



## 102ND GENERAL ASSEMBLY

### State of Illinois

### 2021 and 2022

### HB3602

Introduced 2/22/2021, by Rep. Mark Batinick

#### SYNOPSIS AS INTRODUCED:

- 35 ILCS 200/18-185
- 35 ILCS 200/18-205
- 35 ILCS 200/18-206 new
- 35 ILCS 200/18-212
- 35 ILCS 200/18-214
- 35 ILCS 200/18-216 new
- 35 ILCS 200/18-242 new
- 30 ILCS 805/8.45 new

Amends the Property Tax Code. Provides that, for levy years 2018 through 2021, the Property Tax Extension Limitation Law applies to all taxing districts, including home rule units. Provides that, for levy years 2018 through 2021, the extension limitation under the Property Tax Extension Limitation Law is 0% or the rate of increase approved by the voters. Provides that, for taxing districts that became subject to the Law as a result of the amendatory Act, "aggregate extension" does not include special purpose extensions made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district prior to the effective date of the amendatory Act. Provides that taxing districts may provide for the continuation of the amendatory Act for up to 4 years upon referendum approval. Provides that the voters of the taxing district may require a reduction in the taxing district's aggregate extension base by referendum. Preempts home rule. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB102 14062 HLH 19414 b

FISCAL 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, 18-212, 18-216, and 18-214 and by  
6 adding Sections 18-242 and 18-206 as follows:

7 (35 ILCS 200/18-185)

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

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

14 "Extension limitation", for levy years prior to levy year  
15 2018 and again for levy years after levy year 2021, means (a)  
16 the lesser of 5% or the percentage increase in the Consumer  
17 Price Index during the 12-month calendar year preceding the  
18 levy year or (b) the rate of increase approved by voters under  
19 Section 18-205.

20 "Extension limitation", for levy years 2018 through 2021,  
21 means 0% or the rate of increase approved by the voters under  
22 Section 18-205.

23 "Affected county" means a county of 3,000,000 or more

1 inhabitants or a county contiguous to a county of 3,000,000 or  
2 more inhabitants.

3 "Taxing district" has the same meaning provided in Section  
4 1-150, except as otherwise provided in this Section. For the  
5 1991 through 1994 levy years only, "taxing district" includes  
6 only each non-home rule taxing district having the majority of  
7 its 1990 equalized assessed value within any county or  
8 counties contiguous to a county with 3,000,000 or more  
9 inhabitants. For levy years 1995 through 2017 and beginning  
10 again with levy year 2022 ~~Beginning with the 1995 levy year,~~  
11 "taxing district" includes only each non-home rule taxing  
12 district subject to this Law before the 1995 levy year and each  
13 non-home rule taxing district not subject to this Law before  
14 the 1995 levy year having the majority of its 1994 equalized  
15 assessed value in an affected county or counties. Beginning  
16 with the levy year in which this Law becomes applicable to a  
17 taxing district as provided in Section 18-213, "taxing  
18 district" also includes those taxing districts made subject to  
19 this Law as provided in Section 18-213. For levy years 2018  
20 through 2021, "taxing district" has the same meaning provided  
21 in Section 1-150 and includes home rule units.

22 "Aggregate extension" for taxing districts to which this  
23 Law applied before the 1995 levy year means the annual  
24 corporate extension for the taxing district and those special  
25 purpose extensions that are made annually for the taxing  
26 district, excluding special purpose extensions: (a) made for

1 the taxing district to pay interest or principal on general  
2 obligation bonds that were approved by referendum; (b) made  
3 for any taxing district to pay interest or principal on  
4 general obligation bonds issued before October 1, 1991; (c)  
5 made for any taxing district to pay interest or principal on  
6 bonds issued to refund or continue to refund those bonds  
7 issued before October 1, 1991; (d) made for any taxing  
8 district to pay interest or principal on bonds issued to  
9 refund or continue to refund bonds issued after October 1,  
10 1991 that were approved by referendum; (e) made for any taxing  
11 district to pay interest or principal on revenue bonds issued  
12 before October 1, 1991 for payment of which a property tax levy  
13 or the full faith and credit of the unit of local government is  
14 pledged; however, a tax for the payment of interest or  
15 principal on those bonds shall be made only after the  
16 governing body of the unit of local government finds that all  
17 other sources for payment are insufficient to make those  
18 payments; (f) made for payments under a building commission  
19 lease when the lease payments are for the retirement of bonds  
20 issued by the commission before October 1, 1991, to pay for the  
21 building project; (g) made for payments due under installment  
22 contracts entered into before October 1, 1991; (h) made for  
23 payments of principal and interest on bonds issued under the  
24 Metropolitan Water Reclamation District Act to finance  
25 construction projects initiated before October 1, 1991; (i)  
26 made for payments of principal and interest on limited bonds,

1 as defined in Section 3 of the Local Government Debt Reform  
2 Act, in an amount not to exceed the debt service extension base  
3 less the amount in items (b), (c), (e), and (h) of this  
4 definition for non-referendum obligations, except obligations  
5 initially issued pursuant to referendum; (j) made for payments  
6 of principal and interest on bonds issued under Section 15 of  
7 the Local Government Debt Reform Act; (k) made by a school  
8 district that participates in the Special Education District  
9 of Lake County, created by special education joint agreement  
10 under Section 10-22.31 of the School Code, for payment of the  
11 school district's share of the amounts required to be  
12 contributed by the Special Education District of Lake County  
13 to the Illinois Municipal Retirement Fund under Article 7 of  
14 the Illinois Pension Code; the amount of any extension under  
15 this item (k) shall be certified by the school district to the  
16 county clerk; (l) made to fund expenses of providing joint  
17 recreational programs for persons with disabilities under  
18 Section 5-8 of the Park District Code or Section 11-95-14 of  
19 the Illinois Municipal Code; (m) made for temporary relocation  
20 loan repayment purposes pursuant to Sections 2-3.77 and  
21 17-2.2d of the School Code; (n) made for payment of principal  
22 and interest on any bonds issued under the authority of  
23 Section 17-2.2d of the School Code; (o) made for contributions  
24 to a firefighter's pension fund created under Article 4 of the  
25 Illinois Pension Code, to the extent of the amount certified  
26 under item (5) of Section 4-134 of the Illinois Pension Code;

1 and (p) made for road purposes in the first year after a  
2 township assumes the rights, powers, duties, assets, property,  
3 liabilities, obligations, and responsibilities of a road  
4 district abolished under the provisions of Section 6-133 of  
5 the Illinois Highway Code.

6 "Aggregate extension" for the taxing districts to which  
7 this Law did not apply before the 1995 levy year (except taxing  
8 districts subject to this Law in accordance with Section  
9 18-213 or this amendatory Act of the 102nd General Assembly)  
10 means the annual corporate extension for the taxing district  
11 and those special purpose extensions that are made annually  
12 for the taxing district, excluding special purpose extensions:  
13 (a) made for the taxing district to pay interest or principal  
14 on general obligation bonds that were approved by referendum;  
15 (b) made for any taxing district to pay interest or principal  
16 on general obligation bonds issued before March 1, 1995; (c)  
17 made for any taxing district to pay interest or principal on  
18 bonds issued to refund or continue to refund those bonds  
19 issued before March 1, 1995; (d) made for any taxing district  
20 to pay interest or principal on bonds issued to refund or  
21 continue to refund bonds issued after March 1, 1995 that were  
22 approved by referendum; (e) made for any taxing district to  
23 pay interest or principal on revenue bonds issued before March  
24 1, 1995 for payment of which a property tax levy or the full  
25 faith and credit of the unit of local government is pledged;  
26 however, a tax for the payment of interest or principal on

1 those bonds shall be made only after the governing body of the  
2 unit of local government finds that all other sources for  
3 payment are insufficient to make those payments; (f) made for  
4 payments under a building commission lease when the lease  
5 payments are for the retirement of bonds issued by the  
6 commission before March 1, 1995 to pay for the building  
7 project; (g) made for payments due under installment contracts  
8 entered into before March 1, 1995; (h) made for payments of  
9 principal and interest on bonds issued under the Metropolitan  
10 Water Reclamation District Act to finance construction  
11 projects initiated before October 1, 1991; (h-4) made for  
12 stormwater management purposes by the Metropolitan Water  
13 Reclamation District of Greater Chicago under Section 12 of  
14 the Metropolitan Water Reclamation District Act; (i) made for  
15 payments of principal and interest on limited bonds, as  
16 defined in Section 3 of the Local Government Debt Reform Act,  
17 in an amount not to exceed the debt service extension base less  
18 the amount in items (b), (c), and (e) of this definition for  
19 non-referendum obligations, except obligations initially  
20 issued pursuant to referendum and bonds described in  
21 subsection (h) of this definition; (j) made for payments of  
22 principal and interest on bonds issued under Section 15 of the  
23 Local Government Debt Reform Act; (k) made for payments of  
24 principal and interest on bonds authorized by Public Act  
25 88-503 and issued under Section 20a of the Chicago Park  
26 District Act for aquarium or museum projects; (l) made for

1 payments of principal and interest on bonds authorized by  
2 Public Act 87-1191 or 93-601 and (i) issued pursuant to  
3 Section 21.2 of the Cook County Forest Preserve District Act,  
4 (ii) issued under Section 42 of the Cook County Forest  
5 Preserve District Act for zoological park projects, or (iii)  
6 issued under Section 44.1 of the Cook County Forest Preserve  
7 District Act for botanical gardens projects; (m) made pursuant  
8 to Section 34-53.5 of the School Code, whether levied annually  
9 or not; (n) made to fund expenses of providing joint  
10 recreational programs for persons with disabilities under  
11 Section 5-8 of the Park District Code or Section 11-95-14 of  
12 the Illinois Municipal Code; (o) made by the Chicago Park  
13 District for recreational programs for persons with  
14 disabilities under subsection (c) of Section 7.06 of the  
15 Chicago Park District Act; (p) made for contributions to a  
16 firefighter's pension fund created under Article 4 of the  
17 Illinois Pension Code, to the extent of the amount certified  
18 under item (5) of Section 4-134 of the Illinois Pension Code;  
19 (q) made by Ford Heights School District 169 under Section  
20 17-9.02 of the School Code; and (r) made for the purpose of  
21 making employer contributions to the Public School Teachers'  
22 Pension and Retirement Fund of Chicago under Section 34-53 of  
23 the School Code.

24 "Aggregate extension" for all taxing districts to which  
25 this Law applies in accordance with Section 18-213, except for  
26 those taxing districts subject to paragraph (2) of subsection



1 (e) of Section 18-213, means the annual corporate extension  
2 for the taxing district and those special purpose extensions  
3 that are made annually for the taxing district, excluding  
4 special purpose extensions: (a) made for the taxing district  
5 to pay interest or principal on general obligation bonds that  
6 were approved by referendum; (b) made for any taxing district  
7 to pay interest or principal on general obligation bonds  
8 issued before the date on which the referendum making this Law  
9 applicable to the taxing district is held; (c) made for any  
10 taxing district to pay interest or principal on bonds issued  
11 to refund or continue to refund those bonds issued before the  
12 date on which the referendum making this Law applicable to the  
13 taxing district is held; (d) made for any taxing district to  
14 pay interest or principal on bonds issued to refund or  
15 continue to refund bonds issued after the date on which the  
16 referendum making this Law applicable to the taxing district  
17 is held if the bonds were approved by referendum after the date  
18 on which the referendum making this Law applicable to the  
19 taxing district is held; (e) made for any taxing district to  
20 pay interest or principal on revenue bonds issued before the  
21 date on which the referendum making this Law applicable to the  
22 taxing district is held for payment of which a property tax  
23 levy or the full faith and credit of the unit of local  
24 government is pledged; however, a tax for the payment of  
25 interest or principal on those bonds shall be made only after  
26 the governing body of the unit of local government finds that

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

1 Code; (l) made for contributions to a firefighter's pension  
2 fund created under Article 4 of the Illinois Pension Code, to  
3 the extent of the amount certified under item (5) of Section  
4 4-134 of the Illinois Pension Code; and (m) made for the taxing  
5 district to pay interest or principal on general obligation  
6 bonds issued pursuant to Section 19-3.10 of the School Code.

7 "Aggregate extension" for all taxing districts to which  
8 this Law applies in accordance with paragraph (2) of  
9 subsection (e) of Section 18-213 or this amendatory Act of the  
10 102nd General Assembly means the annual corporate extension  
11 for the taxing district and those special purpose extensions  
12 that are made annually for the taxing district, excluding  
13 special purpose extensions: (a) made for the taxing district  
14 to pay interest or principal on general obligation bonds that  
15 were approved by referendum; (b) made for any taxing district  
16 to pay interest or principal on general obligation bonds  
17 issued before March 7, 1997 (the effective date of Public Act  
18 89-718) ~~this amendatory Act of 1997~~; (c) made for any taxing  
19 district to pay interest or principal on bonds issued to  
20 refund or continue to refund those bonds issued before March  
21 7, 1997 (the effective date of Public Act 89-718) ~~this~~  
22 ~~amendatory Act of 1997~~; (d) made for any taxing district to pay  
23 interest or principal on bonds issued to refund or continue to  
24 refund bonds issued after March 7, 1997 (the effective date of  
25 Public Act 89-718) ~~this amendatory Act of 1997~~ if the bonds  
26 were approved by referendum after March 7, 1997 (the effective

1 date of Public Act 89-718) ~~this amendatory Act of 1997~~; (e)  
2 made for any taxing district to pay interest or principal on  
3 revenue bonds issued before March 7, 1997 (the effective date  
4 of Public Act 89-718) ~~this amendatory Act of 1997~~ 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) ~~this amendatory~~  
14 ~~Act of 1997~~ to pay for the building project; (g) made for  
15 payments due under installment contracts entered into before  
16 March 7, 1997 (the effective date of Public Act 89-718) ~~this~~  
17 ~~amendatory Act of 1997~~; (h) made for payments of principal and  
18 interest on limited bonds, as defined in Section 3 of the Local  
19 Government Debt Reform Act, in an amount not to exceed the debt  
20 service extension base less the amount in items (b), (c), and  
21 (e) of this definition for non-referendum obligations, except  
22 obligations initially issued pursuant to referendum; (i) made  
23 for payments of principal and interest on bonds issued under  
24 Section 15 of the Local Government Debt Reform Act; (j) made  
25 for a qualified airport authority to pay interest or principal  
26 on general obligation bonds issued for the purpose of paying

1 obligations due under, or financing airport facilities  
2 required to be acquired, constructed, installed or equipped  
3 pursuant to, contracts entered into before March 1, 1996 (but  
4 not including any amendments to such a contract taking effect  
5 on or after that date); (k) made to fund expenses of providing  
6 joint recreational programs for persons with disabilities  
7 under Section 5-8 of the Park District Code or Section  
8 11-95-14 of the Illinois Municipal Code; and (l) made for  
9 contributions to a firefighter's pension fund created under  
10 Article 4 of the Illinois Pension Code, to the extent of the  
11 amount certified under item (5) of Section 4-134 of the  
12 Illinois Pension Code. In addition, for taxing districts that  
13 became subject to the Law as a result of this amendatory Act of  
14 the 102nd General Assembly, "aggregate extension" does not  
15 include special purpose extensions made for the payment of  
16 principal and interest on bonds or other evidences of  
17 indebtedness issued by the taxing district prior to the  
18 effective date of this amendatory Act of the 102nd General  
19 Assembly.

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 (c) 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 (c) 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 (A) for  
24 levy years prior to the 2018 levy year and for levy year 2022  
25 and thereafter, the lesser of 5% or the percentage increase in  
26 the Consumer Price Index during the 12-month calendar year

1 preceding the levy year or (B) for levy years 2018 through  
2 2021, 0%. The debt service extension base may be established  
3 or increased as provided under Section 18-212. "Excluded  
4 non-referendum bonds" means (i) bonds authorized by Public Act  
5 88-503 and issued under Section 20a of the Chicago Park  
6 District Act for aquarium and museum projects; (ii) bonds  
7 issued under Section 15 of the Local Government Debt Reform  
8 Act; or (iii) refunding obligations issued to refund or to  
9 continue to refund obligations initially issued pursuant to  
10 referendum.

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

19 "Aggregate extension base" means the taxing district's  
20 last preceding aggregate extension as adjusted under Sections  
21 18-135, 18-215, and 18-230, or the aggregate extension base  
22 set by referendum under Section 18-206, whichever is less ~~and~~  
23 ~~18-206~~. An adjustment under Section 18-135 shall be made for  
24 the 2007 levy year and all subsequent levy years whenever one  
25 or more counties within which a taxing district is located (i)  
26 used 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 "Levy year" has the same meaning as "year" under Section  
17 1-155.

18 "New property" means (i) the assessed value, after final  
19 board of review or board of appeals action, of new  
20 improvements or additions to existing improvements on any  
21 parcel of real property that increase the assessed value of  
22 that real property during the levy year multiplied by the  
23 equalization factor issued by the Department under Section  
24 17-30, (ii) the assessed value, after final board of review or  
25 board of appeals action, of real property not exempt from real  
26 estate taxation, which real property was exempt from real



1 estate taxation for any portion of the immediately preceding  
2 levy year, multiplied by the equalization factor issued by the  
3 Department under Section 17-30, including the assessed value,  
4 upon final stabilization of occupancy after new construction  
5 is complete, of any real property located within the  
6 boundaries of an otherwise or previously exempt military  
7 reservation that is intended for residential use and owned by  
8 or leased to a private corporation or other entity, (iii) in  
9 counties that classify in accordance with Section 4 of Article  
10 IX of the Illinois Constitution, an incentive property's  
11 additional assessed value resulting from a scheduled increase  
12 in the level of assessment as applied to the first year final  
13 board of review market value, and (iv) any increase in  
14 assessed value due to oil or gas production from an oil or gas  
15 well required to be permitted under the Hydraulic Fracturing  
16 Regulatory Act that was not produced in or accounted for  
17 during the previous levy year. In addition, the county clerk  
18 in a county containing a population of 3,000,000 or more shall  
19 include in the 1997 recovered tax increment value for any  
20 school district, any recovered tax increment value that was  
21 applicable to the 1995 tax year calculations.

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

26 "Recovered tax increment value" means, except as otherwise

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

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

16 Except as otherwise provided in this Section, "limiting  
17 rate" means a fraction the numerator of which is the last  
18 preceding aggregate extension base times an amount equal to  
19 one plus the extension limitation defined in this Section and  
20 the denominator of which is the current year's equalized  
21 assessed value of all real property in the territory under the  
22 jurisdiction of the taxing district during the prior levy  
23 year. For those taxing districts that reduced their aggregate  
24 extension for the last preceding levy year, except for school  
25 districts that reduced their extension for educational  
26 purposes pursuant to Section 18-206, the highest aggregate

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

26 (Source: P.A. 99-143, eff. 7-27-15; 99-521, eff. 6-1-17;

1 100-465, eff. 8-31-17; revised 8-12-19.)

2 (35 ILCS 200/18-205)

3 Sec. 18-205. Referendum to increase the extension  
4 limitation. A taxing district is limited to an extension  
5 limitation as defined in Section 18-185 ~~of 5% or the~~  
6 ~~percentage increase in the Consumer Price Index during the~~  
7 ~~12 month calendar year preceding the levy year, whichever is~~  
8 ~~less~~. A taxing district may increase its extension limitation  
9 for one or more levy years if that taxing district holds a  
10 referendum before the levy date for the first levy year at  
11 which a majority of voters voting on the issue approves  
12 adoption of a higher extension limitation. Referenda shall be  
13 conducted at a regularly scheduled election in accordance with  
14 the Election Code. The question shall be presented in  
15 substantially the following manner for all elections held  
16 after March 21, 2006:

17 Shall the extension limitation under the Property Tax  
18 Extension Limitation Law for (insert the legal name,  
19 number, if any, and county or counties of the taxing  
20 district and geographic or other common name by which a  
21 school or community college district is known and referred  
22 to), Illinois, be increased from (extension limitation  
23 under Section 18-185) ~~the lesser of 5% or the percentage~~  
24 ~~increase in the Consumer Price Index over the prior levy~~  
25 ~~year~~ to (insert the percentage of the proposed increase)%

1 per year for (insert each levy year for which the  
2 increased extension limitation will apply)?

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

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

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

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

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

1 additional tax extendable against such property for the  
2 ... levy year is estimated to be \$... and for the ... levy  
3 year is estimated to be \$....

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

1     (A) the lesser of 5% or the percentage increase in the Consumer  
2     Price Index for the prior levy year (or an estimate of the  
3     percentage increase for the prior levy year if the increase is  
4     unavailable at the time the submission of the question is  
5     initiated by the taxing district) or (B) 0%, as applicable;  
6     and dividing the result by the last known equalized assessed  
7     value of the taxing district at the time the submission of the  
8     question is initiated by the taxing district. This amendatory  
9     Act of the 97th General Assembly is intended to clarify the  
10    existing requirements of this Section, and shall not be  
11    construed to validate any prior non-compliant referendum  
12    language. Any notice required to be published in connection  
13    with the submission of the question shall also contain this  
14    supplemental information and shall not contain any other  
15    supplemental information. Any error, miscalculation, or  
16    inaccuracy in computing any amount set forth on the ballot or  
17    in the notice that is not deliberate shall not invalidate or  
18    affect the validity of any proposition approved. Notice of the  
19    referendum shall be published and posted as otherwise required  
20    by law, and the submission of the question shall be initiated  
21    as provided by law.

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

23           (35 ILCS 200/18-206 new)

24           Sec. 18-206. Referendum to reduce the aggregate extension  
25    base.



1       (a) Notwithstanding any other provision of law, if a  
2 written petition is submitted to the corporate authorities of  
3 a taxing district calling for a referendum on the question of  
4 whether or not the aggregate extension base of the taxing  
5 district should be reduced and setting forth the amount of the  
6 reduction, signed by a number of voters of the taxing district  
7 equal to at least 5% of the total votes cast for candidates for  
8 Governor in the preceding gubernatorial election by the  
9 registered voters of the taxing district, then the corporate  
10 authorities of the taxing district shall adopt a resolution  
11 for the submission of that proposition at the next regular  
12 election held in that taxing district. The corporate  
13 authorities shall certify the resolution and the proposition  
14 to the proper election officials, who shall submit the  
15 proposition at the election in accordance with the general  
16 election law.

17       (b) The question shall be in substantially the following  
18 form:

19               Shall the aggregate extension base for (taxing  
20 district) for (levy year or levy years) be reduced from  
21 (statutory aggregate extension base) to (proposed  
22 aggregate extension base)?

23       The votes must be recorded as "Yes" or "No". If a majority  
24 of voters voting on the issue approves the reduction, then the  
25 reduction shall be applicable for the levy year or levy years  
26 specified, but shall not exceed a 4-year period.

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

6               For the (levy year or levy years) the reduction in the  
7               amount of taxes extendable against property containing a  
8               single family residence and having a fair market value at  
9               the time of the referendum of \$100,000 is estimated to be  
10              \$....

11              (35 ILCS 200/18-212)

12              Sec. 18-212. Referendum on debt service extension base. A  
13              taxing district may establish or increase its debt service  
14              extension base if (i) that taxing district holds a referendum  
15              before the date on which the levy must be filed with the county  
16              clerk of the county or counties in which the taxing district is  
17              situated and (ii) a majority of voters voting on the issue  
18              approves the establishment of or increase in the debt service  
19              extension base. Except with respect to levy years 2018 through  
20              2021, a ~~A~~ debt service extension base established or increased  
21              by a referendum held pursuant to this Section after February  
22              2, 2010, shall be increased each year, commencing with the  
23              first levy year beginning after the date of the referendum, by  
24              the lesser of 5% or the percentage increase in the Consumer  
25              Price Index during the 12-month calendar year preceding the

1 levy year if the optional language concerning the annual  
2 increase is included in the question submitted to the electors  
3 of the taxing district. Referenda under this Section shall be  
4 conducted at a regularly scheduled election in accordance with  
5 the Election Code. The governing body of the taxing district  
6 shall certify the question to the proper election authorities  
7 who shall submit the question to the electors of the taxing  
8 district in substantially the following form:

9 "Shall the debt service extension base under the Property  
10 Tax Extension Limitation Law for ... (taxing district  
11 name) ... for payment of principal and interest on limited  
12 bonds be .... ((established at \$ ....) . (or) (increased  
13 from \$ .... to \$ ....)) .. for the ..... levy year and all  
14 subsequent levy years (optional language: , such debt  
15 service extension base to be increased each year by the  
16 lesser of 5% or the percentage increase in the Consumer  
17 Price Index during the 12-month calendar year preceding  
18 the levy year)?"

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

20 If a majority of voters voting on the issue approves the  
21 establishment of or increase in the debt service extension  
22 base, the establishment of or increase in the debt service  
23 extension base shall be applicable for the levy years  
24 specified.

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

1 (35 ILCS 200/18-214)

2 Sec. 18-214. Referenda on removal of the applicability of  
3 the Property Tax Extension Limitation Law to non-home rule  
4 taxing districts.

5 (a) The provisions of this Section do not apply to a taxing  
6 district that is subject to this Law because a majority of its  
7 1990 equalized assessed value is in a county or counties  
8 contiguous to a county of 3,000,000 or more inhabitants, or  
9 because a majority of its 1994 equalized assessed value is in  
10 an affected county and the taxing district was not subject to  
11 this Law before the 1995 levy year.

12 (b) For purposes of this Section only:

13 "Taxing district" means any non-home rule taxing district  
14 that became subject to this Law under Section 18-213 of this  
15 Law.

16 "Equalized assessed valuation" means the equalized  
17 assessed valuation for a taxing district for the immediately  
18 preceding levy year.

19 (c) The county board of a county that became subject to  
20 this Law by a referendum approved by the voters of the county  
21 under Section 18-213 may, by ordinance or resolution, in the  
22 manner set forth in this Section, submit to the voters of the  
23 county the question of whether this Law applies to all  
24 non-home rule taxing districts that have all or a portion of  
25 their equalized assessed valuation situated in the county in  
26 the manner set forth in this Section.

1           (d) The ordinance or resolution shall request the  
2 submission of the proposition at any election, except a  
3 consolidated primary election, for the purpose of voting for  
4 or against the continued application of the Property Tax  
5 Extension Limitation Law to all non-home rule taxing districts  
6 that have all or a portion of their equalized assessed  
7 valuation situated in the county.

8           The question shall be placed on a separate ballot and  
9 shall be in substantially the following form:

10           Shall the Property Tax Extension Limitation Law (35  
11 ILCS 200/18-185 through 35 ILCS 200/18-245), which limits  
12 annual property tax extension increases, apply to non-home  
13 rule taxing districts with all or a portion of their  
14 equalized assessed valuation located in (name of county)?  
15 Votes on the question shall be recorded as "yes" or "no".

16           (e) The county clerk shall order the proposition submitted  
17 to the electors of the county at the election specified in the  
18 ordinance or resolution. If part of the county is under the  
19 jurisdiction of a board or boards of election commissioners,  
20 the county clerk shall submit a certified copy of the  
21 ordinance or resolution to each board of election  
22 commissioners, which shall order the proposition submitted to  
23 the electors of the taxing district within its jurisdiction at  
24 the election specified in the ordinance or resolution.

25           (f) With respect to taxing districts having all of their  
26 equalized assessed valuation located in one county, if a

1 majority of the votes cast on the proposition are against the  
2 proposition, then this Law shall not apply to the taxing  
3 district beginning on January 1 of the year following the date  
4 of the referendum.

5 (g) With respect to taxing districts that do not have all  
6 of their equalized assessed valuation located in a single  
7 county, if both of the following conditions are met, then this  
8 Law shall no longer apply to the taxing district beginning on  
9 January 1 of the year following the date of the referendum.

10 (1) Each county in which the district has any  
11 equalized assessed valuation must either, (i) have held a  
12 referendum under this Section, (ii) be an affected county,  
13 or (iii) have held a referendum under Section 18-213 at  
14 which the voters rejected the proposition at the most  
15 recent election at which the question was on the ballot in  
16 the county.

17 (2) The majority of the equalized assessed valuation  
18 of the taxing district, other than any equalized assessed  
19 valuation in an affected county, is in one or more  
20 counties in which the voters rejected the proposition. For  
21 purposes of this Section, in determining whether a  
22 majority of the equalized assessed valuation of the taxing  
23 district is located in one or more counties in which the  
24 voters have rejected the proposition under this Section,  
25 the equalized assessed valuation of any taxing district in  
26 a county which has held a referendum under Section 18-213

1 at which the voters rejected that proposition, at the most  
2 recent election at which the question was on the ballot in  
3 the county, will be included with the equalized assessed  
4 value of the taxing district in counties in which the  
5 voters have rejected the referendum held under this  
6 Section.

7 (h) Immediately after a referendum is held under this  
8 Section, the county clerk of the county holding the referendum  
9 shall give notice of the referendum having been held and its  
10 results to all taxing districts that have all or a portion of  
11 their equalized assessed valuation located in the county, the  
12 county clerk of any other county in which any of the equalized  
13 assessed valuation of any such taxing district is located, and  
14 the Department of Revenue. After the last referendum affecting  
15 a multi-county taxing district is held, the Department of  
16 Revenue shall determine whether the taxing district is no  
17 longer subject to this Law and, if the taxing district is no  
18 longer subject to this Law, the Department of Revenue shall  
19 notify the taxing district and the county clerks of all of the  
20 counties in which a portion of the equalized assessed  
21 valuation of the taxing district is located that, beginning on  
22 January 1 of the year following the date of the last  
23 referendum, the taxing district is no longer subject to this  
24 Law.

25 (i) Notwithstanding any other provision of law, no  
26 referendum may be submitted under this Section for levy years

1 2018 through 2021.

2 (Source: P.A. 89-718, eff. 3-7-97.)

3 (35 ILCS 200/18-216 new)

4 Sec. 18-216. Extension of amendatory Act.

5 (a) Notwithstanding any other provision of law, during  
6 calendar years 2018 through 2022, the corporate authorities of  
7 any taxing district may, by resolution, submit to the voters  
8 of the taxing district the question of whether or not to  
9 continue to apply the provisions of this amendatory Act of the  
10 102nd General Assembly concerning the Property Tax Extension  
11 Limitation Law to the taxing district for a period not to  
12 exceed 4 years. In addition, if a written petition calling for  
13 a referendum on that question signed by a number of voters of  
14 the taxing district equal to at least 5% of the total votes  
15 cast for candidates for Governor in the preceding  
16 gubernatorial election by the registered voters of the taxing  
17 district is submitted to the corporate authorities of the  
18 taxing district, then the corporate authorities shall adopt a  
19 resolution for the submission of that proposition at the next  
20 regular election held in that taxing district. Such a petition  
21 shall be submitted to the corporate authorities no later than  
22 September 30, 2021. In either case, the corporate authorities  
23 shall certify the resolution and the proposition to the proper  
24 election officials, who shall submit the proposition at the  
25 election in accordance with the general election law.



1       (b) The question shall be in substantially the following  
2 form:

3           Shall the provisions of (insert Public Act number),  
4 commonly referred to as the Property Tax Freeze, be  
5 continued for (name of taxing district) for a period of  
6 (number of years, not to exceed 4 years) years? This would  
7 mean that (taxing district) may not increase its annual  
8 corporate extension or certain special purpose extensions  
9 without referendum approval.

10       Votes shall be recorded as "yes" or "no".

11       If a majority of the votes cast on the proposition are in  
12 favor of the proposition, then the provisions of this  
13 amendatory Act of the 102nd General Assembly concerning the  
14 Property Tax Extension Limitation Law shall continue to apply  
15 to the taxing district for the period of time specified in the  
16 proposition.

17       (c) As used in this Section, "taxing district" includes  
18 each taxing district that is subject to this Law for the 2018  
19 through 2021 levy years.

20           (35 ILCS 200/18-242 new)

21       Sec. 18-242. Home rule. This Division 5 is a limitation,  
22 under subsection (g) of Section 6 of Article VII of the  
23 Illinois Constitution, on the power of home rule units to tax.

24       Section 90. The State Mandates Act is amended by adding

1 Section 8.45 as follows:

2 (30 ILCS 805/8.45 new)

3 Sec. 8.45. Exempt mandate. Notwithstanding Sections 6 and  
4 8 of this Act, no reimbursement by the State is required for  
5 the implementation of any mandate created by this amendatory  
6 Act of the 102nd General Assembly.

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.