

1 AMENDMENT TO SENATE BILL 83

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 83 by replacing  
3 everything after the enacting clause with the following:

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"

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

14 "Aggregate extension" for taxing districts to which this  
15 Law applied before the 1995 levy year means the annual  
16 corporate extension for the taxing district and those special  
17 purpose extensions that are made annually for the taxing  
18 district, excluding special purpose extensions: (a) made for  
19 the taxing district to pay interest or principal on general  
20 obligation bonds that were approved by referendum; (b) made  
21 for any taxing district to pay interest or principal on  
22 general obligation bonds issued before October 1, 1991; (c)  
23 made for any taxing district to pay interest or principal on  
24 bonds issued to refund or continue to refund those bonds  
25 issued before October 1, 1991; (d) made for any taxing  
26 district to pay interest or principal on bonds issued to  
27 refund or continue to refund bonds issued after October 1,  
28 1991 that were approved by referendum; (e) made for any  
29 taxing district to pay interest or principal on revenue bonds  
30 issued before October 1, 1991 for payment of which a property  
31 tax levy or the full faith and credit of the unit of local  
32 government is pledged; however, a tax for the payment of  
33 interest or principal on those bonds shall be made only after  
34 the governing body of the unit of local government finds that

1 all other sources for payment are insufficient to make those  
2 payments; (f) made for payments under a building commission  
3 lease when the lease payments are for the retirement of bonds  
4 issued by the commission before October 1, 1991, to pay for  
5 the building project; (g) made for payments due under  
6 installment contracts entered into before October 1, 1991;  
7 (h) made for payments of principal and interest on bonds  
8 issued under the Metropolitan Water Reclamation District Act  
9 to finance construction projects initiated before October 1,  
10 1991; (i) made for payments of principal and interest on  
11 limited bonds, as defined in Section 3 of the Local  
12 Government Debt Reform Act, in an amount not to exceed the  
13 debt service extension base less the amount in items (b),  
14 (c), (e), and (h) of this definition for non-referendum  
15 obligations, except obligations initially issued pursuant to  
16 referendum; (j) made for payments of principal and interest  
17 on bonds issued under Section 15 of the Local Government Debt  
18 Reform Act; and (k) made by a school district that  
19 participates in the Special Education District of Lake  
20 County, created by special education joint agreement under  
21 Section 10-22.31 of the School Code, for payment of the  
22 school district's share of the amounts required to be  
23 contributed by the Special Education District of Lake County  
24 to the Illinois Municipal Retirement Fund under Article 7 of  
25 the Illinois Pension Code; the amount of any extension under  
26 this item (k) shall be certified by the school district to  
27 the county clerk.

28 "Aggregate extension" for the taxing districts to which  
29 this Law did not apply before the 1995 levy year (except  
30 taxing districts subject to this Law in accordance with  
31 Section 18-213) means the annual corporate extension for the  
32 taxing district and those special purpose extensions that are  
33 made annually for the taxing district, excluding special  
34 purpose extensions: (a) made for the taxing district to pay

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

1 on bonds authorized by Public Act 88-503 and issued under  
2 Section 20a of the Chicago Park District Act for aquarium or  
3 museum projects; (l) made for payments of principal and  
4 interest on bonds authorized by Public Act 87-1191 or this  
5 amendatory Act of the 93rd General Assembly and (i) issued  
6 pursuant to Section 21.2 of the Cook County Forest Preserve  
7 District Act, (ii) issued under Section 42 of the Cook County  
8 Forest Preserve District Act for zoological park projects, or  
9 (iii) issued under Section 44.1 of the Cook County Forest  
10 Preserve District Act for botanical gardens projects; and (m)  
11 made pursuant to Section 34-53.5 of the School Code, whether  
12 levied annually or not.

13 "Aggregate extension" for all taxing districts to which  
14 this Law applies in accordance with Section 18-213, except  
15 for those taxing districts subject to paragraph (2) of  
16 subsection (e) of Section 18-213, means the annual corporate  
17 extension for the taxing district and those special purpose  
18 extensions that are made annually for the taxing district,  
19 excluding special purpose extensions: (a) made for the taxing  
20 district to pay interest or principal on general obligation  
21 bonds that were approved by referendum; (b) made for any  
22 taxing district to pay interest or principal on general  
23 obligation bonds issued before the date on which the  
24 referendum making this Law applicable to the taxing district  
25 is held; (c) made for any taxing district to pay interest or  
26 principal on bonds issued to refund or continue to refund  
27 those bonds issued before the date on which the referendum  
28 making this Law applicable to the taxing district is held;  
29 (d) made for any taxing district to pay interest or principal  
30 on bonds issued to refund or continue to refund bonds issued  
31 after the date on which the referendum making this Law  
32 applicable to the taxing district is held if the bonds were  
33 approved by referendum after the date on which the referendum  
34 making this Law applicable to the taxing district is held;

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

32 "Aggregate extension" for all taxing districts to which  
33 this Law applies in accordance with paragraph (2) of  
34 subsection (e) of Section 18-213 means the annual corporate

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

1 obligations, except obligations initially issued pursuant to  
2 referendum; (i) made for payments of principal and interest  
3 on bonds issued under Section 15 of the Local Government Debt  
4 Reform Act; and (j) made for a qualified airport authority to  
5 pay interest or principal on general obligation bonds issued  
6 for the purpose of paying obligations due under, or financing  
7 airport facilities required to be acquired, constructed,  
8 installed or equipped pursuant to, contracts entered into  
9 before March 1, 1996 (but not including any amendments to  
10 such a contract taking effect on or after that date).

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



1 referendum (but not including excluded non-referendum bonds).  
2 The debt service extension base may be established or  
3 increased as provided under Section 18-212. "Excluded  
4 non-referendum bonds" means (i) bonds authorized by Public  
5 Act 88-503 and issued under Section 20a of the Chicago Park  
6 District Act for aquarium and museum projects; (ii) bonds  
7 issued under Section 15 of the Local Government Debt Reform  
8 Act; and or (iii) refunding obligations issued to refund or  
9 to continue to refund obligations initially issued pursuant  
10 to referendum. ~~The--debt--service--extension--base--may--be~~  
11 ~~established-or-increased-as-provided-under-Section-18-212.~~

12 "Special purpose extensions" include, but are not limited  
13 to, extensions for levies made on an annual basis for  
14 unemployment and workers' compensation, self-insurance,  
15 contributions to pension plans, and extensions made pursuant  
16 to Section 6-601 of the Illinois Highway Code for a road  
17 district's permanent road fund whether levied annually or  
18 not. The extension for a special service area is not  
19 included in the aggregate extension.

20 "Aggregate extension base" means the taxing district's  
21 last preceding aggregate extension as adjusted under Sections  
22 18-215 through 18-230.

23 "Levy year" has the same meaning as "year" under Section  
24 1-155.

25 "New property" means (i) the assessed value, after final  
26 board of review or board of appeals action, of new  
27 improvements or additions to existing improvements on any  
28 parcel of real property that increase the assessed value of  
29 that real property during the levy year multiplied by the  
30 equalization factor issued by the Department under Section  
31 17-30 and (ii) the assessed value, after final board of  
32 review or board of appeals action, of real property not  
33 exempt from real estate taxation, which real property was  
34 exempt from real estate taxation for any portion of the

1 immediately preceding levy year, multiplied by the  
2 equalization factor issued by the Department under Section  
3 17-30. In addition, the county clerk in a county containing a  
4 population of 3,000,000 or more shall include in the 1997  
5 recovered tax increment value for any school district, any  
6 recovered tax increment value that was applicable to the 1995  
7 tax year calculations.

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

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

1 Municipal Code, or previously established under the Economic  
2 Development Area Tax Increment Allocation Act, by an amount  
3 equal to the 1994 equalized assessed value of each taxable  
4 lot, block, tract, or parcel of real property in the  
5 redevelopment project area over and above the initial  
6 equalized assessed value of each property in the  
7 redevelopment project area. In the first year after a  
8 municipality removes a taxable lot, block, tract, or parcel  
9 of real property from a redevelopment project area  
10 established under the Tax Increment Allocation Development  
11 Act in the Illinois Municipal Code, the Industrial Jobs  
12 Recovery Law in the Illinois Municipal Code, or the Economic  
13 Development Area Tax Increment Allocation Act, "recovered tax  
14 increment value" means the amount of the current year's  
15 equalized assessed value of each taxable lot, block, tract,  
16 or parcel of real property removed from the redevelopment  
17 project area over and above the initial equalized assessed  
18 value of that real property before removal from the  
19 redevelopment project area.

20 Except as otherwise provided in this Section, "limiting  
21 rate" means a fraction the numerator of which is the last  
22 preceding aggregate extension base times an amount equal to  
23 one plus the extension limitation defined in this Section and  
24 the denominator of which is the current year's equalized  
25 assessed value of all real property in the territory under  
26 the jurisdiction of the taxing district during the prior levy  
27 year. For those taxing districts that reduced their  
28 aggregate extension for the last preceding levy year, the  
29 highest aggregate extension in any of the last 3 preceding  
30 levy years shall be used for the purpose of computing the  
31 limiting rate. The denominator shall not include new  
32 property. The denominator shall not include the recovered  
33 tax increment value.

34 (Source: P.A. 91-357, eff. 7-29-99; 91-478, eff. 11-1-99;

1 92-547, eff. 6-13-02.)

2 Section 22. The Cook County Forest Preserve District Act  
3 is amended by changing Sections 42 and 44.1 and by adding  
4 Section 21.2 as follows:

5 (70 ILCS 810/21.2 new)

6 Sec. 21.2. Indebtedness of district; additional bonds.  
7 For the purpose of making capital improvements to any land  
8 acquired or to be acquired by the district and repairs,  
9 reconstruction, rehabilitation, or renovation in connection  
10 with any buildings of the district or to acquire equipment  
11 for the district, the corporate authorities of the forest  
12 preserve district in which the improvements or buildings are  
13 maintained may from time to time incur indebtedness and issue  
14 bonds therefor in amounts not exceeding, in the aggregate,  
15 \$50,000,000. The bonds shall bear interest at not more than  
16 the maximum rate provided by law and may mature up to 30  
17 years from the date thereof. A resolution authorizing the  
18 issuance of bonds under this Section may be made effective  
19 without the submission thereof to the voters of the district  
20 for approval.

21 All moneys received from the issuance of bonds as  
22 provided for in this Section shall be set apart in a separate  
23 fund by the district treasurer and shall be used only for the  
24 purposes set forth in this Section.

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

1 authorized to levy.

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

3 Sec. 42. For the purpose of making capital improvements  
4 and major repairs in connection with a zoological park, the  
5 corporate authorities of the forest preserve district in  
6 which such park is maintained may from time to time incur an  
7 indebtedness and issue bonds therefor ~~on or before~~ December  
8 31, ~~1998~~ in amounts not exceeding in the aggregate  
9 \$52,640,000 ~~\$27,640,000~~. Such bonds shall bear interest at  
10 not more than the maximum rate provided by law and may mature  
11 up to 30 years from the date thereof. A resolution  
12 authorizing the issuance of bonds under this Section may be  
13 made effective without the submission thereof to the voters  
14 of the district for approval.

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

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

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

29 (70 ILCS 810/44.1) (from Ch. 96 1/2, par. 6447.1)

30 Sec. 44.1. For the purpose of making capital  
31 improvements in connection with botanical gardens, the  
32 corporate authorities of the forest preserve district in

1 which such gardens are maintained may incur an indebtedness  
2 and issue bonds therefor in amounts not exceeding in the  
3 aggregate \$32,000,000 ~~\$7,000,000~~. Such bonds shall bear  
4 interest at not more than the maximum rate provided by law  
5 and shall mature within 20 years from the date thereof. The  
6 resolution authorizing this issuance of bonds may be made  
7 effective without the submission thereof to the voters of the  
8 district for approval.

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

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

22 (Source: P.A. 85-1421.)".