



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

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) ~~(q)~~ 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
11 mandatory contributions to a police pension fund created under
12 Article 3 of the Illinois Pension Code or a firefighters'
13 pension fund created under Article 4 of the Illinois Pension
14 Code, but only for the first year during which the levy is ever
15 imposed by the non-home rule municipality; a levy described in
16 item (u) shall be included in the non-home rule municipality's
17 aggregate extension base in the following levy year and in
18 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) ~~(m)~~ 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.)