



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB2700

Introduced 2/24/2009, by Rep. Franco Coladipietro - Harry R. Ramey, Jr. - Patricia R. Bellock - Michael W. Tryon - Mike Fortner, et al.

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/10-30  
35 ILCS 200/10-31 new

Amends the Property Tax Code. In provisions concerning the platting and subdividing of property into lots in counties with less than 3,000,000 inhabitants, provides that, prior to the initial sale of any platted lot, the assessed valuation of platted and subdivided property that (i) does not contain a completed habitable structure and (ii) is not used for business, commercial, or residential purposes shall be the assessed value assigned to the property when last assessed prior to its last transfer or conveyance. These changes apply only through December 31, 2011. Makes other changes. Effective immediately.

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FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

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 10-30 and adding Section 10-31 as follows:

6 (35 ILCS 200/10-30)

7 Sec. 10-30. Subdivisions; counties of less than 3,000,000.

8 (a) In counties with less than 3,000,000 inhabitants, the  
9 platting and subdivision of property into separate lots and the  
10 development of the subdivided property with streets,  
11 sidewalks, curbs, gutters, sewer, water and utility lines shall  
12 not increase the assessed valuation of all or any part of the  
13 property, if:

14 (1) The property is platted and subdivided in  
15 accordance with the Plat Act;

16 (2) The platting occurs after January 1, 1978;

17 (3) At the time of platting the property is in excess  
18 of 5 acres; and

19 (4) At the time of platting the property is vacant or  
20 used as a farm as defined in Section 1-60.

21 (b) Except as provided in subsection (c) of this Section,  
22 the assessed valuation of property so platted and subdivided  
23 shall be determined each year based on the estimated price the

1 property would bring at a fair voluntary sale for use by the  
2 buyer for the same purposes for which the property was used  
3 when last assessed prior to its platting.

4 (c) Upon completion of a habitable structure on any lot of  
5 subdivided property, or upon the use of any lot, either alone  
6 or in conjunction with any contiguous property, for any  
7 business, commercial or residential purpose, or upon the  
8 initial sale of any platted lot, including a platted lot which  
9 is vacant: (i) the provisions of subsection (b) of this Section  
10 shall no longer apply in determining the assessed valuation of  
11 the lot, (ii) each lot shall be assessed without regard to any  
12 provision of this Section, and (iii) the assessed valuation of  
13 the remaining property, when next determined, shall be reduced  
14 proportionately to reflect the exclusion of the property that  
15 no longer qualifies for valuation under this Section. Holding  
16 or offering a platted lot for initial sale shall not constitute  
17 a use of the lot for business, commercial or residential  
18 purposes unless a habitable structure is situated on the lot or  
19 unless the lot is otherwise used for a business, commercial or  
20 residential purpose.

21 (d) This Section applies before the effective date of this  
22 amendatory Act of the 96th General Assembly and then applies  
23 again beginning January 1, 2012.

24 (Source: P.A. 95-135, eff. 1-1-08.)

25 (35 ILCS 200/10-31 new)

1       Sec. 10-31. Subdivisions; counties of less than 3,000,000.

2       (a) In counties with less than 3,000,000 inhabitants, the  
3 platting and subdivision of property into separate lots and the  
4 development of the subdivided property with streets,  
5 sidewalks, curbs, gutters, sewer, water and utility lines shall  
6 not increase the assessed valuation of all or any part of the  
7 property, if:

8           (1) The property is platted and subdivided in  
9 accordance with the Plat Act;

10          (2) The platting occurs after January 1, 1978;

11          (3) At the time of platting the property is in excess  
12 of 5 acres; and

13          (4) At the time of platting or replatting the property  
14 is vacant or used as a farm as defined in Section 1-60.

15       (b) Except as provided in subsection (c) of this Section,  
16 the assessed valuation of property so platted and subdivided  
17 shall be determined based on the assessed value assigned to the  
18 property when last assessed prior to its last transfer or  
19 conveyance. An initial sale of any platted lot, including a lot  
20 that is vacant, or a transfer to a holder of a mortgage, as  
21 defined in Section 15-1207 of the Code of Civil Procedure,  
22 pursuant to a mortgage foreclosure proceeding or pursuant to a  
23 transfer in lieu of foreclosure, does not disqualify that lot  
24 from the provisions of this subsection (b).

25       (c) Upon completion of a habitable structure on any lot of  
26 subdivided property, or upon the use of any lot, either alone

1 or in conjunction with any contiguous property, for any  
2 business, commercial or residential purpose: (i) the  
3 provisions of subsection (b) of this Section shall no longer  
4 apply in determining the assessed valuation of the lot, (ii)  
5 each lot shall be assessed without regard to any provision of  
6 this Section, and (iii) the assessed valuation of the remaining  
7 property, when next determined, shall be reduced  
8 proportionately to reflect the exclusion of the property that  
9 no longer qualifies for valuation under this Section. Holding  
10 or offering a platted lot for initial sale shall not constitute  
11 a use of the lot for business, commercial or residential  
12 purposes unless a habitable structure is situated on the lot or  
13 unless the lot is otherwise used for a business, commercial or  
14 residential purpose. The replatting of a subdivision or portion  
15 of a subdivision does not disqualify the replatted lots from  
16 the provisions of subsection (b).

17 (d) This Section applies on and after the effective date of  
18 this amendatory Act of the 96th General Assembly and through  
19 December 31, 2011.

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.