AMENDMENT TO SENATE BILL 508

AMENDMENT NO. ______. Amend Senate Bill 508 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 16-8, 18-185, 21-145, 21-150, 21-205, and 21-260 and by adding Sections 9-285, 18-233, and 21-261 as follows:

(35 ILCS 200/9-285 new)

Sec. 9-285. Real property descriptions.

(a) This Section shall apply to all counties with 3,000,000 or more inhabitants and to all counties where the county board provides by ordinance or resolution that owners of certain property shall substantially comply with subsection (b), below.

(b) Owners of income producing properties shall file physical descriptions of their properties with the chief county assessor, on a form and format determined by the chief
county assessor, within 120 days after:

(1) the effective date of this amendatory Act of the 102nd General Assembly, for counties of 3,000,000 or more;
or

(2) the adoption of a resolution by the county board under this Section, for all other counties.

Following an initial filing pursuant to paragraphs (1) or (2) of this subsection (b), a property owner shall also update the filing within 120 days after any material change in the physical description.

(c) Definitions. For the purpose of this Section:

"Income producing property" means property that is not owner-occupied, as defined in this Section, and is owned for the purpose of generating income from the property itself, whether or not such property actually generates income in a particular year. "Income producing property" does not include:

(1) property with a market value of $500,000 or less in the most recent assessment year for which an assessment is certified exclusive of any adjustments to assessed value by a board of review, the Property Tax Appeal Board, or the circuit court;

(2) residential property containing 6 or fewer dwelling units;

(3) property assessed under Article 10 of this Code and stadiums that are not qualified property under Section 10-215 that have a seating capacity of 20,000 or more and
host major professional sporting events;

(4) property that is assessed by the Department under Article 11 of this Code;

(5) property that is owned or leased by a hospital licensed under the Hospital Licensing Act or operated under the University of Illinois Hospital Act, including any hospital affiliate that directly or indirectly controls, is controlled by, or is under common control with a hospital; or

(6) property that is owned or leased by a facility licensed under the Nursing Home Care Act that is an intermediate or skilled facility.

"Net rentable area" means the square footage of an improvement that may be leased or rented to tenants and excludes common areas such as elevators, stairways, and atriums.

"Owner-occupied" means real property that is used or occupied exclusively by a record owner or related entity, or real property where 80% or more of the net rentable area of the property is occupied or held for future use by the record owner of the property or a related person or entity as described in subsection (b) of Section 267 of the Internal Revenue Code. If more than 20% of the net rentable area of a property is subject to an existing lease or is subject to short term rental of the property by an unrelated entity, the property is not considered owner-occupied for purposes of this Section.
"Physical description" means the land size and, for each individual development on the parcel, information about the construction type, year built, total development size, number of buildings, the number of stories in each building, and parking capacity. Additionally:

(1) For multi-family residential properties of 6 or more units, "physical description" also includes the number of stories in each building, the size and use of basement area, the number of studio, 1-bedroom, 2-bedroom, 3-bedroom, and larger units; pool area (if any); exercise area (if any); lower level uses; and the number of units, if any, which are enrolled in any government-administered affordable housing program.

(2) For office properties, "physical description" also includes the net rentable area, the number of stories, the size and use of basement area, lower level uses, ceiling height, whether or not each unit is used for medical services, and whether or not buildings on the property share a central plant.

(3) For retail properties, "physical description" also includes the net rentable area, the number of stories, the size and uses of basement area, the size and use of lower levels, ceiling height, and total customer capacity.

(4) For industrial properties, "physical description" also includes the size and location of office area or areas, ceiling height, the size and location of docks, the
number and size of loading bay doors, and the primary tenant or business entity.

(5) For hospitality properties, "physical description" also includes the size of any conference area, the number of stories, the size and use of basement area, the room count, the suite count, the size and location of lounge areas, the size and location of restaurant areas, franchise affiliation, the size and location of any pool area, and lower level uses.

"Property" has the meaning set forth in Section 1-130 of this Code and includes contiguous parcels or property index numbers that comprise one functional property location.

(35 ILCS 200/16-8)

Sec. 16-8. Books and records of chief county assessment officer.

(a) In counties with 3,000,000 or more inhabitants, the chief county assessment officer shall maintain records of the assessed value of each parcel of property and shall enter upon the property record card of each town or city lot or parcel of land the elements (or basis) of valuation and computations that are taken into consideration by the chief county assessment officer in ascertaining and determining the fair cash value of each town or city lot or parcel of land and of each improvement thereon, including the elements (shown by percentages or otherwise) that were taken into consideration
as enhancing or detracting elements (such as depth, corner, alley, railway or other elements). The assessment officer shall maintain the records for at least 10 years. Upon request by the board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter), the officer shall immediately furnish all of the requested records to the board. The records shall be available, on request, to the taxpayer. The chief county assessment officer shall certify, in writing, the amount of the assessment to the board. If the records maintained by the chief county assessment officer at the time the assessment is certified to the board under subsection (a) contain none of the elements (or basis) of valuation for the parcel, then any increase by the chief county assessment officer shall be considered invalid by the board acting on a complaint under Section 16-120; and no action by the board under Section 16-120 shall result in an increase in the valuation for the parcel for the current assessment year.

(a-5) In counties with 3,000,000 or more inhabitants, the chief county assessment officer shall make available, without charge and in an electronic format commonly available to the general public, the factors that were taken into consideration in determining the fair cash value of each income-producing property, as defined in Section 9-285, when feasible to do so. These factors include, but are not limited to: capitalization rates and tax loads; rental income data and any adjustments to
rental income data; ratios of expenses to income; net income; vacancy and collection loss; reproduction or replacement cost calculators or manuals; physical, functional, and economic depreciation or obsolescence; comparable sales; and sales adjustment factors.

(b) In counties with 3,000,000 or more inhabitants, the notice given by the chief county assessment officer to a taxpayer of a proposed increase in assessment shall designate the reason for the increase. If a taxpayer files an assessment complaint with the chief county assessment officer, the notification to the taxpayer of a determination on the assessment complaint shall designate the reason for the result.

(c) The provisions of this Section shall be applicable beginning with the assessment for the 1997 tax year.

(Source: P.A. 89-718, eff. 3-7-97; 90-4, eff. 3-7-97.)

(35 ILCS 200/18-185)

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

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

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

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

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for
the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds,
as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code;
and (p) made for road purposes in the first year after a
township assumes the rights, powers, duties, assets, property,
liabilities, obligations, and responsibilities of a road
district abolished under the provisions of Section 6-133 of
the Illinois Highway Code.

"Aggregate extension" for the taxing districts to which
this Law did not apply before the 1995 levy year (except taxing
districts subject to this Law in accordance with Section
18-213) means the annual corporate extension for the taxing
district and those special purpose extensions that are made
annually for the taxing district, excluding special purpose
extensions: (a) made for the taxing district to pay interest
or principal on general obligation bonds that were approved by
referendum; (b) made for any taxing district to pay interest
or principal on general obligation bonds issued before March
1, 1995; (c) made for any taxing district to pay interest or
principal on bonds issued to refund or continue to refund
those bonds issued before March 1, 1995; (d) made for any
taxing district to pay interest or principal on bonds issued
to refund or continue to refund bonds issued after March 1,
1995 that were approved by referendum; (e) made for any taxing
district to pay interest or principal on revenue bonds issued
before March 1, 1995 for payment of which a property tax levy
or the full faith and credit of the unit of local government is
pledged; however, a tax for the payment of interest or
principal on those bonds shall be made only after the
governing body of the unit of local government finds that all
other sources for payment are insufficient to make those
payments; (f) made for payments under a building commission
lease when the lease payments are for the retirement of bonds
issued by the commission before March 1, 1995 to pay for the
building project; (g) made for payments due under installment
contracts entered into before March 1, 1995; (h) made for
payments of principal and interest on bonds issued under the
Metropolitan Water Reclamation District Act to finance
construction projects initiated before October 1, 1991; (h-4)
made for stormwater management purposes by the Metropolitan
Water Reclamation District of Greater Chicago under Section 12
of the Metropolitan Water Reclamation District Act; (i) made
for payments of principal and interest on limited bonds, as
defined in Section 3 of the Local Government Debt Reform Act,
in an amount not to exceed the debt service extension base less
the amount in items (b), (c), and (e) of this definition for
non-referendum obligations, except obligations initially
issued pursuant to referendum and bonds described in
subsection (h) of this definition; (j) made for payments of
principal and interest on bonds issued under Section 15 of the
Local Government Debt Reform Act; (k) made for payments of
principal and interest on bonds authorized by Public Act
88-503 and issued under Section 20a of the Chicago Park
District Act for aquarium or museum projects; (l) made for
payments of principal and interest on bonds authorized by
Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for persons with disabilities under subsection (c) of Section 7.06 of the Chicago Park District Act; (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code; and (r) made for the purpose of making employer contributions to the Public School Teachers' Pension and Retirement Fund of Chicago under Section 34-53 of the School Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means the annual corporate extension
for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those
payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (l) made for contributions to a firefighter's pension
fund created under Article 4 of the Illinois Pension Code, to
the extent of the amount certified under item (5) of Section
4-134 of the Illinois Pension Code; and (m) made for the taxing
district to pay interest or principal on general obligation
bonds issued pursuant to Section 19-3.10 of the School Code.

"Aggregate extension" for all taxing districts to which
this Law applies in accordance with paragraph (2) of
subsection (e) of Section 18-213 means the annual corporate
extension for the taxing district and those special purpose
extensions that are made annually for the taxing district,
excluding special purpose extensions: (a) made for the taxing
district to pay interest or principal on general obligation
bonds that were approved by referendum; (b) made for any
taxing district to pay interest or principal on general
obligation bonds issued before March 7, 1997 (the effective
date of Public Act 89-718) this amendatory Act of 1997; (c)
made for any taxing district to pay interest or principal on
bonds issued to refund or continue to refund those bonds
issued before March 7, 1997 (the effective date of Public Act
89-718) this amendatory Act of 1997; (d) made for any taxing
district to pay interest or principal on bonds issued to
refund or continue to refund bonds issued after March 7, 1997
(the effective date of Public Act 89-718) this amendatory Act
of 1997 if the bonds were approved by referendum after March 7,
1997 (the effective date of Public Act 89-718) this amendatory
Act of 1997; (e) made for any taxing district to pay interest
or principal on revenue bonds issued before March 7, 1997 (the effective date of Public Act 89-718) this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 7, 1997 (the effective date of Public Act 89-718) this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before March 7, 1997 (the effective date of Public Act 89-718) this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be
acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including
excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds).

A debt service extension base established or increased at any time pursuant to any provision of this Law, except Section 18-212, shall be increased each year commencing with the later of (i) the 2009 levy year or (ii) the first levy year in which this Law becomes applicable to the taxing district, by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year. The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

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

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-135, 18-215, 18-230, and 18-206, and 18-233. An adjustment under Section 18-135 shall be made for the 2007 levy year and all subsequent levy years whenever one or more counties within which a taxing district is located (i) used estimated valuations or rates when extending taxes in the taxing district for the last preceding levy year that resulted in the over or under extension of taxes, or (ii) increased or decreased the tax extension for the last preceding levy year as required by Section 18-135(c). Whenever an adjustment is required under Section 18-135, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension of the taxing district would have been for the last preceding levy year if either or both (i) actual, rather than estimated, valuations or rates had been used to calculate the extension of taxes for the last levy year, or (ii) the tax extension for the last preceding levy year had not been adjusted as required by subsection (c) of Section 18-135.
Whenever an adjustment is required under Section 18-233, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension of the taxing district would have been for the last preceding levy year if the actual valuations and rates, as adjusted for the increases or reductions specified in Section 18-233, had been used to calculate the extension of taxes for the levy year in which the overextension or underextension occurred.

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

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

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

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

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

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Redevelopment Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, previously established under the Economic Development Project Area Tax Increment Act of 1995, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Redevelopment Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law
in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Redevelopment Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate
extension for the last preceding levy year, except for school
districts that reduced their extension for educational
purposes pursuant to Section 18-206, the highest aggregate
extension in any of the last 3 preceding levy years shall be
used for the purpose of computing the limiting rate. The
denominator shall not include new property or the recovered
tax increment value. If a new rate, a rate decrease, or a
limiting rate increase has been approved at an election held
after March 21, 2006, then (i) the otherwise applicable
limiting rate shall be increased by the amount of the new rate
or shall be reduced by the amount of the rate decrease, as the
case may be, or (ii) in the case of a limiting rate increase,
the limiting rate shall be equal to the rate set forth in the
proposition approved by the voters for each of the years
specified in the proposition, after which the limiting rate of
the taxing district shall be calculated as otherwise provided.
In the case of a taxing district that obtained referendum
approval for an increased limiting rate on March 20, 2012, the
limiting rate for tax year 2012 shall be the rate that
generates the approximate total amount of taxes extendable for
that tax year, as set forth in the proposition approved by the
voters; this rate shall be the final rate applied by the county
clerk for the aggregate of all capped funds of the district for
tax year 2012.
(Source: P.A. 99-143, eff. 7-27-15; 99-521, eff. 6-1-17;
100-465, eff. 8-31-17; revised 8-12-19.)
Sec. 18-233. Adjustments for certificates of error, certain court orders, or final administrative decisions of the Property Tax Appeal Board. Beginning in levy year 2021, a taxing district levy shall be increased by a prior year adjustment whenever an assessment decrease due to the issuance of a certificate of error, a court order issued pursuant to an assessment valuation complaint under Section 23-15, or a final administrative decision of the Property Tax Appeal Board results in a refund from the taxing district of a portion of the property tax revenue distributed to the taxing district. On or before November 15 of each year, the county treasurer shall certify the aggregate refunds paid by a taxing district during such 12-month period for purposes of this Section.

Sec. 21-145. Scavenger sale. At the same time the County Collector annually publishes the collector's annual sale advertisement under Sections 21-110, 21-115 and 21-120, it is mandatory for the collector in counties with 3,000,000 or more inhabitants, and in other counties if the county board so orders by resolution, to publish an advertisement giving notice of the intended application for judgment and sale of all properties upon which all or a part of the general taxes for each of 3 or more years are delinquent as of the date of...
the advertisement. Under no circumstance may a tax year be
offered at a scavenger sale prior to the annual tax sale for
that tax year (or, for omitted assessments issued pursuant to
Section 9-260, the annual tax sale for that omitted
assessment's warrant year, as defined herein). In no event may
there be more than 2 consecutive years without a sale under
this Section, except where a tax sale has been delayed
pursuant to Section 21-150 as a result of a statewide COVID-19
public health emergency. The term delinquent also includes
forfeitures. The County Collector shall include in the
advertisement and in the application for judgment and sale
under this Section and Section 21-260 the total amount of all
general taxes upon those properties which are delinquent as of
the date of the advertisement. In lieu of a single annual
advertisement and application for judgment and sale under this
Section and Section 21-260, the County Collector may, from
time to time, beginning on the date of the publication of the
annual sale advertisement and before August 1 of the next
year, publish separate advertisements and make separate
applications on eligible properties described in one or more
volumes of the delinquent list. The separate advertisements
and applications shall, in the aggregate, include all the
properties which otherwise would have been included in the
single annual advertisement and application for judgment and
sale under this Section. Upon the written request of the
taxing district which levied the same, the County Collector
shall also include in the advertisement the special taxes and
special assessments, together with interest, penalties and
costs thereon upon those properties which are delinquent as of
the date of the advertisement. The advertisement and
application for judgment and sale shall be in the manner
prescribed by this Code relating to the annual advertisement
and application for judgment and sale of delinquent
properties.

As used in this Section, "warrant year" means the year
preceding the calendar year in which the omitted assessment
first became due and payable.

(Source: P.A. 101-635, eff. 6-5-20.)

(35 ILCS 200/21-150)

Sec. 21-150. Time of applying for judgment. Except as
otherwise provided in this Section or by ordinance or
resolution enacted under subsection (c) of Section 21-40, in
any county with fewer than 3,000,000 inhabitants, all
applications for judgment and order of sale for taxes and
special assessments on delinquent properties shall be made
within 90 days after the second installment due date. In Cook
County, all applications for judgment and order of sale for
taxes and special assessments on delinquent properties shall
be made (i) by July 1, 2011 for tax year 2009, (ii) by July 1,
2012 for tax year 2010, (iii) by July 1, 2013 for tax year
2011, (iv) by July 1, 2014 for tax year 2012, (v) by July 1,
2015 for tax year 2013, (vi) by May 1, 2016 for tax year 2014, (vii) by March 1, 2017 for tax year 2015, (viii) by April 1 of the next calendar year after the second installment due date for tax year 2016 and 2017, and (ix) within 365 days of the second installment due date for each tax year thereafter. Notwithstanding these dates, in Cook County, the application for judgment and order of sale for the 2018 annual tax sale that would normally be held in calendar year 2020 shall not be filed earlier than the first day of the first month during which there is no longer a statewide COVID-19 public health emergency, as evidenced by an effective disaster declaration of the Governor covering all counties in the State, except that in no event may this application for judgment and order of sale be filed later than October 1, 2021. When a tax sale is delayed because of a statewide COVID-19 public health emergency, no subsequent annual tax sale may begin earlier than 180 days after the last day of the prior delayed tax sale, and no scavenger tax sale may begin earlier than 90 days after the last day of the prior delayed tax sale. In those counties which have adopted an ordinance under Section 21-40, the application for judgment and order of sale for delinquent taxes shall be made in December. In the 10 years next following the completion of a general reassessment of property in any county with 3,000,000 or more inhabitants, made under an order of the Department, applications for judgment and order of sale shall be made as soon as may be and on the day specified in the
advertisement required by Section 21-110 and 21-115. If for any cause the court is not held on the day specified, the cause shall stand continued, and it shall be unnecessary to re-advertise the list or notice.

Within 30 days after the day specified for the application for judgment the court shall hear and determine the matter. If judgment is rendered, the sale shall begin on the date within 5 business days specified in the notice as provided in Section 21-115. If the collector is prevented from advertising and obtaining judgment within the time periods specified by this Section, the collector may obtain judgment at any time thereafter; but if the failure arises by the county collector's not complying with any of the requirements of this Code, he or she shall be held on his or her official bond for the full amount of all taxes and special assessments charged against him or her. Any failure on the part of the county collector shall not be allowed as a valid objection to the collection of any tax or assessment, or to entry of a judgment against any delinquent properties included in the application of the county collector.

(Source: P.A. 100-243, eff. 8-22-17; 101-635, eff. 6-5-20.)

(35 ILCS 200/21-205)
Sec. 21-205. Tax sale procedures.
(a) The collector, in person or by deputy, shall attend, on the day and in the place specified in the notice for the
sale of property for taxes, and shall, between 9:00 a.m. and
4:00 p.m., or later at the collector's discretion, proceed to
offer for sale, separately and in consecutive order, all
property in the list on which the taxes, special assessments,
interest or costs have not been paid. However, in any county
with 3,000,000 or more inhabitants, the offer for sale shall
be made between 8:00 a.m. and 8:00 p.m. The collector's office
shall be kept open during all hours in which the sale is in
progress. The sale shall be continued from day to day, until
all property in the delinquent list has been offered for sale.
However, any city, village or incorporated town interested in
the collection of any tax or special assessment, may, in
default of bidders, withdraw from collection the special
assessment levied against any property by the corporate
authorities of the city, village or incorporated town. In case
of a withdrawal, there shall be no sale of that property on
account of the delinquent special assessment thereon.

(b) Until January 1, 2013, in every sale of property
pursuant to the provisions of this Code, the collector may
employ any automated means that the collector deems
appropriate. Beginning on January 1, 2013, either (i) the
collector shall employ an automated bidding system that is
programmed to accept the lowest redemption price bid by an
eligible tax purchaser, subject to the penalty percentage
limitation set forth in Section 21-215, or (ii) all tax sales
shall be digitally recorded with video and audio. All bidders
are required to personally attend the sale and, if automated means are used, all hardware and software used with respect to those automated means must be certified by the Department and re-certified by the Department every 5 years. If the tax sales are digitally recorded and no automated bidding system is used, then the recordings shall be maintained by the collector for a period of at least 3 years from the date of the tax sale.

The changes made by this amendatory Act of the 94th General Assembly are declarative of existing law.

(b-5) For any annual tax sale conducted on or after the effective date of this amendatory Act of the 102nd General Assembly, each county collector in a county with 275,000 or more inhabitants shall adopt a single bidder rule sufficient to prohibit a tax purchaser from registering more than one related bidding entity at the tax sale. The corporate authorities in any county with less than 275,000 inhabitants may, by ordinance, allow the county collector of that county to adopt such a single bidder rule. In any county that has adopted a single bidder rule under this subsection (b-5), the county treasurer shall include a representation and warranty form in each registration package attesting to compliance with the single bidder rule, except that the county may, by ordinance, opt out of this representation and warranty form requirement. A single bidder rule under this subsection may be in the following form:

(1) A registered tax buying entity (principal) may
only have one registered buyer at the tax sale and may not
have a related bidding entity directly or indirectly
register as a buyer or participate in the tax sale. A
registered tax buying entity may not engage in any
multiple bidding strategy for the purpose of having more
than one related bidding entity submit bids at the tax
sale.

(2) A related bidding entity is defined as any
individual, corporation, partnership, joint venture,
limited liability company, business organization, or other
entity that has a shareholder, partner, principal,
ocfisher, general partner, or other person or entity having
(i) an ownership interest in a bidding entity in common
with any other registered participant in the tax sale or
(ii) a common guarantor in connection with a source of
financing with any other registered participant in the tax
sale. The determination of whether registered entities are
related so as to prohibit those entities from submitting
duplicate bids in violation of the single bidder rule is
at the sole and exclusive discretion of the county
treasurer or his or her designated representatives.

(c) County collectors may, when applicable, eject tax
bidders who disrupt the tax sale or use illegal bid practices.
(Source: P.A. 100-1070, eff. 1-1-19.)

(35 ILCS 200/21-260)
Sec. 21-260. Collector's scavenger sale. Upon the county collector's application under Section 21-145, to be known as the Scavenger Sale Application, the Court shall enter judgment for the general taxes, special taxes, special assessments, interest, penalties and costs as are included in the advertisement and appear to be due thereon after allowing an opportunity to object and a hearing upon the objections as provided in Section 21-175, and order those properties sold by the County Collector at public sale, or by electronic automated sale if the collector chooses to conduct an electronic automated sale pursuant to Sec. 21-261, to the highest bidder for cash, notwithstanding the bid may be less than the full amount of taxes, special taxes, special assessments, interest, penalties and costs for which judgment has been entered.

(a) Conducting the sale - Bidding. All properties shall be offered for sale in consecutive order as they appear in the delinquent list. The minimum bid for any property shall be $250 or one-half of the tax if the total liability is less than $500. For in-person scavenger sales, the successful bidder shall immediately pay the amount of minimum bid to the County Collector by the end of the business day on which the bid was placed. That amount shall be paid in cash, by certified or cashier's check, by money order, or, if the successful bidder is a governmental unit, by a check issued by that governmental unit. For electronic automated scavenger sales, the successful
bidder shall pay the minimum bid amount by the close of the business day on which the bid was placed. That amount shall be paid online via ACH debit or by the electronic payment method required by the county collector. For in-person scavenger sales, if the bid exceeds the minimum bid, the successful bidder shall pay the balance of the bid to the county collector in cash, by certified or cashier's check, by money order, or, if the successful bidder is a governmental unit, by a check issued by that governmental unit by the close of the next business day. For electronic automated scavenger sales, the successful bidder shall pay, by the close of the next business day, the balance of the bid online via ACH debit or by the electronic payment method required by the county collector. If the minimum bid is not paid at the time of sale or if the balance is not paid by the close of the next business day, then the sale is void and the minimum bid, if paid, is forfeited to the county general fund. In that event, the property shall be reoffered for sale within 30 days of the last offering of property in regular order. The collector shall make available to the public a list of all properties to be included in any reoffering due to the voiding of the original sale. The collector is not required to serve or publish any other notice of the reoffering of those properties. In the event that any of the properties are not sold upon reoffering, or are sold for less than the amount of the original voided sale, the original bidder who failed to pay the bid amount shall remain liable for
the unpaid balance of the bid in an action under Section 21-240. Liability shall not be reduced where the bidder upon reoffering also fails to pay the bid amount, and in that event both bidders shall remain liable for the unpaid balance of their respective bids. A sale of properties under this Section shall not be final until confirmed by the court.

(b) Confirmation of sales. The county collector shall file his or her report of sale in the court within 30 days of the date of sale of each property. No notice of the county collector's application to confirm the sales shall be required except as prescribed by rule of the court. Upon confirmation, except in cases where the sale becomes void under Section 22-85, or in cases where the order of confirmation is vacated by the court, a sale under this Section shall extinguish the in rem lien of the general taxes, special taxes and special assessments for which judgment has been entered and a redemption shall not revive the lien. Confirmation of the sale shall in no event affect the owner's personal liability to pay the taxes, interest and penalties as provided in this Code or prevent institution of a proceeding under Section 21-440 to collect any amount that may remain due after the sale.

(c) Issuance of tax sale certificates. Upon confirmation of the sale the County Clerk and the County Collector shall issue to the purchaser a certificate of purchase in the form prescribed by Section 21-250 as near as may be. A certificate of purchase shall not be issued to any person who is ineligible
to bid at the sale or to receive a certificate of purchase under Section 21-265.

(d) Scavenger Tax Judgment, Sale and Redemption Record - Sale of parcels not sold. The county collector shall prepare a Scavenger Tax Judgment, Sale and Redemption Record. The county clerk shall write or stamp on the scavenger tax judgment, sale, forfeiture and redemption record opposite the description of any property offered for sale and not sold, or not confirmed for any reason, the words "offered but not sold". The properties which are offered for sale under this Section and not sold or not confirmed shall be offered for sale annually thereafter in the manner provided in this Section until sold, except in the case of mineral rights, which after 10 consecutive years of being offered for sale under this Section and not sold or confirmed shall no longer be required to be offered for sale. At any time between annual sales the County Collector may advertise for sale any properties subject to sale under judgments for sale previously entered under this Section and not executed for any reason. The advertisement and sale shall be regulated by the provisions of this Code as far as applicable.

(e) Proceeding to tax deed. The owner of the certificate of purchase shall give notice as required by Sections 22-5 through 22-30, and may extend the period of redemption as provided by Section 21-385. At any time within 6 months prior to expiration of the period of redemption from a sale under
this Code, the owner of a certificate of purchase may file a petition and may obtain a tax deed under Sections 22-30 through 22-55. All proceedings for the issuance of a tax deed and all tax deeds for properties sold under this Section shall be subject to Sections 22-30 through 22-55. Deeds issued under this Section are subject to Section 22-70. This Section shall be liberally construed so that the deeds provided for in this Section convey merchantable title.

(f) Redemptions from scavenger sales. Redemptions may be made from sales under this Section in the same manner and upon the same terms and conditions as redemptions from sales made under the County Collector's annual application for judgment and order of sale, except that in lieu of penalty the person redeeming shall pay interest as follows if the sale occurs before September 9, 1993:

(1) If redeemed within the first 2 months from the date of the sale, 3% per month or portion thereof upon the amount for which the property was sold;

(2) If redeemed between 2 and 6 months from the date of the sale, 12% of the amount for which the property was sold;

(3) If redeemed between 6 and 12 months from the date of the sale, 24% of the amount for which the property was sold;

(4) If redeemed between 12 and 18 months from the date of the sale, 36% of the amount for which the property was
(5) If redeemed between 18 and 24 months from the date of the sale, 48% of the amount for which the property was sold;

(6) If redeemed after 24 months from the date of sale, the 48% herein provided together with interest at 6% per year thereafter.

If the sale occurs on or after September 9, 1993, the person redeeming shall pay interest on that part of the amount for which the property was sold equal to or less than the full amount of delinquent taxes, special assessments, penalties, interest, and costs, included in the judgment and order of sale as follows:

(1) If redeemed within the first 2 months from the date of the sale, 3% per month upon the amount of taxes, special assessments, penalties, interest, and costs due for each of the first 2 months, or fraction thereof.

(2) If redeemed at any time between 2 and 6 months from the date of the sale, 12% of the amount of taxes, special assessments, penalties, interest, and costs due.

(3) If redeemed at any time between 6 and 12 months from the date of the sale, 24% of the amount of taxes, special assessments, penalties, interest, and costs due.

(4) If redeemed at any time between 12 and 18 months from the date of the sale, 36% of the amount of taxes, special assessments, penalties, interest, and costs due.
If redeemed at any time between 18 and 24 months from the date of the sale, 48% of the amount of taxes, special assessments, penalties, interest, and costs due.

If redeemed after 24 months from the date of sale, the 48% provided for the 24 months together with interest at 6% per annum thereafter on the amount of taxes, special assessments, penalties, interest, and costs due.

The person redeeming shall not be required to pay any interest on any part of the amount for which the property was sold that exceeds the full amount of delinquent taxes, special assessments, penalties, interest, and costs included in the judgment and order of sale.

Notwithstanding any other provision of this Section, except for owner-occupied single family residential units which are condominium units, cooperative units or dwellings, the amount required to be paid for redemption shall also include an amount equal to all delinquent taxes on the property which taxes were delinquent at the time of sale. The delinquent taxes shall be apportioned by the county collector among the taxing districts in which the property is situated in accordance with law. In the event that all moneys received from any sale held under this Section exceed an amount equal to all delinquent taxes on the property sold, which taxes were delinquent at the time of sale, together with all publication and other costs associated with the sale, then, upon redemption, the County Collector and the County Clerk shall
apply the excess amount to the cost of redemption.

(g) Bidding by county or other taxing districts. Any taxing district may bid at a scavenger sale. The county board of the county in which properties offered for sale under this Section are located may bid as trustee for all taxing districts having an interest in the taxes for the nonpayment of which the parcels are offered. The County shall apply on the bid the unpaid taxes due upon the property and no cash need be paid. The County or other taxing district acquiring a tax sale certificate shall take all steps necessary to acquire title to the property and may manage and operate the property so acquired.

When a county, or other taxing district within the county, is a petitioner for a tax deed, no filing fee shall be required on the petition. The county as a tax creditor and as trustee for other tax creditors, or other taxing district within the county shall not be required to allege and prove that all taxes and special assessments which become due and payable after the sale to the county have been paid. The county shall not be required to pay the subsequently accruing taxes or special assessments at any time. Upon the written request of the county board or its designee, the county collector shall not offer the property for sale at any tax sale subsequent to the sale of the property to the county under this Section. The lien of taxes and special assessments which become due and payable after a sale to a county shall merge in the fee title of the
county, or other taxing district, on the issuance of a deed. The County may sell the properties so acquired, or the certificate of purchase thereto, and the proceeds of the sale shall be distributed to the taxing districts in proportion to their respective interests therein. The presiding officer of the county board, with the advice and consent of the County Board, may appoint some officer or person to attend scavenger sales and bid on its behalf.

(h) Miscellaneous provisions. In the event that the tract of land or lot sold at any such sale is not redeemed within the time permitted by law and a tax deed is issued, all moneys that may be received from the sale of properties in excess of the delinquent taxes, together with all publication and other costs associated with the sale, shall, upon petition of any interested party to the court that issued the tax deed, be distributed by the County Collector pursuant to order of the court among the persons having legal or equitable interests in the property according to the fair value of their interests in the tract or lot. Section 21-415 does not apply to properties sold under this Section. Appeals may be taken from the orders and judgments entered under this Section as in other civil cases. The remedy herein provided is in addition to other remedies for the collection of delinquent taxes.

(i) The changes to this Section made by this amendatory Act of the 95th General Assembly apply only to matters in which a petition for tax deed is filed on or after the effective date
of this amendatory Act of the 95th General Assembly.
(Source: P.A. 95-477, eff. 6-1-08.)

(35 ILCS 200/21-261 new)

Sec. 21-261. Scavenger sale automation. Beginning in calendar year 2021, for every scavenger sale held pursuant to Section 21-260 of this Code, the county collector may employ any electronic automated means that the collector deems appropriate, provided that any electronic automated bidding system so used shall be programmed to accept the highest cash bid made by an eligible tax purchaser. If the county collector conducts the scavenger sale using an electronic automated bidding system, no personal attendance by bidders will be required at the scavenger sale. If automated means are used, all hardware and software used with respect to those automated means must be certified by the Department and re-certified by the Department every 5 years.

Section 10. The Home Equity Assurance Act is amended by adding Section 4.3 as follows:

(65 ILCS 95/4.3 new)

Sec. 4.3. Tax levies for levy year 2021.
(a) Notwithstanding any other provision of law, the governing commission of a home equity assurance program that levied at least $1,000,000 in property taxes in levy year 2019
or 2020 may not levy any property tax in levy year 2021.

(b) This Section is repealed January 1, 2025.

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