



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB5445

Introduced 2/9/2024, by Rep. Robert "Bob" Rita

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/23-20

Amends the Property Tax Code. Provides that a claim for a refund resulting from a final order of the Property Tax Appeal Board shall not be allowed unless the claim is filed within 20 years after the date the right to a refund arose. Provides that the aggregate total of refunded taxes and interest shall not exceed \$5,000,000 in any calendar year for claims filed more than 7 years after the right to the refund arose. Effective immediately.

LRB103 36475 HLH 66578 b

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing  
5 Section 23-20 as follows:

6 (35 ILCS 200/23-20)

7 Sec. 23-20. Effect of protested payments; refunds. No  
8 protest shall prevent or be a cause of delay in the  
9 distribution of tax collections to the taxing districts of any  
10 taxes collected which were not paid under protest. If the  
11 final order of the Property Tax Appeal Board or of a court  
12 results in a refund to the taxpayer, refunds shall be made by  
13 the collector from funds remaining in the Protest Fund until  
14 such funds are exhausted and thereafter from the next funds  
15 collected after entry of the final order until full payment of  
16 the refund and interest thereon has been made. Interest from  
17 the date of payment, regardless of whether the payment was  
18 made before the effective date of this amendatory Act of 1997,  
19 or from the date payment is due, whichever is later, to the  
20 date of refund shall also be paid to the taxpayer at the annual  
21 rate of the lesser of (i) 5% or (ii) the percentage increase in  
22 the Consumer Price Index For All Urban Consumers during the  
23 12-month calendar year preceding the levy year for which the

1 refund was made, as published by the federal Bureau of Labor  
2 Statistics.

3 A claim for a refund resulting from a final order of the  
4 Property Tax Appeal Board shall not be allowed unless the  
5 claim is filed within 20 years after the date the right to a  
6 refund arose. However, the aggregate total of refunded taxes  
7 and interest shall not exceed \$5,000,000 in any calendar year  
8 for claims filed more than 7 years after the right to the  
9 refund arose. If the payment of a claim for a refund would  
10 cause the aggregate total of taxes and interest for claims  
11 filed more than 7 years after the right to the refund arose to  
12 exceed \$5,000,000 in any year, then the refund shall be paid in  
13 the next succeeding year.

14 The changes made to this Section by this amendatory Act of  
15 the 103rd General Assembly apply to claims for refunds filed  
16 on or after the first day of the first month following the  
17 effective date of this amendatory Act of the 103rd General  
18 Assembly.

19 (Source: P.A. 94-558, eff. 1-1-06.)

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