

SB3447



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3447

Introduced 2/8/2024, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-185
35 ILCS 200/18-190.3 new

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Makes changes to the definition of "limiting rate". Provides for alternative referendum procedures for a taxing district to increase its aggregate extension. Effective immediately.

LRB103 39401 HLH 69582 b

A BILL FOR

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 18-185 and by adding Section 18-190.3 as follows:

6 (35 ILCS 200/18-185)

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

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

13 "Extension limitation" means (a) the lesser of 5% or the
14 percentage increase in the Consumer Price Index during the
15 12-month calendar year preceding the levy year or (b) the rate
16 of increase approved by voters under Section 18-205.

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

20 "Taxing district" has the same meaning provided in Section
21 1-150, except as otherwise provided in this Section. For the
22 1991 through 1994 levy years only, "taxing district" includes
23 only each non-home rule taxing district having the majority of

1 its 1990 equalized assessed value within any county or
2 counties contiguous to a county with 3,000,000 or more
3 inhabitants. Beginning with the 1995 levy year, "taxing
4 district" includes only each non-home rule taxing district
5 subject to this Law before the 1995 levy year and each non-home
6 rule taxing district not subject to this Law before the 1995
7 levy year having the majority of its 1994 equalized assessed
8 value in an affected county or counties. Beginning with the
9 levy year in which this Law becomes applicable to a taxing
10 district as provided in Section 18-213, "taxing district" also
11 includes those taxing districts made subject to this Law as
12 provided in Section 18-213.

13 "Aggregate extension" for taxing districts to which this
14 Law applied before the 1995 levy year means the annual
15 corporate extension for the taxing district and those special
16 purpose extensions that are made annually for the taxing
17 district, excluding special purpose extensions: (a) made for
18 the taxing district to pay interest or principal on general
19 obligation bonds that were approved by referendum; (b) made
20 for any taxing district to pay interest or principal on
21 general obligation bonds issued before October 1, 1991; (c)
22 made for any taxing district to pay interest or principal on
23 bonds issued to refund or continue to refund those bonds
24 issued before October 1, 1991; (d) made for any taxing
25 district to pay interest or principal on bonds issued to
26 refund or continue to refund bonds issued after October 1,

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

1 under Section 10-22.31 of the School Code, for payment of the
2 school district's share of the amounts required to be
3 contributed by the Special Education District of Lake County
4 to the Illinois Municipal Retirement Fund under Article 7 of
5 the Illinois Pension Code; the amount of any extension under
6 this item (k) shall be certified by the school district to the
7 county clerk; (l) made to fund expenses of providing joint
8 recreational programs for persons with disabilities under
9 Section 5-8 of the Park District Code or Section 11-95-14 of
10 the Illinois Municipal Code; (m) made for temporary relocation
11 loan repayment purposes pursuant to Sections 2-3.77 and
12 17-2.2d of the School Code; (n) made for payment of principal
13 and interest on any bonds issued under the authority of
14 Section 17-2.2d of the School Code; (o) made for contributions
15 to a 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 and (p) made for road purposes in the first year after a
19 township assumes the rights, powers, duties, assets, property,
20 liabilities, obligations, and responsibilities of a road
21 district abolished under the provisions of Section 6-133 of
22 the Illinois Highway Code.

23 "Aggregate extension" for the taxing districts to which
24 this Law did not apply before the 1995 levy year (except taxing
25 districts subject to this Law in accordance with Section
26 18-213) means the annual corporate extension for the taxing

1 district and those special purpose extensions that are made
2 annually for the taxing district, excluding special purpose
3 extensions: (a) made for the taxing district to pay interest
4 or principal on general obligation bonds that were approved by
5 referendum; (b) made for any taxing district to pay interest
6 or principal on general obligation bonds issued before March
7 1, 1995; (c) made for any taxing district to pay interest or
8 principal on bonds issued to refund or continue to refund
9 those bonds issued before March 1, 1995; (d) made for any
10 taxing district to pay interest or principal on bonds issued
11 to refund or continue to refund bonds issued after March 1,
12 1995 that were approved by referendum; (e) made for any taxing
13 district to pay interest or principal on revenue bonds issued
14 before March 1, 1995 for payment of which a property tax levy
15 or the full faith and credit of the unit of local government is
16 pledged; however, a tax for the payment of interest or
17 principal on those bonds shall be made only after the
18 governing body of the unit of local government finds that all
19 other sources for payment are insufficient to make those
20 payments; (f) made for payments under a building commission
21 lease when the lease payments are for the retirement of bonds
22 issued by the commission before March 1, 1995 to pay for the
23 building project; (g) made for payments due under installment
24 contracts entered into before March 1, 1995; (h) made for
25 payments of principal and interest on bonds issued under the
26 Metropolitan Water Reclamation District Act to finance

1 construction projects initiated before October 1, 1991; (h-4)
2 made for stormwater management purposes by the Metropolitan
3 Water Reclamation District of Greater Chicago under Section 12
4 of the Metropolitan Water Reclamation District Act; (h-8) made
5 for payments of principal and interest on bonds issued under
6 Section 9.6a of the Metropolitan Water Reclamation District
7 Act to make contributions to the pension fund established
8 under Article 13 of the Illinois Pension Code; (i) made for
9 payments of principal and interest on limited bonds, as
10 defined in Section 3 of the Local Government Debt Reform Act,
11 in an amount not to exceed the debt service extension base less
12 the amount in items (b), (c), and (e) of this definition for
13 non-referendum obligations, except obligations initially
14 issued pursuant to referendum and bonds described in
15 subsections (h) and (h-8) of this definition; (j) made for
16 payments of principal and interest on bonds issued under
17 Section 15 of the Local Government Debt Reform Act; (k) made
18 for payments of principal and interest on bonds authorized by
19 Public Act 88-503 and issued under Section 20a of the Chicago
20 Park District Act for aquarium or museum projects and bonds
21 issued under Section 20a of the Chicago Park District Act for
22 the purpose of making contributions to the pension fund
23 established under Article 12 of the Illinois Pension Code; (l)
24 made for payments of principal and interest on bonds
25 authorized by Public Act 87-1191 or 93-601 and (i) issued
26 pursuant to Section 21.2 of the Cook County Forest Preserve

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

21 "Aggregate extension" for all taxing districts to which
22 this Law applies in accordance with Section 18-213, except for
23 those taxing districts subject to paragraph (2) of subsection
24 (e) of Section 18-213, means the annual corporate extension
25 for the taxing district and those special purpose extensions
26 that are made annually for the taxing district, excluding

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

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

1 4-134 of the Illinois Pension Code; and (m) made for the taxing
2 district to pay interest or principal on general obligation
3 bonds issued pursuant to Section 19-3.10 of the School Code.

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

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

1 District Code or Section 11-95-14 of the Illinois Municipal
2 Code; and (1) made for contributions to a firefighter's
3 pension fund created under Article 4 of the Illinois Pension
4 Code, to the extent of the amount certified under item (5) of
5 Section 4-134 of the Illinois Pension Code.

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

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

21 "Special purpose extensions" include, but are not limited
22 to, extensions for levies made on an annual basis for
23 unemployment and workers' compensation, self-insurance,
24 contributions to pension plans, and extensions made pursuant
25 to Section 6-601 of the Illinois Highway Code for a road
26 district's permanent road fund whether levied annually or not.

1 The extension for a special service area is not included in the
2 aggregate extension.

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

25 Notwithstanding any other provision of law, for levy year
26 2012, the aggregate extension base for West Northfield School

1 District No. 31 in Cook County shall be \$12,654,592.

2 Notwithstanding any other provision of law, for levy year
3 2022, the aggregate extension base of a home equity assurance
4 program that levied at least \$1,000,000 in property taxes in
5 levy year 2019 or 2020 under the Home Equity Assurance Act
6 shall be the amount that the program's aggregate extension
7 base for levy year 2021 would have been if the program had
8 levied a property tax for levy year 2021.

9 "Levy year" has the same meaning as "year" under Section
10 1-155.

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

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

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

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

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

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

9 Except as otherwise provided in this Section, "limiting
10 rate" means a fraction the numerator of which is the last
11 preceding aggregate extension base times an amount equal to
12 one plus the extension limitation defined in this Section and
13 the denominator of which is the current year's equalized
14 assessed value of all real property in the territory under the
15 jurisdiction of the taxing district during the prior levy
16 year. If an increase in the district's aggregate extension has
17 been approved by referendum on or after January 1, 2025, then,
18 for the year for which the increase has been approved, the
19 limiting rate for that district shall be a fraction, the
20 numerator of which is the sum of (i) the last preceding
21 aggregate extension base times an amount equal to one plus the
22 extension limitation defined in this Section and (ii) the
23 amount of the increase approved by referendum under Section
24 18-190.3 of this Law, and the denominator of which is the
25 current year's equalized assessed value of all real property
26 in the territory under the jurisdiction of the taxing district

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

26 (Source: P.A. 102-263, eff. 8-6-21; 102-311, eff. 8-6-21;

1 102-519, eff. 8-20-21; 102-558, eff. 8-20-21; 102-707, eff.
2 4-22-22; 102-813, eff. 5-13-22; 102-895, eff. 5-23-22;
3 103-154, eff. 6-30-23.)

4 (35 ILCS 200/18-190.3 new)

5 Sec. 18-190.3. Direct referendum; increased aggregate
6 extension. As an alternative to the procedures set forth in
7 Sections 18-190 and 18-205, a taxing district may increase its
8 aggregate extension to an amount that exceeds the amount that
9 would otherwise be permitted under this Law if the taxing
10 district obtains referendum approval as provided in this
11 Section.

12 The proposition seeking to obtain referendum approval to
13 increase the aggregate extension shall be in substantially the
14 following form:

15 "Shall the aggregate extension (the total dollar
16 amount levied by the district for each of the tax funds
17 included under the Property Tax Limitation Law)
18 for...(insert legal name, number, if any, and county or
19 counties of taxing district and geographic or other common
20 name by which a school or community college district is
21 known and referred to), Illinois, be increased by (insert
22 the amount of increase sought) for levy year...(insert the
23 levy year for which the increase will take effect)?"

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

25 The ballot for any proposition submitted pursuant to this

1 Section shall have printed thereon, but not as a part of the
2 proposition submitted, only the following supplemental
3 information (which shall be supplied to the election authority
4 by the taxing district) in substantially the following form:

5 "(1) The amount of taxes extended which were subject
6 to the Property Tax Cap (Property Tax Extension Limitation
7 Law) in levy year (insert most recent levy year) was
8 (insert the most recent levy year's aggregate extension
9 base). If the proposition is not approved, then the taxing
10 district may increase its extension by the lesser of 5% or
11 the percentage increase in the Consumer Price Index during
12 the 12-month calendar year preceding (insert levy year).
13 If the proposition is approved, then the taxing district
14 may increase its extension in levy year (insert levy year)
15 by an additional (insert the amount of increase sought).

16 (2) For the...(insert levy year for which the increase
17 will be applicable) levy year, the approximate amount of
18 the additional tax extendable against property containing
19 a single family residence and having a fair market value
20 at the time of the referendum of \$100,000 is estimated to
21 be (insert amount)."

22 The approximate amount of the additional taxes extendable
23 shown in paragraph (2) shall be calculated by multiplying
24 \$100,000 (the fair market value of the property without regard
25 to any property tax exemptions) by (i) the percentage level of
26 assessment prescribed for that property by statute, or by

1 ordinance of the county board in counties that classify
2 property for purposes of taxation in accordance with Section 4
3 of Article IX of the Illinois Constitution; (ii) the most
4 recent final equalization factor certified to the county clerk
5 by the Department of Revenue at the time the taxing district
6 initiates the submission of the proposition to the electors;
7 and (iii) the increase in the aggregate extension proposed in
8 the question; and dividing the result by the last known
9 equalized assessed value of the taxing district at the time
10 the submission of the question is initiated by the taxing
11 district. Any notice required to be published in connection
12 with the submission of the proposition shall also contain this
13 supplemental information and shall not contain any other
14 supplemental information regarding the proposition. Any error,
15 miscalculation, or inaccuracy in computing any amount set
16 forth on the ballot and in the notice that is not deliberate
17 shall not invalidate or affect the validity of any proposition
18 approved. Notice of the referendum shall be published and
19 posted as otherwise required by law, and the submission of the
20 proposition shall be initiated as provided by law.

21 If a majority of all ballots cast on the proposition are in
22 favor of the proposition, then the district may increase its
23 aggregate extension as provided in the referendum.

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