



Sen. Susan Garrett

Filed: 4/30/2008

09500SB0804sam001

LRB095 05478 HLH 49482 a

1 AMENDMENT TO SENATE BILL 804

2 AMENDMENT NO. _____. Amend Senate Bill 804 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing
5 Section 15-167 as follows:

6 (35 ILCS 200/15-167)

7 Sec. 15-167. Returning Veterans' Homestead Exemption.

8 (a) Beginning with taxable year 2007, a homestead
9 exemption, limited to a reduction set forth under subsection
10 (b), from the property's value, as equalized or assessed by the
11 Department, is granted for property that is owned and occupied
12 as the principal residence of a veteran returning from an armed
13 conflict involving the armed forces of the United States who is
14 liable for paying real estate taxes on the property and is an
15 owner of record of the property or has a legal or equitable
16 interest therein as evidenced by a written instrument, except

1 for a leasehold interest, other than a leasehold interest of
2 land on which a single family residence is located, which is
3 occupied as the principal residence of a veteran returning from
4 an armed conflict involving the armed forces of the United
5 States who has an ownership interest therein, legal, equitable
6 or as a lessee, and on which he or she is liable for the payment
7 of property taxes. For purposes of the exemption under this
8 Section, "veteran" means an Illinois resident who has served as
9 a member of the United States Armed Forces, a member of the
10 Illinois National Guard, or a member of the United States
11 Reserve Forces.

12 (b) In all counties, the reduction is \$5,000 and only for
13 the taxable year in which the veteran returns from active duty
14 in an armed conflict involving the armed forces of the United
15 States, or the next taxable year if subsection (c-5) applies.
16 For land improved with an apartment building owned and operated
17 as a cooperative, the maximum reduction from the value of the
18 property, as equalized by the Department, must be multiplied by
19 the number of apartments or units occupied by a veteran
20 returning from an armed conflict involving the armed forces of
21 the United States who is liable, by contract with the owner or
22 owners of record, for paying property taxes on the property and
23 is an owner of record of a legal or equitable interest in the
24 cooperative apartment building, other than a leasehold
25 interest. In a cooperative where a homestead exemption has been
26 granted, the cooperative association or the management firm of

1 the cooperative or facility shall credit the savings resulting
2 from that exemption only to the apportioned tax liability of
3 the owner or resident who qualified for the exemption. Any
4 person who willfully refuses to so credit the savings is guilty
5 of a Class B misdemeanor.

6 (c) Application must be made during the application period
7 in effect for the county of his or her residence. The assessor
8 or chief county assessment officer may determine the
9 eligibility of residential property to receive the homestead
10 exemption provided by this Section by application, visual
11 inspection, questionnaire, or other reasonable methods. The
12 determination must be made in accordance with guidelines
13 established by the Department.

14 (c-5) A veteran who changes or first acquires his or her
15 principal residence during the taxable year in which he or she
16 returns from an armed conflict involving the armed forces of
17 the United States may elect to receive the exemption granted
18 under this Section either for that taxable year (in which case
19 it shall apply to the new residence only) or for the next
20 taxable year, but not both. Such a veteran who was otherwise
21 eligible for but did not receive an exemption under this
22 Section for taxable year 2007 or taxable year 2008 may elect to
23 receive the exemption under this Section for taxable year 2009.

24 (d) The exemption under this Section is in addition to any
25 other homestead exemption provided in this Article 15.
26 Notwithstanding Sections 6 and 8 of the State Mandates Act, no

1 reimbursement by the State is required for the implementation
2 of any mandate created by this Section.

3 (Source: P.A. 95-644, eff. 10-12-07.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.".