the limiting rate  
16 increase is approved unless the extension of taxes for the  
17 prior levy year occurs 30 days or less after the canvass of  
18 the results of the referendum by the election authority in  
19 any county in which the taxing district is located;

20           (D) in order for the limiting rate increase to be  
21 first effective for the levy year prior to the levy year of  
22 the referendum, the taxing district must certify its  
23 election to have the limiting rate increase be effective  
24 for the prior levy year to the clerk of each county in  
25 which the taxing district is located not more than 2 days  
26 after the date the results of the referendum are canvassed

1 by the election authority; and

2 (E) if the proposition provides for a limiting rate  
3 increase, the increase may be effective regardless of  
4 whether the proposition is approved before or after the  
5 taxing district adopts or files its levy for any levy  
6 year.

7 Rates required to extend taxes on levies subject to a  
8 backdoor referendum in each year there is a levy are not new  
9 rates or rate increases under this Section if a levy has been  
10 made for the fund in one or more of the preceding 3 levy years.  
11 Changes made by this amendatory Act of 1997 to this Section in  
12 reference to rates required to extend taxes on levies subject  
13 to a backdoor referendum in each year there is a levy are  
14 declarative of existing law and not a new enactment.

15 (b) Whenever other applicable law authorizes a taxing  
16 district subject to the limitation with respect to its  
17 aggregate extension provided for in this Law to issue bonds or  
18 other obligations either without referendum or subject to  
19 backdoor referendum, the taxing district may elect for each  
20 separate bond issuance to submit the question of the issuance  
21 of the bonds or obligations directly to the voters of the  
22 taxing district, and if the referendum passes the taxing  
23 district is not required to comply with any backdoor  
24 referendum procedures or requirements set forth in the other  
25 applicable law. The direct referendum shall be initiated by  
26 ordinance or resolution of the governing body of the taxing

1       district, and the question shall be certified to the proper  
2       election authorities in accordance with the provisions of the  
3       Election Code.

4       (Source: P.A. 103-592, eff. 6-7-24.)