

SB3059



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB3059

Introduced 1/20/2006, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-177

Amends the Property Tax Code. Makes a technical change in a Section concerning abatements for leased, low-rent housing.

LRB094 19144 BDD 54674 b

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing
5 Section 18-177 as follows:

6 (35 ILCS 200/18-177)

7 Sec. 18-177. Leased low-rent housing abatement.

8 (a) In counties of 3,000,000 or more inhabitants, the ~~the~~
9 county clerk shall abate property taxes levied by any taxing
10 district under this Code on property that meets the following
11 requirements:

12 (1) The property does not qualify as exempt property
13 under Section 15-95 of this Code.

14 (2) The property is situated in a municipality with
15 1,000,000 or more inhabitants and improved with either a
16 multifamily dwelling or a multi-building development that
17 is subject to a leasing agreement, regulatory and operating
18 agreement, or other similar instrument with a Housing
19 Authority created under the Housing Authorities Act that
20 sets forth the terms for leasing low-rent housing.

21 (3) For a period of not less than 20 years, the
22 property and improvements are used solely for low-rent
23 housing and related uses.

24 Property and portions of property used or intended to be used
25 for commercial purposes are not eligible for the abatement
26 provided in this Section.

27 A housing authority created under the Housing Authorities
28 Act shall file annually with the county clerk for any property
29 eligible for an abatement under this Section, on a form
30 prescribed by the county clerk, a certificate of the property's
31 use during the immediately preceding year. The certificate
32 shall certify that the property or a portion of the property

1 meets the requirements of this Section and that the eligible
2 residential units have been inspected within the previous 90
3 days and meet or exceed all housing quality standards of the
4 authority. If only a portion of the property meets these
5 requirements, the certificate shall state the amount of that
6 portion as a percentage of the total equalized and assessed
7 value of the property. If the property is improved with an
8 eligible multifamily dwelling or multi-building development
9 containing residential units that are individually assessed,
10 then, except as provided in subsection (b), no more than 40% of
11 those residential units may be certified. If the property is
12 improved with an eligible multifamily dwelling or
13 multi-building development containing residential units that
14 are not individually assessed, then, except as provided in
15 subsection (b), the portion of the property certified shall
16 represent no more than 40% of those residential units.

17 The county clerk shall abate the taxes only if a
18 certificate of use has been timely filed for that year. If only
19 a portion of the property has been certified as eligible, the
20 county clerk shall abate the taxes in the percentage so
21 certified.

22 Whenever property receives an abatement under this
23 Section, the rental rate set under the lease, regulatory and
24 operating agreement, or other similar instrument for that
25 property shall not include property taxes.

26 No property shall be eligible for abatement under this
27 Section if the owner of the property has any outstanding and
28 overdue debts to the municipality in which the property is
29 situated.

30 (b) The percentage limitation on the certification of
31 residential units set forth in subsection (a) shall be deemed
32 to be satisfied in the case of developments described in
33 resolutions adopted by the Board of Commissioners of the
34 Chicago Housing Authority on September 19, 2000, December 17,
35 2002, or September 16, 2003, as amended, approving the
36 disposition of certain land and buildings on which all or a

1 portion of the developments are or will be situated, if no more
2 than 50% of the units in the development are so certified.

3 (Source: P.A. 94-296, eff. 7-21-05.)