

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 Economic Development Area Tax Increment
5 Allocation Act is amended by changing Section 6 as follows:

6 (20 ILCS 620/6) (from Ch. 67 1/2, par. 1006)

7 Sec. 6. Filing with county clerk; certification of initial
8 equalized assessed value.

9 (a) The municipality shall file a certified copy of any
10 ordinance authorizing tax increment allocation financing for
11 an economic development project area with the county clerk, and
12 the county clerk shall immediately thereafter determine (1) the
13 most recently ascertained equalized assessed value of each lot,
14 block, tract or parcel of real property within the economic
15 development project area from which shall be deducted the
16 homestead exemptions provided by Sections 15-170, ~~and~~ 15-175,
17 and 15-176 of the Property Tax Code, which value shall be the
18 "initial equalized assessed value" of each such piece of
19 property, and (2) the total equalized assessed value of all
20 taxable real property within the economic development project
21 area by adding together the most recently ascertained equalized
22 assessed value of each taxable lot, block, tract, or parcel of
23 real property within such economic development project area,
24 from which shall be deducted the homestead exemptions provided
25 by Sections 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax
26 Code, and shall certify such amount as the "total initial
27 equalized assessed value" of the taxable real property within
28 the economic development project area.

29 (b) After the county clerk has certified the "total initial
30 equalized assessed value" of the taxable real property in the
31 economic development project area, then in respect to every
32 taxing district containing an economic development project

1 area, the county clerk or any other official required by law to
2 ascertain the amount of the equalized assessed value of all
3 taxable property within that taxing district for the purpose of
4 computing the rate per cent of tax to be extended upon taxable
5 property within that taxing district, shall in every year that
6 tax increment allocation financing is in effect ascertain the
7 amount of value of taxable property in an economic development
8 project area by including in that amount the lower of the
9 current equalized assessed value or the certified "total
10 initial equalized assessed value" of all taxable real property
11 in such area. The rate per cent of tax determined shall be
12 extended to the current equalized assessed value of all
13 property in the economic development project area in the same
14 manner as the rate per cent of tax is extended to all other
15 taxable property in the taxing district. The method of
16 allocating taxes established under this Section shall
17 terminate when the municipality adopts an ordinance dissolving
18 the special tax allocation fund for the economic development
19 project area, terminating the economic development project
20 area, and terminating the use of tax increment allocation
21 financing for the economic development project area. This Act
22 shall not be construed as relieving property owners within an
23 economic development project area from paying a uniform rate of
24 taxes upon the current equalized assessed value of their
25 taxable property as provided in the Property Tax Code.

26 (Source: P.A. 88-670, eff. 12-2-94.)

27 Section 10. The Property Tax Code is amended by changing
28 Sections 14-15, 15-10, 15-170, 15-172, 15-175, 15-180, and
29 20-178 and by adding Section 15-176 as follows:

30 (35 ILCS 200/14-15)

31 Sec. 14-15. Certificate of error; counties of 3,000,000 or
32 more.

33 (a) In counties with 3,000,000 or more inhabitants, if,
34 after the assessment is certified pursuant to Section 16-150,

1 but subject to the limitations of subsection (c) of this
2 Section, the county assessor discovers an error or mistake in
3 the assessment, the assessor shall execute a certificate
4 setting forth the nature and cause of the error. The
5 certificate when endorsed by the county assessor, or when
6 endorsed by the county assessor and board of appeals (until the
7 first Monday in December 1998 and the board of review beginning
8 the first Monday in December 1998 and thereafter) where the
9 certificate is executed for any assessment which was the
10 subject of a complaint filed in the board of appeals (until the
11 first Monday in December 1998 and the board of review beginning
12 the first Monday in December 1998 and thereafter) for the tax
13 year for which the certificate is issued, may, either be
14 certified according to the procedure authorized by this Section
15 or be presented and received in evidence in any court of
16 competent jurisdiction. Certification is authorized, at the
17 discretion of the county assessor, for: (1) certificates of
18 error allowing homestead exemptions pursuant to Sections
19 15-170, 15-172, ~~and~~ 15-175, and 15-176; (2) certificates of
20 error on residential property of 6 units or less; (3)
21 certificates of error allowing exemption of the property
22 pursuant to Section 14-25; and (4) other certificates of error
23 reducing assessed value by less than \$100,000. Any certificate
24 of error not certified shall be presented to the court. The
25 county assessor shall develop reasonable procedures for the
26 filing and processing of certificates of error. Prior to the
27 certification or presentation to the court, the county assessor
28 or his or her designee shall execute and include in the
29 certificate of error a statement attesting that all procedural
30 requirements pertaining to the issuance of the certificate of
31 error have been met and that in fact an error exists. When so
32 introduced in evidence such certificate shall become a part of
33 the court records, and shall not be removed from the files
34 except upon the order of the court.

35 Certificates of error that will be presented to the court
36 shall be filed as an objection in the application for judgment

1 and order of sale for the year in relation to which the
 2 certificate is made or as an amendment to the objection under
 3 subsection (b). Certificates of error that are to be certified
 4 according to the procedure authorized by this Section need not
 5 be presented to the court as an objection or an amendment under
 6 subsection (b). The State's Attorney of the county in which the
 7 property is situated shall mail a copy of any final judgment
 8 entered by the court regarding any certificate of error to the
 9 taxpayer of record for the year in question.

10 Any unpaid taxes after the entry of the final judgment by
 11 the court or certification on certificates issued under this
 12 Section may be included in a special tax sale, provided that an
 13 advertisement is published and a notice is mailed to the person
 14 in whose name the taxes were last assessed, in a form and
 15 manner substantially similar to the advertisement and notice
 16 required under Sections 21-110 and 21-135. The advertisement
 17 and sale shall be subject to all provisions of law regulating
 18 the annual advertisement and sale of delinquent property, to
 19 the extent that those provisions may be made applicable.

20 A certificate of error certified under this Section shall
 21 be given effect by the county treasurer, who shall mark the tax
 22 books and, upon receipt of one of the following certificates
 23 from the county assessor or the county assessor and the board
 24 of review where the board of review is required to endorse the
 25 certificate of error, shall issue refunds to the taxpayer
 26 accordingly:

27 "CERTIFICATION

28 I,, county assessor, hereby certify
 29 that the Certificates of Error set out on the attached list
 30 have been duly issued to correct an error or mistake in the
 31 assessment."

32 "CERTIFICATION

33 I,, county assessor, and we,
 34,

1 members of the board of review, hereby certify that the
2 Certificates of Error set out on the attached list have
3 been duly issued to correct an error or mistake in the
4 assessment and that any certificates of error required to
5 be endorsed by the board of review have been so endorsed."

6 The county treasurer has the power to mark the tax books to
7 reflect the issuance of certificates of error certified
8 according to the procedure authorized in this Section for
9 certificates of error issued under Section 14-25 or
10 certificates of error issued to and including 3 years after the
11 date on which the annual judgment and order of sale for that
12 tax year was first entered. The county treasurer has the power
13 to issue refunds to the taxpayer as set forth above until all
14 refunds authorized by this Section have been completed.

15 To the extent that the certificate of error obviates the
16 liability for nonpayment of taxes, certification of a
17 certificate of error according to the procedure authorized in
18 this Section shall operate to vacate any judgment or forfeiture
19 as to that year's taxes, and the warrant books and judgment
20 books shall be marked to reflect that the judgment or
21 forfeiture has been vacated.

22 (b) Nothing in subsection (a) of this Section shall be
23 construed to prohibit the execution, endorsement, issuance,
24 and adjudication of a certificate of error if (i) the annual
25 judgment and order of sale for the tax year in question is
26 reopened for further proceedings upon consent of the county
27 collector and county assessor, represented by the State's
28 Attorney, and (ii) a new final judgment is subsequently entered
29 pursuant to the certificate. This subsection (b) shall be
30 construed as declarative of existing law and not as a new
31 enactment.

32 (c) No certificate of error, other than a certificate to
33 establish an exemption under Section 14-25, shall be executed
34 for any tax year more than 3 years after the date on which the
35 annual judgment and order of sale for that tax year was first

1 entered, except that during calendar years 1999 and 2000 a
2 certificate of error may be executed for any tax year, provided
3 that the error or mistake in the assessment was discovered no
4 more than 3 years after the date on which the annual judgment
5 and order of sale for that tax year was first entered.

6 (d) The time limitation of subsection (c) shall not apply
7 to a certificate of error correcting an assessment to \$1, under
8 Section 10-35, on a parcel that a subdivision or planned
9 development has acquired by adverse possession, if during the
10 tax year for which the certificate is executed the subdivision
11 or planned development used the parcel as common area, as
12 defined in Section 10-35, and if application for the
13 certificate of error is made prior to December 1, 1997.

14 (e) The changes made by this amendatory Act of the 91st
15 General Assembly apply to certificates of error issued before,
16 on, and after the effective date of this amendatory Act of the
17 91st General Assembly.

18 (Source: P.A. 90-4, eff. 3-7-97; 90-288, eff. 8-1-97; 90-655,
19 eff. 7-30-98; 91-393, eff. 7-30-99; 91-686, eff. 1-26-00.)

20 (35 ILCS 200/15-10)

21 Sec. 15-10. Exempt property; procedures for certification.
22 All property granted an exemption by the Department pursuant to
23 the requirements of Section 15-5 and described in the Sections
24 following Section 15-30 and preceding Section 16-5, to the
25 extent therein limited, is exempt from taxation. In order to
26 maintain that exempt status, the titleholder or the owner of
27 the beneficial interest of any property that is exempt must
28 file with the chief county assessment officer, on or before
29 January 31 of each year (May 31 in the case of property
30 exempted by Section 15-170), an affidavit stating whether there
31 has been any change in the ownership or use of the property or
32 the status of the owner-resident, or that a disabled veteran
33 who qualifies under Section 15-165 owned and used the property
34 as of January 1 of that year. The nature of any change shall be
35 stated in the affidavit. Failure to file an affidavit shall, in

1 the discretion of the assessment officer, constitute cause to
2 terminate the exemption of that property, notwithstanding any
3 other provision of this Code. Owners of 5 or more such exempt
4 parcels within a county may file a single annual affidavit in
5 lieu of an affidavit for each parcel. The assessment officer,
6 upon request, shall furnish an affidavit form to the owners, in
7 which the owner may state whether there has been any change in
8 the ownership or use of the property or status of the owner or
9 resident as of January 1 of that year. The owner of 5 or more
10 exempt parcels shall list all the properties giving the same
11 information for each parcel as required of owners who file
12 individual affidavits.

13 However, titleholders or owners of the beneficial interest
14 in any property exempted under any of the following provisions
15 are not required to submit an annual filing under this Section:

16 (1) Section 15-45 (burial grounds) in counties of less
17 than 3,000,000 inhabitants and owned by a not-for-profit
18 organization.

19 (2) Section 15-40.

20 (3) Section 15-50 (United States property).

21 If there is a change in use or ownership, however, notice
22 must be filed pursuant to Section 15-20.

23 An application for homestead exemptions shall be filed as
24 provided in Section 15-170 (senior citizens homestead
25 exemption), Section 15-172 (senior citizens assessment freeze
26 homestead exemption), and Sections ~~Section~~ 15-175 and 15-176
27 (general homestead exemption), respectively.

28 (Source: P.A. 92-333, eff. 8-10-01; 92-729, eff. 7-25-02.)

29 (35 ILCS 200/15-170)

30 Sec. 15-170. Senior Citizens Homestead Exemption. An
31 annual homestead exemption limited, except as described here
32 with relation to cooperatives or life care facilities, to a
33 maximum reduction set forth below from the property's value, as
34 equalized or assessed by the Department, is granted for
35 property that is occupied as a residence by a person 65 years

1 of age or older who is liable for paying real estate taxes on
2 the property and is an owner of record of the property or has a
3 legal or equitable interest therein as evidenced by a written
4 instrument, except for a leasehold interest, other than a
5 leasehold interest of land on which a single family residence
6 is located, which is occupied as a residence by a person 65
7 years or older who has an ownership interest therein, legal,
8 equitable or as a lessee, and on which he or she is liable for
9 the payment of property taxes. Before taxable year 2004, the
10 ~~The~~ maximum reduction shall be \$2,500 in counties with
11 3,000,000 or more inhabitants and \$2,000 in all other counties.
12 For taxable years 2004 and thereafter, the maximum reduction
13 shall be \$3,000 in all counties. For land improved with an
14 apartment building owned and operated as a cooperative, the
15 maximum reduction from the value of the property, as equalized
16 by the Department, shall be multiplied by the number of
17 apartments or units occupied by a person 65 years of age or
18 older who is liable, by contract with the owner or owners of
19 record, for paying property taxes on the property and is an
20 owner of record of a legal or equitable interest in the
21 cooperative apartment building, other than a leasehold
22 interest. For land improved with a life care facility, the
23 maximum reduction from the value of the property, as equalized
24 by the Department, shall be multiplied by the number of
25 apartments or units occupied by persons 65 years of age or
26 older, irrespective of any legal, equitable, or leasehold
27 interest in the facility, who are liable, under a contract with
28 the owner or owners of record of the facility, for paying
29 property taxes on the property. In a cooperative or a life care
30 facility where a homestead exemption has been granted, the
31 cooperative association or the management firm of the
32 cooperative or facility shall credit the savings resulting from
33 that exemption only to the apportioned tax liability of the
34 owner or resident who qualified for the exemption. Any person
35 who willfully refuses to so credit the savings shall be guilty
36 of a Class B misdemeanor. Under this Section and Sections

1 ~~Section~~ 15-175 and 15-176, "life care facility" means a
2 facility as defined in Section 2 of the Life Care Facilities
3 Act, with which the applicant for the homestead exemption has a
4 life care contract as defined in that Act.

5 When a homestead exemption has been granted under this
6 Section and the person qualifying subsequently becomes a
7 resident of a facility licensed under the Nursing Home Care
8 Act, the exemption shall continue so long as the residence
9 continues to be occupied by the qualifying person's spouse if
10 the spouse is 65 years of age or older, or if the residence
11 remains unoccupied but is still owned by the person qualified
12 for the homestead exemption.

13 A person who will be 65 years of age during the current
14 assessment year shall be eligible to apply for the homestead
15 exemption during that assessment year. Application shall be
16 made during the application period in effect for the county of
17 his residence.

18 Beginning with assessment year 2003, for taxes payable in
19 2004, property that is first occupied as a residence after
20 January 1 of any assessment year by a person who is eligible
21 for the senior citizens homestead exemption under this Section
22 must be granted a pro-rata exemption for the assessment year.
23 The amount of the pro-rata exemption is the exemption allowed
24 in the county under this Section divided by 365 and multiplied
25 by the number of days during the assessment year the property
26 is occupied as a residence by a person eligible for the
27 exemption under this Section. The chief county assessment
28 officer must adopt reasonable procedures to establish
29 eligibility for this pro-rata exemption.

30 The assessor or chief county assessment officer may
31 determine the eligibility of a life care facility to receive
32 the benefits provided by this Section, by affidavit,
33 application, visual inspection, questionnaire or other
34 reasonable methods in order to insure that the tax savings
35 resulting from the exemption are credited by the management
36 firm to the apportioned tax liability of each qualifying

1 resident. The assessor may request reasonable proof that the
2 management firm has so credited the exemption.

3 The chief county assessment officer of each county with
4 less than 3,000,000 inhabitants shall provide to each person
5 allowed a homestead exemption under this Section a form to
6 designate any other person to receive a duplicate of any notice
7 of delinquency in the payment of taxes assessed and levied
8 under this Code on the property of the person receiving the
9 exemption. The duplicate notice shall be in addition to the
10 notice required to be provided to the person receiving the
11 exemption, and shall be given in the manner required by this
12 Code. The person filing the request for the duplicate notice
13 shall pay a fee of \$5 to cover administrative costs to the
14 supervisor of assessments, who shall then file the executed
15 designation with the county collector. Notwithstanding any
16 other provision of this Code to the contrary, the filing of
17 such an executed designation requires the county collector to
18 provide duplicate notices as indicated by the designation. A
19 designation may be rescinded by the person who executed such
20 designation at any time, in the manner and form required by the
21 chief county assessment officer.

22 The assessor or chief county assessment officer may
23 determine the eligibility of residential property to receive
24 the homestead exemption provided by this Section by
25 application, visual inspection, questionnaire or other
26 reasonable methods. The determination shall be made in
27 accordance with guidelines established by the Department.

28 In counties with less than 3,000,000 inhabitants, the
29 county board may by resolution provide that if a person has
30 been granted a homestead exemption under this Section, the
31 person qualifying need not reapply for the exemption.

32 In counties with less than 3,000,000 inhabitants, if the
33 assessor or chief county assessment officer requires annual
34 application for verification of eligibility for an exemption
35 once granted under this Section, the application shall be
36 mailed to the taxpayer.

1 The assessor or chief county assessment officer shall
2 notify each person who qualifies for an exemption under this
3 Section that the person may also qualify for deferral of real
4 estate taxes under the Senior Citizens Real Estate Tax Deferral
5 Act. The notice shall set forth the qualifications needed for
6 deferral of real estate taxes, the address and telephone number
7 of county collector, and a statement that applications for
8 deferral of real estate taxes may be obtained from the county
9 collector.

10 Notwithstanding Sections 6 and 8 of the State Mandates Act,
11 no reimbursement by the State is required for the
12 implementation of any mandate created by this Section.

13 (Source: P.A. 92-196, eff. 1-1-02; 93-511, eff. 8-11-03.)

14 (35 ILCS 200/15-172)

15 Sec. 15-172. Senior Citizens Assessment Freeze Homestead
16 Exemption.

17 (a) This Section may be cited as the Senior Citizens
18 Assessment Freeze Homestead Exemption.

19 (b) As used in this Section:

20 "Applicant" means an individual who has filed an
21 application under this Section.

22 "Base amount" means the base year equalized assessed value
23 of the residence plus the first year's equalized assessed value
24 of any added improvements which increased the assessed value of
25 the residence after the base year.

26 "Base year" means the taxable year prior to the taxable
27 year for which the applicant first qualifies and applies for
28 the exemption provided that in the prior taxable year the
29 property was improved with a permanent structure that was
30 occupied as a residence by the applicant who was liable for
31 paying real property taxes on the property and who was either
32 (i) an owner of record of the property or had legal or
33 equitable interest in the property as evidenced by a written
34 instrument or (ii) had a legal or equitable interest as a
35 lessee in the parcel of property that was single family

1 residence. If in any subsequent taxable year for which the
2 applicant applies and qualifies for the exemption the equalized
3 assessed value of the residence is less than the equalized
4 assessed value in the existing base year (provided that such
5 equalized assessed value is not based on an assessed value that
6 results from a temporary irregularity in the property that
7 reduces the assessed value for one or more taxable years), then
8 that subsequent taxable year shall become the base year until a
9 new base year is established under the terms of this paragraph.
10 For taxable year 1999 only, the Chief County Assessment Officer
11 shall review (i) all taxable years for which the applicant
12 applied and qualified for the exemption and (ii) the existing
13 base year. The assessment officer shall select as the new base
14 year the year with the lowest equalized assessed value. An
15 equalized assessed value that is based on an assessed value
16 that results from a temporary irregularity in the property that
17 reduces the assessed value for one or more taxable years shall
18 not be considered the lowest equalized assessed value. The
19 selected year shall be the base year for taxable year 1999 and
20 thereafter until a new base year is established under the terms
21 of this paragraph.

22 "Chief County Assessment Officer" means the County
23 Assessor or Supervisor of Assessments of the county in which
24 the property is located.

25 "Equalized assessed value" means the assessed value as
26 equalized by the Illinois Department of Revenue.

27 "Household" means the applicant, the spouse of the
28 applicant, and all persons using the residence of the applicant
29 as their principal place of residence.

30 "Household income" means the combined income of the members
31 of a household for the calendar year preceding the taxable
32 year.

33 "Income" has the same meaning as provided in Section 3.07
34 of the Senior Citizens and Disabled Persons Property Tax Relief
35 and Pharmaceutical Assistance Act, except that, beginning in
36 assessment year 2001, "income" does not include veteran's

1 benefits.

2 "Internal Revenue Code of 1986" means the United States
3 Internal Revenue Code of 1986 or any successor law or laws
4 relating to federal income taxes in effect for the year
5 preceding the taxable year.

6 "Life care facility that qualifies as a cooperative" means
7 a facility as defined in Section 2 of the Life Care Facilities
8 Act.

9 "Residence" means the principal dwelling place and
10 appurtenant structures used for residential purposes in this
11 State occupied on January 1 of the taxable year by a household
12 and so much of the surrounding land, constituting the parcel
13 upon which the dwelling place is situated, as is used for
14 residential purposes. If the Chief County Assessment Officer
15 has established a specific legal description for a portion of
16 property constituting the residence, then that portion of
17 property shall be deemed the residence for the purposes of this
18 Section.

19 "Taxable year" means the calendar year during which ad
20 valorem property taxes payable in the next succeeding year are
21 levied.

22 (c) Beginning in taxable year 1994, a senior citizens
23 assessment freeze homestead exemption is granted for real
24 property that is improved with a permanent structure that is
25 occupied as a residence by an applicant who (i) is 65 years of
26 age or older during the taxable year, (ii) has a household
27 income of \$35,000 or less prior to taxable year 1999, ~~or~~
28 \$40,000 or less in taxable years year 1999 through 2003, and
29 \$45,000 or less in taxable year 2004 and thereafter, (iii) is
30 liable for paying real property taxes on the property, and (iv)
31 is an owner of record of the property or has a legal or
32 equitable interest in the property as evidenced by a written
33 instrument. This homestead exemption shall also apply to a
34 leasehold interest in a parcel of property improved with a
35 permanent structure that is a single family residence that is
36 occupied as a residence by a person who (i) is 65 years of age

1 or older during the taxable year, (ii) has a household income
2 of \$35,000 or less prior to taxable year 1999, ~~or~~ \$40,000 or
3 less in taxable years ~~year~~ 1999 through 2003, and \$45,000 or
4 less in taxable year 2004 and thereafter, (iii) has a legal or
5 equitable ownership interest in the property as lessee, and
6 (iv) is liable for the payment of real property taxes on that
7 property.

8 The amount of this exemption shall be the equalized
9 assessed value of the residence in the taxable year for which
10 application is made minus the base amount.

11 When the applicant is a surviving spouse of an applicant
12 for a prior year for the same residence for which an exemption
13 under this Section has been granted, the base year and base
14 amount for that residence are the same as for the applicant for
15 the prior year.

16 Each year at the time the assessment books are certified to
17 the County Clerk, the Board of Review or Board of Appeals shall
18 give to the County Clerk a list of the assessed values of
19 improvements on each parcel qualifying for this exemption that
20 were added after the base year for this parcel and that
21 increased the assessed value of the property.

22 In the case of land improved with an apartment building
23 owned and operated as a cooperative or a building that is a
24 life care facility that qualifies as a cooperative, the maximum
25 reduction from the equalized assessed value of the property is
26 limited to the sum of the reductions calculated for each unit
27 occupied as a residence by a person or persons (i) 65 years of
28 age or older, (ii) with a household income of \$35,000 or less
29 prior to taxable year 1999, ~~or~~ \$40,000 or less in taxable years
30 ~~year~~ 1999 through 2003, and \$45,000 or less in taxable year
31 2004 and thereafter, (iii) who is liable, by contract with the
32 owner or owners of record, for paying real property taxes on
33 the property, and (iv) who is an owner of record of a legal or
34 equitable interest in the cooperative apartment building,
35 other than a leasehold interest. In the instance of a
36 cooperative where a homestead exemption has been granted under

1 this Section, the cooperative association or its management
2 firm shall credit the savings resulting from that exemption
3 only to the apportioned tax liability of the owner who
4 qualified for the exemption. Any person who willfully refuses
5 to credit that savings to an owner who qualifies for the
6 exemption is guilty of a Class B misdemeanor.

7 When a homestead exemption has been granted under this
8 Section and an applicant then becomes a resident of a facility
9 licensed under the Nursing Home Care Act, the exemption shall
10 be granted in subsequent years so long as the residence (i)
11 continues to be occupied by the qualified applicant's spouse or
12 (ii) if remaining unoccupied, is still owned by the qualified
13 applicant for the homestead exemption.

14 Beginning January 1, 1997, when an individual dies who
15 would have qualified for an exemption under this Section, and
16 the surviving spouse does not independently qualify for this
17 exemption because of age, the exemption under this Section
18 shall be granted to the surviving spouse for the taxable year
19 preceding and the taxable year of the death, provided that,
20 except for age, the surviving spouse meets all other
21 qualifications for the granting of this exemption for those
22 years.

23 When married persons maintain separate residences, the
24 exemption provided for in this Section may be claimed by only
25 one of such persons and for only one residence.

26 For taxable year 1994 only, in counties having less than
27 3,000,000 inhabitants, to receive the exemption, a person shall
28 submit an application by February 15, 1995 to the Chief County
29 Assessment Officer of the county in which the property is
30 located. In counties having 3,000,000 or more inhabitants, for
31 taxable year 1994 and all subsequent taxable years, to receive
32 the exemption, a person may submit an application to the Chief
33 County Assessment Officer of the county in which the property
34 is located during such period as may be specified by the Chief
35 County Assessment Officer. The Chief County Assessment Officer
36 in counties of 3,000,000 or more inhabitants shall annually

1 give notice of the application period by mail or by
2 publication. In counties having less than 3,000,000
3 inhabitants, beginning with taxable year 1995 and thereafter,
4 to receive the exemption, a person shall submit an application
5 by July 1 of each taxable year to the Chief County Assessment
6 Officer of the county in which the property is located. A
7 county may, by ordinance, establish a date for submission of
8 applications that is different than July 1. The applicant shall
9 submit with the application an affidavit of the applicant's
10 total household income, age, marital status (and if married the
11 name and address of the applicant's spouse, if known), and
12 principal dwelling place of members of the household on January
13 1 of the taxable year. The Department shall establish, by rule,
14 a method for verifying the accuracy of affidavits filed by
15 applicants under this Section. The applications shall be
16 clearly marked as applications for the Senior Citizens
17 Assessment Freeze Homestead Exemption.

18 Notwithstanding any other provision to the contrary, in
19 counties having fewer than 3,000,000 inhabitants, if an
20 applicant fails to file the application required by this
21 Section in a timely manner and this failure to file is due to a
22 mental or physical condition sufficiently severe so as to
23 render the applicant incapable of filing the application in a
24 timely manner, the Chief County Assessment Officer may extend
25 the filing deadline for a period of 30 days after the applicant
26 regains the capability to file the application, but in no case
27 may the filing deadline be extended beyond 3 months of the
28 original filing deadline. In order to receive the extension
29 provided in this paragraph, the applicant shall provide the
30 Chief County Assessment Officer with a signed statement from
31 the applicant's physician stating the nature and extent of the
32 condition, that, in the physician's opinion, the condition was
33 so severe that it rendered the applicant incapable of filing
34 the application in a timely manner, and the date on which the
35 applicant regained the capability to file the application.

36 Beginning January 1, 1998, notwithstanding any other

1 provision to the contrary, in counties having fewer than
2 3,000,000 inhabitants, if an applicant fails to file the
3 application required by this Section in a timely manner and
4 this failure to file is due to a mental or physical condition
5 sufficiently severe so as to render the applicant incapable of
6 filing the application in a timely manner, the Chief County
7 Assessment Officer may extend the filing deadline for a period
8 of 3 months. In order to receive the extension provided in this
9 paragraph, the applicant shall provide the Chief County
10 Assessment Officer with a signed statement from the applicant's
11 physician stating the nature and extent of the condition, and
12 that, in the physician's opinion, the condition was so severe
13 that it rendered the applicant incapable of filing the
14 application in a timely manner.

15 In counties having less than 3,000,000 inhabitants, if an
16 applicant was denied an exemption in taxable year 1994 and the
17 denial occurred due to an error on the part of an assessment
18 official, or his or her agent or employee, then beginning in
19 taxable year 1997 the applicant's base year, for purposes of
20 determining the amount of the exemption, shall be 1993 rather
21 than 1994. In addition, in taxable year 1997, the applicant's
22 exemption shall also include an amount equal to (i) the amount
23 of any exemption denied to the applicant in taxable year 1995
24 as a result of using 1994, rather than 1993, as the base year,
25 (ii) the amount of any exemption denied to the applicant in
26 taxable year 1996 as a result of using 1994, rather than 1993,
27 as the base year, and (iii) the amount of the exemption
28 erroneously denied for taxable year 1994.

29 For purposes of this Section, a person who will be 65 years
30 of age during the current taxable year shall be eligible to
31 apply for the homestead exemption during that taxable year.
32 Application shall be made during the application period in
33 effect for the county of his or her residence.

34 The Chief County Assessment Officer may determine the
35 eligibility of a life care facility that qualifies as a
36 cooperative to receive the benefits provided by this Section by

1 use of an affidavit, application, visual inspection,
2 questionnaire, or other reasonable method in order to insure
3 that the tax savings resulting from the exemption are credited
4 by the management firm to the apportioned tax liability of each
5 qualifying resident. The Chief County Assessment Officer may
6 request reasonable proof that the management firm has so
7 credited that exemption.

8 Except as provided in this Section, all information
9 received by the chief county assessment officer or the
10 Department from applications filed under this Section, or from
11 any investigation conducted under the provisions of this
12 Section, shall be confidential, except for official purposes or
13 pursuant to official procedures for collection of any State or
14 local tax or enforcement of any civil or criminal penalty or
15 sanction imposed by this Act or by any statute or ordinance
16 imposing a State or local tax. Any person who divulges any such
17 information in any manner, except in accordance with a proper
18 judicial order, is guilty of a Class A misdemeanor.

19 Nothing contained in this Section shall prevent the
20 Director or chief county assessment officer from publishing or
21 making available reasonable statistics concerning the
22 operation of the exemption contained in this Section in which
23 the contents of claims are grouped into aggregates in such a
24 way that information contained in any individual claim shall
25 not be disclosed.

26 (d) Each Chief County Assessment Officer shall annually
27 publish a notice of availability of the exemption provided
28 under this Section. The notice shall be published at least 60
29 days but no more than 75 days prior to the date on which the
30 application must be submitted to the Chief County Assessment
31 Officer of the county in which the property is located. The
32 notice shall appear in a newspaper of general circulation in
33 the county.

34 Notwithstanding Sections 6 and 8 of the State Mandates Act,
35 no reimbursement by the State is required for the
36 implementation of any mandate created by this Section.

1 (Source: P.A. 90-14, eff. 7-1-97; 90-204, eff. 7-25-97; 90-523,
2 eff. 11-13-97; 90-524, eff. 1-1-98; 90-531, eff. 1-1-98;
3 90-655, eff. 7-30-98; 91-45, eff. 6-30-99; 91-56, eff. 6-30-99;
4 91-819, eff. 6-13-00.)

5 (35 ILCS 200/15-175)

6 Sec. 15-175. General homestead exemption. Except as
7 provided in Section 15-176, homestead property is entitled to
8 an annual homestead exemption limited, except as described here
9 with relation to cooperatives, to a reduction in the equalized
10 assessed value of homestead property equal to the increase in
11 equalized assessed value for the current assessment year above
12 the equalized assessed value of the property for 1977, up to
13 the maximum reduction set forth below. If however, the 1977
14 equalized assessed value upon which taxes were paid is
15 subsequently determined by local assessing officials, the
16 Property Tax Appeal Board, or a court to have been excessive,
17 the equalized assessed value which should have been placed on
18 the property for 1977 shall be used to determine the amount of
19 the exemption.

20 Except as provided in Section 15-176, the maximum reduction
21 before taxable year 2004 shall be \$4,500 in counties with
22 3,000,000 or more inhabitants and \$3,500 in all other counties.
23 Except as provided in Section 15-176, for taxable years 2004
24 and thereafter, the maximum reduction shall be \$5,000 in all
25 counties. If a county has elected to subject itself to the
26 provisions of Section 15-176 as provided in subsection (k) of
27 that Section, then, for the first taxable year only after the
28 provisions of Section 15-176 no longer apply, for owners (i)
29 who have not been granted a senior citizens assessment freeze
30 homestead exemption under Section 15-172 for the taxable year
31 and (ii) whose qualified property has an assessed valuation
32 that has increased by more than 20% over the previous assessed
33 valuation of the property, there shall be an additional
34 exemption of \$5,000 for owners with a household income of
35 \$30,000 or less. For purposes of this paragraph, "household

1 income" has the meaning set forth in this Section 15-175.

2 In counties with fewer than 3,000,000 inhabitants, if,
3 based on the most recent assessment, the equalized assessed
4 value of the homestead property for the current assessment year
5 is greater than the equalized assessed value of the property
6 for 1977, the owner of the property shall automatically receive
7 the exemption granted under this Section in an amount equal to
8 the increase over the 1977 assessment up to the maximum
9 reduction set forth in this Section.

10 If in any assessment year beginning with the 2000
11 assessment year, homestead property has a pro-rata valuation
12 under Section 9-180 resulting in an increase in the assessed
13 valuation, a reduction in equalized assessed valuation equal to
14 the increase in equalized assessed value of the property for
15 the year of the pro-rata valuation above the equalized assessed
16 value of the property for 1977 shall be applied to the property
17 on a proportionate basis for the period the property qualified
18 as homestead property during the assessment year. The maximum
19 proportionate homestead exemption shall not exceed the maximum
20 homestead exemption allowed in the county under this Section
21 divided by 365 and multiplied by the number of days the
22 property qualified as homestead property.

23 "Homestead property" under this Section includes
24 residential property that is occupied by its owner or owners as
25 his or their principal dwelling place, or that is a leasehold
26 interest on which a single family residence is situated, which
27 is occupied as a residence by a person who has an ownership
28 interest therein, legal or equitable or as a lessee, and on
29 which the person is liable for the payment of property taxes.
30 For land improved with an apartment building owned and operated
31 as a cooperative or a building which is a life care facility as
32 defined in Section 15-170 and considered to be a cooperative
33 under Section 15-170, the maximum reduction from the equalized
34 assessed value shall be limited to the increase in the value
35 above the equalized assessed value of the property for 1977, up
36 to the maximum reduction set forth above, multiplied by the

1 number of apartments or units occupied by a person or persons
2 who is liable, by contract with the owner or owners of record,
3 for paying property taxes on the property and is an owner of
4 record of a legal or equitable interest in the cooperative
5 apartment building, other than a leasehold interest. For
6 purposes of this Section, the term "life care facility" has the
7 meaning stated in Section 15-170.

8 "Household", as used in this Section, means the owner, the
9 spouse of the owner, and all persons using the residence of the
10 owner as their principal place of residence.

11 "Household income", as used in this Section, means the
12 combined income of the members of a household for the calendar
13 year preceding the taxable year.

14 "Income", as used in this Section, has the same meaning as
15 provided in Section 3.07 of the Senior Citizens and Disabled
16 Persons Property Tax Relief and Pharmaceutical Assistance Act,
17 except that "income" does not include veteran's benefits.

18 In a cooperative where a homestead exemption has been
19 granted, the cooperative association or its management firm
20 shall credit the savings resulting from that exemption only to
21 the apportioned tax liability of the owner who qualified for
22 the exemption. Any person who willfully refuses to so credit
23 the savings shall be guilty of a Class B misdemeanor.

24 Where married persons maintain and reside in separate
25 residences qualifying as homestead property, each residence
26 shall receive 50% of the total reduction in equalized assessed
27 valuation provided by this Section.

28 In all counties ~~with more than 3,000,000 inhabitants,~~ the
29 assessor or chief county assessment officer may determine the
30 eligibility of residential property to receive the homestead
31 exemption and the amount of the exemption by application,
32 visual inspection, questionnaire or other reasonable methods.
33 The determination shall be made in accordance with guidelines
34 established by the Department, provided that the taxpayer
35 applying for an additional general exemption under this Section
36 shall submit to the chief county assessment officer an

1 application with an affidavit of the applicant's total
2 household income, age, marital status (and, if married, the
3 name and address of the applicant's spouse, if known), and
4 principal dwelling place of members of the household on January
5 1 of the taxable year. The Department shall issue guidelines
6 establishing a method for verifying the accuracy of the
7 affidavits filed by applicants under this paragraph. The
8 applications shall be clearly marked as applications for the
9 Additional General Homestead Exemption.

10 In counties with fewer than 3,000,000 inhabitants, in the
11 event of a sale of homestead property the homestead exemption
12 shall remain in effect for the remainder of the assessment year
13 of the sale. The assessor or chief county assessment officer
14 may require the new owner of the property to apply for the
15 homestead exemption for the following assessment year.

16 Notwithstanding Sections 6 and 8 of the State Mandates Act,
17 no reimbursement by the State is required for the
18 implementation of any mandate created by this Section.

19 (Source: P.A. 90-368, eff. 1-1-98; 90-552, eff. 12-12-97;
20 90-655, eff. 7-30-98; 91-346, eff. 7-29-99.)

21 (35 ILCS 200/15-176 new)

22 Sec. 15-176. Alternative general homestead exemption.

23 (a) For the assessment years as determined under subsection
24 (j), in any county that has elected, by an ordinance in
25 accordance with subsection (k), to be subject to the provisions
26 of this Section in lieu of the provisions of Section 15-175,
27 homestead property is entitled to an annual homestead exemption
28 equal to a reduction in the property's equalized assessed value
29 calculated as provided in this Section.

30 (b) As used in this Section:

31 (1) "Assessor" means the supervisor of assessments or
32 the chief county assessment officer of each county.

33 (2) "Adjusted homestead value" means the lesser of the
34 following values:

35 (A) The property's base homestead value increased

1 by 7% for each tax year after the base year through and
2 including the current tax year, or, if the property is
3 sold or ownership is otherwise transferred, the
4 property's base homestead value increased by 7% for
5 each tax year after the year of the sale or transfer
6 through and including the current tax year. The
7 increase by 7% each year is an increase by 7% over the
8 prior year.

9 (B) The property's equalized assessed value for
10 the current tax year minus (i) \$4,500 in Cook County or
11 \$3,500 in all other counties in tax year 2003 or (ii)
12 \$5,000 in all counties in tax year 2004 and thereafter.
13 (3) "Base homestead value".

14 (A) Except as provided in subdivision (b) (3) (B),
15 "base homestead value" means the equalized assessed
16 value of the property for the base year prior to
17 exemptions, minus (i) \$4,500 in Cook County or \$3,500
18 in all other counties in tax year 2003 or (ii) \$5,000
19 in all counties in tax year 2004 and thereafter,
20 provided that it was assessed for that year as
21 residential property qualified for any of the
22 homestead exemptions under Sections 15-170 through
23 15-175 of this Code, then in force, and further
24 provided that the property's assessment was not based
25 on a reduced assessed value resulting from a temporary
26 irregularity in the property for that year. Except as
27 provided in subdivision (b) (3) (B), if the property did
28 not have a residential equalized assessed value for the
29 base year, then "base homestead value" means the base
30 homestead value established by the assessor under
31 subsection (c).

32 (B) If the property is sold or ownership is
33 otherwise transferred, other than sales or transfers
34 between spouses or between a parent and a child, "base
35 homestead value" means the equalized assessed value of
36 the property at the time of the sale or transfer prior

1 to exemptions, minus (i) \$4,500 in Cook County or
2 \$3,500 in all other counties in tax year 2003 or (ii)
3 \$5,000 in all counties in tax year 2004 and thereafter,
4 provided that it was assessed as residential property
5 qualified for any of the homestead exemptions under
6 Sections 15-170 through 15-175 of this Code, then in
7 force, and further provided that the property's
8 assessment was not based on a reduced assessed value
9 resulting from a temporary irregularity in the
10 property.

11 (3.5) "Base year" means (i) tax year 2002 in Cook
12 County or (ii) tax year 2002 or 2003 in all other counties
13 in accordance with the designation made by the county as
14 provided in subsection (k).

15 (4) "Current tax year" means the tax year for which the
16 exemption under this Section is being applied.

17 (5) "Equalized assessed value" means the property's
18 assessed value as equalized by the Department.

19 (6) "Homestead" or "homestead property" means:

20 (A) Residential property that as of January 1 of
21 the tax year is occupied by its owner or owners as his,
22 her, or their principal dwelling place, or that is a
23 leasehold interest on which a single family residence
24 is situated, that is occupied as a residence by a
25 person who has a legal or equitable interest therein
26 evidenced by a written instrument, as an owner or as a
27 lessee, and on which the person is liable for the
28 payment of property taxes. Residential units in an
29 apartment building owned and operated as a
30 cooperative, or as a life care facility, which are
31 occupied by persons who hold a legal or equitable
32 interest in the cooperative apartment building or life
33 care facility as owners or lessees, and who are liable
34 by contract for the payment of property taxes, shall be
35 included within this definition of homestead property.

36 (B) A homestead includes the dwelling place,

1 appurtenant structures, and so much of the surrounding
2 land constituting the parcel on which the dwelling
3 place is situated as is used for residential purposes.
4 If the assessor has established a specific legal
5 description for a portion of property constituting the
6 homestead, then the homestead shall be limited to the
7 property within that description.

8 (7) "Life care facility" means a facility as defined in
9 Section 2 of the Life Care Facilities Act.

10 (c) If the property did not have a residential equalized
11 assessed value for the base year as provided in subdivision
12 (b)(3)(A) of this Section, then the assessor shall first
13 determine an initial value for the property by comparison with
14 assessed values for the base year of other properties having
15 physical and economic characteristics similar to those of the
16 subject property, so that the initial value is uniform in
17 relation to assessed values of those other properties for the
18 base year. The product of the initial value multiplied by the
19 equalized factor for the base year for homestead properties in
20 that county, less (i) \$4,500 in Cook County or \$3,500 in all
21 other counties in tax year 2003 or (ii) \$5,000 in all counties
22 in tax year 2004 and thereafter, is the base homestead value.

23 For any tax year for which the assessor determines or
24 adjusts an initial value and hence a base homestead value under
25 this subsection (c), the initial value shall be subject to
26 review by the same procedures applicable to assessed values
27 established under this Code for that tax year.

28 (d) The base homestead value shall remain constant, except
29 that the assessor may revise it under the following
30 circumstances:

31 (1) If the equalized assessed value of a homestead
32 property for the current tax year is less than the previous
33 base homestead value for that property, then the current
34 equalized assessed value (provided it is not based on a
35 reduced assessed value resulting from a temporary
36 irregularity in the property) shall become the base

1 homestead value in subsequent tax years.

2 (2) For any year in which new buildings, structures, or
3 other improvements are constructed on the homestead
4 property that would increase its assessed value, the
5 assessor shall adjust the base homestead value as provided
6 in subsection (c) of this Section with due regard to the
7 value added by the new improvements.

8 (3) If the property is sold or ownership is otherwise
9 transferred, the base homestead value of the property shall
10 be adjusted as provided in subdivision (b) (3) (B). This item
11 (3) does not apply to sales or transfers between spouses or
12 between a parent and a child.

13 (e) The amount of the exemption under this Section is the
14 equalized assessed value of the homestead property for the
15 current tax year, minus the adjusted homestead value, with the
16 following exceptions:

17 (1) The exemption under this Section shall not exceed
18 \$20,000 for any taxable year.

19 (2) In the case of homestead property that also
20 qualifies for the exemption under Section 15-172, the
21 property is entitled to the exemption under this Section,
22 limited to the amount of (i) \$4,500 in Cook County or
23 \$3,500 in all other counties in tax year 2003 or (ii)
24 \$5,000 in all counties in tax year 2004 and thereafter.

25 (f) In the case of an apartment building owned and operated
26 as a cooperative, or as a life care facility, that contains
27 residential units that qualify as homestead property under this
28 Section, the maximum cumulative exemption amount attributed to
29 the entire building or facility shall not exceed the sum of the
30 exemptions calculated for each qualified residential unit. The
31 cooperative association, management firm, or other person or
32 entity that manages or controls the cooperative apartment
33 building or life care facility shall credit the exemption
34 attributable to each residential unit only to the apportioned
35 tax liability of the owner or other person responsible for
36 payment of taxes as to that unit. Any person who willfully

1 refuses to so credit the exemption is guilty of a Class B
2 misdemeanor.

3 (g) When married persons maintain separate residences, the
4 exemption provided under this Section shall be claimed by only
5 one such person and for only one residence.

6 (h) In the event of a sale or other transfer in ownership
7 of the homestead property, the exemption under this Section
8 shall remain in effect for the remainder of the tax year in
9 which the sale or transfer occurs, but (other than for sales or
10 transfers between spouses or between a parent and a child)
11 shall be calculated using the new base homestead value as
12 provided in subdivision (b) (3) (B). The assessor may require the
13 new owner of the property to apply for the exemption in the
14 following year.

15 (i) The assessor may determine whether property qualifies
16 as a homestead under this Section by application, visual
17 inspection, questionnaire, or other reasonable methods. Each
18 year, at the time the assessment books are certified to the
19 county clerk by the board of review, the assessor shall furnish
20 to the county clerk a list of the properties qualified for the
21 homestead exemption under this Section. The list shall note the
22 base homestead value of each property to be used in the
23 calculation of the exemption for the current tax year.

24 (j) In counties with 3,000,000 or more inhabitants, the
25 provisions of this Section apply as follows:

26 (1) If the general assessment year for the property is
27 2003, this Section applies for assessment years 2003, 2004,
28 and 2005. Thereafter, the provisions of Section 15-175
29 apply.

30 (2) If the general assessment year for the property is
31 2004, this Section applies for assessment years 2004, 2005,
32 and 2006. Thereafter, the provisions of Section 15-175
33 apply.

34 (3) If the general assessment year for the property is
35 2005, this Section applies for assessment years 2005, 2006,
36 and 2007. Thereafter, the provisions of Section 15-175

1 apply.

2 In counties with less than 3,000,000 inhabitants, this
3 Section applies for assessment years (i) 2003, 2004, and 2005
4 if 2002 is the designated base year or (ii) 2004, 2005, and
5 2006 if 2003 is the designated base year. Thereafter, the
6 provisions of Section 15-175 apply.

7 (k) To be subject to the provisions of this Section in lieu
8 of Section 15-175, a county must adopt an ordinance to subject
9 itself to the provisions of this Section within 6 months after
10 the effective date of this amendatory Act of the 93rd General
11 Assembly. In a county other than Cook County, the ordinance
12 must designate either tax year 2002 or tax year 2003 as the
13 base year.

14 (l) Notwithstanding Sections 6 and 8 of the State Mandates
15 Act, no reimbursement by the State is required for the
16 implementation of any mandate created by this Section.

17 (35 ILCS 200/15-180)

18 Sec. 15-180. Homestead improvements. Homestead properties
19 that have been improved and residential structures on homestead
20 property that have been rebuilt following a catastrophic event
21 are entitled to a homestead improvement exemption, limited to
22 \$30,000 per year through December 31, 1997, ~~and~~ \$45,000
23 beginning January 1, 1998 and through December 31, 2003, and
24 \$75,000 per year for that homestead property beginning January
25 1, 2004 and thereafter, in fair cash value, when that property
26 is owned and used exclusively for a residential purpose and
27 upon demonstration that a proposed increase in assessed value
28 is attributable solely to a new improvement of an existing
29 structure or the rebuilding of a residential structure
30 following a catastrophic event. To be eligible for an exemption
31 under this Section after a catastrophic event, the residential
32 structure must be rebuilt within 2 years after the catastrophic
33 event. The exemption for rebuilt structures under this Section
34 applies to the increase in value of the rebuilt structure over
35 the value of the structure before the catastrophic event. The

1 amount of the exemption shall be limited to the fair cash value
2 added by the new improvement or rebuilding and shall continue
3 for 4 years from the date the improvement or rebuilding is
4 completed and occupied, or until the next following general
5 assessment of that property, whichever is later.

6 A proclamation of disaster by the President of the United
7 States or Governor of the State of Illinois is not a
8 prerequisite to the classification of an occurrence as a
9 catastrophic event under this Section. A "catastrophic event"
10 may include an occurrence of widespread or severe damage or
11 loss of property resulting from any catastrophic cause
12 including but not limited to fire, including arson (provided
13 the fire was not caused by the willful action of an owner or
14 resident of the property), flood, earthquake, wind, storm,
15 explosion, or extended periods of severe inclement weather. In
16 the case of a residential structure affected by flooding, the
17 structure shall not be eligible for this homestead improvement
18 exemption unless it is located within a local jurisdiction
19 which is participating in the National Flood Insurance Program.

20 In counties of less than 3,000,000 inhabitants, in addition
21 to the notice requirement under Section 12-30, a supervisor of
22 assessments, county assessor, or township or multi-township
23 assessor responsible for adding an assessable improvement to a
24 residential property's assessment shall either notify a
25 taxpayer whose assessment has been changed since the last
26 preceding assessment that he or she may be eligible for the
27 exemption provided under this Section or shall grant the
28 exemption automatically.

29 Beginning January 1, 1999, in counties of 3,000,000 or more
30 inhabitants, an application for a homestead improvement
31 exemption for a residential structure that has been rebuilt
32 following a catastrophic event must be submitted to the Chief
33 County Assessment Officer with a valuation complaint and a copy
34 of the building permit to rebuild the structure. The Chief
35 County Assessment Officer may require additional documentation
36 which must be provided by the applicant.

1 Notwithstanding Sections 6 and 8 of the State Mandates Act,
2 no reimbursement by the State is required for the
3 implementation of any mandate created by this Section.

4 (Source: P.A. 89-595, eff. 1-1-97; 89-690, eff. 6-1-97; 90-14,
5 eff. 7-1-97; 90-186, eff. 7-24-97; 90-655, eff. 7-30-98;
6 90-704, eff. 8-7-98.)

7 (35 ILCS 200/20-178)

8 Sec. 20-178. Certificate of error; refund; interest. When
9 the county collector makes any refunds due on certificates of
10 error issued under Sections 14-15 through 14-25 that have been
11 either certified or adjudicated, the county collector shall pay
12 the taxpayer interest on the amount of the refund at the rate
13 of 0.5% per month.

14 No interest shall be due under this Section for any time
15 prior to 60 days after the effective date of this amendatory
16 Act of the 91st General Assembly. For certificates of error
17 issued prior to the effective date of this amendatory Act of
18 the 91st General Assembly, the county collector shall pay the
19 taxpayer interest from 60 days after the effective date of this
20 amendatory Act of the 91st General Assembly until the date the
21 refund is paid. For certificates of error issued on or after
22 the effective date of this amendatory Act of the 91st General
23 Assembly, interest shall be paid from 60 days after the
24 certificate of error is issued by the chief county assessment
25 officer to the date the refund is made. To cover the cost of
26 interest, the county collector shall proportionately reduce
27 the distribution of taxes collected for each taxing district in
28 which the property is situated.

29 This Section shall not apply to any certificate of error
30 granting a homestead exemption under Section 15-170, 15-172, ~~or~~
31 15-175, or 15-176.

32 (Source: P.A. 91-393, eff. 7-30-99.)

33 Section 13. The Longtime Owner-Occupant Property Tax
34 Relief Act is amended by changing Section 20 as follows:

1 (35 ILCS 250/20)

2 Sec. 20. Conditions of deferral or exemption.

3 (a) Any deferral or exemption of payment of an increase in
4 real property taxes granted under this Act shall be limited to
5 real property that meets both of the following conditions:

6 (1) The property is owned and occupied by a longtime
7 owner-occupant.

8 (2) The property is the principal residence and
9 domicile of the longtime owner-occupant.

10 The corporate authorities of a county, by ordinance or
11 resolution, may impose additional criteria for qualifying for a
12 deferral or exemption under this Act including, but not limited
13 to, (i) requiring the owner-occupant to have owned and occupied
14 the same dwelling place as principal residence and domicile for
15 a period of more than 10 years, (ii) establishing age criteria
16 for eligibility of an owner-occupant, and (iii) establishing
17 income criteria for eligibility of an owner-occupant. A
18 deferral or exemption, or combination thereof, under an
19 ordinance or resolution adopted pursuant to this Act, may not
20 exceed \$20,000 in equalized assessed value per tax year.

21 (b) No penalties or interest shall accrue on the portion of
22 any deferral granted under this Act.

23 (c) Except as provided in subsection (d) of Section 15,
24 school districts and municipalities within a county to which
25 this Act applies may determine whether financial need, age, or
26 both, of the longtime owner-occupant shall be used to determine
27 eligibility.

28 (Source: P.A. 90-648, eff. 7-24-98.)

29 Section 15. The County Economic Development Project Area
30 Property Tax Allocation Act is amended by changing Section 6 as
31 follows:

32 (55 ILCS 85/6) (from Ch. 34, par. 7006)

33 Sec. 6. Filing with county clerk; certification of initial

1 equalized assessed value.

2 (a) The county shall file a certified copy of any ordinance
3 authorizing property tax allocation financing for an economic
4 development project area with the county clerk, and the county
5 clerk shall immediately thereafter determine (1) the most
6 recently ascertained equalized assessed value of each lot,
7 block, tract or parcel of real property within the economic
8 development project area from which shall be deducted the
9 homestead exemptions provided by Sections 15-170, ~~and~~ 15-175,
10 and 15-176 of the Property Tax Code, which value shall be the
11 "initial equalized assessed value" of each such piece of
12 property, and (2) the total equalized assessed value of all
13 taxable real property within the economic development project
14 area by adding together the most recently ascertained equalized
15 assessed value of each taxable lot, block, tract, or parcel of
16 real property within such economic development project area,
17 from which shall be deducted the homestead exemptions provided
18 by Sections 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax
19 Code. Upon receiving written notice from the Department of its
20 approval and certification of such economic development
21 project area, the county clerk shall immediately certify such
22 amount as the "total initial equalized assessed value" of the
23 taxable property within the economic development project area.

24 (b) After the county clerk has certified the "total initial
25 equalized assessed value" of the taxable real property in the
26 economic development project area, then in respect to every
27 taxing district containing an economic development project
28 area, the county clerk or any other official required by law to
29 ascertain the amount of the equalized assessed value of all
30 taxable property within that taxing district for the purpose of
31 computing the rate percent of tax to be extended upon taxable
32 property within the taxing district, shall in every year that
33 property tax allocation financing is in effect ascertain the
34 amount of value of taxable property in an economic development
35 project area by including in that amount the lower of the
36 current equalized assessed value or the certified "total

1 initial equalized assessed value" of all taxable real property
2 in such area. The rate percent of tax determined shall be
3 extended to the current equalized assessed value of all
4 property in the economic development project area in the same
5 manner as the rate percent of tax is extended to all other
6 taxable property in the taxing district. The method of
7 allocating taxes established under this Section shall
8 terminate when the county adopts an ordinance dissolving the
9 special tax allocation fund for the economic development
10 project area. This Act shall not be construed as relieving
11 property owners within an economic development project area
12 from paying a uniform rate of taxes upon the current equalized
13 assessed value of their taxable property as provided in the
14 Property Tax Code.

15 (Source: P.A. 88-670, eff. 12-2-94.)

16 Section 20. The County Economic Development Project Area
17 Tax Increment Allocation Act of 1991 is amended by changing
18 Section 45 as follows:

19 (55 ILCS 90/45) (from Ch. 34, par. 8045)

20 Sec. 45. Filing with county clerk; certification of initial
21 equalized assessed value.

22 (a) A county that has by ordinance approved an economic
23 development plan, established an economic development project
24 area, and adopted tax increment allocation financing for that
25 area shall file certified copies of the ordinance or ordinances
26 with the county clerk. Upon receiving the ordinance or
27 ordinances, the county clerk shall immediately determine (i)
28 the most recently ascertained equalized assessed value of each
29 lot, block, tract, or parcel of real property within the
30 economic development project area from which shall be deducted
31 the homestead exemptions provided by Sections 15-170, ~~and~~
32 15-175, and 15-176 of the Property Tax Code (that value being
33 the "initial equalized assessed value" of each such piece of
34 property) and (ii) the total equalized assessed value of all

1 taxable real property within the economic development project
2 area by adding together the most recently ascertained equalized
3 assessed value of each taxable lot, block, tract, or parcel of
4 real property within the economic development project area,
5 from which shall be deducted the homestead exemptions provided
6 by Sections 15-170, ~~and 15-175,~~ and 15-176 of the Property Tax
7 Code, and shall certify that amount as the "total initial
8 equalized assessed value" of the taxable real property within
9 the economic development project area.

10 (b) After the county clerk has certified the "total initial
11 equalized assessed value" of the taxable real property in the
12 economic development project area, then in respect to every
13 taxing district containing an economic development project
14 area, the county clerk or any other official required by law to
15 ascertain the amount of the equalized assessed value of all
16 taxable property within the taxing district for the purpose of
17 computing the rate per cent of tax to be extended upon taxable
18 property within the taxing district shall, in every year that
19 tax increment allocation financing is in effect, ascertain the
20 amount of value of taxable property in an economic development
21 project area by including in that amount the lower of the
22 current equalized assessed value or the certified "total
23 initial equalized assessed value" of all taxable real property
24 in the area. The rate per cent of tax determined shall be
25 extended to the current equalized assessed value of all
26 property in the economic development project area in the same
27 manner as the rate per cent of tax is extended to all other
28 taxable property in the taxing district. The method of
29 extending taxes established under this Section shall terminate
30 when the county adopts an ordinance dissolving the special tax
31 allocation fund for the economic development project area. This
32 Act shall not be construed as relieving property owners within
33 an economic development project area from paying a uniform rate
34 of taxes upon the current equalized assessed value of their
35 taxable property as provided in the Property Tax Code.

36 (Source: P.A. 87-1; 88-670, eff. 12-2-94.)

1 Section 25. The Illinois Municipal Code is amended by
2 changing Sections 11-74.4-8, 11-74.4-9, and 11-74.6-40 as
3 follows:

4 (65 ILCS 5/11-74.4-8) (from Ch. 24, par. 11-74.4-8)

5 Sec. 11-74.4-8. Tax increment allocation financing. A
6 municipality may not adopt tax increment financing in a
7 redevelopment project area after the effective date of this
8 amendatory Act of 1997 that will encompass an area that is
9 currently included in an enterprise zone created under the
10 Illinois Enterprise Zone Act unless that municipality,
11 pursuant to Section 5.4 of the Illinois Enterprise Zone Act,
12 amends the enterprise zone designating ordinance to limit the
13 eligibility for tax abatements as provided in Section 5.4.1 of
14 the Illinois Enterprise Zone Act. A municipality, at the time a
15 redevelopment project area is designated, may adopt tax
16 increment allocation financing by passing an ordinance
17 providing that the ad valorem taxes, if any, arising from the
18 levies upon taxable real property in such redevelopment project
19 area by taxing districts and tax rates determined in the manner
20 provided in paragraph (c) of Section 11-74.4-9 each year after
21 the effective date of the ordinance until redevelopment project
22 costs and all municipal obligations financing redevelopment
23 project costs incurred under this Division have been paid shall
24 be divided as follows:

25 (a) That portion of taxes levied upon each taxable lot,
26 block, tract or parcel of real property which is attributable
27 to the lower of the current equalized assessed value or the
28 initial equalized assessed value of each such taxable lot,
29 block, tract or parcel of real property in the redevelopment
30 project area shall be allocated to and when collected shall be
31 paid by the county collector to the respective affected taxing
32 districts in the manner required by law in the absence of the
33 adoption of tax increment allocation financing.

34 (b) Except from a tax levied by a township to retire bonds

1 issued to satisfy court-ordered damages, that portion, if any,
2 of such taxes which is attributable to the increase in the
3 current equalized assessed valuation of each taxable lot,
4 block, tract or parcel of real property in the redevelopment
5 project area over and above the initial equalized assessed
6 value of each property in the project area shall be allocated
7 to and when collected shall be paid to the municipal treasurer
8 who shall deposit said taxes into a special fund called the
9 special tax allocation fund of the municipality for the purpose
10 of paying redevelopment project costs and obligations incurred
11 in the payment thereof. In any county with a population of
12 3,000,000 or more that has adopted a procedure for collecting
13 taxes that provides for one or more of the installments of the
14 taxes to be billed and collected on an estimated basis, the
15 municipal treasurer shall be paid for deposit in the special
16 tax allocation fund of the municipality, from the taxes
17 collected from estimated bills issued for property in the
18 redevelopment project area, the difference between the amount
19 actually collected from each taxable lot, block, tract, or
20 parcel of real property within the redevelopment project area
21 and an amount determined by multiplying the rate at which taxes
22 were last extended against the taxable lot, block, track, or
23 parcel of real property in the manner provided in subsection
24 (c) of Section 11-74.4-9 by the initial equalized assessed
25 value of the property divided by the number of installments in
26 which real estate taxes are billed and collected within the
27 county; provided that the payments on or before December 31,
28 1999 to a municipal treasurer shall be made only if each of the
29 following conditions are met:

30 (1) The total equalized assessed value of the
31 redevelopment project area as last determined was not less
32 than 175% of the total initial equalized assessed value.

33 (2) Not more than 50% of the total equalized assessed
34 value of the redevelopment project area as last determined
35 is attributable to a piece of property assigned a single
36 real estate index number.

1 (3) The municipal clerk has certified to the county
2 clerk that the municipality has issued its obligations to
3 which there has been pledged the incremental property taxes
4 of the redevelopment project area or taxes levied and
5 collected on any or all property in the municipality or the
6 full faith and credit of the municipality to pay or secure
7 payment for all or a portion of the redevelopment project
8 costs. The certification shall be filed annually no later
9 than September 1 for the estimated taxes to be distributed
10 in the following year; however, for the year 1992 the
11 certification shall be made at any time on or before March
12 31, 1992.

13 (4) The municipality has not requested that the total
14 initial equalized assessed value of real property be
15 adjusted as provided in subsection (b) of Section
16 11-74.4-9.

17 The conditions of paragraphs (1) through (4) do not apply
18 after December 31, 1999 to payments to a municipal treasurer
19 made by a county with 3,000,000 or more inhabitants that has
20 adopted an estimated billing procedure for collecting taxes. If
21 a county that has adopted the estimated billing procedure makes
22 an erroneous overpayment of tax revenue to the municipal
23 treasurer, then the county may seek a refund of that
24 overpayment. The county shall send the municipal treasurer a
25 notice of liability for the overpayment on or before the
26 mailing date of the next real estate tax bill within the
27 county. The refund shall be limited to the amount of the
28 overpayment.

29 It is the intent of this Division that after the effective
30 date of this amendatory Act of 1988 a municipality's own ad
31 valorem tax arising from levies on taxable real property be
32 included in the determination of incremental revenue in the
33 manner provided in paragraph (c) of Section 11-74.4-9. If the
34 municipality does not extend such a tax, it shall annually
35 deposit in the municipality's Special Tax Increment Fund an
36 amount equal to 10% of the total contributions to the fund from

1 all other taxing districts in that year. The annual 10% deposit
2 required by this paragraph shall be limited to the actual
3 amount of municipally produced incremental tax revenues
4 available to the municipality from taxpayers located in the
5 redevelopment project area in that year if: (a) the plan for
6 the area restricts the use of the property primarily to
7 industrial purposes, (b) the municipality establishing the
8 redevelopment project area is a home-rule community with a 1990
9 population of between 25,000 and 50,000, (c) the municipality
10 is wholly located within a county with a 1990 population of
11 over 750,000 and (d) the redevelopment project area was
12 established by the municipality prior to June 1, 1990. This
13 payment shall be in lieu of a contribution of ad valorem taxes
14 on real property. If no such payment is made, any redevelopment
15 project area of the municipality shall be dissolved.

16 If a municipality has adopted tax increment allocation
17 financing by ordinance and the County Clerk thereafter
18 certifies the "total initial equalized assessed value as
19 adjusted" of the taxable real property within such
20 redevelopment project area in the manner provided in paragraph
21 (b) of Section 11-74.4-9, each year after the date of the
22 certification of the total initial equalized assessed value as
23 adjusted until redevelopment project costs and all municipal
24 obligations financing redevelopment project costs have been
25 paid the ad valorem taxes, if any, arising from the levies upon
26 the taxable real property in such redevelopment project area by
27 taxing districts and tax rates determined in the manner
28 provided in paragraph (c) of Section 11-74.4-9 shall be divided
29 as follows:

30 (1) That portion of the taxes levied upon each taxable
31 lot, block, tract or parcel of real property which is
32 attributable to the lower of the current equalized assessed
33 value or "current equalized assessed value as adjusted" or
34 the initial equalized assessed value of each such taxable
35 lot, block, tract, or parcel of real property existing at
36 the time tax increment financing was adopted, minus the

1 total current homestead exemptions provided by Sections
2 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax Code in
3 the redevelopment project area shall be allocated to and
4 when collected shall be paid by the county collector to the
5 respective affected taxing districts in the manner
6 required by law in the absence of the adoption of tax
7 increment allocation financing.

8 (2) That portion, if any, of such taxes which is
9 attributable to the increase in the current equalized
10 assessed valuation of each taxable lot, block, tract, or
11 parcel of real property in the redevelopment project area,
12 over and above the initial equalized assessed value of each
13 property existing at the time tax increment financing was
14 adopted, minus the total current homestead exemptions
15 pertaining to each piece of property provided by Sections
16 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax Code in
17 the redevelopment project area, shall be allocated to and
18 when collected shall be paid to the municipal Treasurer,
19 who shall deposit said taxes into a special fund called the
20 special tax allocation fund of the municipality for the
21 purpose of paying redevelopment project costs and
22 obligations incurred in the payment thereof.

23 The municipality may pledge in the ordinance the funds in
24 and to be deposited in the special tax allocation fund for the
25 payment of such costs and obligations. No part of the current
26 equalized assessed valuation of each property in the
27 redevelopment project area attributable to any increase above
28 the total initial equalized assessed value, or the total
29 initial equalized assessed value as adjusted, of such
30 properties shall be used in calculating the general State
31 school aid formula, provided for in Section 18-8 of the School
32 Code, until such time as all redevelopment project costs have
33 been paid as provided for in this Section.

34 Whenever a municipality issues bonds for the purpose of
35 financing redevelopment project costs, such municipality may
36 provide by ordinance for the appointment of a trustee, which

1 may be any trust company within the State, and for the
2 establishment of such funds or accounts to be maintained by
3 such trustee as the municipality shall deem necessary to
4 provide for the security and payment of the bonds. If such
5 municipality provides for the appointment of a trustee, such
6 trustee shall be considered the assignee of any payments
7 assigned by the municipality pursuant to such ordinance and
8 this Section. Any amounts paid to such trustee as assignee
9 shall be deposited in the funds or accounts established
10 pursuant to such trust agreement, and shall be held by such
11 trustee in trust for the benefit of the holders of the bonds,
12 and such holders shall have a lien on and a security interest
13 in such funds or accounts so long as the bonds remain
14 outstanding and unpaid. Upon retirement of the bonds, the
15 trustee shall pay over any excess amounts held to the
16 municipality for deposit in the special tax allocation fund.

17 When such redevelopment projects costs, including without
18 limitation all municipal obligations financing redevelopment
19 project costs incurred under this Division, have been paid, all
20 surplus funds then remaining in the special tax allocation fund
21 shall be distributed by being paid by the municipal treasurer
22 to the Department of Revenue, the municipality and the county
23 collector; first to the Department of Revenue and the
24 municipality in direct proportion to the tax incremental
25 revenue received from the State and the municipality, but not
26 to exceed the total incremental revenue received from the State
27 or the municipality less any annual surplus distribution of
28 incremental revenue previously made; with any remaining funds
29 to be paid to the County Collector who shall immediately
30 thereafter pay said funds to the taxing districts in the
31 redevelopment project area in the same manner and proportion as
32 the most recent distribution by the county collector to the
33 affected districts of real property taxes from real property in
34 the redevelopment project area.

35 Upon the payment of all redevelopment project costs, the
36 retirement of obligations, the distribution of any excess

1 monies pursuant to this Section, and final closing of the books
2 and records of the redevelopment project area, the municipality
3 shall adopt an ordinance dissolving the special tax allocation
4 fund for the redevelopment project area and terminating the
5 designation of the redevelopment project area as a
6 redevelopment project area. Title to real or personal property
7 and public improvements acquired by or for the municipality as
8 a result of the redevelopment project and plan shall vest in
9 the municipality when acquired and shall continue to be held by
10 the municipality after the redevelopment project area has been
11 terminated. Municipalities shall notify affected taxing
12 districts prior to November 1 if the redevelopment project area
13 is to be terminated by December 31 of that same year. If a
14 municipality extends estimated dates of completion of a
15 redevelopment project and retirement of obligations to finance
16 a redevelopment project, as allowed by this amendatory Act of
17 1993, that extension shall not extend the property tax
18 increment allocation financing authorized by this Section.
19 Thereafter the rates of the taxing districts shall be extended
20 and taxes levied, collected and distributed in the manner
21 applicable in the absence of the adoption of tax increment
22 allocation financing.

23 Nothing in this Section shall be construed as relieving
24 property in such redevelopment project areas from being
25 assessed as provided in the Property Tax Code or as relieving
26 owners of such property from paying a uniform rate of taxes, as
27 required by Section 4 of Article 9 of the Illinois
28 Constitution.

29 (Source: P.A. 92-16, eff. 6-28-01; 93-298, eff. 7-23-03.)

30 (65 ILCS 5/11-74.4-9) (from Ch. 24, par. 11-74.4-9)

31 Sec. 11-74.4-9. Equalized assessed value of property.

32 (a) If a municipality by ordinance provides for tax
33 increment allocation financing pursuant to Section 11-74.4-8,
34 the county clerk immediately thereafter shall determine (1) the
35 most recently ascertained equalized assessed value of each lot,

1 block, tract or parcel of real property within such
2 redevelopment project area from which shall be deducted the
3 homestead exemptions provided by Sections 15-170, ~~and~~ 15-175,
4 and 15-176 of the Property Tax Code, which value shall be the
5 "initial equalized assessed value" of each such piece of
6 property, and (2) the total equalized assessed value of all
7 taxable real property within such redevelopment project area by
8 adding together the most recently ascertained equalized
9 assessed value of each taxable lot, block, tract, or parcel of
10 real property within such project area, from which shall be
11 deducted the homestead exemptions provided by Sections 15-170,
12 ~~and~~ 15-175, and 15-176 of the Property Tax Code, and shall
13 certify such amount as the "total initial equalized assessed
14 value" of the taxable real property within such project area.

15 (b) In reference to any municipality which has adopted tax
16 increment financing after January 1, 1978, and in respect to
17 which the county clerk has certified the "total initial
18 equalized assessed value" of the property in the redevelopment
19 area, the municipality may thereafter request the clerk in
20 writing to adjust the initial equalized value of all taxable
21 real property within the redevelopment project area by
22 deducting therefrom the exemptions provided for by Sections
23 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax Code
24 applicable to each lot, block, tract or parcel of real property
25 within such redevelopment project area. The county clerk shall
26 immediately after the written request to adjust the total
27 initial equalized value is received determine the total
28 homestead exemptions in the redevelopment project area
29 provided by Sections 15-170, ~~and~~ 15-175, and 15-176 of the
30 Property Tax Code by adding together the homestead exemptions
31 provided by said Sections on each lot, block, tract or parcel
32 of real property within such redevelopment project area and
33 then shall deduct the total of said exemptions from the total
34 initial equalized assessed value. The county clerk shall then
35 promptly certify such amount as the "total initial equalized
36 assessed value as adjusted" of the taxable real property within

1 such redevelopment project area.

2 (c) After the county clerk has certified the "total initial
3 equalized assessed value" of the taxable real property in such
4 area, then in respect to every taxing district containing a
5 redevelopment project area, the county clerk or any other
6 official required by law to ascertain the amount of the
7 equalized assessed value of all taxable property within such
8 district for the purpose of computing the rate per cent of tax
9 to be extended upon taxable property within such district,
10 shall in every year that tax increment allocation financing is
11 in effect ascertain the amount of value of taxable property in
12 a redevelopment project area by including in such amount the
13 lower of the current equalized assessed value or the certified
14 "total initial equalized assessed value" of all taxable real
15 property in such area, except that after he has certified the
16 "total initial equalized assessed value as adjusted" he shall
17 in the year of said certification if tax rates have not been
18 extended and in every year thereafter that tax increment
19 allocation financing is in effect ascertain the amount of value
20 of taxable property in a redevelopment project area by
21 including in such amount the lower of the current equalized
22 assessed value or the certified "total initial equalized
23 assessed value as adjusted" of all taxable real property in
24 such area. The rate per cent of tax determined shall be
25 extended to the current equalized assessed value of all
26 property in the redevelopment project area in the same manner
27 as the rate per cent of tax is extended to all other taxable
28 property in the taxing district. The method of extending taxes
29 established under this Section shall terminate when the
30 municipality adopts an ordinance dissolving the special tax
31 allocation fund for the redevelopment project area. This
32 Division shall not be construed as relieving property owners
33 within a redevelopment project area from paying a uniform rate
34 of taxes upon the current equalized assessed value of their
35 taxable property as provided in the Property Tax Code.

36 (Source: P.A. 88-670, eff. 12-2-94.)

1 (65 ILCS 5/11-74.6-40)

2 Sec. 11-74.6-40. Equalized assessed value determination;
3 property tax extension.

4 (a) If a municipality by ordinance provides for tax
5 increment allocation financing under Section 11-74.6-35, the
6 county clerk immediately thereafter:

7 (1) shall determine the initial equalized assessed
8 value of each parcel of real property in the redevelopment
9 project area, which is the most recently established
10 equalized assessed value of each lot, block, tract or
11 parcel of taxable real property within the redevelopment
12 project area, minus the homestead exemptions provided by
13 Sections 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax
14 Code; and

15 (2) shall certify to the municipality the total initial
16 equalized assessed value of all taxable real property
17 within the redevelopment project area.

18 (b) Any municipality that has established a vacant
19 industrial buildings conservation area may, by ordinance
20 passed after the adoption of tax increment allocation
21 financing, provide that the county clerk immediately
22 thereafter shall again determine:

23 (1) the updated initial equalized assessed value of
24 each lot, block, tract or parcel of real property, which is
25 the most recently ascertained equalized assessed value of
26 each lot, block, tract or parcel of real property within
27 the vacant industrial buildings conservation area; and

28 (2) the total updated initial equalized assessed value
29 of all taxable real property within the redevelopment
30 project area, which is the total of the updated initial
31 equalized assessed value of all taxable real property
32 within the vacant industrial buildings conservation area.

33 The county clerk shall certify to the municipality the
34 total updated initial equalized assessed value of all taxable
35 real property within the industrial buildings conservation

1 area.

2 (c) After the county clerk has certified the total initial
3 equalized assessed value or the total updated initial equalized
4 assessed value of the taxable real property in the area, for
5 each taxing district in which a redevelopment project area is
6 situated, the county clerk or any other official required by
7 law to determine the amount of the equalized assessed value of
8 all taxable property within the district for the purpose of
9 computing the percentage rate of tax to be extended upon
10 taxable property within the district, shall in every year that
11 tax increment allocation financing is in effect determine the
12 total equalized assessed value of taxable property in a
13 redevelopment project area by including in that amount the
14 lower of the current equalized assessed value or the certified
15 total initial equalized assessed value or, if the total of
16 updated equalized assessed value has been certified, the total
17 updated initial equalized assessed value of all taxable real
18 property in the redevelopment project area. After he has
19 certified the total initial equalized assessed value he shall
20 in the year of that certification, if tax rates have not been
21 extended, and in every subsequent year that tax increment
22 allocation financing is in effect, determine the amount of
23 equalized assessed value of taxable property in a redevelopment
24 project area by including in that amount the lower of the
25 current total equalized assessed value or the certified total
26 initial equalized assessed value or, if the total of updated
27 initial equalized assessed values have been certified, the
28 total updated initial equalized assessed value of all taxable
29 real property in the redevelopment project area.

30 (d) The percentage rate of tax determined shall be extended
31 on the current equalized assessed value of all property in the
32 redevelopment project area in the same manner as the rate per
33 cent of tax is extended to all other taxable property in the
34 taxing district. The method of extending taxes established
35 under this Section shall terminate when the municipality adopts
36 an ordinance dissolving the special tax allocation fund for the

1 redevelopment project area. This Law shall not be construed as
2 relieving property owners within a redevelopment project area
3 from paying a uniform rate of taxes upon the current equalized
4 assessed value of their taxable property as provided in the
5 Property Tax Code.

6 (Source: P.A. 88-537; 88-670, eff. 12-2-94.)

7 Section 30. The Economic Development Project Area Tax
8 Increment Allocation Act of 1995 is amended by changing Section
9 45 as follows:

10 (65 ILCS 110/45)

11 Sec. 45. Filing with county clerk; certification of initial
12 equalized assessed value.

13 (a) A municipality that has by ordinance approved an
14 economic development plan, established an economic development
15 project area, and adopted tax increment allocation financing
16 for that area shall file certified copies of the ordinance or
17 ordinances with the county clerk. Upon receiving the ordinance
18 or ordinances, the county clerk shall immediately determine (i)
19 the most recently ascertained equalized assessed value of each
20 lot, block, tract, or parcel of real property within the
21 economic development project area from which shall be deducted
22 the homestead exemptions provided by Sections 15-170, ~~and~~
23 15-175, and 15-176 of the Property Tax Code (that value being
24 the "initial equalized assessed value" of each such piece of
25 property) and (ii) the total equalized assessed value of all
26 taxable real property within the economic development project
27 area by adding together the most recently ascertained equalized
28 assessed value of each taxable lot, block, tract, or parcel of
29 real property within the economic development project area,
30 from which shall be deducted the homestead exemptions provided
31 by Sections 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax
32 Code, and shall certify that amount as the "total initial
33 equalized assessed value" of the taxable real property within
34 the economic development project area.

1 (b) After the county clerk has certified the "total initial
2 equalized assessed value" of the taxable real property in the
3 economic development project area, then in respect to every
4 taxing district containing an economic development project
5 area, the county clerk or any other official required by law to
6 ascertain the amount of the equalized assessed value of all
7 taxable property within the taxing district for the purpose of
8 computing the rate per cent of tax to be extended upon taxable
9 property within the taxing district shall, in every year that
10 tax increment allocation financing is in effect, ascertain the
11 amount of value of taxable property in an economic development
12 project area by including in that amount the lower of the
13 current equalized assessed value or the certified "total
14 initial equalized assessed value" of all taxable real property
15 in the area. The rate per cent of tax determined shall be
16 extended to the current equalized assessed value of all
17 property in the economic development project area in the same
18 manner as the rate per cent of tax is extended to all other
19 taxable property in the taxing district. The method of
20 extending taxes established under this Section shall terminate
21 when the municipality adopts an ordinance dissolving the
22 special tax allocation fund for the economic development
23 project area. This Act shall not be construed as relieving
24 owners or lessees of property within an economic development
25 project area from paying a uniform rate of taxes upon the
26 current equalized assessed value of their taxable property as
27 provided in the Property Tax Code.

28 (Source: P.A. 89-176, eff. 1-1-96.)

29 Section 35. The School Code is amended by changing Section
30 18-8.05 as follows:

31 (105 ILCS 5/18-8.05)

32 Sec. 18-8.05. Basis for apportionment of general State
33 financial aid and supplemental general State aid to the common
34 schools for the 1998-1999 and subsequent school years.

1 (A) General Provisions.

2 (1) The provisions of this Section apply to the 1998-1999
3 and subsequent school years. The system of general State
4 financial aid provided for in this Section is designed to
5 assure that, through a combination of State financial aid and
6 required local resources, the financial support provided each
7 pupil in Average Daily Attendance equals or exceeds a
8 prescribed per pupil Foundation Level. This formula approach
9 imputes a level of per pupil Available Local Resources and
10 provides for the basis to calculate a per pupil level of
11 general State financial aid that, when added to Available Local
12 Resources, equals or exceeds the Foundation Level. The amount
13 of per pupil general State financial aid for school districts,
14 in general, varies in inverse relation to Available Local
15 Resources. Per pupil amounts are based upon each school
16 district's Average Daily Attendance as that term is defined in
17 this Section.

18 (2) In addition to general State financial aid, school
19 districts with specified levels or concentrations of pupils
20 from low income households are eligible to receive supplemental
21 general State financial aid grants as provided pursuant to
22 subsection (H). The supplemental State aid grants provided for
23 school districts under subsection (H) shall be appropriated for
24 distribution to school districts as part of the same line item
25 in which the general State financial aid of school districts is
26 appropriated under this Section.

27 (3) To receive financial assistance under this Section,
28 school districts are required to file claims with the State
29 Board of Education, subject to the following requirements:

30 (a) Any school district which fails for any given
31 school year to maintain school as required by law, or to
32 maintain a recognized school is not eligible to file for
33 such school year any claim upon the Common School Fund. In
34 case of nonrecognition of one or more attendance centers in
35 a school district otherwise operating recognized schools,

1 the claim of the district shall be reduced in the
2 proportion which the Average Daily Attendance in the
3 attendance center or centers bear to the Average Daily
4 Attendance in the school district. A "recognized school"
5 means any public school which meets the standards as
6 established for recognition by the State Board of
7 Education. A school district or attendance center not
8 having recognition status at the end of a school term is
9 entitled to receive State aid payments due upon a legal
10 claim which was filed while it was recognized.

11 (b) School district claims filed under this Section are
12 subject to Sections 18-9, 18-10, and 18-12, except as
13 otherwise provided in this Section.

14 (c) If a school district operates a full year school
15 under Section 10-19.1, the general State aid to the school
16 district shall be determined by the State Board of
17 Education in accordance with this Section as near as may be
18 applicable.

19 (d) (Blank).

20 (4) Except as provided in subsections (H) and (L), the
21 board of any district receiving any of the grants provided for
22 in this Section may apply those funds to any fund so received
23 for which that board is authorized to make expenditures by law.

24 School districts are not required to exert a minimum
25 Operating Tax Rate in order to qualify for assistance under
26 this Section.

27 (5) As used in this Section the following terms, when
28 capitalized, shall have the meaning ascribed herein:

29 (a) "Average Daily Attendance": A count of pupil
30 attendance in school, averaged as provided for in
31 subsection (C) and utilized in deriving per pupil financial
32 support levels.

33 (b) "Available Local Resources": A computation of
34 local financial support, calculated on the basis of Average
35 Daily Attendance and derived as provided pursuant to
36 subsection (D).

1 (c) "Corporate Personal Property Replacement Taxes":
2 Funds paid to local school districts pursuant to "An Act in
3 relation to the abolition of ad valorem personal property
4 tax and the replacement of revenues lost thereby, and
5 amending and repealing certain Acts and parts of Acts in
6 connection therewith", certified August 14, 1979, as
7 amended (Public Act 81-1st S.S.-1).

8 (d) "Foundation Level": A prescribed level of per pupil
9 financial support as provided for in subsection (B).

10 (e) "Operating Tax Rate": All school district property
11 taxes extended for all purposes, except Bond and Interest,
12 Summer School, Rent, Capital Improvement, and Vocational
13 Education Building purposes.

14 (B) Foundation Level.

15 (1) The Foundation Level is a figure established by the
16 State representing the minimum level of per pupil financial
17 support that should be available to provide for the basic
18 education of each pupil in Average Daily Attendance. As set
19 forth in this Section, each school district is assumed to exert
20 a sufficient local taxing effort such that, in combination with
21 the aggregate of general State financial aid provided the
22 district, an aggregate of State and local resources are
23 available to meet the basic education needs of pupils in the
24 district.

25 (2) For the 1998-1999 school year, the Foundation Level of
26 support is \$4,225. For the 1999-2000 school year, the
27 Foundation Level of support is \$4,325. For the 2000-2001 school
28 year, the Foundation Level of support is \$4,425.

29 (3) For the 2001-2002 school year and 2002-2003 school
30 year, the Foundation Level of support is \$4,560.

31 (4) For the 2003-2004 school year and each school year
32 thereafter, the Foundation Level of support is \$4,810 or such
33 greater amount as may be established by law by the General
34 Assembly.

1 (C) Average Daily Attendance.

2 (1) For purposes of calculating general State aid pursuant
3 to subsection (E), an Average Daily Attendance figure shall be
4 utilized. The Average Daily Attendance figure for formula
5 calculation purposes shall be the monthly average of the actual
6 number of pupils in attendance of each school district, as
7 further averaged for the best 3 months of pupil attendance for
8 each school district. In compiling the figures for the number
9 of pupils in attendance, school districts and the State Board
10 of Education shall, for purposes of general State aid funding,
11 conform attendance figures to the requirements of subsection
12 (F).

13 (2) The Average Daily Attendance figures utilized in
14 subsection (E) shall be the requisite attendance data for the
15 school year immediately preceding the school year for which
16 general State aid is being calculated or the average of the
17 attendance data for the 3 preceding school years, whichever is
18 greater. The Average Daily Attendance figures utilized in
19 subsection (H) shall be the requisite attendance data for the
20 school year immediately preceding the school year for which
21 general State aid is being calculated.

22 (D) Available Local Resources.

23 (1) For purposes of calculating general State aid pursuant
24 to subsection (E), a representation of Available Local
25 Resources per pupil, as that term is defined and determined in
26 this subsection, shall be utilized. Available Local Resources
27 per pupil shall include a calculated dollar amount representing
28 local school district revenues from local property taxes and
29 from Corporate Personal Property Replacement Taxes, expressed
30 on the basis of pupils in Average Daily Attendance.

31 (2) In determining a school district's revenue from local
32 property taxes, the State Board of Education shall utilize the
33 equalized assessed valuation of all taxable property of each
34 school district as of September 30 of the previous year. The
35 equalized assessed valuation utilized shall be obtained and

1 determined as provided in subsection (G).

2 (3) For school districts maintaining grades kindergarten
3 through 12, local property tax revenues per pupil shall be
4 calculated as the product of the applicable equalized assessed
5 valuation for the district multiplied by 3.00%, and divided by
6 the district's Average Daily Attendance figure. For school
7 districts maintaining grades kindergarten through 8, local
8 property tax revenues per pupil shall be calculated as the
9 product of the applicable equalized assessed valuation for the
10 district multiplied by 2.30%, and divided by the district's
11 Average Daily Attendance figure. For school districts
12 maintaining grades 9 through 12, local property tax revenues
13 per pupil shall be the applicable equalized assessed valuation
14 of the district multiplied by 1.05%, and divided by the
15 district's Average Daily Attendance figure.

16 (4) The Corporate Personal Property Replacement Taxes paid
17 to each school district during the calendar year 2 years before
18 the calendar year in which a school year begins, divided by the
19 Average Daily Attendance figure for that district, shall be
20 added to the local property tax revenues per pupil as derived
21 by the application of the immediately preceding paragraph (3).
22 The sum of these per pupil figures for each school district
23 shall constitute Available Local Resources as that term is
24 utilized in subsection (E) in the calculation of general State
25 aid.

26 (E) Computation of General State Aid.

27 (1) For each school year, the amount of general State aid
28 allotted to a school district shall be computed by the State
29 Board of Education as provided in this subsection.

30 (2) For any school district for which Available Local
31 Resources per pupil is less than the product of 0.93 times the
32 Foundation Level, general State aid for that district shall be
33 calculated as an amount equal to the Foundation Level minus
34 Available Local Resources, multiplied by the Average Daily
35 Attendance of the school district.

1 (3) For any school district for which Available Local
2 Resources per pupil is equal to or greater than the product of
3 0.93 times the Foundation Level and less than the product of
4 1.75 times the Foundation Level, the general State aid per
5 pupil shall be a decimal proportion of the Foundation Level
6 derived using a linear algorithm. Under this linear algorithm,
7 the calculated general State aid per pupil shall decline in
8 direct linear fashion from 0.07 times the Foundation Level for
9 a school district with Available Local Resources equal to the
10 product of 0.93 times the Foundation Level, to 0.05 times the
11 Foundation Level for a school district with Available Local
12 Resources equal to the product of 1.75 times the Foundation
13 Level. The allocation of general State aid for school districts
14 subject to this paragraph 3 shall be the calculated general
15 State aid per pupil figure multiplied by the Average Daily
16 Attendance of the school district.

17 (4) For any school district for which Available Local
18 Resources per pupil equals or exceeds the product of 1.75 times
19 the Foundation Level, the general State aid for the school
20 district shall be calculated as the product of \$218 multiplied
21 by the Average Daily Attendance of the school district.

22 (5) The amount of general State aid allocated to a school
23 district for the 1999-2000 school year meeting the requirements
24 set forth in paragraph (4) of subsection (G) shall be increased
25 by an amount equal to the general State aid that would have
26 been received by the district for the 1998-1999 school year by
27 utilizing the Extension Limitation Equalized Assessed
28 Valuation as calculated in paragraph (4) of subsection (G) less
29 the general State aid allotted for the 1998-1999 school year.
30 This amount shall be deemed a one time increase, and shall not
31 affect any future general State aid allocations.

32 (F) Compilation of Average Daily Attendance.

33 (1) Each school district shall, by July 1 of each year,
34 submit to the State Board of Education, on forms prescribed by
35 the State Board of Education, attendance figures for the school

1 year that began in the preceding calendar year. The attendance
2 information so transmitted shall identify the average daily
3 attendance figures for each month of the school year. Beginning
4 with the general State aid claim form for the 2002-2003 school
5 year, districts shall calculate Average Daily Attendance as
6 provided in subdivisions (a), (b), and (c) of this paragraph
7 (1).

8 (a) In districts that do not hold year-round classes,
9 days of attendance in August shall be added to the month of
10 September and any days of attendance in June shall be added
11 to the month of May.

12 (b) In districts in which all buildings hold year-round
13 classes, days of attendance in July and August shall be
14 added to the month of September and any days of attendance
15 in June shall be added to the month of May.

16 (c) In districts in which some buildings, but not all,
17 hold year-round classes, for the non-year-round buildings,
18 days of attendance in August shall be added to the month of
19 September and any days of attendance in June shall be added
20 to the month of May. The average daily attendance for the
21 year-round buildings shall be computed as provided in
22 subdivision (b) of this paragraph (1). To calculate the
23 Average Daily Attendance for the district, the average
24 daily attendance for the year-round buildings shall be
25 multiplied by the days in session for the non-year-round
26 buildings for each month and added to the monthly
27 attendance of the non-year-round buildings.

28 Except as otherwise provided in this Section, days of
29 attendance by pupils shall be counted only for sessions of not
30 less than 5 clock hours of school work per day under direct
31 supervision of: (i) teachers, or (ii) non-teaching personnel or
32 volunteer personnel when engaging in non-teaching duties and
33 supervising in those instances specified in subsection (a) of
34 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
35 of legal school age and in kindergarten and grades 1 through
36 12.

1 Days of attendance by tuition pupils shall be accredited
2 only to the districts that pay the tuition to a recognized
3 school.

4 (2) Days of attendance by pupils of less than 5 clock hours
5 of school shall be subject to the following provisions in the
6 compilation of Average Daily Attendance.

7 (a) Pupils regularly enrolled in a public school for
8 only a part of the school day may be counted on the basis
9 of 1/6 day for every class hour of instruction of 40
10 minutes or more attended pursuant to such enrollment,
11 unless a pupil is enrolled in a block-schedule format of 80
12 minutes or more of instruction, in which case the pupil may
13 be counted on the basis of the proportion of minutes of
14 school work completed each day to the minimum number of
15 minutes that school work is required to be held that day.

16 (b) Days of attendance may be less than 5 clock hours
17 on the opening and closing of the school term, and upon the
18 first day of pupil attendance, if preceded by a day or days
19 utilized as an institute or teachers' workshop.

20 (c) A session of 4 or more clock hours may be counted
21 as a day of attendance upon certification by the regional
22 superintendent, and approved by the State Superintendent
23 of Education to the extent that the district has been
24 forced to use daily multiple sessions.

25 (d) A session of 3 or more clock hours may be counted
26 as a day of attendance (1) when the remainder of the school
27 day or at least 2 hours in the evening of that day is
28 utilized for an in-service training program for teachers,
29 up to a maximum of 5 days per school year of which a
30 maximum of 4 days of such 5 days may be used for
31 parent-teacher conferences, provided a district conducts
32 an in-service training program for teachers which has been
33 approved by the State Superintendent of Education; or, in
34 lieu of 4 such days, 2 full days may be used, in which
35 event each such day may be counted as a day of attendance;
36 and (2) when days in addition to those provided in item (1)

1 are scheduled by a school pursuant to its school
2 improvement plan adopted under Article 34 or its revised or
3 amended school improvement plan adopted under Article 2,
4 provided that (i) such sessions of 3 or more clock hours
5 are scheduled to occur at regular intervals, (ii) the
6 remainder of the school days in which such sessions occur
7 are utilized for in-service training programs or other
8 staff development activities for teachers, and (iii) a
9 sufficient number of minutes of school work under the
10 direct supervision of teachers are added to the school days
11 between such regularly scheduled sessions to accumulate
12 not less than the number of minutes by which such sessions
13 of 3 or more clock hours fall short of 5 clock hours. Any
14 full days used for the purposes of this paragraph shall not
15 be considered for computing average daily attendance. Days
16 scheduled for in-service training programs, staff
17 development activities, or parent-teacher conferences may
18 be scheduled separately for different grade levels and
19 different attendance centers of the district.

20 (e) A session of not less than one clock hour of
21 teaching hospitalized or homebound pupils on-site or by
22 telephone to the classroom may be counted as 1/2 day of
23 attendance, however these pupils must receive 4 or more
24 clock hours of instruction to be counted for a full day of
25 attendance.

26 (f) A session of at least 4 clock hours may be counted
27 as a day of attendance for first grade pupils, and pupils
28 in full day kindergartens, and a session of 2 or more hours
29 may be counted as 1/2 day of attendance by pupils in
30 kindergartens which provide only 1/2 day of attendance.

31 (g) For children with disabilities who are below the
32 age of 6 years and who cannot attend 2 or more clock hours
33 because of their disability or immaturity, a session of not
34 less than one clock hour may be counted as 1/2 day of
35 attendance; however for such children whose educational
36 needs so require a session of 4 or more clock hours may be

1 counted as a full day of attendance.

2 (h) A recognized kindergarten which provides for only
3 1/2 day of attendance by each pupil shall not have more
4 than 1/2 day of attendance counted in any one day. However,
5 kindergartens may count 2 1/2 days of attendance in any 5
6 consecutive school days. When a pupil attends such a
7 kindergarten for 2 half days on any one school day, the
8 pupil shall have the following day as a day absent from
9 school, unless the school district obtains permission in
10 writing from the State Superintendent of Education.
11 Attendance at kindergartens which provide for a full day of
12 attendance by each pupil shall be counted the same as
13 attendance by first grade pupils. Only the first year of
14 attendance in one kindergarten shall be counted, except in
15 case of children who entered the kindergarten in their
16 fifth year whose educational development requires a second
17 year of kindergarten as determined under the rules and
18 regulations of the State Board of Education.

19 (G) Equalized Assessed Valuation Data.

20 (1) For purposes of the calculation of Available Local
21 Resources required pursuant to subsection (D), the State Board
22 of Education shall secure from the Department of Revenue the
23 value as equalized or assessed by the Department of Revenue of
24 all taxable property of every school district, together with
25 (i) the applicable tax rate used in extending taxes for the
26 funds of the district as of September 30 of the previous year
27 and (ii) the limiting rate for all school districts subject to
28 property tax extension limitations as imposed under the
29 Property Tax Extension Limitation Law.

30 The Department of Revenue shall add to the equalized
31 assessed value of all taxable property of each school district
32 situated entirely or partially within a county that is or was
33 subject to the alternative general homestead exemption
34 provisions of Section 15-176 of the Property Tax Code (i) an
35 amount equal to the total amount by which the homestead

1 exemption allowed under Section 15-176 of the Property Tax Code
2 for real property situated in that school district exceeds the
3 total amount that would have been allowed in that school
4 district if the maximum reduction under Section 15-176 was (i)
5 \$4,500 in Cook County or \$3,500 in all other counties in tax
6 year 2003 or (ii) \$5,000 in all counties in tax year 2004 and
7 thereafter and (ii) an amount equal to the aggregate amount for
8 the taxable year of all additional exemptions under Section
9 15-175 of the Property Tax Code for owners with a household
10 income of \$30,000 or less. The county clerk of any county that
11 is or was subject to the alternative general homestead
12 exemption provisions of Section 15-176 of the Property Tax Code
13 shall annually calculate and certify to the Department of
14 Revenue for each school district all homestead exemption
15 amounts under Section 15-176 of the Property Tax Code and all
16 amounts of additional exemptions under Section 15-175 of the
17 Property Tax Code for owners with a household income of \$30,000
18 or less. It is the intent of this paragraph that if the general
19 homestead exemption for a parcel of property is determined
20 under Section 15-176 of the Property Tax Code rather than
21 Section 15-175, then the calculation of Available Local
22 Resources shall not be affected by the difference, if any,
23 between the amount of the general homestead exemption allowed
24 for that parcel of property under Section 15-176 of the
25 Property Tax Code and the amount that would have been allowed
26 had the general homestead exemption for that parcel of property
27 been determined under Section 15-175 of the Property Tax Code.
28 It is further the intent of this paragraph that if additional
29 exemptions are allowed under Section 15-175 of the Property Tax
30 Code for owners with a household income of less than \$30,000,
31 then the calculation of Available Local Resources shall not be
32 affected by the difference, if any, because of those additional
33 exemptions.

34 This equalized assessed valuation, as adjusted further by
35 the requirements of this subsection, shall be utilized in the
36 calculation of Available Local Resources.

1 (2) The equalized assessed valuation in paragraph (1) shall
2 be adjusted, as applicable, in the following manner:

3 (a) For the purposes of calculating State aid under
4 this Section, with respect to any part of a school district
5 within a redevelopment project area in respect to which a
6 municipality has adopted tax increment allocation
7 financing pursuant to the Tax Increment Allocation
8 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11
9 of the Illinois Municipal Code or the Industrial Jobs
10 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
11 Illinois Municipal Code, no part of the current equalized
12 assessed valuation of real property located in any such
13 project area which is attributable to an increase above the
14 total initial equalized assessed valuation of such
15 property shall be used as part of the equalized assessed
16 valuation of the district, until such time as all
17 redevelopment project costs have been paid, as provided in
18 Section 11-74.4-8 of the Tax Increment Allocation
19 Redevelopment Act or in Section 11-74.6-35 of the
20 Industrial Jobs Recovery Law. For the purpose of the
21 equalized assessed valuation of the district, the total
22 initial equalized assessed valuation or the current
23 equalized assessed valuation, whichever is lower, shall be
24 used until such time as all redevelopment project costs
25 have been paid.

26 (b) The real property equalized assessed valuation for
27 a school district shall be adjusted by subtracting from the
28 real property value as equalized or assessed by the
29 Department of Revenue for the district an amount computed
30 by dividing the amount of any abatement of taxes under
31 Section 18-170 of the Property Tax Code by 3.00% for a
32 district maintaining grades kindergarten through 12, by
33 2.30% for a district maintaining grades kindergarten
34 through 8, or by 1.05% for a district maintaining grades 9
35 through 12 and adjusted by an amount computed by dividing
36 the amount of any abatement of taxes under subsection (a)

1 of Section 18-165 of the Property Tax Code by the same
2 percentage rates for district type as specified in this
3 subparagraph (b).

4 (3) For the 1999-2000 school year and each school year
5 thereafter, if a school district meets all of the criteria of
6 this subsection (G) (3), the school district's Available Local
7 Resources shall be calculated under subsection (D) using the
8 district's Extension Limitation Equalized Assessed Valuation
9 as calculated under this subsection (G) (3).

10 For purposes of this subsection (G) (3) the following terms
11 shall have the following meanings:

12 "Budget Year": The school year for which general State
13 aid is calculated and awarded under subsection (E).

14 "Base Tax Year": The property tax levy year used to
15 calculate the Budget Year allocation of general State aid.

16 "Preceding Tax Year": The property tax levy year
17 immediately preceding the Base Tax Year.

18 "Base Tax Year's Tax Extension": The product of the
19 equalized assessed valuation utilized by the County Clerk
20 in the Base Tax Year multiplied by the limiting rate as
21 calculated by the County Clerk and defined in the Property
22 Tax Extension Limitation Law.

23 "Preceding Tax Year's Tax Extension": The product of
24 the equalized assessed valuation utilized by the County
25 Clerk in the Preceding Tax Year multiplied by the Operating
26 Tax Rate as defined in subsection (A).

27 "Extension Limitation Ratio": A numerical ratio,
28 certified by the County Clerk, in which the numerator is
29 the Base Tax Year's Tax Extension and the denominator is
30 the Preceding Tax Year's Tax Extension.

31 "Operating Tax Rate": The operating tax rate as defined
32 in subsection (A).

33 If a school district is subject to property tax extension
34 limitations as imposed under the Property Tax Extension
35 Limitation Law, the State Board of Education shall calculate
36 the Extension Limitation Equalized Assessed Valuation of that

1 district. For the 1999-2000 school year, the Extension
2 Limitation Equalized Assessed Valuation of a school district as
3 calculated by the State Board of Education shall be equal to
4 the product of the district's 1996 Equalized Assessed Valuation
5 and the district's Extension Limitation Ratio. For the
6 2000-2001 school year and each school year thereafter, the
7 Extension Limitation Equalized Assessed Valuation of a school
8 district as calculated by the State Board of Education shall be
9 equal to the product of the Equalized Assessed Valuation last
10 used in the calculation of general State aid and the district's
11 Extension Limitation Ratio. If the Extension Limitation
12 Equalized Assessed Valuation of a school district as calculated
13 under this subsection (G)(3) is less than the district's
14 equalized assessed valuation as calculated pursuant to
15 subsections (G)(1) and (G)(2), then for purposes of calculating
16 the district's general State aid for the Budget Year pursuant
17 to subsection (E), that Extension Limitation Equalized
18 Assessed Valuation shall be utilized to calculate the
19 district's Available Local Resources under subsection (D).

20 (4) For the purposes of calculating general State aid for
21 the 1999-2000 school year only, if a school district
22 experienced a triennial reassessment on the equalized assessed
23 valuation used in calculating its general State financial aid
24 apportionment for the 1998-1999 school year, the State Board of
25 Education shall calculate the Extension Limitation Equalized
26 Assessed Valuation that would have been used to calculate the
27 district's 1998-1999 general State aid. This amount shall equal
28 the product of the equalized assessed valuation used to
29 calculate general State aid for the 1997-1998 school year and
30 the district's Extension Limitation Ratio. If the Extension
31 Limitation Equalized Assessed Valuation of the school district
32 as calculated under this paragraph (4) is less than the
33 district's equalized assessed valuation utilized in
34 calculating the district's 1998-1999 general State aid
35 allocation, then for purposes of calculating the district's
36 general State aid pursuant to paragraph (5) of subsection (E),

1 that Extension Limitation Equalized Assessed Valuation shall
2 be utilized to calculate the district's Available Local
3 Resources.

4 (5) For school districts having a majority of their
5 equalized assessed valuation in any county except Cook, DuPage,
6 Kane, Lake, McHenry, or Will, if the amount of general State
7 aid allocated to the school district for the 1999-2000 school
8 year under the provisions of subsection (E), (H), and (J) of
9 this Section is less than the amount of general State aid
10 allocated to the district for the 1998-1999 school year under
11 these subsections, then the general State aid of the district
12 for the 1999-2000 school year only shall be increased by the
13 difference between these amounts. The total payments made under
14 this paragraph (5) shall not exceed \$14,000,000. Claims shall
15 be prorated if they exceed \$14,000,000.

16 (H) Supplemental General State Aid.

17 (1) In addition to the general State aid a school district
18 is allotted pursuant to subsection (E), qualifying school
19 districts shall receive a grant, paid in conjunction with a
20 district's payments of general State aid, for supplemental
21 general State aid based upon the concentration level of
22 children from low-income households within the school
23 district. Supplemental State aid grants provided for school
24 districts under this subsection shall be appropriated for
25 distribution to school districts as part of the same line item
26 in which the general State financial aid of school districts is
27 appropriated under this Section. If the appropriation in any
28 fiscal year for general State aid and supplemental general
29 State aid is insufficient to pay the amounts required under the
30 general State aid and supplemental general State aid
31 calculations, then the State Board of Education shall ensure
32 that each school district receives the full amount due for
33 general State aid and the remainder of the appropriation shall
34 be used for supplemental general State aid, which the State
35 Board of Education shall calculate and pay to eligible

1 districts on a prorated basis.

2 (1.5) This paragraph (1.5) applies only to those school
3 years preceding the 2003-2004 school year. For purposes of this
4 subsection (H), the term "Low-Income Concentration Level"
5 shall be the low-income eligible pupil count from the most
6 recently available federal census divided by the Average Daily
7 Attendance of the school district. If, however, (i) the
8 percentage decrease from the 2 most recent federal censuses in
9 the low-income eligible pupil count of a high school district
10 with fewer than 400 students exceeds by 75% or more the
11 percentage change in the total low-income eligible pupil count
12 of contiguous elementary school districts, whose boundaries
13 are coterminous with the high school district, or (ii) a high
14 school district within 2 counties and serving 5 elementary
15 school districts, whose boundaries are coterminous with the
16 high school district, has a percentage decrease from the 2 most
17 recent federal censuses in the low-income eligible pupil count
18 and there is a percentage increase in the total low-income
19 eligible pupil count of a majority of the elementary school
20 districts in excess of 50% from the 2 most recent federal
21 censuses, then the high school district's low-income eligible
22 pupil count from the earlier federal census shall be the number
23 used as the low-income eligible pupil count for the high school
24 district, for purposes of this subsection (H). The changes made
25 to this paragraph (1) by Public Act 92-28 shall apply to
26 supplemental general State aid grants for school years
27 preceding the 2003-2004 school year that are paid in fiscal
28 year 1999 or thereafter and to any State aid payments made in
29 fiscal year 1994 through fiscal year 1998 pursuant to
30 subsection 1(n) of Section 18-8 of this Code (which was
31 repealed on July 1, 1998), and any high school district that is
32 affected by Public Act 92-28 is entitled to a recomputation of
33 its supplemental general State aid grant or State aid paid in
34 any of those fiscal years. This recomputation shall not be
35 affected by any other funding.

36 (1.10) This paragraph (1.10) applies to the 2003-2004

1 school year and each school year thereafter. For purposes of
2 this subsection (H), the term "Low-Income Concentration Level"
3 shall, for each fiscal year, be the low-income eligible pupil
4 count as of July 1 of the immediately preceding fiscal year (as
5 determined by the Department of Human Services based on the
6 number of pupils who are eligible for at least one of the
7 following low income programs: Medicaid, KidCare, TANF, or Food
8 Stamps, excluding pupils who are eligible for services provided
9 by the Department of Children and Family Services, averaged
10 over the 2 immediately preceding fiscal years for fiscal year
11 2004 and over the 3 immediately preceding fiscal years for each
12 fiscal year thereafter) divided by the Average Daily Attendance
13 of the school district.

14 (2) Supplemental general State aid pursuant to this
15 subsection (H) shall be provided as follows for the 1998-1999,
16 1999-2000, and 2000-2001 school years only:

17 (a) For any school district with a Low Income
18 Concentration Level of at least 20% and less than 35%, the
19 grant for any school year shall be \$800 multiplied by the
20 low income eligible pupil count.

21 (b) For any school district with a Low Income
22 Concentration Level of at least 35% and less than 50%, the
23 grant for the 1998-1999 school year shall be \$1,100
24 multiplied by the low income eligible pupil count.

25 (c) For any school district with a Low Income
26 Concentration Level of at least 50% and less than 60%, the
27 grant for the 1998-99 school year shall be \$1,500
28 multiplied by the low income eligible pupil count.

29 (d) For any school district with a Low Income
30 Concentration Level of 60% or more, the grant for the
31 1998-99 school year shall be \$1,900 multiplied by the low
32 income eligible pupil count.

33 (e) For the 1999-2000 school year, the per pupil amount
34 specified in subparagraphs (b), (c), and (d) immediately
35 above shall be increased to \$1,243, \$1,600, and \$2,000,
36 respectively.

1 (f) For the 2000-2001 school year, the per pupil
2 amounts specified in subparagraphs (b), (c), and (d)
3 immediately above shall be \$1,273, \$1,640, and \$2,050,
4 respectively.

5 (2.5) Supplemental general State aid pursuant to this
6 subsection (H) shall be provided as follows for the 2002-2003
7 school year:

8 (a) For any school district with a Low Income
9 Concentration Level of less than 10%, the grant for each
10 school year shall be \$355 multiplied by the low income
11 eligible pupil count.

12 (b) For any school district with a Low Income
13 Concentration Level of at least 10% and less than 20%, the
14 grant for each school year shall be \$675 multiplied by the
15 low income eligible pupil count.

16 (c) For any school district with a Low Income
17 Concentration Level of at least 20% and less than 35%, the
18 grant for each school year shall be \$1,330 multiplied by
19 the low income eligible pupil count.

20 (d) For any school district with a Low Income
21 Concentration Level of at least 35% and less than 50%, the
22 grant for each school year shall be \$1,362 multiplied by
23 the low income eligible pupil count.

24 (e) For any school district with a Low Income
25 Concentration Level of at least 50% and less than 60%, the
26 grant for each school year shall be \$1,680 multiplied by
27 the low income eligible pupil count.

28 (f) For any school district with a Low Income
29 Concentration Level of 60% or more, the grant for each
30 school year shall be \$2,080 multiplied by the low income
31 eligible pupil count.

32 (2.10) Except as otherwise provided, supplemental general
33 State aid pursuant to this subsection (H) shall be provided as
34 follows for the 2003-2004 school year and each school year
35 thereafter:

36 (a) For any school district with a Low Income

1 Concentration Level of 15% or less, the grant for each
2 school year shall be \$355 multiplied by the low income
3 eligible pupil count.

4 (b) For any school district with a Low Income
5 Concentration Level greater than 15%, the grant for each
6 school year shall be \$294.25 added to the product of \$2,700
7 and the square of the Low Income Concentration Level, all
8 multiplied by the low income eligible pupil count.

9 For the 2003-2004 school year only, the grant shall be no
10 less than the grant for the 2002-2003 school year. For the
11 2004-2005 school year only, the grant shall be no less than the
12 grant for the 2002-2003 school year multiplied by 0.66. For the
13 2005-2006 school year only, the grant shall be no less than the
14 grant for the 2002-2003 school year multiplied by 0.33.

15 For the 2003-2004 school year only, the grant shall be no
16 greater than the grant received during the 2002-2003 school
17 year added to the product of 0.25 multiplied by the difference
18 between the grant amount calculated under subsection (a) or (b)
19 of this paragraph (2.10), whichever is applicable, and the
20 grant received during the 2002-2003 school year. For the
21 2004-2005 school year only, the grant shall be no greater than
22 the grant received during the 2002-2003 school year added to
23 the product of 0.50 multiplied by the difference between the
24 grant amount calculated under subsection (a) or (b) of this
25 paragraph (2.10), whichever is applicable, and the grant
26 received during the 2002-2003 school year. For the 2005-2006
27 school year only, the grant shall be no greater than the grant
28 received during the 2002-2003 school year added to the product
29 of 0.75 multiplied by the difference between the grant amount
30 calculated under subsection (a) or (b) of this paragraph
31 (2.10), whichever is applicable, and the grant received during
32 the 2002-2003 school year.

33 (3) School districts with an Average Daily Attendance of
34 more than 1,000 and less than 50,000 that qualify for
35 supplemental general State aid pursuant to this subsection
36 shall submit a plan to the State Board of Education prior to

1 October 30 of each year for the use of the funds resulting from
2 this grant of supplemental general State aid for the
3 improvement of instruction in which priority is given to
4 meeting the education needs of disadvantaged children. Such
5 plan shall be submitted in accordance with rules and
6 regulations promulgated by the State Board of Education.

7 (4) School districts with an Average Daily Attendance of
8 50,000 or more that qualify for supplemental general State aid
9 pursuant to this subsection shall be required to distribute
10 from funds available pursuant to this Section, no less than
11 \$261,000,000 in accordance with the following requirements:

12 (a) The required amounts shall be distributed to the
13 attendance centers within the district in proportion to the
14 number of pupils enrolled at each attendance center who are
15 eligible to receive free or reduced-price lunches or
16 breakfasts under the federal Child Nutrition Act of 1966
17 and under the National School Lunch Act during the
18 immediately preceding school year.

19 (b) The distribution of these portions of supplemental
20 and general State aid among attendance centers according to
21 these requirements shall not be compensated for or
22 contravened by adjustments of the total of other funds
23 appropriated to any attendance centers, and the Board of
24 Education shall utilize funding from one or several sources
25 in order to fully implement this provision annually prior
26 to the opening of school.

27 (c) Each attendance center shall be provided by the
28 school district a distribution of noncategorical funds and
29 other categorical funds to which an attendance center is
30 entitled under law in order that the general State aid and
31 supplemental general State aid provided by application of
32 this subsection supplements rather than supplants the
33 noncategorical funds and other categorical funds provided
34 by the school district to the attendance centers.

35 (d) Any funds made available under this subsection that
36 by reason of the provisions of this subsection are not

1 required to be allocated and provided to attendance centers
2 may be used and appropriated by the board of the district
3 for any lawful school purpose.

4 (e) Funds received by an attendance center pursuant to
5 this subsection shall be used by the attendance center at
6 the discretion of the principal and local school council
7 for programs to improve educational opportunities at
8 qualifying schools through the following programs and
9 services: early childhood education, reduced class size or
10 improved adult to student classroom ratio, enrichment
11 programs, remedial assistance, attendance improvement, and
12 other educationally beneficial expenditures which
13 supplement the regular and basic programs as determined by
14 the State Board of Education. Funds provided shall not be
15 expended for any political or lobbying purposes as defined
16 by board rule.

17 (f) Each district subject to the provisions of this
18 subdivision (H)(4) shall submit an acceptable plan to meet
19 the educational needs of disadvantaged children, in
20 compliance with the requirements of this paragraph, to the
21 State Board of Education prior to July 15 of each year.
22 This plan shall be consistent with the decisions of local
23 school councils concerning the school expenditure plans
24 developed in accordance with part 4 of Section 34-2.3. The
25 State Board shall approve or reject the plan within 60 days
26 after its submission. If the plan is rejected, the district
27 shall give written notice of intent to modify the plan
28 within 15 days of the notification of rejection and then
29 submit a modified plan within 30 days after the date of the
30 written notice of intent to modify. Districts may amend
31 approved plans pursuant to rules promulgated by the State
32 Board of Education.

33 Upon notification by the State Board of Education that
34 the district has not submitted a plan prior to July 15 or a
35 modified plan within the time period specified herein, the
36 State aid funds affected by that plan or modified plan

1 shall be withheld by the State Board of Education until a
2 plan or modified plan is submitted.

3 If the district fails to distribute State aid to
4 attendance centers in accordance with an approved plan, the
5 plan for the following year shall allocate funds, in
6 addition to the funds otherwise required by this
7 subsection, to those attendance centers which were
8 underfunded during the previous year in amounts equal to
9 such underfunding.

10 For purposes of determining compliance with this
11 subsection in relation to the requirements of attendance
12 center funding, each district subject to the provisions of
13 this subsection shall submit as a separate document by
14 December 1 of each year a report of expenditure data for
15 the prior year in addition to any modification of its
16 current plan. If it is determined that there has been a
17 failure to comply with the expenditure provisions of this
18 subsection regarding contravention or supplanting, the
19 State Superintendent of Education shall, within 60 days of
20 receipt of the report, notify the district and any affected
21 local school council. The district shall within 45 days of
22 receipt of that notification inform the State
23 Superintendent of Education of the remedial or corrective
24 action to be taken, whether by amendment of the current
25 plan, if feasible, or by adjustment in the plan for the
26 following year. Failure to provide the expenditure report
27 or the notification of remedial or corrective action in a
28 timely manner shall result in a withholding of the affected
29 funds.

30 The State Board of Education shall promulgate rules and
31 regulations to implement the provisions of this
32 subsection. No funds shall be released under this
33 subdivision (H) (4) to any district that has not submitted a
34 plan that has been approved by the State Board of
35 Education.

1 (I) General State Aid for Newly Configured School Districts.

2 (1) For a new school district formed by combining property
3 included totally within 2 or more previously existing school
4 districts, for its first year of existence the general State
5 aid and supplemental general State aid calculated under this
6 Section shall be computed for the new district and for the
7 previously existing districts for which property is totally
8 included within the new district. If the computation on the
9 basis of the previously existing districts is greater, a
10 supplementary payment equal to the difference shall be made for
11 the first 4 years of existence of the new district.

12 (2) For a school district which annexes all of the
13 territory of one or more entire other school districts, for the
14 first year during which the change of boundaries attributable
15 to such annexation becomes effective for all purposes as
16 determined under Section 7-9 or 7A-8, the general State aid and
17 supplemental general State aid calculated under this Section
18 shall be computed for the annexing district as constituted
19 after the annexation and for the annexing and each annexed
20 district as constituted prior to the annexation; and if the
21 computation on the basis of the annexing and annexed districts
22 as constituted prior to the annexation is greater, a
23 supplementary payment equal to the difference shall be made for
24 the first 4 years of existence of the annexing school district
25 as constituted upon such annexation.

26 (3) For 2 or more school districts which annex all of the
27 territory of one or more entire other school districts, and for
28 2 or more community unit districts which result upon the
29 division (pursuant to petition under Section 11A-2) of one or
30 more other unit school districts into 2 or more parts and which
31 together include all of the parts into which such other unit
32 school district or districts are so divided, for the first year
33 during which the change of boundaries attributable to such
34 annexation or division becomes effective for all purposes as
35 determined under Section 7-9 or 11A-10, as the case may be, the
36 general State aid and supplemental general State aid calculated

1 under this Section shall be computed for each annexing or
2 resulting district as constituted after the annexation or
3 division and for each annexing and annexed district, or for
4 each resulting and divided district, as constituted prior to
5 the annexation or division; and if the aggregate of the general
6 State aid and supplemental general State aid as so computed for
7 the annexing or resulting districts as constituted after the
8 annexation or division is less than the aggregate of the
9 general State aid and supplemental general State aid as so
10 computed for the annexing and annexed districts, or for the
11 resulting and divided districts, as constituted prior to the
12 annexation or division, then a supplementary payment equal to
13 the difference shall be made and allocated between or among the
14 annexing or resulting districts, as constituted upon such
15 annexation or division, for the first 4 years of their
16 existence. The total difference payment shall be allocated
17 between or among the annexing or resulting districts in the
18 same ratio as the pupil enrollment from that portion of the
19 annexed or divided district or districts which is annexed to or
20 included in each such annexing or resulting district bears to
21 the total pupil enrollment from the entire annexed or divided
22 district or districts, as such pupil enrollment is determined
23 for the school year last ending prior to the date when the
24 change of boundaries attributable to the annexation or division
25 becomes effective for all purposes. The amount of the total
26 difference payment and the amount thereof to be allocated to
27 the annexing or resulting districts shall be computed by the
28 State Board of Education on the basis of pupil enrollment and
29 other data which shall be certified to the State Board of
30 Education, on forms which it shall provide for that purpose, by
31 the regional superintendent of schools for each educational
32 service region in which the annexing and annexed districts, or
33 resulting and divided districts are located.

34 (3.5) Claims for financial assistance under this
35 subsection (I) shall not be recomputed except as expressly
36 provided under this Section.

1 (4) Any supplementary payment made under this subsection
2 (I) shall be treated as separate from all other payments made
3 pursuant to this Section.

4 (J) Supplementary Grants in Aid.

5 (1) Notwithstanding any other provisions of this Section,
6 the amount of the aggregate general State aid in combination
7 with supplemental general State aid under this Section for
8 which each school district is eligible shall be no less than
9 the amount of the aggregate general State aid entitlement that
10 was received by the district under Section 18-8 (exclusive of
11 amounts received under subsections 5(p) and 5(p-5) of that
12 Section) for the 1997-98 school year, pursuant to the
13 provisions of that Section as it was then in effect. If a
14 school district qualifies to receive a supplementary payment
15 made under this subsection (J), the amount of the aggregate
16 general State aid in combination with supplemental general
17 State aid under this Section which that district is eligible to
18 receive for each school year shall be no less than the amount
19 of the aggregate general State aid entitlement that was
20 received by the district under Section 18-8 (exclusive of
21 amounts received under subsections 5(p) and 5(p-5) of that
22 Section) for the 1997-1998 school year, pursuant to the
23 provisions of that Section as it was then in effect.

24 (2) If, as provided in paragraph (1) of this subsection
25 (J), a school district is to receive aggregate general State
26 aid in combination with supplemental general State aid under
27 this Section for the 1998-99 school year and any subsequent
28 school year that in any such school year is less than the
29 amount of the aggregate general State aid entitlement that the
30 district received for the 1997-98 school year, the school
31 district shall also receive, from a separate appropriation made
32 for purposes of this subsection (J), a supplementary payment
33 that is equal to the amount of the difference in the aggregate
34 State aid figures as described in paragraph (1).

35 (3) (Blank).

1 (K) Grants to Laboratory and Alternative Schools.

2 In calculating the amount to be paid to the governing board
3 of a public university that operates a laboratory school under
4 this Section or to any alternative school that is operated by a
5 regional superintendent of schools, the State Board of
6 Education shall require by rule such reporting requirements as
7 it deems necessary.

8 As used in this Section, "laboratory school" means a public
9 school which is created and operated by a public university and
10 approved by the State Board of Education. The governing board
11 of a public university which receives funds from the State
12 Board under this subsection (K) may not increase the number of
13 students enrolled in its laboratory school from a single
14 district, if that district is already sending 50 or more
15 students, except under a mutual agreement between the school
16 board of a student's district of residence and the university
17 which operates the laboratory school. A laboratory school may
18 not have more than 1,000 students, excluding students with
19 disabilities in a special education program.

20 As used in this Section, "alternative school" means a
21 public school which is created and operated by a Regional
22 Superintendent of Schools and approved by the State Board of
23 Education. Such alternative schools may offer courses of
24 instruction for which credit is given in regular school
25 programs, courses to prepare students for the high school
26 equivalency testing program or vocational and occupational
27 training. A regional superintendent of schools may contract
28 with a school district or a public community college district
29 to operate an alternative school. An alternative school serving
30 more than one educational service region may be established by
31 the regional superintendents of schools of the affected
32 educational service regions. An alternative school serving
33 more than one educational service region may be operated under
34 such terms as the regional superintendents of schools of those
35 educational service regions may agree.

1 Each laboratory and alternative school shall file, on forms
2 provided by the State Superintendent of Education, an annual
3 State aid claim which states the Average Daily Attendance of
4 the school's students by month. The best 3 months' Average
5 Daily Attendance shall be computed for each school. The general
6 State aid entitlement shall be computed by multiplying the
7 applicable Average Daily Attendance by the Foundation Level as
8 determined under this Section.

9 (L) Payments, Additional Grants in Aid and Other Requirements.

10 (1) For a school district operating under the financial
11 supervision of an Authority created under Article 34A, the
12 general State aid otherwise payable to that district under this
13 Section, but not the supplemental general State aid, shall be
14 reduced by an amount equal to the budget for the operations of
15 the Authority as certified by the Authority to the State Board
16 of Education, and an amount equal to such reduction shall be
17 paid to the Authority created for such district for its
18 operating expenses in the manner provided in Section 18-11. The
19 remainder of general State school aid for any such district
20 shall be paid in accordance with Article 34A when that Article
21 provides for a disposition other than that provided by this
22 Article.

23 (2) (Blank).

24 (3) Summer school. Summer school payments shall be made as
25 provided in Section 18-4.3.

26 (M) Education Funding Advisory Board.

27 The Education Funding Advisory Board, hereinafter in this
28 subsection (M) referred to as the "Board", is hereby created.
29 The Board shall consist of 5 members who are appointed by the
30 Governor, by and with the advice and consent of the Senate. The
31 members appointed shall include representatives of education,
32 business, and the general public. One of the members so
33 appointed shall be designated by the Governor at the time the
34 appointment is made as the chairperson of the Board. The

1 initial members of the Board may be appointed any time after
2 the effective date of this amendatory Act of 1997. The regular
3 term of each member of the Board shall be for 4 years from the
4 third Monday of January of the year in which the term of the
5 member's appointment is to commence, except that of the 5
6 initial members appointed to serve on the Board, the member who
7 is appointed as the chairperson shall serve for a term that
8 commences on the date of his or her appointment and expires on
9 the third Monday of January, 2002, and the remaining 4 members,
10 by lots drawn at the first meeting of the Board that is held
11 after all 5 members are appointed, shall determine 2 of their
12 number to serve for terms that commence on the date of their
13 respective appointments and expire on the third Monday of
14 January, 2001, and 2 of their number to serve for terms that
15 commence on the date of their respective appointments and
16 expire on the third Monday of January, 2000. All members
17 appointed to serve on the Board shall serve until their
18 respective successors are appointed and confirmed. Vacancies
19 shall be filled in the same manner as original appointments. If
20 a vacancy in membership occurs at a time when the Senate is not
21 in session, the Governor shall make a temporary appointment
22 until the next meeting of the Senate, when he or she shall
23 appoint, by and with the advice and consent of the Senate, a
24 person to fill that membership for the unexpired term. If the
25 Senate is not in session when the initial appointments are
26 made, those appointments shall be made as in the case of
27 vacancies.

28 The Education Funding Advisory Board shall be deemed
29 established, and the initial members appointed by the Governor
30 to serve as members of the Board shall take office, on the date
31 that the Governor makes his or her appointment of the fifth
32 initial member of the Board, whether those initial members are
33 then serving pursuant to appointment and confirmation or
34 pursuant to temporary appointments that are made by the
35 Governor as in the case of vacancies.

36 The State Board of Education shall provide such staff

1 assistance to the Education Funding Advisory Board as is
2 reasonably required for the proper performance by the Board of
3 its responsibilities.

4 For school years after the 2000-2001 school year, the
5 Education Funding Advisory Board, in consultation with the
6 State Board of Education, shall make recommendations as
7 provided in this subsection (M) to the General Assembly for the
8 foundation level under subdivision (B)(3) of this Section and
9 for the supplemental general State aid grant level under
10 subsection (H) of this Section for districts with high
11 concentrations of children from poverty. The recommended
12 foundation level shall be determined based on a methodology
13 which incorporates the basic education expenditures of
14 low-spending schools exhibiting high academic performance. The
15 Education Funding Advisory Board shall make such
16 recommendations to the General Assembly on January 1 of odd
17 numbered years, beginning January 1, 2001.

18 (N) (Blank).

19 (O) References.

20 (1) References in other laws to the various subdivisions of
21 Section 18-8 as that Section existed before its repeal and
22 replacement by this Section 18-8.05 shall be deemed to refer to
23 the corresponding provisions of this Section 18-8.05, to the
24 extent that those references remain applicable.

25 (2) References in other laws to State Chapter 1 funds shall
26 be deemed to refer to the supplemental general State aid
27 provided under subsection (H) of this Section.

28 (Source: P.A. 92-16, eff. 6-28-01; 92-28, eff. 7-1-01; 92-29,
29 eff. 7-1-01; 92-269, eff. 8-7-01; 92-604, eff. 7-1-02; 92-636,
30 eff. 7-11-02; 92-651, eff. 7-11-02; 93-21, eff. 7-1-03.)

31 Section 40. The Criminal Code of 1961 is amended by
32 changing Section 17A-1 as follows:

1 (720 ILCS 5/17A-1) (from Ch. 38, par. 17A-1)

2 Sec. 17A-1. Persons under deportation order; ineligible
3 for benefits. An individual against whom a United States
4 Immigration Judge has issued an order of deportation which has
5 been affirmed by the Board of Immigration Review, as well as an
6 individual who appeals such an order pending appeal, under
7 paragraph 19 of Section 241(a) of the Immigration and
8 Nationality Act relating to persecution of others on account of
9 race, religion, national origin or political opinion under the
10 direction of or in association with the Nazi government of
11 Germany or its allies, shall be ineligible for the following
12 benefits authorized by State law:

13 (a) The homestead exemptions ~~exemption~~ and homestead
14 improvement exemption under Sections 15-170, 15-175, 15-176,
15 and 15-180 of the Property Tax Code.

16 (b) Grants under the Senior Citizens and Disabled Persons
17 Property Tax Relief and Pharmaceutical Assistance Act.

18 (c) The double income tax exemption conferred upon persons
19 65 years of age or older by Section 204 of the Illinois Income
20 Tax Act.

21 (d) Grants provided by the Department on Aging.

22 (e) Reductions in vehicle registration fees under Section
23 3-806.3 of the Illinois Vehicle Code.

24 (f) Free fishing and reduced fishing license fees under
25 Sections 20-5 and 20-40 of the Fish and Aquatic Life Code.

26 (g) Tuition free courses for senior citizens under the
27 Senior Citizen Courses Act.

28 (h) Any benefits under the Illinois Public Aid Code.

29 (Source: P.A. 87-895; 88-670, eff. 12-2-94.)

30 Section 90. The State Mandates Act is amended by adding
31 Section 8.28 as follows:

32 (30 ILCS 805/8.28 new)

33 Sec. 8.28. Exempt mandate. Notwithstanding Sections 6 and 8
34 of this Act, no reimbursement by the State is required for the

1 implementation of any mandate created by the Senior Citizens
2 Assessment Freeze Homestead Exemption under Section 15-172 of
3 the Property Tax Code, the General Homestead Exemption under
4 Section 15-175 of the Property Tax Code, the alternative
5 General Homestead Exemption under Section 15-176 of the
6 Property Tax Code, the Homestead Improvements Exemption under
7 Section 15-180 of the Property Tax Code, and by this amendatory
8 Act of the 93rd General Assembly.

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.