



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4975

Introduced 1/27/2022, by Rep. Thomas M. Bennett

SYNOPSIS AS INTRODUCED:

35 ILCS 200/10-700

Amends the Property Tax Code. Defines "flooding disaster." Provides that in order to qualify for valuation as a qualified commercial and industrial property, the structure must be rebuilt within 2 years after the date of the tornado disaster or flooding disaster, (currently, tornado disaster) and the square footage of the rebuilt structure may not be more than 110% of the square footage of the original structure as it existed immediately prior to the tornado disaster or flooding disaster (currently, tornado disaster). Modifies "base year" to include tornado disaster or flooding disaster (currently, tornado disaster). Makes similar changes regarding "modified equalized assessed value" and "qualified parcel of property." Effective immediately.

LRB102 23381 HLH 32550 b

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Property Tax Code is amended by changing
5 Section 10-700 as follows:

6 (35 ILCS 200/10-700)

7 Sec. 10-700. Qualified commercial and industrial property;
8 tornado disaster or flooding disaster. Notwithstanding any
9 other provision of law, each qualified parcel of commercial or
10 industrial property owned and used by a small business shall
11 be valued at the lesser of (i) its modified equalized assessed
12 value or (ii) 33 1/3% of its fair cash value or, in the case of
13 property located in a county that classifies property for
14 purposes of taxation in accordance with Section 4 of Article
15 IX of the Constitution, the percentage of fair cash value as
16 required by county ordinance. The method of valuation under
17 this Section shall continue until there is a change in use or
18 ownership of the property or until the fifteenth taxable year
19 after the tornado disaster or flooding disaster occurs,
20 whichever occurs first. In order to qualify for valuation
21 under this Section, the structure must be rebuilt within 2
22 years after the date of the tornado disaster or flooding
23 disaster, and the square footage of the rebuilt structure may

1 not be more than 110% of the square footage of the original
2 structure as it existed immediately prior to the tornado
3 disaster or flooding disaster.

4 "Base year" means the taxable year prior to the taxable
5 year in which the tornado disaster or flooding disaster
6 occurred.

7 "Flooding disaster" means an occurrence of widespread or
8 severe damage or loss of property resulting from an episode of
9 flooding that has been proclaimed as a natural disaster by the
10 Governor or the President of the United States.

11 "Modified equalized assessed value" means:

12 (1) in the first taxable year after the tornado
13 disaster or flooding disaster occurs, the equalized
14 assessed value of the property for the base year; and

15 (2) in the second taxable year after the tornado
16 disaster or flooding disaster occurs and thereafter, the
17 modified equalized assessed value of the property for the
18 previous taxable year, increased by 4%.

19 "Tornado disaster" means an occurrence of widespread or
20 severe damage or loss of property resulting from a tornado or
21 combination of tornadoes that has been proclaimed as a natural
22 disaster by the Governor or the President of the United
23 States.

24 "Qualified parcel of property" means property that (i) is
25 owned and used exclusively for commercial or industrial
26 purposes by a small business and (ii) has been rebuilt

1 following a tornado disaster occurring in taxable year 2013 or
2 any taxable year thereafter, or a flooding disaster occurring
3 in taxable year 2022 or any taxable year thereafter.

4 "Small business" means a business that employs fewer than
5 50 full-time employees.

6 (Source: P.A. 98-702, eff. 7-7-14.)

7 Section 99. Effective date. This Act takes effect
8 immediately.