



Sen. Jeffrey M. Schoenberg

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09500SB2882sam002

LRB095 19579 HLH 49327 a

1 AMENDMENT TO SENATE BILL 2882

2 AMENDMENT NO. _____. Amend Senate Bill 2882, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Property Tax Code is amended by changing
6 Section 9-265 as follows:

7 (35 ILCS 200/9-265)

8 Sec. 9-265. Omitted property; interest; change in exempt
9 use or ownership. If any property is omitted in the assessment
10 of any year or years, so that the taxes, for which the property
11 was liable, have not been paid, or if by reason of defective
12 description or assessment, taxes on any property for any year
13 or years have not been paid, or if any taxes are refunded under
14 subsection (b) of Section 14-5 because the taxes were assessed
15 in the wrong person's name, the property, when discovered,
16 shall be listed and assessed by the board of review or, in

1 counties with 3,000,000 or more inhabitants, by the county
2 assessor either on his or her own initiative or when so
3 directed by the board of appeals or board of review. The board
4 of review in counties with less than 3,000,000 inhabitants or
5 the county assessor in counties with 3,000,000 or more
6 inhabitants may develop reasonable procedures for the
7 valuation of omitted property under this Division. For purposes
8 of this Section, "defective description or assessment"
9 includes a description or assessment which omits all the
10 improvements thereon as a result of which part of the taxes on
11 the total value of the property as improved remain unpaid. In
12 the case of property subject to assessment by the Department,
13 the property shall be listed and assessed by the Department.
14 All such property shall be placed on the assessment and tax
15 books. The arrearages of taxes which might have been assessed,
16 with 10% interest thereon for each year or portion thereof from
17 2 years after the time the first correct tax bill ought to have
18 been received, shall be charged against the property by the
19 county clerk.

20 When property or acreage omitted by either incorrect survey
21 or other ministerial assessor error is discovered and the owner
22 has paid its tax bills as received for the year or years of
23 omission of the parcel, then the interest authorized by this
24 Section shall not be chargeable to the owner. However, nothing
25 in this Section shall prevent the collection of the principal
26 amount of back taxes due and owing.

1 If any property listed as exempt by the chief county
2 assessment officer has a change in use, a change in leasehold
3 estate, or a change in titleholder of record by purchase,
4 grant, taking or transfer, it shall be the obligation of the
5 transferee to notify the chief county assessment officer in
6 writing within 30 days of the change. The notice shall be sent
7 by certified mail, return receipt requested, and shall include
8 the name and address of the taxpayer, the legal description of
9 the property, and the property index number of the property
10 when an index number exists. If the failure to give the
11 notification results in the assessing official continuing to
12 list the property as exempt in subsequent years, the property
13 shall be considered omitted property for purposes of this Code.
14 (Source: P.A. 88-455; 89-126, eff. 7-11-95; 89-671, eff.
15 8-14-96.)".