

1 AN ACT in relation to taxes.

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 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.
9 As 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
16 rate 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
19 or more inhabitants.

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

1 with the levy year in which this Law becomes applicable to a
2 taxing district as provided in Section 18-213, "taxing
3 district" also includes those taxing districts made subject
4 to this Law as provided in Section 18-213.

5 "Aggregate extension" for taxing districts to which this
6 Law applied before the 1995 levy year means the annual
7 corporate extension for the taxing district and those special
8 purpose extensions that are made annually for the taxing
9 district, excluding special purpose extensions: (a) made for
10 the taxing district to pay interest or principal on general
11 obligation bonds that were approved by referendum; (b) made
12 for any taxing district to pay interest or principal on
13 general obligation bonds issued before October 1, 1991; (c)
14 made for any taxing district to pay interest or principal on
15 bonds issued to refund or continue to refund those bonds
16 issued before October 1, 1991; (d) made for any taxing
17 district to pay interest or principal on bonds issued to
18 refund or continue to refund bonds issued after October 1,
19 1991 that were approved by referendum; (e) made for any
20 taxing district to pay interest or principal on revenue bonds
21 issued before October 1, 1991 for payment of which a property
22 tax 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
27 payments; (f) made for payments under a building commission
28 lease when the lease payments are for the retirement of bonds
29 issued by the commission before October 1, 1991, to pay for
30 the building project; (g) made for payments due under
31 installment contracts entered into before October 1, 1991;
32 (h) made for payments of principal and interest on bonds
33 issued under the Metropolitan Water Reclamation District Act
34 to finance construction projects initiated before October 1,

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

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

1 any taxing district to pay interest or principal on revenue
2 bonds issued before March 1, 1995 for payment of which a
3 property tax levy or the full faith and credit of the unit of
4 local government is pledged; however, a tax for the payment
5 of interest or principal on those bonds shall be made only
6 after the governing body of the unit of local government
7 finds that all other sources for payment are insufficient to
8 make those payments; (f) made for payments under a building
9 commission lease when the lease payments are for the
10 retirement of bonds issued by the commission before March 1,
11 1995 to pay for the building project; (g) made for payments
12 due under installment contracts entered into before March 1,
13 1995; (h) made for payments of principal and interest on
14 bonds issued under the Metropolitan Water Reclamation
15 District Act to finance construction projects initiated
16 before October 1, 1991; (i) made for payments of principal
17 and interest on limited bonds, as defined in Section 3 of the
18 Local Government Debt Reform Act, in an amount not to exceed
19 the debt service extension base less the amount in items (b),
20 (c), and (e) of this definition for non-referendum
21 obligations, except obligations initially issued pursuant to
22 referendum and bonds described in subsection (h) of this
23 definition; (j) made for payments of principal and interest
24 on bonds issued under Section 15 of the Local Government Debt
25 Reform Act; (k) made for payments of principal and interest
26 on bonds authorized by Public Act 88-503 and issued under
27 Section 20a of the Chicago Park District Act for aquarium or
28 museum projects; (l) made for payments of principal and
29 interest on bonds authorized by Public Act 87-1191 or this
30 amendatory Act of the 93rd General Assembly and (i) issued
31 pursuant to Section 21.2 of the Cook County Forest Preserve
32 District Act, (ii) issued under Section 42 of the Cook County
33 Forest Preserve District Act for zoological park projects, or
34 (iii) issued under Section 44.1 of the Cook County Forest

1 Preserve District Act for botanical gardens projects; and (m)
2 made pursuant to Section 34-53.5 of the School Code, whether
3 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 excluded non-referendum
14 bonds. For park districts (i) that were first subject to
15 this Law in 1991 or 1995 and (ii) whose extension for the
16 1994 levy year for the payment of principal and interest on
17 bonds issued by the park district without referendum (but not
18 including excluded non-referendum bonds) was less than 51% of
19 the amount for the 1991 levy year constituting an extension
20 for payment of principal and interest on bonds issued by the
21 park district without referendum (but not including excluded
22 non-referendum bonds), "debt service extension base" means an
23 amount equal to that portion of the extension for the 1991
24 levy year constituting an extension for payment of principal
25 and interest on bonds issued by the park district without
26 referendum (but not including excluded non-referendum bonds).
27 The debt service extension base may be established or
28 increased as provided under Section 18-212. "Excluded
29 non-referendum bonds" means (i) bonds authorized by Public
30 Act 88-503 and issued under Section 20a of the Chicago Park
31 District Act for aquarium and museum projects; (ii) bonds
32 issued under Section 15 of the Local Government Debt Reform
33 Act; ~~and~~ or (iii) refunding obligations issued to refund or
34 to continue to refund obligations initially issued pursuant

1 to referendum. The--debt--service--extension--base--may--be
2 established-or-increased-as-provided-under-Section-18-212.

3 "Special purpose extensions" include, but are not limited
4 to, extensions for levies made on an annual basis for
5 unemployment and workers' compensation, self-insurance,
6 contributions to pension plans, and extensions made pursuant
7 to Section 6-601 of the Illinois Highway Code for a road
8 district's permanent road fund whether levied annually or
9 not. The extension for a special service area is not
10 included in the aggregate extension.

11 "Aggregate extension base" means the taxing district's
12 last preceding aggregate extension as adjusted under Sections
13 18-215 through 18-230.

14 "Levy year" has the same meaning as "year" under Section
15 1-155.

16 "New property" means (i) the assessed value, after final
17 board of review or board of appeals action, of new
18 improvements or additions to existing improvements on any
19 parcel of real property that increase the assessed value of
20 that real property during the levy year multiplied by the
21 equalization factor issued by the Department under Section
22 17-30 and (ii) the assessed value, after final board of
23 review or board of appeals action, of real property not
24 exempt from real estate taxation, which real property was
25 exempt from real estate taxation for any portion of the
26 immediately preceding levy year, multiplied by the
27 equalization factor issued by the Department under Section
28 17-30. In addition, the county clerk in a county containing a
29 population of 3,000,000 or more shall include in the 1997
30 recovered tax increment value for any school district, any
31 recovered tax increment value that was applicable to the 1995
32 tax year calculations.

33 "Qualified airport authority" means an airport authority
34 organized under the Airport Authorities Act and located in a

1 county bordering on the State of Wisconsin and having a
2 population in excess of 200,000 and not greater than 500,000.

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

1 established under the Tax Increment Allocation Development
 2 Act in the Illinois Municipal Code, the Industrial Jobs
 3 Recovery Law in the Illinois Municipal Code, or the Economic
 4 Development Area Tax Increment Allocation Act, "recovered tax
 5 increment value" means the amount of the current year's
 6 equalized assessed value of each taxable lot, block, tract,
 7 or parcel of real property removed from the redevelopment
 8 project area over and above the initial equalized assessed
 9 value of that real property before removal from the
 10 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
 17 the jurisdiction of the taxing district during the prior levy
 18 year. For those taxing districts that reduced their
 19 aggregate extension for the last preceding levy year, the
 20 highest aggregate extension in any of the last 3 preceding
 21 levy years shall be used for the purpose of computing the
 22 limiting rate. The denominator shall not include new
 23 property. The denominator shall not include the recovered
 24 tax increment value.

25 (Source: P.A. 91-357, eff. 7-29-99; 91-478, eff. 11-1-99;
 26 92-547, eff. 6-13-02.)

27 Section 22. The Cook County Forest Preserve District Act
 28 is amended by changing Sections 42 and 44.1 and by adding
 29 Section 21.2 as follows:

30 (70 ILCS 810/21.2 new)

31 Sec. 21.2. Indebtedness of district; additional bonds.
 32 For the purpose of making capital improvements to any land

1 acquired or to be acquired by the district and repairs,
 2 reconstruction, rehabilitation, or renovation in connection
 3 with any buildings of the district or to acquire equipment
 4 for the district, the corporate authorities of the forest
 5 preserve district in which the improvements or buildings are
 6 maintained may from time to time incur indebtedness and issue
 7 bonds therefor in amounts not exceeding, in the aggregate,
 8 \$50,000,000. The bonds shall bear interest at not more than
 9 the maximum rate provided by law and may mature up to 30
 10 years from the date thereof. A resolution authorizing the
 11 issuance of bonds under this Section may be made effective
 12 without the submission thereof to the voters of the district
 13 for approval.

14 All moneys received from the issuance of bonds as
 15 provided for in this Section shall be set apart in a separate
 16 fund by the district treasurer and shall be used only for the
 17 purposes set forth in this Section.

18 The corporate authorities of the district shall provide
 19 for the levy of a direct annual tax upon all the taxable
 20 property in the district, sufficient to pay and discharge the
 21 principal of the bonds at maturity and to pay the interest
 22 thereon as it falls due. This tax shall be levied and
 23 collected in like manner with the general taxes of the forest
 24 preserve district and shall be in addition to the maximum of
 25 all other taxes and tax rates that the district is or may be
 26 authorized to levy.

27 (70 ILCS 810/42) (from Ch. 96 1/2, par. 6445)

28 Sec. 42. For the purpose of making capital improvements
 29 and major repairs in connection with a zoological park, the
 30 corporate authorities of the forest preserve district in
 31 which such park is maintained may from time to time incur an
 32 indebtedness and issue bonds therefor ~~on-or-before-December~~
 33 ~~31,--1998~~ in amounts not exceeding in the aggregate

1 \$52,640,000 ~~\$27,640,000~~. Such bonds shall bear interest at
 2 not more than the maximum rate provided by law and may mature
 3 up to 30 years from the date thereof. A resolution
 4 authorizing the issuance of bonds under this Section may be
 5 made effective without the submission thereof to the voters
 6 of the district for approval.

7 All moneys received from the issuance of bonds as
 8 provided in this Section shall be set apart in a separate
 9 fund by the district treasurer and shall be used only for the
 10 purposes set forth in this Section.

11 The corporate authorities of such district shall provide
 12 for the levy of a direct annual tax upon all the taxable
 13 property in such district, sufficient to pay and discharge
 14 the principal of such bonds at maturity and to pay the
 15 interest thereon as it falls due. This tax shall be levied
 16 and collected in like manner with the general taxes of the
 17 forest preserve district and shall be in addition to the
 18 maximum of all other taxes and tax rates which the district
 19 is or may be authorized to levy.

20 (Source: P.A. 89-449, eff. 6-1-96.)

21 (70 ILCS 810/44.1) (from Ch. 96 1/2, par. 6447.1)

22 Sec. 44.1. For the purpose of making capital
 23 improvements in connection with botanical gardens, the
 24 corporate authorities of the forest preserve district in
 25 which such gardens are maintained may incur an indebtedness
 26 and issue bonds therefor in amounts not exceeding in the
 27 aggregate \$32,000,000 ~~\$7,000,000~~. Such bonds shall bear
 28 interest at not more than the maximum rate provided by law
 29 and shall mature within 20 years from the date thereof. The
 30 resolution authorizing this issuance of bonds may be made
 31 effective without the submission thereof to the voters of the
 32 district for approval.

33 All moneys received from the issuance of bonds as

1 provided in this Section shall be set apart in a separate
2 fund by the district treasurer and shall be used only for the
3 purposes set forth in this Section.

4 The corporate authorities of such district shall provide
5 for the levy of a direct annual tax upon all the taxable
6 property in such district, sufficient to pay and discharge
7 the principal of such bonds at maturity and to pay the
8 interest thereon as it falls due. This tax shall be levied
9 and collected in like manner with the general taxes of the
10 forest preserve district and shall be in addition to the
11 maximum of all other taxes and tax rates which the district
12 is or may be authorized to levy.

13 (Source: P.A. 85-1421.)