



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB5427

by Rep. Grant Wehrli - Joe Sosnowski - Amy Grant, Lindsay Parkhurst and Tom Weber

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-185  
35 ILCS 200/18-205  
35 ILCS 200/18-212

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that the extension limitation is 3.5% (currently, 5%) or the percentage increase in the Consumer Price Index. Provides that the Property Tax Extension Limitation Law applies to all taxing districts, including home rule units.

LRB101 18960 HLH 68419 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE NOTE  
ACT MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

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, 18-205, and 18-212 as follows:

6 (35 ILCS 200/18-185)

7 Sec. 18-185. Short title; definitions. This Division 5 may  
8 be cited as the Property Tax Extension Limitation Law. As used  
9 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 3.5% ~~5%~~ or  
14 the 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 counties  
2 contiguous to a county with 3,000,000 or more inhabitants.  
3 Beginning with the 1995 levy year, "taxing district" includes  
4 only each non-home rule taxing district subject to this Law  
5 before the 1995 levy year and each non-home rule taxing  
6 district not subject to this Law before the 1995 levy year  
7 having the majority of its 1994 equalized assessed value in an  
8 affected county or counties. Beginning with the levy year in  
9 which this Law becomes applicable to a taxing district as  
10 provided in Section 18-213, "taxing district" also includes  
11 those taxing districts made subject to this Law as provided in  
12 Section 18-213. Beginning in levy year 2021, "taxing district"  
13 means all taxing districts, as defined in Section 1-150,  
14 including, but not limited to, home rule units. This Section is  
15 a limitation of the power of home rule units to tax in  
16 accordance with subsection (g) of Section 6 of Article VII of  
17 the Illinois Constitution.

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

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

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

1 "Aggregate extension" for the taxing districts to which  
2 this Law did not apply before the 1995 levy year (except taxing  
3 districts subject to this Law in accordance with Section  
4 18-213) means the annual corporate extension for the taxing  
5 district and those special purpose extensions that are made  
6 annually for the taxing district, excluding special purpose  
7 extensions: (a) made for the taxing district to pay interest or  
8 principal on general obligation bonds that were approved by  
9 referendum; (b) made for any taxing district to pay interest or  
10 principal on general obligation bonds issued before March 1,  
11 1995; (c) made for any taxing district to pay interest or  
12 principal on bonds issued to refund or continue to refund those  
13 bonds issued before March 1, 1995; (d) made for any taxing  
14 district to pay interest or principal on bonds issued to refund  
15 or continue to refund bonds issued after March 1, 1995 that  
16 were approved by referendum; (e) made for any taxing district  
17 to pay interest or principal on revenue bonds issued before  
18 March 1, 1995 for payment of which a property tax levy or the  
19 full faith and credit of the unit of local government is  
20 pledged; however, a tax for the payment of interest or  
21 principal on those bonds shall be made only after the governing  
22 body of the unit of local government finds that all other  
23 sources for payment are insufficient to make those payments;  
24 (f) made for payments under a building commission lease when  
25 the lease payments are for the retirement of bonds issued by  
26 the commission before March 1, 1995 to pay for the building

1 project; (g) made for payments due under installment contracts  
2 entered into before March 1, 1995; (h) made for payments of  
3 principal and interest on bonds issued under the Metropolitan  
4 Water Reclamation District Act to finance construction  
5 projects initiated before October 1, 1991; (h-4) made for  
6 stormwater management purposes by the Metropolitan Water  
7 Reclamation District of Greater Chicago under Section 12 of the  
8 Metropolitan Water Reclamation District Act; (i) made for  
9 payments of principal and interest on limited bonds, as defined  
10 in Section 3 of the Local Government Debt Reform Act, in an  
11 amount not to exceed the debt service extension base less the  
12 amount in items (b), (c), and (e) of this definition for  
13 non-referendum obligations, except obligations initially  
14 issued pursuant to referendum and bonds described in subsection  
15 (h) of this definition; (j) made for payments of principal and  
16 interest on bonds issued under Section 15 of the Local  
17 Government Debt Reform Act; (k) made for payments of principal  
18 and interest on bonds authorized by Public Act 88-503 and  
19 issued under Section 20a of the Chicago Park District Act for  
20 aquarium or museum projects; (l) made for payments of principal  
21 and interest on bonds authorized by Public Act 87-1191 or  
22 93-601 and (i) issued pursuant to Section 21.2 of the Cook  
23 County Forest Preserve District Act, (ii) issued under Section  
24 42 of the Cook County Forest Preserve District Act for  
25 zoological park projects, or (iii) issued under Section 44.1 of  
26 the Cook County Forest Preserve District Act for botanical

1 gardens projects; (m) made pursuant to Section 34-53.5 of the  
2 School Code, whether levied annually or not; (n) made to fund  
3 expenses of providing joint recreational programs for persons  
4 with disabilities under Section 5-8 of the Park District Code  
5 or Section 11-95-14 of the Illinois Municipal Code; (o) made by  
6 the Chicago Park District for recreational programs for persons  
7 with disabilities under subsection (c) of Section 7.06 of the  
8 Chicago Park District Act; (p) made for contributions to a  
9 firefighter's pension fund created under Article 4 of the  
10 Illinois Pension Code, to the extent of the amount certified  
11 under item (5) of Section 4-134 of the Illinois Pension Code;  
12 (q) made by Ford Heights School District 169 under Section  
13 17-9.02 of the School Code; and (r) made for the purpose of  
14 making employer contributions to the Public School Teachers'  
15 Pension and Retirement Fund of Chicago under Section 34-53 of  
16 the School Code.

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



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

1 which the referendum making this Law applicable to the taxing  
2 district is held; (h) made for payments of principal and  
3 interest on limited bonds, as defined in Section 3 of the Local  
4 Government Debt Reform Act, in an amount not to exceed the debt  
5 service extension base less the amount in items (b), (c), and  
6 (e) of this definition for non-referendum obligations, except  
7 obligations initially issued pursuant to referendum; (i) made  
8 for payments of principal and interest on bonds issued under  
9 Section 15 of the Local Government Debt Reform Act; (j) made  
10 for a qualified airport authority to pay interest or principal  
11 on general obligation bonds issued for the purpose of paying  
12 obligations due under, or financing airport facilities  
13 required to be acquired, constructed, installed or equipped  
14 pursuant to, contracts entered into before March 1, 1996 (but  
15 not including any amendments to such a contract taking effect  
16 on or after that date); (k) made to fund expenses of providing  
17 joint recreational programs for persons with disabilities  
18 under Section 5-8 of the Park District Code or Section 11-95-14  
19 of the Illinois Municipal Code; (l) made for contributions to a  
20 firefighter's pension fund created under Article 4 of the  
21 Illinois Pension Code, to the extent of the amount certified  
22 under item (5) of Section 4-134 of the Illinois Pension Code;  
23 and (m) made for the taxing district to pay interest or  
24 principal on general obligation bonds issued pursuant to  
25 Section 19-3.10 of the School Code.

26 "Aggregate extension" for all taxing districts to which

1 this Law applies in accordance with paragraph (2) of subsection  
2 (e) of Section 18-213 or in accordance with this amendatory Act  
3 of the 101st General Assembly means the annual corporate  
4 extension for the taxing district and those special purpose  
5 extensions that are made annually for the taxing district,  
6 excluding special purpose extensions: (a) made for the taxing  
7 district to pay interest or principal on general obligation  
8 bonds that were approved by referendum; (b) made for any taxing  
9 district to pay interest or principal on general obligation  
10 bonds issued before March 7, 1997 (the effective date of Public  
11 Act 89-718) ~~this amendatory Act of 1997~~; (c) made for any  
12 taxing district to pay interest or principal on bonds issued to  
13 refund or continue to refund those bonds issued before March 7,  
14 1997 (the effective date of Public Act 89-718) ~~this amendatory~~  
15 ~~Act of 1997~~; (d) made for any taxing district to pay interest  
16 or principal on bonds issued to refund or continue to refund  
17 bonds issued after March 7, 1997 (the effective date of Public  
18 Act 89-718) ~~this amendatory Act of 1997~~ if the bonds were  
19 approved by referendum after March 7, 1997 (the effective date  
20 of Public Act 89-718) ~~this amendatory Act of 1997~~; (e) made for  
21 any taxing district to pay interest or principal on revenue  
22 bonds issued before March 7, 1997 (the effective date of Public  
23 Act 89-718) ~~this amendatory Act of 1997~~ for payment of which a  
24 property tax levy or the full faith and credit of the unit of  
25 local government is pledged; however, a tax for the payment of  
26 interest or principal on those bonds shall be made only after

1 the governing body of the unit of local government finds that  
2 all other sources for payment are insufficient to make those  
3 payments; (f) made for payments under a building commission  
4 lease when the lease payments are for the retirement of bonds  
5 issued by the commission before March 7, 1997 (the effective  
6 date of Public Act 89-718) ~~this amendatory Act of 1997~~ to pay  
7 for the building project; (g) made for payments due under  
8 installment contracts entered into before March 7, 1997 (the  
9 effective date of Public Act 89-718) ~~this amendatory Act of~~  
10 ~~1997~~; (h) made for payments of principal and interest on  
11 limited bonds, as defined in Section 3 of the Local Government  
12 Debt Reform Act, in an amount not to exceed the debt service  
13 extension base less the amount in items (b), (c), and (e) of  
14 this definition for non-referendum obligations, except  
15 obligations initially issued pursuant to referendum; (i) made  
16 for payments of principal and interest on bonds issued under  
17 Section 15 of the Local Government Debt Reform Act; (j) made  
18 for a qualified airport authority to pay interest or principal  
19 on general obligation bonds issued for the purpose of paying  
20 obligations due under, or financing airport facilities  
21 required to be acquired, constructed, installed or equipped  
22 pursuant to, contracts entered into before March 1, 1996 (but  
23 not including any amendments to such a contract taking effect  
24 on or after that date); (k) made to fund expenses of providing  
25 joint recreational programs for persons with disabilities  
26 under Section 5-8 of the Park District Code or Section 11-95-14

1 of the Illinois Municipal Code; and (1) made for contributions  
2 to a firefighter's pension fund created under Article 4 of the  
3 Illinois Pension Code, to the extent of the amount certified  
4 under item (5) of Section 4-134 of the Illinois Pension Code.

5 "Debt service extension base" means an amount equal to that  
6 portion of the extension for a taxing district for the 1994  
7 levy year, or for those taxing districts subject to this Law in  
8 accordance with Section 18-213, except for those subject to  
9 paragraph (2) of subsection (e) of Section 18-213, for the levy  
10 year in which the referendum making this Law applicable to the  
11 taxing district is held, or for those taxing districts subject  
12 to this Law in accordance with paragraph (2) of subsection (e)  
13 of Section 18-213 for the 1996 levy year, constituting an  
14 extension for payment of principal and interest on bonds issued  
15 by the taxing district without referendum, but not including  
16 excluded non-referendum bonds. For park districts (i) that were  
17 first subject to this Law in 1991 or 1995 and (ii) whose  
18 extension for the 1994 levy year for the payment of principal  
19 and interest on bonds issued by the park district without  
20 referendum (but not including excluded non-referendum bonds)  
21 was less than 51% of the amount for the 1991 levy year  
22 constituting an extension for payment of principal and interest  
23 on bonds issued by the park district without referendum (but  
24 not including excluded non-referendum bonds), "debt service  
25 extension base" means an amount equal to that portion of the  
26 extension for the 1991 levy year constituting an extension for

1 payment of principal and interest on bonds issued by the park  
2 district without referendum (but not including excluded  
3 non-referendum bonds). A debt service extension base  
4 established or increased at any time pursuant to any provision  
5 of this Law, except Section 18-212, shall be increased each  
6 year commencing with the later of (i) the 2009 levy year or  
7 (ii) the first levy year in which this Law becomes applicable  
8 to the taxing district, by the lesser of 3.5% ~~5%~~ or the  
9 percentage increase in the Consumer Price Index during the  
10 12-month calendar year preceding the levy year. The debt  
11 service extension base may be established or increased as  
12 provided under Section 18-212. "Excluded non-referendum bonds"  
13 means (i) bonds authorized by Public Act 88-503 and issued  
14 under Section 20a of the Chicago Park District Act for aquarium  
15 and museum projects; (ii) bonds issued under Section 15 of the  
16 Local Government Debt Reform Act; or (iii) refunding  
17 obligations issued to refund or to continue to refund  
18 obligations initially issued pursuant to referendum.

19 "Special purpose extensions" include, but are not limited  
20 to, extensions for levies made on an annual basis for  
21 unemployment and workers' compensation, self-insurance,  
22 contributions to pension plans, and extensions made pursuant to  
23 Section 6-601 of the Illinois Highway Code for a road  
24 district's permanent road fund whether levied annually or not.  
25 The extension for a special service area is not included in the  
26 aggregate extension.

1 "Aggregate extension base" means the taxing district's  
2 last preceding aggregate extension as adjusted under Sections  
3 18-135, 18-215, 18-230, and 18-206. An adjustment under Section  
4 18-135 shall be made for the 2007 levy year and all subsequent  
5 levy years whenever one or more counties within which a taxing  
6 district is located (i) used estimated valuations or rates when  
7 extending taxes in the taxing district for the last preceding  
8 levy year that resulted in the over or under extension of  
9 taxes, or (ii) increased or decreased the tax extension for the  
10 last preceding levy year as required by Section 18-135(c).  
11 Whenever an adjustment is required under Section 18-135, the  
12 aggregate extension base of the taxing district shall be equal  
13 to the amount that the aggregate extension of the taxing  
14 district would have been for the last preceding levy year if  
15 either or both (i) actual, rather than estimated, valuations or  
16 rates had been used to calculate the extension of taxes for the  
17 last levy year, or (ii) the tax extension for the last  
18 preceding levy year had not been adjusted as required by  
19 subsection (c) of Section 18-135.

20 Notwithstanding any other provision of law, for levy year  
21 2012, the aggregate extension base for West Northfield School  
22 District No. 31 in Cook County shall be \$12,654,592.

23 "Levy year" has the same meaning as "year" under Section  
24 1-155.

25 "New property" means (i) the assessed value, after final  
26 board of review or board of appeals action, of new improvements

1 or additions to existing improvements on any parcel of real  
2 property that increase the assessed value of that real property  
3 during the levy year multiplied by the equalization factor  
4 issued by the Department under Section 17-30, (ii) the assessed  
5 value, after final board of review or board of appeals action,  
6 of real property not exempt from real estate taxation, which  
7 real property was exempt from real estate taxation for any  
8 portion of the immediately preceding levy year, multiplied by  
9 the equalization factor issued by the Department under Section  
10 17-30, including the assessed value, upon final stabilization  
11 of occupancy after new construction is complete, of any real  
12 property located within the boundaries of an otherwise or  
13 previously exempt military reservation that is intended for  
14 residential use and owned by or leased to a private corporation  
15 or other entity, (iii) in counties that classify in accordance  
16 with Section 4 of Article IX of the Illinois Constitution, an  
17 incentive property's additional assessed value resulting from  
18 a scheduled increase in the level of assessment as applied to  
19 the first year final board of review market value, and (iv) any  
20 increase in assessed value due to oil or gas production from an  
21 oil or gas well required to be permitted under the Hydraulic  
22 Fracturing Regulatory Act that was not produced in or accounted  
23 for during the previous levy year. In addition, the county  
24 clerk in a county containing a population of 3,000,000 or more  
25 shall include in the 1997 recovered tax increment value for any  
26 school district, any recovered tax increment value that was



1 applicable to the 1995 tax year calculations.

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

6 "Recovered tax increment value" means, except as otherwise  
7 provided in this paragraph, the amount of the current year's  
8 equalized assessed value, in the first year after a  
9 municipality terminates the designation of an area as a  
10 redevelopment project area previously established under the  
11 Tax Increment Allocation Redevelopment ~~Development~~ Act in the  
12 Illinois Municipal Code, previously established under the  
13 Industrial Jobs Recovery Law in the Illinois Municipal Code,  
14 previously established under the Economic Development Project  
15 Area Tax Increment Act of 1995, or previously established under  
16 the Economic Development Area Tax Increment Allocation Act, of  
17 each taxable lot, block, tract, or parcel of real property in  
18 the redevelopment project area over and above the initial  
19 equalized assessed value of each property in the redevelopment  
20 project area. For the taxes which are extended for the 1997  
21 levy year, the recovered tax increment value for a non-home  
22 rule taxing district that first became subject to this Law for  
23 the 1995 levy year because a majority of its 1994 equalized  
24 assessed value was in an affected county or counties shall be  
25 increased if a municipality terminated the designation of an  
26 area in 1993 as a redevelopment project area previously

1 established under the Tax Increment Allocation Redevelopment  
2 ~~Development~~ Act in the Illinois Municipal Code, previously  
3 established under the Industrial Jobs Recovery Law in the  
4 Illinois Municipal Code, or previously established under the  
5 Economic Development Area Tax Increment Allocation Act, by an  
6 amount equal to the 1994 equalized assessed value of each  
7 taxable lot, block, tract, or parcel of real property in the  
8 redevelopment project area over and above the initial equalized  
9 assessed value of each property in the redevelopment project  
10 area. In the first year after a municipality removes a taxable  
11 lot, block, tract, or parcel of real property from a  
12 redevelopment project area established under the Tax Increment  
13 Allocation Redevelopment ~~Development~~ Act in the Illinois  
14 Municipal Code, the Industrial Jobs Recovery Law in the  
15 Illinois Municipal Code, or the Economic Development Area Tax  
16 Increment Allocation Act, "recovered tax increment value"  
17 means the amount of the current year's equalized assessed value  
18 of each taxable lot, block, tract, or parcel of real property  
19 removed from the redevelopment project area over and above the  
20 initial equalized assessed value of that real property before  
21 removal from the redevelopment project area.

22 Except as otherwise provided in this Section, "limiting  
23 rate" means a fraction the numerator of which is the last  
24 preceding aggregate extension base times an amount equal to one  
25 plus the extension limitation defined in this Section and the  
26 denominator of which is the current year's equalized assessed

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

1 2012.

2 The changes made to this Section by this amendatory Act of  
3 the 101st General Assembly apply beginning with levy year 2021.

4 (Source: P.A. 99-143, eff. 7-27-15; 99-521, eff. 6-1-17;  
5 100-465, eff. 8-31-17; revised 8-12-19.)

6 (35 ILCS 200/18-205)

7 Sec. 18-205. Referendum to increase the extension  
8 limitation. A taxing district is limited to an extension  
9 limitation of 3.5% ~~5%~~ or the percentage increase in the  
10 Consumer Price Index during the 12-month calendar year  
11 preceding the levy year, whichever is less. A taxing district  
12 may increase its extension limitation for one or more levy  
13 years if that taxing district holds a referendum before the  
14 levy date for the first levy year at which a majority of voters  
15 voting on the issue approves adoption of a higher extension  
16 limitation. Referenda shall be conducted at a regularly  
17 scheduled election in accordance with the Election Code. The  
18 question shall be presented in substantially the following  
19 manner for all elections held after March 21, 2006:

20 Shall the extension limitation under the Property Tax  
21 Extension Limitation Law for (insert the legal name,  
22 number, if any, and county or counties of the taxing  
23 district and geographic or other common name by which a  
24 school or community college district is known and referred  
25 to), Illinois, be increased from the lesser of 3.5% ~~5%~~ or

1 the percentage increase in the Consumer Price Index over  
2 the prior levy year to (insert the percentage of the  
3 proposed increase)% per year for (insert each levy year for  
4 which the increased extension limitation will apply)?

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

6 If a majority of voters voting on the issue approves the  
7 adoption of the increase, the increase shall be applicable for  
8 each levy year specified.

9 The ballot for any question submitted pursuant to this  
10 Section shall have printed thereon, but not as a part of the  
11 question submitted, only the following supplemental  
12 information (which shall be supplied to the election authority  
13 by the taxing district) in substantially the following form:

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

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

1 district less (B) the new property included in the  
2 equalized assessed value), the approximate amount of the  
3 additional tax extendable against such property for the ...  
4 levy year is estimated to be \$... and for the ... levy year  
5 is estimated to be \$....

6 Paragraph (2) shall be included only if the increased  
7 extension limitation will be applicable for more than one year  
8 and shall list each levy year for which the increased extension  
9 limitation will be applicable. The additional tax shown for  
10 each levy year shall be the approximate dollar amount of the  
11 increase over the amount of the most recently completed  
12 extension at the time the submission of the question is  
13 initiated by the taxing district. The approximate amount of the  
14 additional tax extendable shown in paragraphs (1) and (2) shall  
15 be calculated by multiplying \$100,000 (the fair market value of  
16 the property without regard to any property tax exemptions) by  
17 (i) the percentage level of assessment prescribed for that  
18 property by statute, or by ordinance of the county board in  
19 counties that classify property for purposes of taxation in  
20 accordance with Section 4 of Article IX of the Illinois  
21 Constitution; (ii) the most recent final equalization factor  
22 certified to the county clerk by the Department of Revenue at  
23 the time the taxing district initiates the submission of the  
24 proposition to the electors; (iii) the last known aggregate  
25 extension base of the taxing district at the time the  
26 submission of the question is initiated by the taxing district;

1 and (iv) the difference between the percentage increase  
2 proposed in the question and the lesser of 3.5% ~~5%~~ or the  
3 percentage increase in the Consumer Price Index for the prior  
4 levy year (or an estimate of the percentage increase for the  
5 prior levy year if the increase is unavailable at the time the  
6 submission of the question is initiated by the taxing  
7 district); and dividing the result by the last known equalized  
8 assessed value of the taxing district at the time the  
9 submission of the question is initiated by the taxing district.  
10 This amendatory Act of the 97th General Assembly is intended to  
11 clarify the existing requirements of this Section, and shall  
12 not be construed to validate any prior non-compliant referendum  
13 language. Any notice required to be published in connection  
14 with the submission of the question shall also contain this  
15 supplemental information and shall not contain any other  
16 supplemental information. Any error, miscalculation, or  
17 inaccuracy in computing any amount set forth on the ballot or  
18 in the notice that is not deliberate shall not invalidate or  
19 affect the validity of any proposition approved. Notice of the  
20 referendum shall be published and posted as otherwise required  
21 by law, and the submission of the question shall be initiated  
22 as provided by law.

23 The changes made to this Section by this amendatory Act of  
24 the 101st General Assembly apply beginning with levy year 2021.

25 (Source: P.A. 97-1087, eff. 8-24-12.)

1 (35 ILCS 200/18-212)

2 Sec. 18-212. Referendum on debt service extension base. A  
3 taxing district may establish or increase its debt service  
4 extension base if (i) that taxing district holds a referendum  
5 before the date on which the levy must be filed with the county  
6 clerk of the county or counties in which the taxing district is  
7 situated and (ii) a majority of voters voting on the issue  
8 approves the establishment of or increase in the debt service  
9 extension base. A debt service extension base established or  
10 increased by a referendum held pursuant to this Section after  
11 February 2, 2010, shall be increased each year, commencing with  
12 the first levy year beginning after the date of the referendum,  
13 by the lesser of 3.5% ~~5%~~ or the percentage increase in the  
14 Consumer Price Index during the 12-month calendar year  
15 preceding the levy year if the optional language concerning the  
16 annual increase is included in the question submitted to the  
17 electors of the taxing district. Referenda under this Section  
18 shall be conducted at a regularly scheduled election in  
19 accordance with the Election Code. The governing body of the  
20 taxing district shall certify the question to the proper  
21 election authorities who shall submit the question to the  
22 electors of the taxing district in substantially the following  
23 form:

24 "Shall the debt service extension base under the Property  
25 Tax Extension Limitation Law for ... (taxing district name)  
26 ... for payment of principal and interest on limited bonds



1           be .... ((established at \$ ....) . (or) (increased from \$  
2           .... to \$ ....)) .. for the ..... levy year and all  
3           subsequent levy years (optional language: , such debt  
4           service extension base to be increased each year by the  
5           lesser of 3.5% ~~5%~~ or the percentage increase in the  
6           Consumer Price Index during the 12-month calendar year  
7           preceding the levy year)?"

8           Votes on the question shall be recorded as "Yes" or "No".

9           If a majority of voters voting on the issue approves the  
10          establishment of or increase in the debt service extension  
11          base, the establishment of or increase in the debt service  
12          extension base shall be applicable for the levy years  
13          specified.

14          The changes made to this Section by this amendatory Act of  
15          the 101st General Assembly apply beginning with levy year 2021.

16          (Source: P.A. 96-1202, eff. 7-22-10.)