

1 AN ACT in relation to the Metropolitan Water Reclamation  
2 District.

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

5 Section 5. The Property Tax Code is amended by changing  
6 Section 18-185 as follows:

7 (35 ILCS 200/18-185)

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

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

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

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

21 "Taxing district" has the same meaning provided in  
22 Section 1-150, except as otherwise provided in this Section.  
23 For the 1991 through 1994 levy years only, "taxing district"  
24 includes only each non-home rule taxing district having the  
25 majority of its 1990 equalized assessed value within any  
26 county or counties contiguous to a county with 3,000,000 or  
27 more inhabitants. Beginning with the 1995 levy year, "taxing  
28 district" includes only each non-home rule taxing district  
29 subject to this Law before the 1995 levy year and each  
30 non-home rule taxing district not subject to this Law before  
31 the 1995 levy year having the majority of its 1994 equalized

1 assessed value in an affected county or counties. Beginning  
2 with the levy year in which this Law becomes applicable to a  
3 taxing district as provided in Section 18-213, "taxing  
4 district" also includes those taxing districts made subject  
5 to this Law as provided in Section 18-213.

6 "Aggregate extension" for taxing districts to which this  
7 Law applied before the 1995 levy year means the annual  
8 corporate extension for the taxing district and those special  
9 purpose extensions that are made annually for the taxing  
10 district, excluding special purpose extensions: (a) made for  
11 the taxing district to pay interest or principal on general  
12 obligation bonds that were approved by referendum; (b) made  
13 for any taxing district to pay interest or principal on  
14 general obligation bonds issued before October 1, 1991; (c)  
15 made for any taxing district to pay interest or principal on  
16 bonds issued to refund or continue to refund those bonds  
17 issued before October 1, 1991; (d) made for any taxing  
18 district to pay interest or principal on bonds issued to  
19 refund or continue to refund bonds issued after October 1,  
20 1991 that were approved by referendum; (e) made for any  
21 taxing district to pay interest or principal on revenue bonds  
22 issued before October 1, 1991 for payment of which a property  
23 tax levy or the full faith and credit of the unit of local  
24 government is pledged; however, a tax for the payment of  
25 interest or principal on those bonds shall be made only after  
26 the governing body of the unit of local government finds that  
27 all other sources for payment are insufficient to make those  
28 payments; (f) made for payments under a building commission  
29 lease when the lease payments are for the retirement of bonds  
30 issued by the commission before October 1, 1991, to pay for  
31 the building project; (g) made for payments due under  
32 installment contracts entered into before October 1, 1991;  
33 (h) made for payments of principal and interest on bonds  
34 issued under the Metropolitan Water Reclamation District Act

1 to finance construction projects initiated before October 1,  
2 1991; (i) made for payments of principal and interest on  
3 limited bonds, as defined in Section 3 of the Local  
4 Government Debt Reform Act, in an amount not to exceed the  
5 debt service extension base less the amount in items (b),  
6 (c), (e), and (h) of this definition for non-referendum  
7 obligations, except obligations initially issued pursuant to  
8 referendum; (j) made for payments of principal and interest  
9 on bonds issued under Section 15 of the Local Government Debt  
10 Reform Act; and (k) made by a school district that  
11 participates in the Special Education District of Lake  
12 County, created by special education joint agreement under  
13 Section 10-22.31 of the School Code, for payment of the  
14 school district's share of the amounts required to be  
15 contributed by the Special Education District of Lake County  
16 to the Illinois Municipal Retirement Fund under Article 7 of  
17 the Illinois Pension Code; the amount of any extension under  
18 this item (k) shall be certified by the school district to  
19 the county clerk.

20 "Aggregate extension" for the taxing districts to which  
21 this Law did not apply before the 1995 levy year (except  
22 taxing districts subject to this Law in accordance with  
23 Section 18-213) means the annual corporate extension for the  
24 taxing district and those special purpose extensions that are  
25 made annually for the taxing district, excluding special  
26 purpose extensions: (a) made for the taxing district to pay  
27 interest or principal on general obligation bonds that were  
28 approved by referendum; (b) made for any taxing district to  
29 pay interest or principal on general obligation bonds issued  
30 before March 1, 1995; (c) made for any taxing district to pay  
31 interest or principal on bonds issued to refund or continue  
32 to refund those bonds issued before March 1, 1995; (d) made  
33 for any taxing district to pay interest or principal on bonds  
34 issued to refund or continue to refund bonds issued after

1 March 1, 1995 that were approved by referendum; (e) made for  
2 any taxing district to pay interest or principal on revenue  
3 bonds issued before March 1, 1995 for payment of which a  
4 property tax levy or the full faith and credit of the unit of  
5 local government is pledged; however, a tax for the payment  
6 of interest or principal on those bonds shall be made only  
7 after the governing body of the unit of local government  
8 finds that all other sources for payment are insufficient to  
9 make those payments; (f) made for payments under a building  
10 commission lease when the lease payments are for the  
11 retirement of bonds issued by the commission before March 1,  
12 1995 to pay for the building project; (g) made for payments  
13 due under installment contracts entered into before March 1,  
14 1995; (h) made for payments of principal and interest on  
15 bonds issued under the Metropolitan Water Reclamation  
16 District Act to finance construction projects initiated  
17 before October 1, 1991; (h-5) made by the Metropolitan Water  
18 Reclamation District of Greater Chicago under Section 12 of  
19 the Metropolitan Water Reclamation District Act for the  
20 purpose of providing for health care costs; (i) made for  
21 payments of principal and interest on limited bonds, as  
22 defined in Section 3 of the Local Government Debt Reform Act,  
23 in an amount not to exceed the debt service extension base  
24 less the amount in items (b), (c), and (e) of this definition  
25 for non-referendum obligations, except obligations initially  
26 issued pursuant to referendum and bonds described in  
27 subsection (h) of this definition; (j) made for payments of  
28 principal and interest on bonds issued under Section 15 of  
29 the Local Government Debt Reform Act; (k) made for payments  
30 of principal and interest on bonds authorized by Public Act  
31 88-503 and issued under Section 20a of the Chicago Park  
32 District Act for aquarium or museum projects; (l) made for  
33 payments of principal and interest on bonds authorized by  
34 Public Act 87-1191 and issued under Section 42 of the Cook

1 County Forest Preserve District Act for zoological park  
2 projects; and (m) made pursuant to Section 34-53.5 of the  
3 School Code, whether levied annually or not.

4 "Aggregate extension" for all taxing districts to which  
5 this Law applies in accordance with Section 18-213, except  
6 for those taxing districts subject to paragraph (2) of  
7 subsection (e) of Section 18-213, means the annual corporate  
8 extension for the taxing district and those special purpose  
9 extensions that are made annually for the taxing district,  
10 excluding special purpose extensions: (a) made for the taxing  
11 district to pay interest or principal on general obligation  
12 bonds that were approved by referendum; (b) made for any  
13 taxing district to pay interest or principal on general  
14 obligation bonds issued before the date on which the  
15 referendum making this Law applicable to the taxing district  
16 is held; (c) made for any taxing district to pay interest or  
17 principal on bonds issued to refund or continue to refund  
18 those bonds issued before the date on which the referendum  
19 making this Law applicable to the taxing district is held;  
20 (d) made for any taxing district to pay interest or principal  
21 on bonds issued to refund or continue to refund bonds issued  
22 after the date on which the referendum making this Law  
23 applicable to the taxing district is held if the bonds were  
24 approved by referendum after the date on which the referendum  
25 making this Law applicable to the taxing district is held;  
26 (e) made for any taxing district to pay interest or principal  
27 on revenue bonds issued before the date on which the  
28 referendum making this Law applicable to the taxing district  
29 is held for payment of which a property tax levy or the full  
30 faith and credit of the unit of local government is pledged;  
31 however, a tax for the payment of interest or principal on  
32 those bonds shall be made only after the governing body of  
33 the unit of local government finds that all other sources for  
34 payment are insufficient to make those payments; (f) made for

1 payments under a building commission lease when the lease  
2 payments are for the retirement of bonds issued by the  
3 commission before the date on which the referendum making  
4 this Law applicable to the taxing district is held to pay for  
5 the building project; (g) made for payments due under  
6 installment contracts entered into before the date on which  
7 the referendum making this Law applicable to the taxing  
8 district is held; (h) made for payments of principal and  
9 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  
15 on bonds issued under Section 15 of the Local Government Debt  
16 Reform Act; and (j) made for a qualified airport authority to  
17 pay interest or principal on general obligation bonds issued  
18 for 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  
22 such a contract taking effect on or after that date).

23 "Aggregate extension" for all taxing districts to which  
24 this Law applies in accordance with paragraph (2) of  
25 subsection (e) of Section 18-213 means the annual corporate  
26 extension for the taxing district and those special purpose  
27 extensions that are made annually for the taxing district,  
28 excluding special purpose extensions: (a) made for the taxing  
29 district to pay interest or principal on general obligation  
30 bonds that were approved by referendum; (b) made for any  
31 taxing district to pay interest or principal on general  
32 obligation bonds issued before the effective date of this  
33 amendatory Act of 1997; (c) made for any taxing district to  
34 pay interest or principal on bonds issued to refund or

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

1 such a contract taking effect on or after that date).

2 "Debt service extension base" means an amount equal to  
3 that portion of the extension for a taxing district for the  
4 1994 levy year, or for those taxing districts subject to this  
5 Law in accordance with Section 18-213, except for those  
6 subject to paragraph (2) of subsection (e) of Section 18-213,  
7 for the levy year in which the referendum making this Law  
8 applicable to the taxing district is held, or for those  
9 taxing districts subject to this Law in accordance with  
10 paragraph (2) of subsection (e) of Section 18-213 for the  
11 1996 levy year, constituting an extension for payment of  
12 principal and interest on bonds issued by the taxing district  
13 without referendum, but not including (i) bonds authorized by  
14 Public Act 88-503 and issued under Section 20a of the Chicago  
15 Park District Act for aquarium and museum projects; (ii)  
16 bonds issued under Section 15 of the Local Government Debt  
17 Reform Act; or (iii) refunding obligations issued to refund  
18 or to continue to refund obligations initially issued  
19 pursuant to referendum. The debt service extension base may  
20 be established or increased as provided under Section 18-212.

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  
27 not. The extension for a special service area is not  
28 included in the aggregate extension.

29 "Aggregate extension base" means the taxing district's  
30 last preceding aggregate extension as adjusted under Sections  
31 18-215 through 18-230.

32 "Levy year" has the same meaning as "year" under Section  
33 1-155.

34 "New property" means (i) the assessed value, after final



1 board of review or board of appeals action, of new  
2 improvements or additions to existing improvements on any  
3 parcel of real property that increase the assessed value of  
4 that real property during the levy year multiplied by the  
5 equalization factor issued by the Department under Section  
6 17-30 and (ii) the assessed value, after final board of  
7 review or board of appeals action, of real property not  
8 exempt from real estate taxation, which real property was  
9 exempt from real estate taxation for any portion of the  
10 immediately preceding levy year, multiplied by the  
11 equalization factor issued by the Department under Section  
12 17-30. In addition, the county clerk in a county containing a  
13 population of 3,000,000 or more shall include in the 1997  
14 recovered tax increment value for any school district, any  
15 recovered tax increment value that was applicable to the 1995  
16 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  
22 otherwise provided in this paragraph, the amount of the  
23 current year's equalized assessed value, in the first year  
24 after a municipality terminates the designation of an area as  
25 a redevelopment project area previously established under the  
26 Tax Increment Allocation Development Act in the Illinois  
27 Municipal Code, previously established under the Industrial  
28 Jobs Recovery Law in the Illinois Municipal Code, or  
29 previously established under the Economic Development Area  
30 Tax Increment Allocation Act, of each taxable lot, block,  
31 tract, or parcel of real property in the redevelopment  
32 project area over and above the initial equalized assessed  
33 value of each property in the redevelopment project area. For  
34 the taxes which are extended for the 1997 levy year, the

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

29 Except as otherwise provided in this Section, "limiting  
30 rate" means a fraction the numerator of which is the last  
31 preceding aggregate extension base times an amount equal to  
32 one plus the extension limitation defined in this Section and  
33 the denominator of which is the current year's equalized  
34 assessed value of all real property in the territory under

1 the jurisdiction of the taxing district during the prior levy  
2 year. For those taxing districts that reduced their  
3 aggregate extension for the last preceding levy year, the  
4 highest aggregate extension in any of the last 3 preceding  
5 levy years shall be used for the purpose of computing the  
6 limiting rate. The denominator shall not include new  
7 property. The denominator shall not include the recovered  
8 tax increment value.

9 (Source: P.A. 91-357, eff. 7-29-99; 91-478, eff. 11-1-99;  
10 92-547, eff. 6-13-02.)

11 Section 10. The Metropolitan Water Reclamation District  
12 Act is amended by changing Section 12 as follows:

13 (70 ILCS 2605/12) (from Ch. 42, par. 332)

14 Sec. 12. The board of commissioners annually may levy  
15 taxes for corporate purposes upon property within the  
16 territorial limits of such sanitary district, the aggregate  
17 amount of which, exclusive of the amount levied for (a) the  
18 payment of bonded indebtedness and the interest on bonded  
19 indebtedness (b) employees' annuity and benefit purposes (c)  
20 construction purposes, and (d) for the purpose of  
21 establishing and maintaining a reserve fund for the payment  
22 of claims, awards, losses, judgments or liabilities which  
23 might be imposed on such sanitary district under the Workers'  
24 Compensation Act or the Workers' Occupational Diseases Act,  
25 and any claim in tort, including but not limited to, any  
26 claim imposed upon such sanitary district under the Local  
27 Governmental and Governmental Employees Tort Immunity Act,  
28 and for the repair or replacement of any property owned by  
29 such sanitary district which is damaged by fire, flood,  
30 explosion, vandalism or any other peril, natural or manmade,  
31 shall not exceed the sum produced by extending the rate of  
32 .46% for each of the years year 1979 through 2002 and by

1 extending the rate of 0.41% for the year 2003 and each year  
2 thereafter, upon the assessed valuation of all taxable  
3 property within the sanitary district as equalized and  
4 determined for State and local taxes.

5 In addition, for the purpose of providing funds for  
6 health care costs, the board of commissioners may levy a tax  
7 for the year 2003 and thereafter at a rate not to exceed  
8 0.05% of the assessed valuation of all taxable property  
9 within the district as equalized and determined for State and  
10 local taxes.

11 ~~And~~ In addition thereto, for construction purposes as  
12 defined in Section 5.2 of this Act, the board of  
13 commissioners may levy taxes for the year 1985 and each year  
14 thereafter which shall be at a rate not to exceed .10% of the  
15 assessed valuation of all taxable property within the  
16 sanitary district as equalized and determined for State and  
17 local taxes. Amounts realized from taxes so levied for  
18 construction purposes shall be limited for use to such  
19 purposes and shall not be available for appropriation or used  
20 to defray the cost of repairs to or expense of maintaining or  
21 operating existing or future facilities, but such  
22 restrictions, however, shall not apply to additions,  
23 alterations, enlargements, and replacements which will add  
24 appreciably to the value, utility, or the useful life of said  
25 facilities.

26 Such rates shall be extended against the assessed  
27 valuation of the taxable property within the corporate limits  
28 as the same shall be assessed and equalized for the county  
29 taxes for the year in which the levy is made and said board  
30 shall cause the amount to be raised by taxation in each year  
31 to be certified to the county clerk on or before the  
32 thirtieth day of March; provided, however, that if during the  
33 budget year the General Assembly authorizes an increase in  
34 such rates, the board of commissioners may adopt a

1 supplemental levy and shall make such certification to the  
2 County Clerk on or before the thirtieth day of December.

3 For the purpose of establishing and maintaining a reserve  
4 fund for the payment of claims, awards, losses, judgments or  
5 liabilities which might be imposed on such sanitary district  
6 under the Workers' Compensation Act or the Workers'  
7 Occupational Diseases Act, and any claim in tort, including  
8 but not limited to, any claim imposed upon such sanitary  
9 district under the Local Governmental and Governmental  
10 Employees Tort Immunity Act, and for the repair or  
11 replacement, where the cost thereof exceeds the sum of  
12 \$10,000, of any property owned by such sanitary district  
13 which is damaged by fire, flood, explosion, vandalism or any  
14 other peril, natural or man-made, such sanitary district may  
15 also levy annually upon all taxable property within its  
16 territorial limits a tax not to exceed .005% of the assessed  
17 valuation of said taxable property as equalized and  
18 determined for State and local taxes; provided, however, the  
19 aggregate amount which may be accumulated in such reserve  
20 fund shall not exceed .05% of such assessed valuation.

21 All taxes so levied and certified shall be collected and  
22 enforced in the same manner and by the same officers as State  
23 and county taxes, and shall be paid over by the officer  
24 collecting the same to the treasurer of the sanitary  
25 district, in the manner and at the time provided by the  
26 general revenue law. No part of the taxes hereby authorized  
27 shall be used by such sanitary district for the construction  
28 of permanent, fixed, immovable bridges across any channel  
29 constructed under the provisions of this Act. All bridges  
30 built across such channel shall not necessarily interfere  
31 with or obstruct the navigation of such channel, when the  
32 same becomes a navigable stream, as provided in Section 24 of  
33 this Act, but such bridges shall be so constructed that they  
34 can be raised, swung or moved out of the way of vessels,

1 tugs, boats or other water craft navigating such channel.  
2 Nothing in this Act shall be so construed as to compel said  
3 district to maintain or operate said bridges, as movable  
4 bridges, for a period of 9 years from and after the time when  
5 the water has been turned into said channel pursuant to law,  
6 unless the needs of general navigation of the Des Plaines and  
7 Illinois Rivers, when connected by said channel, sooner  
8 require it. In levying taxes the board of commissioners, in  
9 order to produce the net amount required by the levies for  
10 payment of bonds and interest thereon, shall include an  
11 amount or rate estimated to be sufficient to cover losses in  
12 collection of taxes, the cost of collecting taxes, abatements  
13 in the amount of such taxes as extended on the collector's  
14 books and the amount of such taxes collection of which will  
15 be deferred; the amount so added for the purpose of producing  
16 the net amount required shall not exceed any applicable  
17 maximum tax rate or amount.

18 (Source: P.A. 84-630.)

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