

1 AMENDMENT TO HOUSE BILL 2246

2 AMENDMENT NO. _____. Amend House Bill 2246 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by adding
5 Section 18-173 as follows:

6 (35 ILCS 200/18-173 new)

7 Sec. 18-173. Housing opportunity area abatement program.

8 (a) For the purpose of promoting access to housing near
9 work and in order to promote economic diversity throughout
10 Illinois and to alleviate the concentration of low-income
11 households in areas of high poverty, a housing opportunity
12 area tax abatement program is created.

13 (b) As used in this Section:

14 "Housing authority" means either a housing authority
15 created under the Housing Authorities Act or other government
16 agency that is authorized by the United States government
17 under the United States Housing Act of 1937 to administer a
18 housing choice voucher program, or the authorized agent of
19 such a housing authority that is authorized to act upon that
20 authority's behalf.

21 "Housing choice voucher" means a tenant voucher issued by
22 a housing authority under Section 8 of the United States

1 Housing Act of 1937.

2 "Housing opportunity area" means a census tract where
3 less than 10% of the residents live below the poverty level,
4 as defined by the United States government and determined by
5 the most recent United States census, that is located within
6 a qualified township.

7 "Housing opportunity unit" means a dwelling unit located
8 in residential property that is located in a housing
9 opportunity area, that is owned by the applicant, and that is
10 rented to and occupied by a tenant who is participating in a
11 housing choice voucher program administered by a housing
12 authority as of January 1st of the tax year for which the
13 application is made.

14 "Qualified units" means the number of housing opportunity
15 units located in the property with the limitation that no
16 more than 2 units or 20% of the total units contained within
17 the property, whichever is greater, may be considered
18 qualified units. Further, no unit may be considered qualified
19 unless the property in which it is contained is in
20 substantial compliance with local building codes, and,
21 moreover, no unit may be considered qualified unless it meets
22 the United States Department of Housing and Urban
23 Development's housing quality standards as of the most recent
24 housing authority inspection.

25 "Qualified township" means a township located within a
26 county with 200,000 or more inhabitants whose tax capacity
27 exceeds 100% of the average tax capacity of the county in
28 which it is located, except for townships located within a
29 county with 3,000,000 or more inhabitants, where a qualified
30 township means a township whose tax capacity exceeds 115% of
31 the average tax capacity of the county except for townships
32 located wholly within a municipality with 1,000,000 or more
33 inhabitants. All townships located wholly within a
34 municipality with 1,000,000 or more inhabitants are

1 considered qualified townships.

2 "Tax capacity" means the equalized assessed value of all
3 taxable real estate located within a township or county
4 divided by the total population of that township or county.

5 (c) The owner of property located within a housing
6 opportunity area who has a housing choice voucher contract
7 with a housing authority may apply for a housing opportunity
8 area tax abatement by annually submitting an application to
9 the housing authority that administers the housing choice
10 voucher contract. The application must include the number of
11 housing opportunity units as well as the total number of
12 dwelling units contained within the property. The owner
13 must, under oath, self-certify as to the total number of
14 dwelling units in the property and must self-certify that the
15 property is in substantial compliance with local building
16 codes. The housing authority shall annually determine the
17 number of qualified units located within each property for
18 which an application is made.

19 The housing authority shall establish rules and
20 procedures governing the application processes and may charge
21 an application fee. The county clerk may audit the
22 applications to determine that the properties subject to the
23 tax abatement meet the requirements of this Section. The
24 determination of eligibility of a property for the housing
25 opportunity area abatement shall be made annually; however,
26 no property may receive an abatement for more than 10 tax
27 years.

28 (d) The housing authority shall determine housing
29 opportunity areas within its service area and annually
30 deliver to the county clerk, in a manner determined by the
31 county clerk, a list of all properties containing qualified
32 units within that service area by December 31st of the tax
33 year for which the property is eligible for abatement; the
34 list shall include the number of qualified units and the

1 total number of dwelling units for each property.

2 The county clerk shall deliver annually to a housing
3 authority, upon that housing authority's request, the most
4 recent available equalized assessed value for the county as a
5 whole and for those taxing districts and townships so
6 specified by the requesting housing authority.

7 (e) The county clerk shall abate the tax attributed to a
8 portion of the property determined to be eligible for a
9 housing opportunity area abatement. The portion eligible for
10 abatement shall be determined by reducing the equalized
11 assessment value by a percentage calculated using the
12 following formula: 19% of the equalized assessed value of the
13 property multiplied by a fraction where the numerator is the
14 number of qualified units and denominator is the total number
15 of dwelling units located within the property.

16 (f) Any municipality, except for municipalities with
17 1,000,000 or more inhabitants, may annually petition the
18 county clerk to be excluded from a housing opportunity area
19 if it is able to demonstrate that more than 2.5% of the total
20 residential units located within that municipality are
21 occupied by tenants under the housing choice voucher program.
22 Properties located within an excluded municipality shall not
23 be eligible for the housing opportunity area abatement for
24 the tax year in which the petition is made.

25 (g) Applicability. This Section applies to tax years
26 2004 through 2014, unless extended by law.

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