

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 Department of Revenue Law of the Civil  
5 Administrative Code of Illinois is amended by adding Sections  
6 2505-805 as follows:

7 (20 ILCS 2505/2505-805 new)

8 Sec. 2505-805. Veterans property tax study. The Department  
9 shall conduct a study of the impact of the homestead exemption  
10 for veterans with disabilities on the property tax base for  
11 St. Clair County, Lake County, Will County, Madison County,  
12 Rock Island County, and DuPage County. The study shall be  
13 completed no later than June 30, 2023. A report of the  
14 Department's findings shall be submitted to the Governor and  
15 the General Assembly as soon as possible after the study is  
16 complete.

17 Section 10. The Property Tax Code is amended by changing  
18 Sections 9-275, 15-10, 15-168, 15-169, 15-170, 15-172, 15-175,  
19 and 18-185 and by adding Section 18-190.7 as follows:

20 (35 ILCS 200/9-275)

21 Sec. 9-275. Erroneous homestead exemptions.

1 (a) For purposes of this Section:

2 "Erroneous homestead exemption" means a homestead  
3 exemption that was granted for real property in a taxable year  
4 if the property was not eligible for that exemption in that  
5 taxable year. If the taxpayer receives an erroneous homestead  
6 exemption under a single Section of this Code for the same  
7 property in multiple years, that exemption is considered a  
8 single erroneous homestead exemption for purposes of this  
9 Section. However, if the taxpayer receives erroneous homestead  
10 exemptions under multiple Sections of this Code for the same  
11 property, or if the taxpayer receives erroneous homestead  
12 exemptions under the same Section of this Code for multiple  
13 properties, then each of those exemptions is considered a  
14 separate erroneous homestead exemption for purposes of this  
15 Section.

16 "Homestead exemption" means an exemption under Section  
17 15-165 (veterans with disabilities), 15-167 (returning  
18 veterans), 15-168 (persons with disabilities), 15-169  
19 (standard homestead for veterans with disabilities), 15-170  
20 (senior citizens), 15-172 (low-income senior citizens  
21 assessment freeze), 15-175 (general homestead), 15-176  
22 (alternative general homestead), or 15-177 (long-time  
23 occupant).

24 "Erroneous exemption principal amount" means the total  
25 difference between the property taxes actually billed to a  
26 property index number and the amount of property taxes that

1 would have been billed but for the erroneous exemption or  
2 exemptions.

3 "Taxpayer" means the property owner or leasehold owner  
4 that erroneously received a homestead exemption upon property.

5 (b) Notwithstanding any other provision of law, in  
6 counties with 3,000,000 or more inhabitants, the chief county  
7 assessment officer shall include the following information  
8 with each assessment notice sent in a general assessment year:

9 (1) a list of each homestead exemption available under Article  
10 15 of this Code and a description of the eligibility criteria  
11 for that exemption, including the number of assessment years  
12 of automatic renewal remaining on a current senior citizens  
13 homestead exemption if such an exemption has been applied to  
14 the property; (2) a list of each homestead exemption applied  
15 to the property in the current assessment year; (3)  
16 information regarding penalties and interest that may be  
17 incurred under this Section if the taxpayer received an  
18 erroneous homestead exemption in a previous taxable year; and  
19 (4) notice of the 60-day grace period available under this  
20 subsection. If, within 60 days after receiving his or her  
21 assessment notice, the taxpayer notifies the chief county  
22 assessment officer that he or she received an erroneous  
23 homestead exemption in a previous taxable year, and if the  
24 taxpayer pays the erroneous exemption principal amount, plus  
25 interest as provided in subsection (f), then the taxpayer  
26 shall not be liable for the penalties provided in subsection

1 (f) with respect to that exemption.

2 (c) In counties with 3,000,000 or more inhabitants, when  
3 the chief county assessment officer determines that one or  
4 more erroneous homestead exemptions was applied to the  
5 property, the erroneous exemption principal amount, together  
6 with all applicable interest and penalties as provided in  
7 subsections (f) and (j), shall constitute a lien in the name of  
8 the People of Cook County on the property receiving the  
9 erroneous homestead exemption. Upon becoming aware of the  
10 existence of one or more erroneous homestead exemptions, the  
11 chief county assessment officer shall cause to be served, by  
12 both regular mail and certified mail, a notice of discovery as  
13 set forth in subsection (c-5). The chief county assessment  
14 officer in a county with 3,000,000 or more inhabitants may  
15 cause a lien to be recorded against property that (1) is  
16 located in the county and (2) received one or more erroneous  
17 homestead exemptions if, upon determination of the chief  
18 county assessment officer, the taxpayer received: (A) one or 2  
19 erroneous homestead exemptions for real property, including at  
20 least one erroneous homestead exemption granted for the  
21 property against which the lien is sought, during any of the 3  
22 collection years immediately prior to the current collection  
23 year in which the notice of discovery is served; or (B) 3 or  
24 more erroneous homestead exemptions for real property,  
25 including at least one erroneous homestead exemption granted  
26 for the property against which the lien is sought, during any

1 of the 6 collection years immediately prior to the current  
2 collection year in which the notice of discovery is served.  
3 Prior to recording the lien against the property, the chief  
4 county assessment officer shall cause to be served, by both  
5 regular mail and certified mail, return receipt requested, on  
6 the person to whom the most recent tax bill was mailed and the  
7 owner of record, a notice of intent to record a lien against  
8 the property. The chief county assessment officer shall cause  
9 the notice of intent to record a lien to be served within 3  
10 years from the date on which the notice of discovery was  
11 served.

12 (c-5) The notice of discovery described in subsection (c)  
13 shall: (1) identify, by property index number, the property  
14 for which the chief county assessment officer has knowledge  
15 indicating the existence of an erroneous homestead exemption;  
16 (2) set forth the taxpayer's liability for principal,  
17 interest, penalties, and administrative costs including, but  
18 not limited to, recording fees described in subsection (f);  
19 (3) inform the taxpayer that he or she will be served with a  
20 notice of intent to record a lien within 3 years from the date  
21 of service of the notice of discovery; (4) inform the taxpayer  
22 that he or she may pay the outstanding amount, plus interest,  
23 penalties, and administrative costs at any time prior to being  
24 served with the notice of intent to record a lien or within 30  
25 days after the notice of intent to record a lien is served; and  
26 (5) inform the taxpayer that, if the taxpayer provided notice

1 to the chief county assessment officer as provided in  
2 subsection (d-1) of Section 15-175 of this Code, upon  
3 submission by the taxpayer of evidence of timely notice and  
4 receipt thereof by the chief county assessment officer, the  
5 chief county assessment officer will withdraw the notice of  
6 discovery and reissue a notice of discovery in compliance with  
7 this Section in which the taxpayer is not liable for interest  
8 and penalties for the current tax year in which the notice was  
9 received.

10 For the purposes of this subsection (c-5):

11 "Collection year" means the year in which the first and  
12 second installment of the current tax year is billed.

13 "Current tax year" means the year prior to the collection  
14 year.

15 (d) The notice of intent to record a lien described in  
16 subsection (c) shall: (1) identify, by property index number,  
17 the property against which the lien is being sought; (2)  
18 identify each specific homestead exemption that was  
19 erroneously granted and the year or years in which each  
20 exemption was granted; (3) set forth the erroneous exemption  
21 principal amount due and the interest amount and any penalty  
22 and administrative costs due; (4) inform the taxpayer that he  
23 or she may request a hearing within 30 days after service and  
24 may appeal the hearing officer's ruling to the circuit court;  
25 (5) inform the taxpayer that he or she may pay the erroneous  
26 exemption principal amount, plus interest and penalties,

1 within 30 days after service; and (6) inform the taxpayer  
2 that, if the lien is recorded against the property, the amount  
3 of the lien will be adjusted to include the applicable  
4 recording fee and that fees for recording a release of the lien  
5 shall be incurred by the taxpayer. A lien shall not be filed  
6 pursuant to this Section if the taxpayer pays the erroneous  
7 exemption principal amount, plus penalties and interest,  
8 within 30 days of service of the notice of intent to record a  
9 lien.

10 (e) The notice of intent to record a lien shall also  
11 include a form that the taxpayer may return to the chief county  
12 assessment officer to request a hearing. The taxpayer may  
13 request a hearing by returning the form within 30 days after  
14 service. The hearing shall be held within 90 days after the  
15 taxpayer is served. The chief county assessment officer shall  
16 promulgate rules of service and procedure for the hearing. The  
17 chief county assessment officer must generally follow rules of  
18 evidence and practices that prevail in the county circuit  
19 courts, but, because of the nature of these proceedings, the  
20 chief county assessment officer is not bound by those rules in  
21 all particulars. The chief county assessment officer shall  
22 appoint a hearing officer to oversee the hearing. The taxpayer  
23 shall be allowed to present evidence to the hearing officer at  
24 the hearing. After taking into consideration all the relevant  
25 testimony and evidence, the hearing officer shall make an  
26 administrative decision on whether the taxpayer was

1 erroneously granted a homestead exemption for the taxable year  
2 in question. The taxpayer may appeal the hearing officer's  
3 ruling to the circuit court of the county where the property is  
4 located as a final administrative decision under the  
5 Administrative Review Law.

6 (f) A lien against the property imposed under this Section  
7 shall be filed with the county recorder of deeds, but may not  
8 be filed sooner than 60 days after the notice of intent to  
9 record a lien was delivered to the taxpayer if the taxpayer  
10 does not request a hearing, or until the conclusion of the  
11 hearing and all appeals if the taxpayer does request a  
12 hearing. If a lien is filed pursuant to this Section and the  
13 taxpayer received one or 2 erroneous homestead exemptions  
14 during any of the 3 collection years immediately prior to the  
15 current collection year in which the notice of discovery is  
16 served, then the erroneous exemption principal amount, plus  
17 10% interest per annum or portion thereof from the date the  
18 erroneous exemption principal amount would have become due if  
19 properly included in the tax bill, shall be charged against  
20 the property by the chief county assessment officer. However,  
21 if a lien is filed pursuant to this Section and the taxpayer  
22 received 3 or more erroneous homestead exemptions during any  
23 of the 6 collection years immediately prior to the current  
24 collection year in which the notice of discovery is served,  
25 the erroneous exemption principal amount, plus a penalty of  
26 50% of the total amount of the erroneous exemption principal

1 amount for that property and 10% interest per annum or portion  
2 thereof from the date the erroneous exemption principal amount  
3 would have become due if properly included in the tax bill,  
4 shall be charged against the property by the chief county  
5 assessment officer. If a lien is filed pursuant to this  
6 Section, the taxpayer shall not be liable for interest that  
7 accrues between the date the notice of discovery is served and  
8 the date the lien is filed. Before recording the lien with the  
9 county recorder of deeds, the chief county assessment officer  
10 shall adjust the amount of the lien to add administrative  
11 costs, including but not limited to the applicable recording  
12 fee, to the total lien amount.

13 (g) If a person received an erroneous homestead exemption  
14 under Section 15-170 and: (1) the person was the spouse,  
15 child, grandchild, brother, sister, niece, or nephew of the  
16 previous taxpayer; and (2) the person received the property by  
17 bequest or inheritance; then the person is not liable for the  
18 penalties imposed under this Section for any year or years  
19 during which the chief county assessment officer did not  
20 require an annual application for the exemption or, in a  
21 county with 3,000,000 or more inhabitants, an application for  
22 renewal of a multi-year exemption pursuant to subsection (i)  
23 of Section 15-170, as the case may be. However, that person is  
24 responsible for any interest owed under subsection (f).

25 (h) If the erroneous homestead exemption was granted as a  
26 result of a clerical error or omission on the part of the chief

1 county assessment officer, and if the taxpayer has paid the  
2 tax bills as received for the year in which the error occurred,  
3 then the interest and penalties authorized by this Section  
4 with respect to that homestead exemption shall not be  
5 chargeable to the taxpayer. However, nothing in this Section  
6 shall prevent the collection of the erroneous exemption  
7 principal amount due and owing.

8 (i) A lien under this Section is not valid as to (1) any  
9 bona fide purchaser for value without notice of the erroneous  
10 homestead exemption whose rights in and to the underlying  
11 parcel arose after the erroneous homestead exemption was  
12 granted but before the filing of the notice of lien; or (2) any  
13 mortgagee, judgment creditor, or other lienor whose rights in  
14 and to the underlying parcel arose before the filing of the  
15 notice of lien. A title insurance policy for the property that  
16 is issued by a title company licensed to do business in the  
17 State showing that the property is free and clear of any liens  
18 imposed under this Section shall be prima facie evidence that  
19 the taxpayer is without notice of the erroneous homestead  
20 exemption. Nothing in this Section shall be deemed to impair  
21 the rights of subsequent creditors and subsequent purchasers  
22 under Section 30 of the Conveyances Act.

23 (j) When a lien is filed against the property pursuant to  
24 this Section, the chief county assessment officer shall mail a  
25 copy of the lien to the person to whom the most recent tax bill  
26 was mailed and to the owner of record, and the outstanding

1 liability created by such a lien is due and payable within 30  
2 days after the mailing of the lien by the chief county  
3 assessment officer. This liability is deemed delinquent and  
4 shall bear interest beginning on the day after the due date at  
5 a rate of 1.5% per month or portion thereof. Payment shall be  
6 made to the county treasurer. Upon receipt of the full amount  
7 due, as determined by the chief county assessment officer, the  
8 county treasurer shall distribute the amount paid as provided  
9 in subsection (k). Upon presentment by the taxpayer to the  
10 chief county assessment officer of proof of payment of the  
11 total liability, the chief county assessment officer shall  
12 provide in reasonable form a release of the lien. The release  
13 of the lien provided shall clearly inform the taxpayer that it  
14 is the responsibility of the taxpayer to record the lien  
15 release form with the county recorder of deeds and to pay any  
16 applicable recording fees.

17 (k) The county treasurer shall pay collected erroneous  
18 exemption principal amounts, pro rata, to the taxing  
19 districts, or their legal successors, that levied upon the  
20 subject property in the taxable year or years for which the  
21 erroneous homestead exemptions were granted, except as set  
22 forth in this Section. The county treasurer shall deposit  
23 collected penalties and interest into a special fund  
24 established by the county treasurer to offset the costs of  
25 administration of the provisions of this Section by the chief  
26 county assessment officer's office, as appropriated by the

1 county board. If the costs of administration of this Section  
2 exceed the amount of interest and penalties collected in the  
3 special fund, the chief county assessor shall be reimbursed by  
4 each taxing district or their legal successors for those  
5 costs. Such costs shall be paid out of the funds collected by  
6 the county treasurer on behalf of each taxing district  
7 pursuant to this Section.

8 (1) The chief county assessment officer in a county with  
9 3,000,000 or more inhabitants shall establish an amnesty  
10 period for all taxpayers owing any tax due to an erroneous  
11 homestead exemption granted in a tax year prior to the 2013 tax  
12 year. The amnesty period shall begin on the effective date of  
13 this amendatory Act of the 98th General Assembly and shall run  
14 through December 31, 2013. If, during the amnesty period, the  
15 taxpayer pays the entire arrearage of taxes due for tax years  
16 prior to 2013, the county clerk shall abate and not seek to  
17 collect any interest or penalties that may be applicable and  
18 shall not seek civil or criminal prosecution for any taxpayer  
19 for tax years prior to 2013. Failure to pay all such taxes due  
20 during the amnesty period established under this Section shall  
21 invalidate the amnesty period for that taxpayer.

22 The chief county assessment officer in a county with  
23 3,000,000 or more inhabitants shall (i) mail notice of the  
24 amnesty period with the tax bills for the second installment  
25 of taxes for the 2012 assessment year and (ii) as soon as  
26 possible after the effective date of this amendatory Act of

1 the 98th General Assembly, publish notice of the amnesty  
2 period in a newspaper of general circulation in the county.  
3 Notices shall include information on the amnesty period, its  
4 purpose, and the method by which to make payment.

5 Taxpayers who are a party to any criminal investigation or  
6 to any civil or criminal litigation that is pending in any  
7 circuit court or appellate court, or in the Supreme Court of  
8 this State, for nonpayment, delinquency, or fraud in relation  
9 to any property tax imposed by any taxing district located in  
10 the State on the effective date of this amendatory Act of the  
11 98th General Assembly may not take advantage of the amnesty  
12 period.

13 A taxpayer who has claimed 3 or more homestead exemptions  
14 in error shall not be eligible for the amnesty period  
15 established under this subsection.

16 (m) Notwithstanding any other provision of law, for  
17 taxable years 2019 through 2023, in counties with 3,000,000 or  
18 more inhabitants, the chief county assessment officer shall,  
19 if he or she learns that a taxpayer who has been granted a  
20 senior citizens homestead exemption has died during the period  
21 to which the exemption applies, send a notice to the address on  
22 record for the owner of record of the property notifying the  
23 owner that the exemption will be terminated unless, within 90  
24 days after the notice is sent, the chief county assessment  
25 officer is provided with a basis to continue the exemption.  
26 The notice shall be sent by first-class mail, in an envelope

1 that bears on its front, in boldface red lettering that is at  
2 least one inch in size, the words "Notice of Exemption  
3 Termination"; however, if the taxpayer elects to receive the  
4 notice by email and provides an email address, then the notice  
5 shall be sent by email.

6 (Source: P.A. 101-453, eff. 8-23-19; 101-622, eff. 1-14-20.)

7 (35 ILCS 200/15-10)

8 Sec. 15-10. Exempt property; procedures for certification.

9 (a) All property granted an exemption by the Department  
10 pursuant to the requirements of Section 15-5 and described in  
11 the Sections following Section 15-30 and preceding Section  
12 16-5, to the extent therein limited, is exempt from taxation.  
13 In order to maintain that exempt status, the titleholder or  
14 the owner of the beneficial interest of any property that is  
15 exempt must file with the chief county assessment officer, on  
16 or before January 31 of each year (May 31 in the case of  
17 property exempted by Section 15-170), an affidavit stating  
18 whether there has been any change in the ownership or use of  
19 the property, the status of the owner-resident, the  
20 satisfaction by a relevant hospital entity of the condition  
21 for an exemption under Section 15-86, or that a veteran with a  
22 disability who qualifies under Section 15-165 owned and used  
23 the property as of January 1 of that year. The nature of any  
24 change shall be stated in the affidavit. Failure to file an  
25 affidavit shall, in the discretion of the assessment officer,

1 constitute cause to terminate the exemption of that property,  
2 notwithstanding any other provision of this Code. Owners of 5  
3 or more such exempt parcels within a county may file a single  
4 annual affidavit in lieu of an affidavit for each parcel. The  
5 assessment officer, upon request, shall furnish an affidavit  
6 form to the owners, in which the owner may state whether there  
7 has been any change in the ownership or use of the property or  
8 status of the owner or resident as of January 1 of that year.  
9 The owner of 5 or more exempt parcels shall list all the  
10 properties giving the same information for each parcel as  
11 required of owners who file individual affidavits.

12 (b) However, titleholders or owners of the beneficial  
13 interest in any property exempted under any of the following  
14 provisions are not required to submit an annual filing under  
15 this Section:

16 (1) Section 15-45 (burial grounds) in counties of less  
17 than 3,000,000 inhabitants and owned by a not-for-profit  
18 organization.

19 (2) Section 15-40.

20 (3) Section 15-50 (United States property).

21 (c) If there is a change in use or ownership, however,  
22 notice must be filed pursuant to Section 15-20.

23 (d) An application for homestead exemptions shall be filed  
24 as provided in Section 15-170 (senior citizens homestead  
25 exemption), Section 15-172 (low-income senior citizens  
26 assessment freeze homestead exemption), and Sections 15-175

1 (general homestead exemption), 15-176 (general alternative  
2 homestead exemption), and 15-177 (long-time occupant homestead  
3 exemption), respectively.

4 (e) For purposes of determining satisfaction of the  
5 condition for an exemption under Section 15-86:

6 (1) The "year for which exemption is sought" is the  
7 year prior to the year in which the affidavit is due.

8 (2) The "hospital year" is the fiscal year of the  
9 relevant hospital entity, or the fiscal year of one of the  
10 hospitals in the hospital system if the relevant hospital  
11 entity is a hospital system with members with different  
12 fiscal years, that ends in the year prior to the year in  
13 which the affidavit is due. However, if that fiscal year  
14 ends 3 months or less before the date on which the  
15 affidavit is due, the relevant hospital entity shall file  
16 an interim affidavit based on the currently available  
17 information, and shall file a supplemental affidavit  
18 within 90 days of date on which the application was due, if  
19 the information in the relevant hospital entity's audited  
20 financial statements changes the interim affidavit's  
21 statement concerning the entity's compliance with the  
22 calculation required by Section 15-86.

23 (3) The affidavit shall be accompanied by an exhibit  
24 prepared by the relevant hospital entity showing (A) the  
25 value of the relevant hospital entity's services and  
26 activities, if any, under items (1) through (7) of

1 subsection (e) of Section 15-86, stated separately for  
2 each item, and (B) the value relating to the relevant  
3 hospital entity's estimated property tax liability under  
4 paragraphs (A), (B), and (C) of item (1) of subsection (g)  
5 of Section 15-86; under paragraphs (A), (B), and (C) of  
6 item (2) of subsection (g) of Section 15-86; and under  
7 item (3) of subsection (g) of Section 15-86.

8 (Source: P.A. 99-143, eff. 7-27-15.)

9 (35 ILCS 200/15-168)

10 Sec. 15-168. Homestead exemption for persons with  
11 disabilities.

12 (a) Beginning with taxable year 2007, an annual homestead  
13 exemption is granted to persons with disabilities in the  
14 amount of \$2,000, except as provided in subsection (c), to be  
15 deducted from the property's value as equalized or assessed by  
16 the Department of Revenue. The person with a disability shall  
17 receive the homestead exemption upon meeting the following  
18 requirements:

19 (1) The property must be occupied as the primary  
20 residence by the person with a disability.

21 (2) The person with a disability must be liable for  
22 paying the real estate taxes on the property.

23 (3) The person with a disability must be an owner of  
24 record of the property or have a legal or equitable  
25 interest in the property as evidenced by a written

1 instrument. In the case of a leasehold interest in  
2 property, the lease must be for a single family residence.

3 A person who has a disability during the taxable year is  
4 eligible to apply for this homestead exemption during that  
5 taxable year. Application must be made during the application  
6 period in effect for the county of residence. If a homestead  
7 exemption has been granted under this Section and the person  
8 awarded the exemption subsequently becomes a resident of a  
9 facility licensed under the Nursing Home Care Act, the  
10 Specialized Mental Health Rehabilitation Act of 2013, the  
11 ID/DD Community Care Act, or the MC/DD Act, then the exemption  
12 shall continue (i) so long as the residence continues to be  
13 occupied by the qualifying person's spouse or (ii) if the  
14 residence remains unoccupied but is still owned by the person  
15 qualified for the homestead exemption.

16 (b) For the purposes of this Section, "person with a  
17 disability" means a person unable to engage in any substantial  
18 gainful activity by reason of a medically determinable  
19 physical or mental impairment which can be expected to result  
20 in death or has lasted or can be expected to last for a  
21 continuous period of not less than 12 months. Persons with  
22 disabilities filing claims under this Act shall submit proof  
23 of disability in such form and manner as the Department shall  
24 by rule and regulation prescribe. Proof that a claimant is  
25 eligible to receive disability benefits under the Federal  
26 Social Security Act shall constitute proof of disability for

1 purposes of this Act. Issuance of an Illinois Person with a  
2 Disability Identification Card stating that the claimant is  
3 under a Class 2 disability, as defined in Section 4A of the  
4 Illinois Identification Card Act, shall constitute proof that  
5 the person named thereon is a person with a disability for  
6 purposes of this Act. A person with a disability not covered  
7 under the Federal Social Security Act and not presenting an  
8 Illinois Person with a Disability Identification Card stating  
9 that the claimant is under a Class 2 disability shall be  
10 examined by a physician, optometrist (if the person qualifies  
11 because of a visual disability), advanced practice registered  
12 nurse, or physician assistant designated by the Department,  
13 and his status as a person with a disability determined using  
14 the same standards as used by the Social Security  
15 Administration. The costs of any required examination shall be  
16 borne by the claimant.

17 (c) For land improved with (i) an apartment building owned  
18 and operated as a cooperative or (ii) a life care facility as  
19 defined under Section 2 of the Life Care Facilities Act that is  
20 considered to be a cooperative, the maximum reduction from the  
21 value of the property, as equalized or assessed by the  
22 Department, shall be multiplied by the number of apartments or  
23 units occupied by a person with a disability. The person with a  
24 disability shall receive the homestead exemption upon meeting  
25 the following requirements:

26 (1) The property must be occupied as the primary

1 residence by the person with a disability.

2 (2) The person with a disability must be liable by  
3 contract with the owner or owners of record for paying the  
4 apportioned property taxes on the property of the  
5 cooperative or life care facility. In the case of a life  
6 care facility, the person with a disability must be liable  
7 for paying the apportioned property taxes under a life  
8 care contract as defined in Section 2 of the Life Care  
9 Facilities Act.

10 (3) The person with a disability must be an owner of  
11 record of a legal or equitable interest in the cooperative  
12 apartment building. A leasehold interest does not meet  
13 this requirement.

14 If a homestead exemption is granted under this subsection, the  
15 cooperative association or management firm shall credit the  
16 savings resulting from the exemption to the apportioned tax  
17 liability of the qualifying person with a disability. The  
18 chief county assessment officer may request reasonable proof  
19 that the association or firm has properly credited the  
20 exemption. A person who willfully refuses to credit an  
21 exemption to the qualified person with a disability is guilty  
22 of a Class B misdemeanor.

23 (d) The chief county assessment officer shall determine  
24 the eligibility of property to receive the homestead exemption  
25 according to guidelines established by the Department. After a  
26 person has received an exemption under this Section, an annual

1 verification of eligibility for the exemption shall be mailed  
2 to the taxpayer.

3 In counties with fewer than 3,000,000 inhabitants, the  
4 chief county assessment officer shall provide to each person  
5 granted a homestead exemption under this Section a form to  
6 designate any other person to receive a duplicate of any  
7 notice of delinquency in the payment of taxes assessed and  
8 levied under this Code on the person's qualifying property.  
9 The duplicate notice shall be in addition to the notice  
10 required to be provided to the person receiving the exemption  
11 and shall be given in the manner required by this Code. The  
12 person filing the request for the duplicate notice shall pay  
13 an administrative fee of \$5 to the chief county assessment  
14 officer. The assessment officer shall then file the executed  
15 designation with the county collector, who shall issue the  
16 duplicate notices as indicated by the designation. A  
17 designation may be rescinded by the person with a disability  
18 in the manner required by the chief county assessment officer.

19 (d-5) Notwithstanding any other provision of law, each  
20 chief county assessment officer may approve this exemption for  
21 the 2020 taxable year, without application, for any property  
22 that was approved for this exemption for the 2019 taxable  
23 year, provided that:

24 (1) the county board has declared a local disaster as  
25 provided in the Illinois Emergency Management Agency Act  
26 related to the COVID-19 public health emergency;

1           (2) the owner of record of the property as of January  
2           1, 2020 is the same as the owner of record of the property  
3           as of January 1, 2019;

4           (3) the exemption for the 2019 taxable year has not  
5           been determined to be an erroneous exemption as defined by  
6           this Code; and

7           (4) the applicant for the 2019 taxable year has not  
8           asked for the exemption to be removed for the 2019 or 2020  
9           taxable years.

10          (d-10) Notwithstanding any other provision of law, each  
11          chief county assessment officer may approve this exemption for  
12          the 2021 taxable year, without application, for any property  
13          that was approved for this exemption for the 2020 taxable  
14          year, if:

15               (1) the county board has declared a local disaster as  
16               provided in the Illinois Emergency Management Agency Act  
17               related to the COVID-19 public health emergency;

18               (2) the owner of record of the property as of January  
19               1, 2021 is the same as the owner of record of the property  
20               as of January 1, 2020;

21               (3) the exemption for the 2020 taxable year has not  
22               been determined to be an erroneous exemption as defined by  
23               this Code; and

24               (4) the taxpayer for the 2020 taxable year has not  
25               asked for the exemption to be removed for the 2020 or 2021  
26               taxable years.

1       (d-15) For taxable years 2022 through 2027, in any county  
2 of more than 3,000,000 residents, and in any other county  
3 where the county board has authorized such action by ordinance  
4 or resolution, a chief county assessment officer may renew  
5 this exemption for any person who applied for the exemption  
6 and presented proof of eligibility, as described in subsection  
7 (b) above, without an annual application as required under  
8 subsection (d) above. A chief county assessment officer shall  
9 not automatically renew an exemption under this subsection if:  
10 the physician, advanced practice registered nurse,  
11 optometrist, or physician assistant who examined the claimant  
12 determined that the disability is not expected to continue for  
13 12 months or more; the exemption has been deemed erroneous  
14 since the last application; or the claimant has reported their  
15 ineligibility to receive the exemption. A chief county  
16 assessment officer who automatically renews an exemption under  
17 this subsection shall notify a person of a subsequent  
18 determination not to automatically renew that person's  
19 exemption and shall provide that person with an application to  
20 renew the exemption.

21       (e) A taxpayer who claims an exemption under Section  
22 15-165 or 15-169 may not claim an exemption under this  
23 Section.

24 (Source: P.A. 101-635, eff. 6-5-20; 102-136, eff. 7-23-21.)

25 (35 ILCS 200/15-169)

1           Sec. 15-169. Homestead exemption for veterans with  
2 disabilities.

3           (a) Beginning with taxable year 2007, an annual homestead  
4 exemption, limited to the amounts set forth in subsections (b)  
5 and (b-3), is granted for property that is used as a qualified  
6 residence by a veteran with a disability.

7           (b) For taxable years prior to 2015, the amount of the  
8 exemption under this Section is as follows:

9           (1) for veterans with a service-connected disability  
10 of at least (i) 75% for exemptions granted in taxable  
11 years 2007 through 2009 and (ii) 70% for exemptions  
12 granted in taxable year 2010 and each taxable year  
13 thereafter, as certified by the United States Department  
14 of Veterans Affairs, the annual exemption is \$5,000; and

15           (2) for veterans with a service-connected disability  
16 of at least 50%, but less than (i) 75% for exemptions  
17 granted in taxable years 2007 through 2009 and (ii) 70%  
18 for exemptions granted in taxable year 2010 and each  
19 taxable year thereafter, as certified by the United States  
20 Department of Veterans Affairs, the annual exemption is  
21 \$2,500.

22           (b-3) For taxable years 2015 and thereafter:

23           (1) if the veteran has a service connected disability  
24 of 30% or more but less than 50%, as certified by the  
25 United States Department of Veterans Affairs, then the  
26 annual exemption is \$2,500;

1           (2) if the veteran has a service connected disability  
2           of 50% or more but less than 70%, as certified by the  
3           United States Department of Veterans Affairs, then the  
4           annual exemption is \$5,000; ~~and~~

5           (3) if the veteran has a service connected disability  
6           of 70% or more, as certified by the United States  
7           Department of Veterans Affairs, then the property is  
8           exempt from taxation under this Code; and ~~—~~

9           (4) for taxable year 2023 and thereafter, if the  
10          taxpayer is the surviving spouse of a veteran whose death  
11          was determined to be service-connected and who is  
12          certified by the United States Department of Veterans  
13          Affairs as a recipient of dependency and indemnity  
14          compensation under federal law, then the property is also  
15          exempt from taxation under this Code.

16          (b-5) If a homestead exemption is granted under this  
17          Section and the person awarded the exemption subsequently  
18          becomes a resident of a facility licensed under the Nursing  
19          Home Care Act or a facility operated by the United States  
20          Department of Veterans Affairs, then the exemption shall  
21          continue (i) so long as the residence continues to be occupied  
22          by the qualifying person's spouse or (ii) if the residence  
23          remains unoccupied but is still owned by the person who  
24          qualified for the homestead exemption.

25          (c) The tax exemption under this Section carries over to  
26          the benefit of the veteran's surviving spouse as long as the

1 spouse holds the legal or beneficial title to the homestead,  
2 permanently resides thereon, and does not remarry. If the  
3 surviving spouse sells the property, an exemption not to  
4 exceed the amount granted from the most recent ad valorem tax  
5 roll may be transferred to his or her new residence as long as  
6 it is used as his or her primary residence and he or she does  
7 not remarry.

8 As used in this subsection (c):

9 (1) for taxable years prior to 2015, "surviving  
10 spouse" means the surviving spouse of a veteran who  
11 obtained an exemption under this Section prior to his or  
12 her death;

13 (2) for taxable years 2015 through 2022, "surviving  
14 spouse" means (i) the surviving spouse of a veteran who  
15 obtained an exemption under this Section prior to his or  
16 her death and (ii) the surviving spouse of a veteran who  
17 was killed in the line of duty at any time prior to the  
18 expiration of the application period in effect for the  
19 exemption for the taxable year for which the exemption is  
20 sought; and

21 (3) for taxable year 2023 and thereafter, "surviving  
22 spouse" means: (i) the surviving spouse of a veteran who  
23 obtained the exemption under this Section prior to his or  
24 her death; (ii) the surviving spouse of a veteran who was  
25 killed in the line of duty at any time prior to the  
26 expiration of the application period in effect for the

1 exemption for the taxable year for which the exemption is  
2 sought; (iii) the surviving spouse of a veteran who did  
3 not obtain an exemption under this Section before death,  
4 but who would have qualified for the exemption under this  
5 Section in the taxable year for which the exemption is  
6 sought if he or she had survived, and whose surviving  
7 spouse has been a resident of Illinois from the time of the  
8 veteran's death through the taxable year for which the  
9 exemption is sought; and (iv) the surviving spouse of a  
10 veteran whose death was determined to be  
11 service-connected, but who would not otherwise qualify  
12 under items (i), (ii), or (iii), if the spouse (A) is  
13 certified by the United States Department of Veterans  
14 Affairs as a recipient of dependency and indemnity  
15 compensation under federal law at any time prior to the  
16 expiration of the application period in effect for the  
17 exemption for the taxable year for which the exemption is  
18 sought and (B) remains eligible for that dependency and  
19 indemnity compensation as of January 1 of the taxable year  
20 for which the exemption is sought.

21 (c-1) Beginning with taxable year 2015, nothing in this  
22 Section shall require the veteran to have qualified for or  
23 obtained the exemption before death if the veteran was killed  
24 in the line of duty.

25 (d) The exemption under this Section applies for taxable  
26 year 2007 and thereafter. A taxpayer who claims an exemption

1 under Section 15-165 or 15-168 may not claim an exemption  
2 under this Section.

3 (e) Except as otherwise provided in this subsection (e),  
4 each ~~Each~~ taxpayer who has been granted an exemption under  
5 this Section must reapply on an annual basis. Application must  
6 be made during the application period in effect for the county  
7 of his or her residence. The assessor or chief county  
8 assessment officer may determine the eligibility of  
9 residential property to receive the homestead exemption  
10 provided by this Section by application, visual inspection,  
11 questionnaire, or other reasonable methods. The determination  
12 must be made in accordance with guidelines established by the  
13 Department.

14 On and after the effective date of this amendatory Act of  
15 the 102nd General Assembly, if a veteran has a combined  
16 service connected disability rating of 100% and is deemed to  
17 be permanently and totally disabled, as certified by the  
18 United States Department of Veterans Affairs, the taxpayer who  
19 has been granted an exemption under this Section shall no  
20 longer be required to reapply for the exemption on an annual  
21 basis, and the exemption shall be in effect for as long as the  
22 exemption would otherwise be permitted under this Section.

23 (e-1) If the person qualifying for the exemption does not  
24 occupy the qualified residence as of January 1 of the taxable  
25 year, the exemption granted under this Section shall be  
26 prorated on a monthly basis. The prorated exemption shall

1 apply beginning with the first complete month in which the  
2 person occupies the qualified residence.

3 (e-5) Notwithstanding any other provision of law, each  
4 chief county assessment officer may approve this exemption for  
5 the 2020 taxable year, without application, for any property  
6 that was approved for this exemption for the 2019 taxable  
7 year, provided that:

8 (1) the county board has declared a local disaster as  
9 provided in the Illinois Emergency Management Agency Act  
10 related to the COVID-19 public health emergency;

11 (2) the owner of record of the property as of January  
12 1, 2020 is the same as the owner of record of the property  
13 as of January 1, 2019;

14 (3) the exemption for the 2019 taxable year has not  
15 been determined to be an erroneous exemption as defined by  
16 this Code; and

17 (4) the applicant for the 2019 taxable year has not  
18 asked for the exemption to be removed for the 2019 or 2020  
19 taxable years.

20 Nothing in this subsection shall preclude a veteran whose  
21 service connected disability rating has changed since the 2019  
22 exemption was granted from applying for the exemption based on  
23 the subsequent service connected disability rating.

24 (e-10) Notwithstanding any other provision of law, each  
25 chief county assessment officer may approve this exemption for  
26 the 2021 taxable year, without application, for any property

1 that was approved for this exemption for the 2020 taxable  
2 year, if:

3 (1) the county board has declared a local disaster as  
4 provided in the Illinois Emergency Management Agency Act  
5 related to the COVID-19 public health emergency;

6 (2) the owner of record of the property as of January  
7 1, 2021 is the same as the owner of record of the property  
8 as of January 1, 2020;

9 (3) the exemption for the 2020 taxable year has not  
10 been determined to be an erroneous exemption as defined by  
11 this Code; and

12 (4) the taxpayer for the 2020 taxable year has not  
13 asked for the exemption to be removed for the 2020 or 2021  
14 taxable years.

15 Nothing in this subsection shall preclude a veteran whose  
16 service connected disability rating has changed since the 2020  
17 exemption was granted from applying for the exemption based on  
18 the subsequent service connected disability rating.

19 (f) For the purposes of this Section:

20 "Qualified residence" means real property, but less any  
21 portion of that property that is used for commercial purposes,  
22 with an equalized assessed value of less than \$250,000 that is  
23 the primary residence of a veteran with a disability. Property  
24 rented for more than 6 months is presumed to be used for  
25 commercial purposes.

26 "Veteran" means an Illinois resident who has served as a

1 member of the United States Armed Forces on active duty or  
2 State active duty, a member of the Illinois National Guard, or  
3 a member of the United States Reserve Forces and who has  
4 received an honorable discharge.

5 (Source: P.A. 101-635, eff. 6-5-20; 102-136, eff. 7-23-21.)

6 (35 ILCS 200/15-170)

7 Sec. 15-170. Senior citizens homestead exemption.

8 (a) An annual homestead exemption limited, except as  
9 described here with relation to cooperatives or life care  
10 facilities, to a maximum reduction set forth below from the  
11 property's value, as equalized or assessed by the Department,  
12 is granted for property that is occupied as a residence by a  
13 person 65 years of age or older who is liable for paying real  
14 estate taxes on the property and is an owner of record of the  
15 property or has a legal or equitable interest therein as  
16 evidenced by a written instrument, except for a leasehold  
17 interest, other than a leasehold interest of land on which a  
18 single family residence is located, which is occupied as a  
19 residence by a person 65 years or older who has an ownership  
20 interest therein, legal, equitable or as a lessee, and on  
21 which he or she is liable for the payment of property taxes.  
22 Before taxable year 2004, the maximum reduction shall be  
23 \$2,500 in counties with 3,000,000 or more inhabitants and  
24 \$2,000 in all other counties. For taxable years 2004 through  
25 2005, the maximum reduction shall be \$3,000 in all counties.

1 For taxable years 2006 and 2007, the maximum reduction shall  
2 be \$3,500. For taxable years 2008 through 2011, the maximum  
3 reduction is \$4,000 in all counties. For taxable year 2012,  
4 the maximum reduction is \$5,000 in counties with 3,000,000 or  
5 more inhabitants and \$4,000 in all other counties. For taxable  
6 years 2013 through 2016, the maximum reduction is \$5,000 in  
7 all counties. For taxable years 2017 through 2022 ~~and~~  
8 ~~thereafter~~, the maximum reduction is \$8,000 in counties with  
9 3,000,000 or more inhabitants and \$5,000 in all other  
10 counties. For taxable years 2023 and thereafter, the maximum  
11 reduction is \$8,000 in counties with 3,000,000 or more  
12 inhabitants and counties that are contiguous to a county of  
13 3,000,000 or more inhabitants and \$5,000 in all other  
14 counties.

15 (b) For land improved with an apartment building owned and  
16 operated as a cooperative, the maximum reduction from the  
17 value of the property, as equalized by the Department, shall  
18 be multiplied by the number of apartments or units occupied by  
19 a person 65 years of age or older who is liable, by contract  
20 with the owner or owners of record, for paying property taxes  
21 on the property and is an owner of record of a legal or  
22 equitable interest in the cooperative apartment building,  
23 other than a leasehold interest. For land improved with a life  
24 care facility, the maximum reduction from the value of the  
25 property, as equalized by the Department, shall be multiplied  
26 by the number of apartments or units occupied by persons 65

1 years of age or older, irrespective of any legal, equitable,  
2 or leasehold interest in the facility, who are liable, under a  
3 contract with the owner or owners of record of the facility,  
4 for paying property taxes on the property. In a cooperative or  
5 a life care facility where a homestead exemption has been  
6 granted, the cooperative association or the management firm of  
7 the cooperative or facility shall credit the savings resulting  
8 from that exemption only to the apportioned tax liability of  
9 the owner or resident who qualified for the exemption. Any  
10 person who willfully refuses to so credit the savings shall be  
11 guilty of a Class B misdemeanor. Under this Section and  
12 Sections 15-175, 15-176, and 15-177, "life care facility"  
13 means a facility, as defined in Section 2 of the Life Care  
14 Facilities Act, with which the applicant for the homestead  
15 exemption has a life care contract as defined in that Act.

16 (c) When a homestead exemption has been granted under this  
17 Section and the person qualifying subsequently becomes a  
18 resident of a facility licensed under the Assisted Living and  
19 Shared Housing Act, the Nursing Home Care Act, the Specialized  
20 Mental Health Rehabilitation Act of 2013, the ID/DD Community  
21 Care Act, or the MC/DD Act, the exemption shall continue so  
22 long as the residence continues to be occupied by the  
23 qualifying person's spouse if the spouse is 65 years of age or  
24 older, or if the residence remains unoccupied but is still  
25 owned by the person qualified for the homestead exemption.

26 (d) A person who will be 65 years of age during the current

1 assessment year shall be eligible to apply for the homestead  
2 exemption during that assessment year. Application shall be  
3 made during the application period in effect for the county of  
4 his residence.

5 (e) Beginning with assessment year 2003, for taxes payable  
6 in 2004, property that is first occupied as a residence after  
7 January 1 of any assessment year by a person who is eligible  
8 for the senior citizens homestead exemption under this Section  
9 must be granted a pro-rata exemption for the assessment year.  
10 The amount of the pro-rata exemption is the exemption allowed  
11 in the county under this Section divided by 365 and multiplied  
12 by the number of days during the assessment year the property  
13 is occupied as a residence by a person eligible for the  
14 exemption under this Section. The chief county assessment  
15 officer must adopt reasonable procedures to establish  
16 eligibility for this pro-rata exemption.

17 (f) The assessor or chief county assessment officer may  
18 determine the eligibility of a life care facility to receive  
19 the benefits provided by this Section, by affidavit,  
20 application, visual inspection, questionnaire or other  
21 reasonable methods in order to insure that the tax savings  
22 resulting from the exemption are credited by the management  
23 firm to the apportioned tax liability of each qualifying  
24 resident. The assessor may request reasonable proof that the  
25 management firm has so credited the exemption.

26 (g) The chief county assessment officer of each county

1 with less than 3,000,000 inhabitants shall provide to each  
2 person allowed a homestead exemption under this Section a form  
3 to designate any other person to receive a duplicate of any  
4 notice of delinquency in the payment of taxes assessed and  
5 levied under this Code on the property of the person receiving  
6 the exemption. The duplicate notice shall be in addition to  
7 the notice required to be provided to the person receiving the  
8 exemption, and shall be given in the manner required by this  
9 Code. The person filing the request for the duplicate notice  
10 shall pay a fee of \$5 to cover administrative costs to the  
11 supervisor of assessments, who shall then file the executed  
12 designation with the county collector. Notwithstanding any  
13 other provision of this Code to the contrary, the filing of  
14 such an executed designation requires the county collector to  
15 provide duplicate notices as indicated by the designation. A  
16 designation may be rescinded by the person who executed such  
17 designation at any time, in the manner and form required by the  
18 chief county assessment officer.

19 (h) The assessor or chief county assessment officer may  
20 determine the eligibility of residential property to receive  
21 the homestead exemption provided by this Section by  
22 application, visual inspection, questionnaire or other  
23 reasonable methods. The determination shall be made in  
24 accordance with guidelines established by the Department.

25 (i) In counties with 3,000,000 or more inhabitants, for  
26 taxable years 2010 through 2018, and beginning again in

1 taxable year 2024, each taxpayer who has been granted an  
2 exemption under this Section must reapply on an annual basis.

3 If a reapplication is required, then the chief county  
4 assessment officer shall mail the application to the taxpayer  
5 at least 60 days prior to the last day of the application  
6 period for the county.

7 For taxable years 2019 through 2023, in counties with  
8 3,000,000 or more inhabitants, a taxpayer who has been granted  
9 an exemption under this Section need not reapply. However, if  
10 the property ceases to be qualified for the exemption under  
11 this Section in any year for which a reapplication is not  
12 required under this Section, then the owner of record of the  
13 property shall notify the chief county assessment officer that  
14 the property is no longer qualified. In addition, for taxable  
15 years 2019 through 2023, the chief county assessment officer  
16 of a county with 3,000,000 or more inhabitants shall enter  
17 into an intergovernmental agreement with the county clerk of  
18 that county and the Department of Public Health, as well as any  
19 other appropriate governmental agency, to obtain information  
20 that documents the death of a taxpayer who has been granted an  
21 exemption under this Section. Notwithstanding any other  
22 provision of law, the county clerk and the Department of  
23 Public Health shall provide that information to the chief  
24 county assessment officer. The Department of Public Health  
25 shall supply this information no less frequently than every  
26 calendar quarter. Information concerning the death of a

1 taxpayer may be shared with the county treasurer. The chief  
2 county assessment officer shall also enter into a data  
3 exchange agreement with the Social Security Administration or  
4 its agent to obtain access to the information regarding deaths  
5 in possession of the Social Security Administration. The chief  
6 county assessment officer shall, subject to the notice  
7 requirements under subsection (m) of Section 9-275, terminate  
8 the exemption under this Section if the information obtained  
9 indicates that the property is no longer qualified for the  
10 exemption. In counties with 3,000,000 or more inhabitants, the  
11 assessor and the county recorder of deeds shall establish  
12 policies and practices for the regular exchange of information  
13 for the purpose of alerting the assessor whenever the transfer  
14 of ownership of any property receiving an exemption under this  
15 Section has occurred. When such a transfer occurs, the  
16 assessor shall mail a notice to the new owner of the property  
17 (i) informing the new owner that the exemption will remain in  
18 place through the year of the transfer, after which it will be  
19 canceled, and (ii) providing information pertaining to the  
20 rules for reapplying for the exemption if the owner qualifies.  
21 In counties with 3,000,000 or more inhabitants, the chief  
22 county assessment official shall conduct audits of all  
23 exemptions granted under this Section no later than December  
24 31, 2022 and no later than December 31, 2024. The audit shall  
25 be designed to ascertain whether any senior homestead  
26 exemptions have been granted erroneously. If it is determined

1 that a senior homestead exemption has been erroneously applied  
2 to a property, the chief county assessment officer shall make  
3 use of the appropriate provisions of Section 9-275 in relation  
4 to the property that received the erroneous homestead  
5 exemption.

6 (j) In counties with less than 3,000,000 inhabitants, the  
7 county board may by resolution provide that if a person has  
8 been granted a homestead exemption under this Section, the  
9 person qualifying need not reapply for the exemption.

10 In counties with less than 3,000,000 inhabitants, if the  
11 assessor or chief county assessment officer requires annual  
12 application for verification of eligibility for an exemption  
13 once granted under this Section, the application shall be  
14 mailed to the taxpayer.

15 (l) The assessor or chief county assessment officer shall  
16 notify each person who qualifies for an exemption under this  
17 Section that the person may also qualify for deferral of real  
18 estate taxes under the Senior Citizens Real Estate Tax  
19 Deferral Act. The notice shall set forth the qualifications  
20 needed for deferral of real estate taxes, the address and  
21 telephone number of county collector, and a statement that  
22 applications for deferral of real estate taxes may be obtained  
23 from the county collector.

24 (m) Notwithstanding Sections 6 and 8 of the State Mandates  
25 Act, no reimbursement by the State is required for the  
26 implementation of any mandate created by this Section.

1 (Source: P.A. 100-401, eff. 8-25-17; 101-453, eff. 8-23-19;  
2 101-622, eff. 1-14-20.)

3 (35 ILCS 200/15-172)

4 Sec. 15-172. Low-Income Senior Citizens Assessment Freeze  
5 Homestead Exemption.

6 (a) This Section may be cited as the Low-Income Senior  
7 Citizens Assessment Freeze Homestead Exemption.

8 (b) As used in this Section:

9 "Applicant" means an individual who has filed an  
10 application under this Section.

11 "Base amount" means the base year equalized assessed value  
12 of the residence plus the first year's equalized assessed  
13 value of any added improvements which increased the assessed  
14 value of the residence after the base year.

15 "Base year" means the taxable year prior to the taxable  
16 year for which the applicant first qualifies and applies for  
17 the exemption provided that in the prior taxable year the  
18 property was improved with a permanent structure that was  
19 occupied as a residence by the applicant who was liable for  
20 paying real property taxes on the property and who was either  
21 (i) an owner of record of the property or had legal or  
22 equitable interest in the property as evidenced by a written  
23 instrument or (ii) had a legal or equitable interest as a  
24 lessee in the parcel of property that was single family  
25 residence. If in any subsequent taxable year for which the

1 applicant applies and qualifies for the exemption the  
2 equalized assessed value of the residence is less than the  
3 equalized assessed value in the existing base year (provided  
4 that such equalized assessed value is not based on an assessed  
5 value that results from a temporary irregularity in the  
6 property that reduces the assessed value for one or more  
7 taxable years), then that subsequent taxable year shall become  
8 the base year until a new base year is established under the  
9 terms of this paragraph. For taxable year 1999 only, the Chief  
10 County Assessment Officer shall review (i) all taxable years  
11 for which the applicant applied and qualified for the  
12 exemption and (ii) the existing base year. The assessment  
13 officer shall select as the new base year the year with the  
14 lowest equalized assessed value. An equalized assessed value  
15 that is based on an assessed value that results from a  
16 temporary irregularity in the property that reduces the  
17 assessed value for one or more taxable years shall not be  
18 considered the lowest equalized assessed value. The selected  
19 year shall be the base year for taxable year 1999 and  
20 thereafter until a new base year is established under the  
21 terms of this paragraph.

22 "Chief County Assessment Officer" means the County  
23 Assessor or Supervisor of Assessments of the county in which  
24 the property is located.

25 "Equalized assessed value" means the assessed value as  
26 equalized by the Illinois Department of Revenue.

1 "Household" means the applicant, the spouse of the  
2 applicant, and all persons using the residence of the  
3 applicant as their principal place of residence.

4 "Household income" means the combined income of the  
5 members of a household for the calendar year preceding the  
6 taxable year.

7 "Income" has the same meaning as provided in Section 3.07  
8 of the Senior Citizens and Persons with Disabilities Property  
9 Tax Relief Act, except that, beginning in assessment year  
10 2001, "income" does not include veteran's benefits.

11 "Internal Revenue Code of 1986" means the United States  
12 Internal Revenue Code of 1986 or any successor law or laws  
13 relating to federal income taxes in effect for the year  
14 preceding the taxable year.

15 "Life care facility that qualifies as a cooperative" means  
16 a facility as defined in Section 2 of the Life Care Facilities  
17 Act.

18 "Maximum income limitation" means:

- 19 (1) \$35,000 prior to taxable year 1999;  
20 (2) \$40,000 in taxable years 1999 through 2003;  
21 (3) \$45,000 in taxable years 2004 through 2005;  
22 (4) \$50,000 in taxable years 2006 and 2007;  
23 (5) \$55,000 in taxable years 2008 through 2016;  
24 (6) for taxable year 2017, (i) \$65,000 for qualified  
25 property located in a county with 3,000,000 or more  
26 inhabitants and (ii) \$55,000 for qualified property

1 located in a county with fewer than 3,000,000 inhabitants;  
2 and

3 (7) for taxable years 2018 and thereafter, \$65,000 for  
4 all qualified property.

5 As an alternative income valuation, a homeowner who is  
6 enrolled in any of the following programs may be presumed to  
7 have household income that does not exceed the maximum income  
8 limitation for that tax year as required by this Section: Aid  
9 to the Aged, Blind or Disabled (AABD) Program or the  
10 Supplemental Nutrition Assistance Program (SNAP), both of  
11 which are administered by the Department of Human Services;  
12 the Low Income Home Energy Assistance Program (LIHEAP), which  
13 is administered by the Department of Commerce and Economic  
14 Opportunity; The Benefit Access program, which is administered  
15 by the Department on Aging; and the Senior Citizens Real  
16 Estate Tax Deferral Program.

17 A chief county assessment officer may indicate that he or  
18 she has verified an applicant's income eligibility for this  
19 exemption but may not report which program or programs, if  
20 any, enroll the applicant. Release of personal information  
21 submitted pursuant to this Section shall be deemed an  
22 unwarranted invasion of personal privacy under the Freedom of  
23 Information Act.

24 "Residence" means the principal dwelling place and  
25 appurtenant structures used for residential purposes in this  
26 State occupied on January 1 of the taxable year by a household

1 and so much of the surrounding land, constituting the parcel  
2 upon which the dwelling place is situated, as is used for  
3 residential purposes. If the Chief County Assessment Officer  
4 has established a specific legal description for a portion of  
5 property constituting the residence, then that portion of  
6 property shall be deemed the residence for the purposes of  
7 this Section.

8 "Taxable year" means the calendar year during which ad  
9 valorem property taxes payable in the next succeeding year are  
10 levied.

11 (c) Beginning in taxable year 1994, a low-income senior  
12 citizens assessment freeze homestead exemption is granted for  
13 real property that is improved with a permanent structure that  
14 is occupied as a residence by an applicant who (i) is 65 years  
15 of age or older during the taxable year, (ii) has a household  
16 income that does not exceed the maximum income limitation,  
17 (iii) is liable for paying real property taxes on the  
18 property, and (iv) is an owner of record of the property or has  
19 a legal or equitable interest in the property as evidenced by a  
20 written instrument. This homestead exemption shall also apply  
21 to a leasehold interest in a parcel of property improved with a  
22 permanent structure that is a single family residence that is  
23 occupied as a residence by a person who (i) is 65 years of age  
24 or older during the taxable year, (ii) has a household income  
25 that does not exceed the maximum income limitation, (iii) has  
26 a legal or equitable ownership interest in the property as

1 lessee, and (iv) is liable for the payment of real property  
2 taxes on that property.

3 In counties of 3,000,000 or more inhabitants, the amount  
4 of the exemption for all taxable years is the equalized  
5 assessed value of the residence in the taxable year for which  
6 application is made minus the base amount. In all other  
7 counties, the amount of the exemption is as follows: (i)  
8 through taxable year 2005 and for taxable year 2007 and  
9 thereafter, the amount of this exemption shall be the  
10 equalized assessed value of the residence in the taxable year  
11 for which application is made minus the base amount; and (ii)  
12 for taxable year 2006, the amount of the exemption is as  
13 follows:

14 (1) For an applicant who has a household income of  
15 \$45,000 or less, the amount of the exemption is the  
16 equalized assessed value of the residence in the taxable  
17 year for which application is made minus the base amount.

18 (2) For an applicant who has a household income  
19 exceeding \$45,000 but not exceeding \$46,250, the amount of  
20 the exemption is (i) the equalized assessed value of the  
21 residence in the taxable year for which application is  
22 made minus the base amount (ii) multiplied by 0.8.

23 (3) For an applicant who has a household income  
24 exceeding \$46,250 but not exceeding \$47,500, the amount of  
25 the exemption is (i) the equalized assessed value of the  
26 residence in the taxable year for which application is

1           made minus the base amount (ii) multiplied by 0.6.

2           (4) For an applicant who has a household income  
3           exceeding \$47,500 but not exceeding \$48,750, the amount of  
4           the exemption is (i) the equalized assessed value of the  
5           residence in the taxable year for which application is  
6           made minus the base amount (ii) multiplied by 0.4.

7           (5) For an applicant who has a household income  
8           exceeding \$48,750 but not exceeding \$50,000, the amount of  
9           the exemption is (i) the equalized assessed value of the  
10          residence in the taxable year for which application is  
11          made minus the base amount (ii) multiplied by 0.2.

12          When the applicant is a surviving spouse of an applicant  
13          for a prior year for the same residence for which an exemption  
14          under this Section has been granted, the base year and base  
15          amount for that residence are the same as for the applicant for  
16          the prior year.

17          Each year at the time the assessment books are certified  
18          to the County Clerk, the Board of Review or Board of Appeals  
19          shall give to the County Clerk a list of the assessed values of  
20          improvements on each parcel qualifying for this exemption that  
21          were added after the base year for this parcel and that  
22          increased the assessed value of the property.

23          In the case of land improved with an apartment building  
24          owned and operated as a cooperative or a building that is a  
25          life care facility that qualifies as a cooperative, the  
26          maximum reduction from the equalized assessed value of the

1 property is limited to the sum of the reductions calculated  
2 for each unit occupied as a residence by a person or persons  
3 (i) 65 years of age or older, (ii) with a household income that  
4 does not exceed the maximum income limitation, (iii) who is  
5 liable, by contract with the owner or owners of record, for  
6 paying real property taxes on the property, and (iv) who is an  
7 owner of record of a legal or equitable interest in the  
8 cooperative apartment building, other than a leasehold  
9 interest. In the instance of a cooperative where a homestead  
10 exemption has been granted under this Section, the cooperative  
11 association or its management firm shall credit the savings  
12 resulting from that exemption only to the apportioned tax  
13 liability of the owner who qualified for the exemption. Any  
14 person who willfully refuses to credit that savings to an  
15 owner who qualifies for the exemption is guilty of a Class B  
16 misdemeanor.

17 When a homestead exemption has been granted under this  
18 Section and an applicant then becomes a resident of a facility  
19 licensed under the Assisted Living and Shared Housing Act, the  
20 Nursing Home Care Act, the Specialized Mental Health  
21 Rehabilitation Act of 2013, the ID/DD Community Care Act, or  
22 the MC/DD Act, the exemption shall be granted in subsequent  
23 years so long as the residence (i) continues to be occupied by  
24 the qualified applicant's spouse or (ii) if remaining  
25 unoccupied, is still owned by the qualified applicant for the  
26 homestead exemption.

1           Beginning January 1, 1997, when an individual dies who  
2 would have qualified for an exemption under this Section, and  
3 the surviving spouse does not independently qualify for this  
4 exemption because of age, the exemption under this Section  
5 shall be granted to the surviving spouse for the taxable year  
6 preceding and the taxable year of the death, provided that,  
7 except for age, the surviving spouse meets all other  
8 qualifications for the granting of this exemption for those  
9 years.

10           When married persons maintain separate residences, the  
11 exemption provided for in this Section may be claimed by only  
12 one of such persons and for only one residence.

13           For taxable year 1994 only, in counties having less than  
14 3,000,000 inhabitants, to receive the exemption, a person  
15 shall submit an application by February 15, 1995 to the Chief  
16 County Assessment Officer of the county in which the property  
17 is located. In counties having 3,000,000 or more inhabitants,  
18 for taxable year 1994 and all subsequent taxable years, to  
19 receive the exemption, a person may submit an application to  
20 the Chief County Assessment Officer of the county in which the  
21 property is located during such period as may be specified by  
22 the Chief County Assessment Officer. The Chief County  
23 Assessment Officer in counties of 3,000,000 or more  
24 inhabitants shall annually give notice of the application  
25 period by mail or by publication. In counties having less than  
26 3,000,000 inhabitants, beginning with taxable year 1995 and

1 thereafter, to receive the exemption, a person shall submit an  
2 application by July 1 of each taxable year to the Chief County  
3 Assessment Officer of the county in which the property is  
4 located. A county may, by ordinance, establish a date for  
5 submission of applications that is different than July 1. The  
6 applicant shall submit with the application an affidavit of  
7 the applicant's total household income, age, marital status  
8 (and if married the name and address of the applicant's  
9 spouse, if known), and principal dwelling place of members of  
10 the household on January 1 of the taxable year. The Department  
11 shall establish, by rule, a method for verifying the accuracy  
12 of affidavits filed by applicants under this Section, and the  
13 Chief County Assessment Officer may conduct audits of any  
14 taxpayer claiming an exemption under this Section to verify  
15 that the taxpayer is eligible to receive the exemption. Each  
16 application shall contain or be verified by a written  
17 declaration that it is made under the penalties of perjury. A  
18 taxpayer's signing a fraudulent application under this Act is  
19 perjury, as defined in Section 32-2 of the Criminal Code of  
20 2012. The applications shall be clearly marked as applications  
21 for the Low-Income Senior Citizens Assessment Freeze Homestead  
22 Exemption and must contain a notice that any taxpayer who  
23 receives the exemption is subject to an audit by the Chief  
24 County Assessment Officer.

25 Notwithstanding any other provision to the contrary, in  
26 counties having fewer than 3,000,000 inhabitants, if an

1 applicant fails to file the application required by this  
2 Section in a timely manner and this failure to file is due to a  
3 mental or physical condition sufficiently severe so as to  
4 render the applicant incapable of filing the application in a  
5 timely manner, the Chief County Assessment Officer may extend  
6 the filing deadline for a period of 30 days after the applicant  
7 regains the capability to file the application, but in no case  
8 may the filing deadline be extended beyond 3 months of the  
9 original filing deadline. In order to receive the extension  
10 provided in this paragraph, the applicant shall provide the  
11 Chief County Assessment Officer with a signed statement from  
12 the applicant's physician, advanced practice registered nurse,  
13 or physician assistant stating the nature and extent of the  
14 condition, that, in the physician's, advanced practice  
15 registered nurse's, or physician assistant's opinion, the  
16 condition was so severe that it rendered the applicant  
17 incapable of filing the application in a timely manner, and  
18 the date on which the applicant regained the capability to  
19 file the application.

20 Beginning January 1, 1998, notwithstanding any other  
21 provision to the contrary, in counties having fewer than  
22 3,000,000 inhabitants, if an applicant fails to file the  
23 application required by this Section in a timely manner and  
24 this failure to file is due to a mental or physical condition  
25 sufficiently severe so as to render the applicant incapable of  
26 filing the application in a timely manner, the Chief County

1 Assessment Officer may extend the filing deadline for a period  
2 of 3 months. In order to receive the extension provided in this  
3 paragraph, the applicant shall provide the Chief County  
4 Assessment Officer with a signed statement from the  
5 applicant's physician, advanced practice registered nurse, or  
6 physician assistant stating the nature and extent of the  
7 condition, and that, in the physician's, advanced practice  
8 registered nurse's, or physician assistant's opinion, the  
9 condition was so severe that it rendered the applicant  
10 incapable of filing the application in a timely manner.

11 In counties having less than 3,000,000 inhabitants, if an  
12 applicant was denied an exemption in taxable year 1994 and the  
13 denial occurred due to an error on the part of an assessment  
14 official, or his or her agent or employee, then beginning in  
15 taxable year 1997 the applicant's base year, for purposes of  
16 determining the amount of the exemption, shall be 1993 rather  
17 than 1994. In addition, in taxable year 1997, the applicant's  
18 exemption shall also include an amount equal to (i) the amount  
19 of any exemption denied to the applicant in taxable year 1995  
20 as a result of using 1994, rather than 1993, as the base year,  
21 (ii) the amount of any exemption denied to the applicant in  
22 taxable year 1996 as a result of using 1994, rather than 1993,  
23 as the base year, and (iii) the amount of the exemption  
24 erroneously denied for taxable year 1994.

25 For purposes of this Section, a person who will be 65 years  
26 of age during the current taxable year shall be eligible to

1 apply for the homestead exemption during that taxable year.  
2 Application shall be made during the application period in  
3 effect for the county of his or her residence.

4 The Chief County Assessment Officer may determine the  
5 eligibility of a life care facility that qualifies as a  
6 cooperative to receive the benefits provided by this Section  
7 by use of an affidavit, application, visual inspection,  
8 questionnaire, or other reasonable method in order to insure  
9 that the tax savings resulting from the exemption are credited  
10 by the management firm to the apportioned tax liability of  
11 each qualifying resident. The Chief County Assessment Officer  
12 may request reasonable proof that the management firm has so  
13 credited that exemption.

14 Except as provided in this Section, all information  
15 received by the chief county assessment officer or the  
16 Department from applications filed under this Section, or from  
17 any investigation conducted under the provisions of this  
18 Section, shall be confidential, except for official purposes  
19 or pursuant to official procedures for collection of any State  
20 or local tax or enforcement of any civil or criminal penalty or  
21 sanction imposed by this Act or by any statute or ordinance  
22 imposing a State or local tax. Any person who divulges any such  
23 information in any manner, except in accordance with a proper  
24 judicial order, is guilty of a Class A misdemeanor.

25 Nothing contained in this Section shall prevent the  
26 Director or chief county assessment officer from publishing or

1 making available reasonable statistics concerning the  
2 operation of the exemption contained in this Section in which  
3 the contents of claims are grouped into aggregates in such a  
4 way that information contained in any individual claim shall  
5 not be disclosed.

6 Notwithstanding any other provision of law, for taxable  
7 year 2017 and thereafter, in counties of 3,000,000 or more  
8 inhabitants, the amount of the exemption shall be the greater  
9 of (i) the amount of the exemption otherwise calculated under  
10 this Section or (ii) \$2,000.

11 (c-5) Notwithstanding any other provision of law, each  
12 chief county assessment officer may approve this exemption for  
13 the 2020 taxable year, without application, for any property  
14 that was approved for this exemption for the 2019 taxable  
15 year, provided that:

16 (1) the county board has declared a local disaster as  
17 provided in the Illinois Emergency Management Agency Act  
18 related to the COVID-19 public health emergency;

19 (2) the owner of record of the property as of January  
20 1, 2020 is the same as the owner of record of the property  
21 as of January 1, 2019;

22 (3) the exemption for the 2019 taxable year has not  
23 been determined to be an erroneous exemption as defined by  
24 this Code; and

25 (4) the applicant for the 2019 taxable year has not  
26 asked for the exemption to be removed for the 2019 or 2020

1 taxable years.

2 Nothing in this subsection shall preclude or impair the  
3 authority of a chief county assessment officer to conduct  
4 audits of any taxpayer claiming an exemption under this  
5 Section to verify that the taxpayer is eligible to receive the  
6 exemption as provided elsewhere in this Section.

7 (c-10) Notwithstanding any other provision of law, each  
8 chief county assessment officer may approve this exemption for  
9 the 2021 taxable year, without application, for any property  
10 that was approved for this exemption for the 2020 taxable  
11 year, if:

12 (1) the county board has declared a local disaster as  
13 provided in the Illinois Emergency Management Agency Act  
14 related to the COVID-19 public health emergency;

15 (2) the owner of record of the property as of January  
16 1, 2021 is the same as the owner of record of the property  
17 as of January 1, 2020;

18 (3) the exemption for the 2020 taxable year has not  
19 been determined to be an erroneous exemption as defined by  
20 this Code; and

21 (4) the taxpayer for the 2020 taxable year has not  
22 asked for the exemption to be removed for the 2020 or 2021  
23 taxable years.

24 Nothing in this subsection shall preclude or impair the  
25 authority of a chief county assessment officer to conduct  
26 audits of any taxpayer claiming an exemption under this

1 Section to verify that the taxpayer is eligible to receive the  
2 exemption as provided elsewhere in this Section.

3 (d) Each Chief County Assessment Officer shall annually  
4 publish a notice of availability of the exemption provided  
5 under this Section. The notice shall be published at least 60  
6 days but no more than 75 days prior to the date on which the  
7 application must be submitted to the Chief County Assessment  
8 Officer of the county in which the property is located. The  
9 notice shall appear in a newspaper of general circulation in  
10 the county.

11 Notwithstanding Sections 6 and 8 of the State Mandates  
12 Act, no reimbursement by the State is required for the  
13 implementation of any mandate created by this Section.

14 (Source: P.A. 101-635, eff. 6-5-20; 102-136, eff. 7-23-21.)

15 (35 ILCS 200/15-175)

16 Sec. 15-175. General homestead exemption.

17 (a) Except as provided in Sections 15-176 and 15-177,  
18 homestead property is entitled to an annual homestead  
19 exemption limited, except as described here with relation to  
20 cooperatives or life care facilities, to a reduction in the  
21 equalized assessed value of homestead property equal to the  
22 increase in equalized assessed value for the current  
23 assessment year above the equalized assessed value of the  
24 property for 1977, up to the maximum reduction set forth  
25 below. If however, the 1977 equalized assessed value upon

1 which taxes were paid is subsequently determined by local  
2 assessing officials, the Property Tax Appeal Board, or a court  
3 to have been excessive, the equalized assessed value which  
4 should have been placed on the property for 1977 shall be used  
5 to determine the amount of the exemption.

6 (b) Except as provided in Section 15-176, the maximum  
7 reduction before taxable year 2004 shall be \$4,500 in counties  
8 with 3,000,000 or more inhabitants and \$3,500 in all other  
9 counties. Except as provided in Sections 15-176 and 15-177,  
10 for taxable years 2004 through 2007, the maximum reduction  
11 shall be \$5,000, for taxable year 2008, the maximum reduction  
12 is \$5,500, and, for taxable years 2009 through 2011, the  
13 maximum reduction is \$6,000 in all counties. For taxable years  
14 2012 through 2016, the maximum reduction is \$7,000 in counties  
15 with 3,000,000 or more inhabitants and \$6,000 in all other  
16 counties. For taxable years 2017 through 2022 ~~and thereafter~~,  
17 the maximum reduction is \$10,000 in counties with 3,000,000 or  
18 more inhabitants and \$6,000 in all other counties. For taxable  
19 years 2023 and thereafter, the maximum reduction is \$10,000 in  
20 counties with 3,000,000 or more inhabitants, \$8,000 in  
21 counties that are contiguous to a county of 3,000,000 or more  
22 inhabitants, and \$6,000 in all other counties. If a county has  
23 elected to subject itself to the provisions of Section 15-176  
24 as provided in subsection (k) of that Section, then, for the  
25 first taxable year only after the provisions of Section 15-176  
26 no longer apply, for owners who, for the taxable year, have not

1 been granted a senior citizens assessment freeze homestead  
2 exemption under Section 15-172 or a long-time occupant  
3 homestead exemption under Section 15-177, there shall be an  
4 additional exemption of \$5,000 for owners with a household  
5 income of \$30,000 or less.

6 (c) In counties with fewer than 3,000,000 inhabitants, if,  
7 based on the most recent assessment, the equalized assessed  
8 value of the homestead property for the current assessment  
9 year is greater than the equalized assessed value of the  
10 property for 1977, the owner of the property shall  
11 automatically receive the exemption granted under this Section  
12 in an amount equal to the increase over the 1977 assessment up  
13 to the maximum reduction set forth in this Section.

14 (d) If in any assessment year beginning with the 2000  
15 assessment year, homestead property has a pro-rata valuation  
16 under Section 9-180 resulting in an increase in the assessed  
17 valuation, a reduction in equalized assessed valuation equal  
18 to the increase in equalized assessed value of the property  
19 for the year of the pro-rata valuation above the equalized  
20 assessed value of the property for 1977 shall be applied to the  
21 property on a proportionate basis for the period the property  
22 qualified as homestead property during the assessment year.  
23 The maximum proportionate homestead exemption shall not exceed  
24 the maximum homestead exemption allowed in the county under  
25 this Section divided by 365 and multiplied by the number of  
26 days the property qualified as homestead property.

1           (d-1) In counties with 3,000,000 or more inhabitants,  
2 where the chief county assessment officer provides a notice of  
3 discovery, if a property is not occupied by its owner as a  
4 principal residence as of January 1 of the current tax year,  
5 then the property owner shall notify the chief county  
6 assessment officer of that fact on a form prescribed by the  
7 chief county assessment officer. That notice must be received  
8 by the chief county assessment officer on or before March 1 of  
9 the collection year. If mailed, the form shall be sent by  
10 certified mail, return receipt requested. If the form is  
11 provided in person, the chief county assessment officer shall  
12 provide a date stamped copy of the notice. Failure to provide  
13 timely notice pursuant to this subsection (d-1) shall result  
14 in the exemption being treated as an erroneous exemption. Upon  
15 timely receipt of the notice for the current tax year, no  
16 exemption shall be applied to the property for the current tax  
17 year. If the exemption is not removed upon timely receipt of  
18 the notice by the chief assessment officer, then the error is  
19 considered granted as a result of a clerical error or omission  
20 on the part of the chief county assessment officer as  
21 described in subsection (h) of Section 9-275, and the property  
22 owner shall not be liable for the payment of interest and  
23 penalties due to the erroneous exemption for the current tax  
24 year for which the notice was filed after the date that notice  
25 was timely received pursuant to this subsection. Notice  
26 provided under this subsection shall not constitute a defense

1 or amnesty for prior year erroneous exemptions.

2 For the purposes of this subsection (d-1):

3 "Collection year" means the year in which the first and  
4 second installment of the current tax year is billed.

5 "Current tax year" means the year prior to the collection  
6 year.

7 (e) The chief county assessment officer may, when  
8 considering whether to grant a leasehold exemption under this  
9 Section, require the following conditions to be met:

10 (1) that a notarized application for the exemption,  
11 signed by both the owner and the lessee of the property,  
12 must be submitted each year during the application period  
13 in effect for the county in which the property is located;

14 (2) that a copy of the lease must be filed with the  
15 chief county assessment officer by the owner of the  
16 property at the time the notarized application is  
17 submitted;

18 (3) that the lease must expressly state that the  
19 lessee is liable for the payment of property taxes; and

20 (4) that the lease must include the following language  
21 in substantially the following form:

22 "Lessee shall be liable for the payment of real  
23 estate taxes with respect to the residence in  
24 accordance with the terms and conditions of Section  
25 15-175 of the Property Tax Code (35 ILCS 200/15-175).  
26 The permanent real estate index number for the

1 premises is (insert number), and, according to the  
2 most recent property tax bill, the current amount of  
3 real estate taxes associated with the premises is  
4 (insert amount) per year. The parties agree that the  
5 monthly rent set forth above shall be increased or  
6 decreased pro rata (effective January 1 of each  
7 calendar year) to reflect any increase or decrease in  
8 real estate taxes. Lessee shall be deemed to be  
9 satisfying Lessee's liability for the above mentioned  
10 real estate taxes with the monthly rent payments as  
11 set forth above (or increased or decreased as set  
12 forth herein).".

13 In addition, if there is a change in lessee, or if the  
14 lessee vacates the property, then the chief county assessment  
15 officer may require the owner of the property to notify the  
16 chief county assessment officer of that change.

17 This subsection (e) does not apply to leasehold interests  
18 in property owned by a municipality.

19 (f) "Homestead property" under this Section includes  
20 residential property that is occupied by its owner or owners  
21 as his or their principal dwelling place, or that is a  
22 leasehold interest on which a single family residence is  
23 situated, which is occupied as a residence by a person who has  
24 an ownership interest therein, legal or equitable or as a  
25 lessee, and on which the person is liable for the payment of  
26 property taxes. For land improved with an apartment building

1 owned and operated as a cooperative, the maximum reduction  
2 from the equalized assessed value shall be limited to the  
3 increase in the value above the equalized assessed value of  
4 the property for 1977, up to the maximum reduction set forth  
5 above, multiplied by the number of apartments or units  
6 occupied by a person or persons who is liable, by contract with  
7 the owner or owners of record, for paying property taxes on the  
8 property and is an owner of record of a legal or equitable  
9 interest in the cooperative apartment building, other than a  
10 leasehold interest. For land improved with a life care  
11 facility, the maximum reduction from the value of the  
12 property, as equalized by the Department, shall be multiplied  
13 by the number of apartments or units occupied by a person or  
14 persons, irrespective of any legal, equitable, or leasehold  
15 interest in the facility, who are liable, under a life care  
16 contract with the owner or owners of record of the facility,  
17 for paying property taxes on the property. For purposes of  
18 this Section, the term "life care facility" has the meaning  
19 stated in Section 15-170.

20 "Household", as used in this Section, means the owner, the  
21 spouse of the owner, and all persons using the residence of the  
22 owner as their principal place of residence.

23 "Household income", as used in this Section, means the  
24 combined income of the members of a household for the calendar  
25 year preceding the taxable year.

26 "Income", as used in this Section, has the same meaning as

1 provided in Section 3.07 of the Senior Citizens and Persons  
2 with Disabilities Property Tax Relief Act, except that  
3 "income" does not include veteran's benefits.

4 (g) In a cooperative or life care facility where a  
5 homestead exemption has been granted, the cooperative  
6 association or the management of the cooperative or life care  
7 facility shall credit the savings resulting from that  
8 exemption only to the apportioned tax liability of the owner  
9 or resident who qualified for the exemption. Any person who  
10 willfully refuses to so credit the savings shall be guilty of a  
11 Class B misdemeanor.

12 (h) Where married persons maintain and reside in separate  
13 residences qualifying as homestead property, each residence  
14 shall receive 50% of the total reduction in equalized assessed  
15 valuation provided by this Section.

16 (i) In all counties, the assessor or chief county  
17 assessment officer may determine the eligibility of  
18 residential property to receive the homestead exemption and  
19 the amount of the exemption by application, visual inspection,  
20 questionnaire or other reasonable methods. The determination  
21 shall be made in accordance with guidelines established by the  
22 Department, provided that the taxpayer applying for an  
23 additional general exemption under this Section shall submit  
24 to the chief county assessment officer an application with an  
25 affidavit of the applicant's total household income, age,  
26 marital status (and, if married, the name and address of the

1 applicant's spouse, if known), and principal dwelling place of  
2 members of the household on January 1 of the taxable year. The  
3 Department shall issue guidelines establishing a method for  
4 verifying the accuracy of the affidavits filed by applicants  
5 under this paragraph. The applications shall be clearly marked  
6 as applications for the Additional General Homestead  
7 Exemption.

8 (i-5) This subsection (i-5) applies to counties with  
9 3,000,000 or more inhabitants. In the event of a sale of  
10 homestead property, the homestead exemption shall remain in  
11 effect for the remainder of the assessment year of the sale.  
12 Upon receipt of a transfer declaration transmitted by the  
13 recorder pursuant to Section 31-30 of the Real Estate Transfer  
14 Tax Law for property receiving an exemption under this  
15 Section, the assessor shall mail a notice and forms to the new  
16 owner of the property providing information pertaining to the  
17 rules and applicable filing periods for applying or reapplying  
18 for homestead exemptions under this Code for which the  
19 property may be eligible. If the new owner fails to apply or  
20 reapply for a homestead exemption during the applicable filing  
21 period or the property no longer qualifies for an existing  
22 homestead exemption, the assessor shall cancel such exemption  
23 for any ensuing assessment year.

24 (j) In counties with fewer than 3,000,000 inhabitants, in  
25 the event of a sale of homestead property the homestead  
26 exemption shall remain in effect for the remainder of the

1 assessment year of the sale. The assessor or chief county  
2 assessment officer may require the new owner of the property  
3 to apply for the homestead exemption for the following  
4 assessment year.

5 (k) Notwithstanding Sections 6 and 8 of the State Mandates  
6 Act, no reimbursement by the State is required for the  
7 implementation of any mandate created by this Section.

8 (l) The changes made to this Section by this amendatory  
9 Act of the 100th General Assembly are effective for the 2018  
10 tax year and thereafter.

11 (Source: P.A. 99-143, eff. 7-27-15; 99-164, eff. 7-28-15;  
12 99-642, eff. 7-28-16; 99-851, eff. 8-19-16; 100-401, eff.  
13 8-25-17; 100-1077, eff. 1-1-19.)

14 (35 ILCS 200/18-185)

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

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

21 "Extension limitation" means (a) the lesser of 5% or the  
22 percentage increase in the Consumer Price Index during the  
23 12-month calendar year preceding the levy year or (b) the rate  
24 of increase approved by voters under Section 18-205.

25 "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. Beginning with the 1995 levy year, "taxing  
10 district" includes only each non-home rule taxing district  
11 subject to this Law before the 1995 levy year and each non-home  
12 rule taxing district not subject to this Law before the 1995  
13 levy year having the majority of its 1994 equalized assessed  
14 value in an affected county or counties. Beginning with the  
15 levy year in which this Law becomes applicable to a taxing  
16 district as provided in Section 18-213, "taxing district" also  
17 includes those taxing districts made subject to this Law as  
18 provided in Section 18-213.

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

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

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

1 district abolished under the provisions of Section 6-133 of  
2 the Illinois Highway Code.

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

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

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

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

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

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

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

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

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

1 fund expenses of providing joint recreational programs for  
2 persons with disabilities under Section 5-8 of the Park  
3 District Code or Section 11-95-14 of the Illinois Municipal  
4 Code; and (1) made for contributions to a firefighter's  
5 pension fund created under Article 4 of the Illinois Pension  
6 Code, to the extent of the amount certified under item (5) of  
7 Section 4-134 of the Illinois Pension Code.

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

1 without referendum (but not including excluded non-referendum  
2 bonds), "debt service extension base" means an amount equal to  
3 that portion of the extension for the 1991 levy year  
4 constituting an extension for payment of principal and  
5 interest on bonds issued by the park district without  
6 referendum (but not including excluded non-referendum bonds).  
7 A debt service extension base established or increased at any  
8 time pursuant to any provision of this Law, except Section  
9 18-212, shall be increased each year commencing with the later  
10 of (i) the 2009 levy year or (ii) the first levy year in which  
11 this Law becomes applicable to the taxing district, by the  
12 lesser of 5% or the percentage increase in the Consumer Price  
13 Index during the 12-month calendar year preceding the levy  
14 year. The debt service extension base may be established or  
15 increased as provided under Section 18-212. "Excluded  
16 non-referendum bonds" means (i) bonds authorized by Public Act  
17 88-503 and issued under Section 20a of the Chicago Park  
18 District Act for aquarium and museum projects; (ii) bonds  
19 issued under Section 15 of the Local Government Debt Reform  
20 Act; or (iii) refunding obligations issued to refund or to  
21 continue to refund obligations initially issued pursuant to  
22 referendum.

23 "Special purpose extensions" include, but are not limited  
24 to, extensions for levies made on an annual basis for  
25 unemployment and workers' compensation, self-insurance,  
26 contributions to pension plans, and extensions made pursuant

1 to Section 6-601 of the Illinois Highway Code for a road  
2 district's permanent road fund whether levied annually or not.  
3 The extension for a special service area is not included in the  
4 aggregate extension.

5 "Aggregate extension base" means the taxing district's  
6 last preceding aggregate extension as adjusted under Sections  
7 18-135, 18-215, 18-230, 18-206, and 18-233. Beginning with  
8 levy year 2022, for taxing districts that are specified in  
9 Section 18-190.7, the taxing district's aggregate extension  
10 base shall be calculated as provided in Section 18-190.7. An  
11 adjustment under Section 18-135 shall be made for the 2007  
12 levy year and all subsequent levy years whenever one or more  
13 counties within which a taxing district is located (i) used  
14 estimated valuations or rates when extending taxes in the  
15 taxing district for the last preceding levy year that resulted  
16 in the over or under extension of taxes, or (ii) increased or  
17 decreased the tax extension for the last preceding levy year  
18 as required by Section 18-135(c). Whenever an adjustment is  
19 required under Section 18-135, the aggregate extension base of  
20 the taxing district shall be equal to the amount that the  
21 aggregate extension of the taxing district would have been for  
22 the last preceding levy year if either or both (i) actual,  
23 rather than estimated, valuations or rates had been used to  
24 calculate the extension of taxes for the last levy year, or  
25 (ii) the tax extension for the last preceding levy year had not  
26 been adjusted as required by subsection (c) of Section 18-135.

1           Notwithstanding any other provision of law, for levy year  
2 2012, the aggregate extension base for West Northfield School  
3 District No. 31 in Cook County shall be \$12,654,592.

4           Notwithstanding any other provision of law, for levy year  
5 2022, the aggregate extension base of a home equity assurance  
6 program that levied at least \$1,000,000 in property taxes in  
7 levy year 2019 or 2020 under the Home Equity Assurance Act  
8 shall be the amount that the program's aggregate extension  
9 base for levy year 2021 would have been if the program had  
10 levied a property tax for levy year 2021.

11           "Levy year" has the same meaning as "year" under Section  
12 1-155.

13           "New property" means (i) the assessed value, after final  
14 board of review or board of appeals action, of new  
15 improvements or additions to existing improvements on any  
16 parcel of real property that increase the assessed value of  
17 that real property during the levy year multiplied by the  
18 equalization factor issued by the Department under Section  
19 17-30, (ii) the assessed value, after final board of review or  
20 board of appeals action, of real property not exempt from real  
21 estate taxation, which real property was exempt from real  
22 estate taxation for any portion of the immediately preceding  
23 levy year, multiplied by the equalization factor issued by the  
24 Department under Section 17-30, including the assessed value,  
25 upon final stabilization of occupancy after new construction  
26 is complete, of any real property located within the

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

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

21 "Recovered tax increment value" means, except as otherwise  
22 provided in this paragraph, the amount of the current year's  
23 equalized assessed value, in the first year after a  
24 municipality terminates the designation of an area as a  
25 redevelopment project area previously established under the  
26 Tax Increment Allocation Redevelopment Act in the Illinois

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

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

11 Except as otherwise provided in this Section, "limiting  
12 rate" means a fraction the numerator of which is the last  
13 preceding aggregate extension base times an amount equal to  
14 one plus the extension limitation defined in this Section and  
15 the denominator of which is the current year's equalized  
16 assessed value of all real property in the territory under the  
17 jurisdiction of the taxing district during the prior levy  
18 year. For those taxing districts that reduced their aggregate  
19 extension for the last preceding levy year, except for school  
20 districts that reduced their extension for educational  
21 purposes pursuant to Section 18-206, the highest aggregate  
22 extension in any of the last 3 preceding levy years shall be  
23 used for the purpose of computing the limiting rate. The  
24 denominator shall not include new property or the recovered  
25 tax increment value. If a new rate, a rate decrease, or a  
26 limiting rate increase has been approved at an election held

1 after March 21, 2006, then (i) the otherwise applicable  
2 limiting rate shall be increased by the amount of the new rate  
3 or shall be reduced by the amount of the rate decrease, as the  
4 case may be, or (ii) in the case of a limiting rate increase,  
5 the limiting rate shall be equal to the rate set forth in the  
6 proposition approved by the voters for each of the years  
7 specified in the proposition, after which the limiting rate of  
8 the taxing district shall be calculated as otherwise provided.

9 In the case of a taxing district that obtained referendum  
10 approval for an increased limiting rate on March 20, 2012, the  
11 limiting rate for tax year 2012 shall be the rate that  
12 generates the approximate total amount of taxes extendable for  
13 that tax year, as set forth in the proposition approved by the  
14 voters; this rate shall be the final rate applied by the county  
15 clerk for the aggregate of all capped funds of the district for  
16 tax year 2012.

17 (Source: P.A. 102-263, eff. 8-6-21; 102-311, eff. 8-6-21;  
18 102-519, eff. 8-20-21; 102-558, eff. 8-20-21; revised  
19 10-5-21.)

20 (35 ILCS 200/18-190.7 new)

21 Sec. 18-190.7. Alternative aggregate extension base for  
22 certain taxing districts; recapture.

23 (a) This Section applies to the following taxing districts  
24 that are subject to this Division 5:

25 (1) school districts that have a designation of

1 recognition or review according to the State Board of  
2 Education's School District Financial Profile System as of  
3 the first day of the levy year for which the taxing  
4 district seeks to increase its aggregate extension under  
5 this Section;

6 (2) park districts;

7 (3) library districts; and

8 (4) community college districts.

9 (b) Subject to the limitations of subsection (c),  
10 beginning in levy year 2022, a taxing district specified in  
11 subsection (a) may recapture certain levy amounts that are  
12 otherwise unavailable to the taxing district as a result of  
13 the taxing district not extending the maximum amount permitted  
14 under this Division 5 in a previous levy year. For that  
15 purpose, the taxing district's aggregate extension base shall  
16 be the greater of: (1) the taxing district's aggregate  
17 extension limit; or (2) the taxing district's last preceding  
18 aggregate extension, as adjusted under Sections 18-135,  
19 18-215, 18-230, 18-206, and 18-233.

20 (c) Notwithstanding the provisions of this Section, the  
21 aggregate extension of a taxing district that uses an  
22 aggregate extension limit under this Section for a particular  
23 levy year may not exceed the taxing district's aggregate  
24 extension for the immediately preceding levy year by more than  
25 5% unless the increase is approved by the voters under Section  
26 18-205; however, if a taxing district is unable to recapture

1 the entire unrealized levy amount in a single levy year due to  
2 the limitations of this subsection (c), the taxing district  
3 may increase its aggregate extension in each immediately  
4 succeeding levy year until the entire levy amount is  
5 recaptured, except that the increase in each succeeding levy  
6 year may not exceed the greater of (i) 5% or (ii) the increase  
7 approved by the voters under Section 18-205.

8 In order to be eligible for recapture under this Section,  
9 the taxing district must certify to the county clerk that the  
10 taxing district did not extend the maximum amount permitted  
11 under this Division 5 for a particular levy year. That  
12 certification must be made not more than 60 days after the  
13 taxing district files its levy ordinance or resolution with  
14 the county clerk for the levy year for which the taxing  
15 district did not extend the maximum amount permitted under  
16 this Division 5.

17 (d) As used in this Section, "aggregate extension limit"  
18 means the taxing district's last preceding aggregate extension  
19 if the district had utilized the maximum limiting rate  
20 permitted without referendum for each of the 3 immediately  
21 preceding levy years, as adjusted under Section 18-135,  
22 18-215, 18-230, 18-206, and 18-233.

23 Section 15. The School Code is amended by changing Section  
24 17-2A and by adding Section 17-1.3 as follows:

1 (105 ILCS 5/17-1.3 new)

2 Sec. 17-1.3. Disclosure of cash balance. Notwithstanding  
3 any other provision of law, each school district shall  
4 disclose to the public, at the public hearing at which the  
5 district certifies its budget and levy for the taxable year,  
6 the cash reserve balance of all funds held by the district  
7 related to its operational levy and, if applicable, any  
8 obligations secured by those funds.

9 (105 ILCS 5/17-2A) (from Ch. 122, par. 17-2A)

10 Sec. 17-2A. Interfund transfers.

11 (a) The school board of any district having a population  
12 of less than 500,000 inhabitants may, by proper resolution  
13 following a public hearing set by the school board or the  
14 president of the school board (that is preceded (i) by at least  
15 one published notice over the name of the clerk or secretary of  
16 the board, occurring at least 7 days and not more than 30 days  
17 prior to the hearing, in a newspaper of general circulation  
18 within the school district and (ii) by posted notice over the  
19 name of the clerk or secretary of the board, at least 48 hours  
20 before the hearing, at the principal office of the school  
21 board or at the building where the hearing is to be held if a  
22 principal office does not exist, with both notices setting  
23 forth the time, date, place, and subject matter of the  
24 hearing), transfer money from (1) the Educational Fund to the  
25 Operations and Maintenance Fund or the Transportation Fund,

1 (2) the Operations and Maintenance Fund to the Educational  
2 Fund or the Transportation Fund, (3) the Transportation Fund  
3 to the Educational Fund or the Operations and Maintenance  
4 Fund, or (4) the Tort Immunity Fund to the Operations and  
5 Maintenance Fund of said district, provided that, except  
6 during the period from July 1, 2003 through June 30, 2024, such  
7 transfer is made solely for the purpose of meeting one-time,  
8 non-recurring expenses. Except during the period from July 1,  
9 2003 through June 30, 2026 ~~June 30, 2024~~ and except as  
10 otherwise provided in subsection (b) of this Section, any  
11 other permanent interfund transfers authorized by any  
12 provision or judicial interpretation of this Code for which  
13 the transferee fund is not precisely and specifically set  
14 forth in the provision of this Code authorizing such transfer  
15 shall be made to the fund of the school district most in need  
16 of the funds being transferred, as determined by resolution of  
17 the school board.

18 (b) (Blank).

19 (c) Notwithstanding subsection (a) of this Section or any  
20 other provision of this Code to the contrary, the school board  
21 of any school district (i) that is subject to the Property Tax  
22 Extension Limitation Law, (ii) that is an elementary district  
23 servicing students in grades K through 8, (iii) whose  
24 territory is in one county, (iv) that is eligible for Section  
25 7002 Federal Impact Aid, and (v) that has no more than \$81,000  
26 in funds remaining from refinancing bonds that were refinanced

1 a minimum of 5 years prior to January 20, 2017 (the effective  
2 date of Public Act 99-926) may make a one-time transfer of the  
3 funds remaining from the refinancing bonds to the Operations  
4 and Maintenance Fund of the district by proper resolution  
5 following a public hearing set by the school board or the  
6 president of the school board, with notice as provided in  
7 subsection (a) of this Section, so long as the district meets  
8 the qualifications set forth in this subsection (c) on January  
9 20, 2017 (the effective date of Public Act 99-926).

10 (d) Notwithstanding subsection (a) of this Section or any  
11 other provision of this Code to the contrary, the school board  
12 of any school district (i) that is subject to the Property Tax  
13 Extension Limitation Law, (ii) that is a community unit school  
14 district servicing students in grades K through 12, (iii)  
15 whose territory is in one county, (iv) that owns property  
16 designated by the United States as a Superfund site pursuant  
17 to the federal Comprehensive Environmental Response,  
18 Compensation and Liability Act of 1980 (42 U.S.C. 9601 et  
19 seq.), and (v) that has an excess accumulation of funds in its  
20 bond fund, including funds accumulated prior to July 1, 2000,  
21 may make a one-time transfer of those excess funds accumulated  
22 prior to July 1, 2000 to the Operations and Maintenance Fund of  
23 the district by proper resolution following a public hearing  
24 set by the school board or the president of the school board,  
25 with notice as provided in subsection (a) of this Section, so  
26 long as the district meets the qualifications set forth in

1 this subsection (d) on August 4, 2017 (the effective date of  
2 Public Act 100-32).

3 (Source: P.A. 101-643, eff. 6-18-20; 102-671, eff. 11-30-21.)

4 Section 20. The Senior Citizens Real Estate Tax Deferral  
5 Act is amended by changing Section 3 as follows:

6 (320 ILCS 30/3) (from Ch. 67 1/2, par. 453)

7 Sec. 3. A taxpayer may, on or before March 1 of each year,  
8 apply to the county collector of the county where his  
9 qualifying property is located, or to the official designated  
10 by a unit of local government to collect special assessments  
11 on the qualifying property, as the case may be, for a deferral  
12 of all or a part of real estate taxes payable during that year  
13 for the preceding year in the case of real estate taxes other  
14 than special assessments, or for a deferral of any  
15 installments payable during that year in the case of special  
16 assessments, on all or part of his qualifying property. The  
17 application shall be on a form prescribed by the Department  
18 and furnished by the collector, (a) showing that the applicant  
19 will be 65 years of age or older by June 1 of the year for  
20 which a tax deferral is claimed, (b) describing the property  
21 and verifying that the property is qualifying property as  
22 defined in Section 2, (c) certifying that the taxpayer has  
23 owned and occupied as his residence such property or other  
24 qualifying property in the State for at least the last 3 years

1 except for any periods during which the taxpayer may have  
2 temporarily resided in a nursing or sheltered care home, and  
3 (d) specifying whether the deferral is for all or a part of the  
4 taxes, and, if for a part, the amount of deferral applied for.  
5 As to qualifying property not having a separate assessed  
6 valuation, the taxpayer shall also file with the county  
7 collector a written appraisal of the property prepared by a  
8 qualified real estate appraiser together with a certificate  
9 signed by the appraiser stating that he has personally  
10 examined the property and setting forth the value of the land  
11 and the value of the buildings thereon occupied by the  
12 taxpayer as his residence.

13 The collector shall grant the tax deferral provided such  
14 deferral does not exceed funds available in the Senior  
15 Citizens Real Estate Deferred Tax Revolving Fund and provided  
16 that the owner or owners of such real property have entered  
17 into a tax deferral and recovery agreement with the collector  
18 on behalf of the county or other unit of local government,  
19 which agreement expressly states:

20 (1) That the total amount of taxes deferred under this  
21 Act, plus interest, for the year for which a tax deferral is  
22 claimed as well as for those previous years for which taxes are  
23 not delinquent and for which such deferral has been claimed  
24 may not exceed 80% of the taxpayer's equity interest in the  
25 property for which taxes are to be deferred and that, if the  
26 total deferred taxes plus interest equals 80% of the

1 taxpayer's equity interest in the property, the taxpayer shall  
2 thereafter pay the annual interest due on such deferred taxes  
3 plus interest so that total deferred taxes plus interest will  
4 not exceed such 80% of the taxpayer's equity interest in the  
5 property. Effective as of the January 1, 2011 assessment year  
6 or tax year 2012 and through the 2021 tax year, and beginning  
7 again with the 2026 tax year, the total amount of any such  
8 deferral shall not exceed \$5,000 per taxpayer in each tax  
9 year. For the 2022 tax year through the 2025 tax year, the  
10 total amount of any such deferral shall not exceed \$7,500 per  
11 taxpayer in each tax year.

12 (2) That any real estate taxes deferred under this Act and  
13 any interest accrued thereon ~~at the rate of 6% per year~~ are a  
14 lien on the real estate and improvements thereon until paid.  
15 If the taxes deferred are for a tax year prior to 2023, then  
16 interest shall accrue at the rate of 6% per year. If the taxes  
17 deferred are for the 2023 tax year or any tax year thereafter,  
18 then interest shall accrue at the rate of 3% per year. No sale  
19 or transfer of such real property may be legally closed and  
20 recorded until the taxes which would otherwise have been due  
21 on the property, plus accrued interest, have been paid unless  
22 the collector certifies in writing that an arrangement for  
23 prompt payment of the amount due has been made with his office.  
24 The same shall apply if the property is to be made the subject  
25 of a contract of sale.

26 (3) That upon the death of the taxpayer claiming the

1 deferral the heirs-at-law, assignees or legatees shall have  
2 first priority to the real property upon which taxes have been  
3 deferred by paying in full the total taxes which would  
4 otherwise have been due, plus interest. However, if such  
5 heir-at-law, assignee, or legatee is a surviving spouse, the  
6 tax deferred status of the property shall be continued during  
7 the life of that surviving spouse if the spouse is 55 years of  
8 age or older within 6 months of the date of death of the  
9 taxpayer and enters into a tax deferral and recovery agreement  
10 before the time when deferred taxes become due under this  
11 Section. Any additional taxes deferred, plus interest, on the  
12 real property under a tax deferral and recovery agreement  
13 signed by a surviving spouse shall be added to the taxes and  
14 interest which would otherwise have been due, and the payment  
15 of which has been postponed during the life of such surviving  
16 spouse, in determining the 80% equity requirement provided by  
17 this Section.

18 (4) That if the taxes due, plus interest, are not paid by  
19 the heir-at-law, assignee or legatee or if payment is not  
20 postponed during the life of a surviving spouse, the deferred  
21 taxes and interest shall be recovered from the estate of the  
22 taxpayer within one year of the date of his death. In addition,  
23 deferred real estate taxes and any interest accrued thereon  
24 are due within 90 days after any tax deferred property ceases  
25 to be qualifying property as defined in Section 2.

26 If payment is not made when required by this Section,

1 foreclosure proceedings may be instituted under the Property  
2 Tax Code.

3 (5) That any joint owner has given written prior approval  
4 for such agreement, which written approval shall be made a  
5 part of such agreement.

6 (6) That a guardian for a person under legal disability  
7 appointed for a taxpayer who otherwise qualifies under this  
8 Act may act for the taxpayer in complying with this Act.

9 (7) That a taxpayer or his agent has provided to the  
10 satisfaction of the collector, sufficient evidence that the  
11 qualifying property on which the taxes are to be deferred is  
12 insured against fire or casualty loss for at least the total  
13 amount of taxes which have been deferred.

14 If the taxes to be deferred are special assessments, the  
15 unit of local government making the assessments shall forward  
16 a copy of the agreement entered into pursuant to this Section  
17 and the bills for such assessments to the county collector of  
18 the county in which the qualifying property is located.

19 (Source: P.A. 102-644, eff. 8-27-21.)

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