



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB6182

Introduced 2/11/2010, by Rep. Kevin Joyce

SYNOPSIS AS INTRODUCED:

See Index

Amends the Property Tax Code. Provides that, in Cook County, homestead property must be valued at 100% of its fair cash value. Requires the Cook County Clerk to abate the property taxes levied on homestead property in an amount equal to: (1) the amount of the aggregate extension of all taxing districts against the property; less (2) an amount equal to 1% of the equalized assessed value of the property. Sets forth procedures to apply this abatement to the aggregate extensions of each taxing district. Creates the Cook County general homestead exemption to limit the assessment increases of homestead property to the lesser of: (i) 2%; or (ii) the increase in the CPI. Sets forth the taxable years in which this general homestead exemption applies. Amends various Acts to include a cross reference to homestead exemptions granted under Article 15 of the Property Tax Code. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB096 18759 HLH 34144 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

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 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, 15-175, ~~and~~
17 15-176, and 15-178 of the Property Tax Code, which value shall
18 be the "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,

1 from which shall be deducted the homestead exemptions provided
2 under Article 15 of the Property Tax Code, and shall certify
3 such amount as the "total initial equalized assessed value" of
4 the taxable real property within the economic development
5 project area.

6 (b) After the county clerk has certified the "total initial
7 equalized assessed value" of the taxable real property in the
8 economic development project area, then in respect to every
9 taxing district containing an economic development project
10 area, the county clerk or any other official required by law to
11 ascertain the amount of the equalized assessed value of all
12 taxable property within that taxing district for the purpose of
13 computing the rate per cent of tax to be extended upon taxable
14 property within that taxing district, shall in every year that
15 tax increment allocation financing is in effect ascertain the
16 amount of value of taxable property in an economic development
17 project area by including in that amount the lower of the
18 current equalized assessed value or the certified "total
19 initial equalized assessed value" of all taxable real property
20 in such area. The rate per cent of tax determined shall be
21 extended to the current equalized assessed value of all
22 property in the economic development project area in the same
23 manner as the rate per cent of tax is extended to all other
24 taxable property in the taxing district. The method of
25 allocating taxes established under this Section shall
26 terminate when the municipality adopts an ordinance dissolving

1 the special tax allocation fund for the economic development
2 project area, terminating the economic development project
3 area, and terminating the use of tax increment allocation
4 financing for the economic development project area. This Act
5 shall not be construed as relieving property owners within an
6 economic development project area from paying a uniform rate of
7 taxes upon the current equalized assessed value of their
8 taxable property as provided in the Property Tax Code.

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

10 Section 10. The Property Tax Code is amended by changing
11 Sections 15-10, 15-170, 15-175, 18-178, 18-185, and 20-178 and
12 by adding Sections 9-147, 15-178, and 18-179 as follows:

13 (35 ILCS 200/9-147 new)

14 Sec. 9-147. Statutory level of assessment for homestead
15 property in Cook County. Beginning with the 2010 taxable year,
16 in Cook County, any tract or lot of property that is classified
17 as homestead property must be valued at 100% of its fair cash
18 value.

19 (35 ILCS 200/15-10)

20 Sec. 15-10. Exempt property; procedures for certification.
21 All property granted an exemption by the Department pursuant to
22 the requirements of Section 15-5 and described in the Sections
23 following Section 15-30 and preceding Section 16-5, to the

1 extent therein limited, is exempt from taxation. In order to
2 maintain that exempt status, the titleholder or the owner of
3 the beneficial interest of any property that is exempt must
4 file with the chief county assessment officer, on or before
5 January 31 of each year (May 31 in the case of property
6 exempted by Section 15-170), an affidavit stating whether there
7 has been any change in the ownership or use of the property or
8 the status of the owner-resident, or that a disabled veteran
9 who qualifies under Section 15-165 owned and used the property
10 as of January 1 of that year. The nature of any change shall be
11 stated in the affidavit. Failure to file an affidavit shall, in
12 the discretion of the assessment officer, constitute cause to
13 terminate the exemption of that property, notwithstanding any
14 other provision of this Code. Owners of 5 or more such exempt
15 parcels within a county may file a single annual affidavit in
16 lieu of an affidavit for each parcel. The assessment officer,
17 upon request, shall furnish an affidavit form to the owners, in
18 which the owner may state whether there has been any change in
19 the ownership or use of the property or status of the owner or
20 resident as of January 1 of that year. The owner of 5 or more
21 exempt parcels shall list all the properties giving the same
22 information for each parcel as required of owners who file
23 individual affidavits.

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

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

4 (2) Section 15-40.

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

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

8 An application for homestead exemptions shall be filed as
9 provided in Section 15-170 (senior citizens homestead
10 exemption), Section 15-172 (senior citizens assessment freeze
11 homestead exemption), and Sections 15-175 (general homestead
12 exemption), 15-176 (general alternative homestead exemption),
13 ~~and~~ 15-177 (long-time occupant homestead exemption), and
14 15-178 (Cook County homestead exemption), respectively.

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

16 (35 ILCS 200/15-170)

17 (Text of Section before amendment by P.A. 96-339)

18 Sec. 15-170. Senior Citizens Homestead Exemption. An
19 annual homestead exemption limited, except as described here
20 with relation to cooperatives or life care facilities, to a
21 maximum reduction set forth below from the property's value, as
22 equalized or assessed by the Department, is granted for
23 property that is occupied as a residence by a person 65 years
24 of age or older who is liable for paying real estate taxes on
25 the property and is an owner of record of the property or has a

1 legal or equitable interest therein as evidenced by a written
2 instrument, except for a leasehold interest, other than a
3 leasehold interest of land on which a single family residence
4 is located, which is occupied as a residence by a person 65
5 years or older who has an ownership interest therein, legal,
6 equitable or as a lessee, and on which he or she is liable for
7 the payment of property taxes. Before taxable year 2004, the
8 maximum reduction shall be \$2,500 in counties with 3,000,000 or
9 more inhabitants and \$2,000 in all other counties. For taxable
10 years 2004 through 2005, the maximum reduction shall be \$3,000
11 in all counties. For taxable years 2006 and 2007, the maximum
12 reduction shall be \$3,500 and, for taxable years 2008 and
13 thereafter, the maximum reduction is \$4,000 in all counties.

14 For land improved with an apartment building owned and
15 operated as a cooperative, the maximum reduction from the value
16 of the property, as equalized by the Department, shall be
17 multiplied by the number of apartments or units occupied by a
18 person 65 years of age or older who is liable, by contract with
19 the owner or owners of record, for paying property taxes on the
20 property and is an owner of record of a legal or equitable
21 interest in the cooperative apartment building, other than a
22 leasehold interest. For land improved with a life care
23 facility, the maximum reduction from the value of the property,
24 as equalized by the Department, shall be multiplied by the
25 number of apartments or units occupied by persons 65 years of
26 age or older, irrespective of any legal, equitable, or

1 leasehold interest in the facility, who are liable, under a
2 contract with the owner or owners of record of the facility,
3 for paying property taxes on the property. In a cooperative or
4 a life care facility where a homestead exemption has been
5 granted, the cooperative association or the management firm of
6 the cooperative or facility shall credit the savings resulting
7 from that exemption only to the apportioned tax liability of
8 the owner or resident who qualified for the exemption. Any
9 person who willfully refuses to so credit the savings shall be
10 guilty of a Class B misdemeanor. Under this Section and
11 Sections 15-175, 15-176, ~~and~~ 15-177, and 15-178, "life care
12 facility" means a facility, as defined in Section 2 of the Life
13 Care Facilities Act, with which the applicant for the homestead
14 exemption has a life care contract as defined in that Act.

15 When a homestead exemption has been granted under this
16 Section and the person qualifying subsequently becomes a
17 resident of a facility licensed under the Assisted Living and
18 Shared Housing Act or the Nursing Home Care Act, the exemption
19 shall continue so long as the residence continues to be
20 occupied by the qualifying person's spouse if the spouse is 65
21 years of age or older, or if the residence remains unoccupied
22 but is still owned by the person qualified for the homestead
23 exemption.

24 A person who will be 65 years of age during the current
25 assessment year shall be eligible to apply for the homestead
26 exemption during that assessment year. Application shall be

1 made during the application period in effect for the county of
2 his residence.

3 Beginning with assessment year 2003, for taxes payable in
4 2004, property that is first occupied as a residence after
5 January 1 of any assessment year by a person who is eligible
6 for the senior citizens homestead exemption under this Section
7 must be granted a pro-rata exemption for the assessment year.
8 The amount of the pro-rata exemption is the exemption allowed
9 in the county under this Section divided by 365 and multiplied
10 by the number of days during the assessment year the property
11 is occupied as a residence by a person eligible for the
12 exemption under this Section. The chief county assessment
13 officer must adopt reasonable procedures to establish
14 eligibility for this pro-rata exemption.

15 The assessor or chief county assessment officer may
16 determine the eligibility of a life care facility to receive
17 the benefits provided by this Section, by affidavit,
18 application, visual inspection, questionnaire or other
19 reasonable methods in order to insure that the tax savings
20 resulting from the exemption are credited by the management
21 firm to the apportioned tax liability of each qualifying
22 resident. The assessor may request reasonable proof that the
23 management firm has so credited the exemption.

24 The chief county assessment officer of each county with
25 less than 3,000,000 inhabitants shall provide to each person
26 allowed a homestead exemption under this Section a form to

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

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

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

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

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

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

18 (Source: P.A. 95-644, eff. 10-12-07; 95-876, eff. 8-21-08;
19 96-355, eff. 1-1-10.)

20 (Text of Section after amendment by P.A. 96-339)

21 Sec. 15-170. Senior Citizens Homestead Exemption. An
22 annual homestead exemption limited, except as described here
23 with relation to cooperatives or life care facilities, to a
24 maximum reduction set forth below from the property's value, as
25 equalized or assessed by the Department, is granted for

1 property that is occupied as a residence by a person 65 years
2 of age or older who is liable for paying real estate taxes on
3 the property and is an owner of record of the property or has a
4 legal or equitable interest therein as evidenced by a written
5 instrument, except for a leasehold interest, other than a
6 leasehold interest of land on which a single family residence
7 is located, which is occupied as a residence by a person 65
8 years or older who has an ownership interest therein, legal,
9 equitable or as a lessee, and on which he or she is liable for
10 the payment of property taxes. Before taxable year 2004, the
11 maximum reduction shall be \$2,500 in counties with 3,000,000 or
12 more inhabitants and \$2,000 in all other counties. For taxable
13 years 2004 through 2005, the maximum reduction shall be \$3,000
14 in all counties. For taxable years 2006 and 2007, the maximum
15 reduction shall be \$3,500 and, for taxable years 2008 and
16 thereafter, the maximum reduction is \$4,000 in all counties.

17 For land improved with an apartment building owned and
18 operated as a cooperative, the maximum reduction from the value
19 of the property, as equalized by the Department, shall be
20 multiplied by the number of apartments or units occupied by a
21 person 65 years of age or older who is liable, by contract with
22 the owner or owners of record, for paying property taxes on the
23 property and is an owner of record of a legal or equitable
24 interest in the cooperative apartment building, other than a
25 leasehold interest. For land improved with a life care
26 facility, the maximum reduction from the value of the property,

1 as equalized by the Department, shall be multiplied by the
2 number of apartments or units occupied by persons 65 years of
3 age or older, irrespective of any legal, equitable, or
4 leasehold interest in the facility, who are liable, under a
5 contract with the owner or owners of record of the facility,
6 for paying property taxes on the property. In a cooperative or
7 a life care facility where a homestead exemption has been
8 granted, the cooperative association or the management firm of
9 the cooperative or facility shall credit the savings resulting
10 from that exemption only to the apportioned tax liability of
11 the owner or resident who qualified for the exemption. Any
12 person who willfully refuses to so credit the savings shall be
13 guilty of a Class B misdemeanor. Under this Section and
14 Sections 15-175, 15-176, ~~and~~ 15-177, and 15-178, "life care
15 facility" means a facility, as defined in Section 2 of the Life
16 Care Facilities Act, with which the applicant for the homestead
17 exemption has a life care contract as defined in that Act.

18 When a homestead exemption has been granted under this
19 Section and the person qualifying subsequently becomes a
20 resident of a facility licensed under the Assisted Living and
21 Shared Housing Act, ~~or~~ the Nursing Home Care Act, or the MR/DD
22 Community Care Act, the exemption shall continue so long as the
23 residence continues to be occupied by the qualifying person's
24 spouse if the spouse is 65 years of age or older, or if the
25 residence remains unoccupied but is still owned by the person
26 qualified for the homestead exemption.

1 A person who will be 65 years of age during the current
2 assessment year shall be eligible to apply for the homestead
3 exemption during that assessment year. Application shall be
4 made during the application period in effect for the county of
5 his residence.

6 Beginning with assessment year 2003, for taxes payable in
7 2004, property that is first occupied as a residence after
8 January 1 of any assessment year by a person who is eligible
9 for the senior citizens homestead exemption under this Section
10 must be granted a pro-rata exemption for the assessment year.
11 The amount of the pro-rata exemption is the exemption allowed
12 in the county under this Section divided by 365 and multiplied
13 by the number of days during the assessment year the property
14 is occupied as a residence by a person eligible for the
15 exemption under this Section. The chief county assessment
16 officer must adopt reasonable procedures to establish
17 eligibility for this pro-rata exemption.

18 The assessor or chief county assessment officer may
19 determine the eligibility of a life care facility to receive
20 the benefits provided by this Section, by affidavit,
21 application, visual inspection, questionnaire or other
22 reasonable methods in order to insure that the tax savings
23 resulting from the exemption are credited by the management
24 firm to the apportioned tax liability of each qualifying
25 resident. The assessor may request reasonable proof that the
26 management firm has so credited the exemption.

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

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

26 In counties with less than 3,000,000 inhabitants, the

1 county board may by resolution provide that if a person has
2 been granted a homestead exemption under this Section, the
3 person qualifying need not reapply for the exemption.

4 In counties with less than 3,000,000 inhabitants, if the
5 assessor or chief county assessment officer requires annual
6 application for verification of eligibility for an exemption
7 once granted under this Section, the application shall be
8 mailed to the taxpayer.

9 The assessor or chief county assessment officer shall
10 notify each person who qualifies for an exemption under this
11 Section that the person may also qualify for deferral of real
12 estate taxes under the Senior Citizens Real Estate Tax Deferral
13 Act. The notice shall set forth the qualifications needed for
14 deferral of real estate taxes, the address and telephone number
15 of county collector, and a statement that applications for
16 deferral of real estate taxes may be obtained from the county
17 collector.

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

21 (Source: P.A. 95-644, eff. 10-12-07; 95-876, eff. 8-21-08;
22 96-339, eff. 7-1-10; 96-355, eff. 1-1-10; revised 9-25-09.)

23 (35 ILCS 200/15-175)

24 Sec. 15-175. General homestead exemption. Except as
25 provided in Sections 15-176 and 15-177, homestead property is

1 entitled to an annual homestead exemption limited, except as
2 described here with relation to cooperatives, to a reduction in
3 the equalized assessed value of homestead property equal to the
4 increase in equalized assessed value for the current assessment
5 year above the equalized assessed value of the property for
6 1977, up to the maximum reduction set forth below. If however,
7 the 1977 equalized assessed value upon which taxes were paid is
8 subsequently determined by local assessing officials, the
9 Property Tax Appeal Board, or a court to have been excessive,
10 the equalized assessed value which should have been placed on
11 the property for 1977 shall be used to determine the amount of
12 the exemption.

13 Except as provided in Section 15-176, the maximum reduction
14 before taxable year 2004 shall be \$4,500 in counties with
15 3,000,000 or more inhabitants and \$3,500 in all other counties.
16 Except as provided in Sections 15-176, ~~and~~ 15-177, and 15-178
17 for taxable years 2004 through 2007, the maximum reduction
18 shall be \$5,000, for taxable year 2008, the maximum reduction
19 is \$5,500, and, for taxable years 2009 and thereafter, the
20 maximum reduction is \$6,000 in all counties. If a county has
21 elected to subject itself to the provisions of Section 15-176
22 as provided in subsection (k) of that Section, then, for the
23 first taxable year only after the provisions of Section 15-176,
24 15-177, or 15-178 ~~Section 15-176~~ no longer applies ~~apply~~, for
25 owners who, for the taxable year, have not been granted a
26 senior citizens assessment freeze homestead exemption under

1 Section 15-172 or a long-time occupant homestead exemption
2 under Section 15-177, there shall be an additional exemption of
3 \$5,000 for owners with a household income of \$30,000 or less.

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

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

25 "Homestead property" under this Section includes
26 residential property that is occupied by its owner or owners as

1 his or their principal dwelling place, or that is a leasehold
2 interest on which a single family residence is situated, which
3 is occupied as a residence by a person who has an ownership
4 interest therein, legal or equitable or as a lessee, and on
5 which the person is liable for the payment of property taxes.
6 For land improved with an apartment building owned and operated
7 as a cooperative or a building which is a life care facility as
8 defined in Section 15-170 and considered to be a cooperative
9 under Section 15-170, the maximum reduction from the equalized
10 assessed value shall be limited to the increase in the value
11 above the equalized assessed value of the property for 1977, up
12 to the maximum reduction set forth above, multiplied by the
13 number of apartments or units occupied by a person or persons
14 who is liable, by contract with the owner or owners of record,
15 for paying property taxes on the property and is an owner of
16 record of a legal or equitable interest in the cooperative
17 apartment building, other than a leasehold interest. For
18 purposes of this Section, the term "life care facility" has the
19 meaning stated in Section 15-170.

20 "Household", as used in this Section, means the owner, the
21 spouse of the owner, and all persons using the residence of the
22 owner as their principal place of residence.

23 "Household income", as used in this Section, means the
24 combined income of the members of a household for the calendar
25 year preceding the taxable year.

26 "Income", as used in this Section, has the same meaning as

1 provided in Section 3.07 of the Senior Citizens and Disabled
2 Persons Property Tax Relief and Pharmaceutical Assistance Act,
3 except that "income" does not include veteran's benefits.

4 In a cooperative where a homestead exemption has been
5 granted, the cooperative association or its management firm
6 shall credit the savings resulting from that exemption only to
7 the apportioned tax liability of the owner who qualified for
8 the exemption. Any person who willfully refuses to so credit
9 the savings shall be guilty of a Class B misdemeanor.

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

14 In all counties, the assessor or chief county assessment
15 officer may determine the eligibility of residential property
16 to receive the homestead exemption and the amount of the
17 exemption by application, visual inspection, questionnaire or
18 other reasonable methods. The determination shall be made in
19 accordance with guidelines established by the Department,
20 provided that the taxpayer applying for an additional general
21 exemption under this Section shall submit to the chief county
22 assessment officer an application with an affidavit of the
23 applicant's total household income, age, marital status (and,
24 if married, the name and address of the applicant's spouse, if
25 known), and principal dwelling place of members of the
26 household on January 1 of the taxable year. The Department

1 shall issue guidelines establishing a method for verifying the
2 accuracy of the affidavits filed by applicants under this
3 paragraph. The applications shall be clearly marked as
4 applications for the Additional General Homestead Exemption.

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

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

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

15 (35 ILCS 200/15-178 new)

16 Sec. 15-178. The Cook County general homestead exemption.

17 (a) In Cook County, homestead property is entitled to an
18 annual homestead exemption equal to a reduction in the
19 property's equalized assessed value calculated as provided in
20 this Section.

21 (b) As used in this Section:

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

24 (2) "Adjusted homestead value" means the lesser of the
25 following values:

1 (A) the property's base homestead value increased
2 by the adjustment limitation for each tax year after
3 the base year through and including the current tax
4 year, or, if the property is sold or ownership is
5 otherwise transferred, the property's base homestead
6 value increased by the adjustment limitation for each
7 tax year after the year of the sale or transfer through
8 and including the current tax year; the increase by the
9 adjustment limitation each year is an increase by the
10 limitation over the prior year; or

11 (B) the property's equalized assessed value for
12 the current tax year minus \$5,000.

13 (3) "Assessment limitation" means the lesser of: (i)
14 5%; or (ii) the percentage increase in the Consumer Price
15 Index during the 12-month calendar year preceding the levy
16 year. "Consumer Price Index" means the Consumer Price Index
17 for All Urban Consumers for all items published by the
18 United States Department of Labor.

19 (4) "Base homestead value".

20 (A) Except as provided in subdivision (b)(4)(B),
21 "base homestead value" means the equalized assessed
22 value of the property for the base year prior to
23 exemptions, minus \$5,000, provided that it was
24 assessed for that year as residential property and
25 qualified for any of the homestead exemptions under
26 Article 15 of this Code then in force, and further

1 provided that the property's assessment was not based
2 on a reduced assessed value resulting from a temporary
3 irregularity in the property for that year. Except as
4 provided in subdivision (b) (4) (B), if the property did
5 not have a residential equalized assessed value for the
6 base year, then "base homestead value" means the base
7 homestead value established by the assessor under
8 subsection (c).

9 (B) If the property is sold or ownership is
10 otherwise transferred, other than sales or transfers
11 between spouses or between a parent and a child, "base
12 homestead value" means the equalized assessed value of
13 the property at the time of the sale or transfer prior
14 to exemptions, minus \$5,000, provided that it was
15 assessed as residential property qualified for any of
16 the homestead exemptions under Sections 15-170 through
17 15-175 of this Code, then in force, and further
18 provided that the property's assessment was not based
19 on a reduced assessed value resulting from a temporary
20 irregularity in the property.

21 (5) "Base year" means tax year 2009.

22 (6) "Current tax year" means the tax year for which the
23 exemption under this Section is being applied.

24 (7) "Equalized assessed value" means the property's
25 assessed value as equalized by the Department.

26 (8) "Homestead" or "homestead property" means:

1 (A) Residential property that as of January 1 of
2 the tax year is occupied by its owner or owners as his,
3 her, or their principal dwelling place, or that is a
4 leasehold interest on which a single family residence
5 is situated, that is occupied as a residence by a
6 person who has a legal or equitable interest therein
7 evidenced by a written instrument, as an owner or as a
8 lessee, and on which the person is liable for the
9 payment of property taxes. Residential units in an
10 apartment building owned and operated as a
11 cooperative, or as a life care facility, that are
12 occupied by persons who hold a legal or equitable
13 interest in the cooperative apartment building or life
14 care facility as owners or lessees, and who are liable
15 by contract for the payment of property taxes, are
16 included within this definition of homestead property.

17 (B) A homestead includes the dwelling place,
18 appurtenant structures, and so much of the surrounding
19 land constituting the parcel on which the dwelling
20 place is situated as is used for residential purposes.
21 If the assessor has established a specific legal
22 description for a portion of property constituting the
23 homestead, then the homestead is limited to the
24 property within that description.

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

1 (c) If the property did not have a residential equalized
2 assessed value for the base year as provided in subdivision
3 (b)(4)(A) of this Section, then the assessor shall first
4 determine an initial value for the property by comparison with
5 assessed values for the base year of other properties having
6 physical and economic characteristics similar to those of the
7 subject property, so that the initial value is uniform in
8 relation to assessed values of those other properties for the
9 base year. The product of the initial value multiplied by the
10 equalized factor for the base year for homestead properties in
11 that county, less 5,000, is the base homestead value.

12 For any tax year for which the assessor determines or
13 adjusts an initial value and, hence, a base homestead value
14 under this subsection (c), the initial value is subject to
15 review by the same procedures applicable to assessed values
16 established under this Code for that tax year.

17 (d) The base homestead value must remain constant, except
18 that the assessor may revise it under any of the following
19 circumstances:

20 (1) If the equalized assessed value of a homestead
21 property for the current tax year is less than the previous
22 base homestead value for that property, then the current
23 equalized assessed value (provided it is not based on a
24 reduced assessed value resulting from a temporary
25 irregularity in the property) becomes the base homestead
26 value in subsequent tax years.

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

7 (3) If the property is sold or ownership is otherwise
8 transferred, the base homestead value of the property must
9 be adjusted as provided in subdivision (b) (4) (B). This item
10 (3) does not apply to sales or transfers between spouses or
11 between a parent and a child.

12 (e) The amount of the exemption under this Section is the
13 equalized assessed value of the homestead property for the
14 current tax year, minus the adjusted homestead value. In the
15 case of homestead property that also qualifies for the
16 exemption under Section 15-172, the property is entitled to the
17 exemption under this Section, limited to the amount of \$5,000.

18 (f) In the case of an apartment building owned and operated
19 as a cooperative, or as a life care facility, that contains
20 residential units that qualify as homestead property under this
21 Section, the maximum cumulative exemption amount attributed to
22 the entire building or facility shall not exceed the sum of the
23 exemptions calculated for each qualified residential unit. The
24 cooperative association, management firm, or other person or
25 entity that manages or controls the cooperative apartment
26 building or life care facility shall credit the exemption

1 attributable to each residential unit only to the apportioned
2 tax liability of the owner or other person responsible for
3 payment of taxes as to that unit. Any person who willfully
4 refuses to so credit the exemption is guilty of a Class B
5 misdemeanor.

6 (g) When married persons maintain separate residences, the
7 exemption provided under this Section may be claimed by only
8 one such person and for only one residence.

9 (h) In the event of a sale or other transfer in ownership
10 of the homestead property, the exemption under this Section
11 remains in effect for the remainder of the tax year in which
12 the sale or transfer occurs, but (other than for sales or
13 transfers between spouses or between a parent and a child) must
14 be calculated using the new base homestead value as provided in
15 subdivision (b) (4) (B). The assessor may require the new owner
16 of the property to apply for the exemption in the following
17 year.

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

1 (j) In Cook County, the provisions of this Section apply as
2 follows:

3 (1) If the general assessment year for the property is
4 2010, then this Section applies for assessment years 2010,
5 2011, and 2012. Thereafter, the provisions of Section
6 15-175 apply.

7 (2) If the general assessment year for the property is
8 2011, this Section applies for assessment years 2011, 2012,
9 and 2013. Thereafter, the provisions of Section 15-175
10 apply.

11 (3) If the general assessment year for the property is
12 2012, this Section applies for assessment years 2012, 2013,
13 and 2014. Thereafter, the provisions of Section 15-175
14 apply.

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

18 (35 ILCS 200/18-179 new)

19 Sec. 18-179. Cook County homestead abatement.

20 (a) The county clerk must abate the property taxes levied
21 on each parcel of homestead property that must be valued at
22 100% of its fair cash value under Section 9-147. The amount of
23 the abatement under this Section is:

24 (1) the amount of the aggregate extension of all taxing
25 districts against the property; less

1 (2) an amount equal to 1% of the equalized assessed
2 value of the property.

3 (b) This abatement must be applied to the aggregate
4 extensions of each taxing district that levies a property tax
5 on the property in an amount based on the percentage that the
6 district's aggregate extension bears to the total aggregate
7 extension of all taxing districts.

8 (35 ILCS 200/18-185)

9 Sec. 18-185. Short title; definitions. This Division 5 may
10 be cited as the Property Tax Extension Limitation Law. As used
11 in this Division 5:

12 "Consumer Price Index" means the Consumer Price Index for
13 All Urban Consumers for all items published by the United
14 States Department of Labor.

15 "Extension limitation", for taxable years prior to 2010,
16 means (a) the lesser of 5% or the percentage increase in the
17 Consumer Price Index during the 12-month calendar year
18 preceding the levy year or (b) the rate of increase approved by
19 voters under Section 18-205. "Extension limitation", for the
20 2010 taxable year and thereafter, means (a) the lesser of 2% or
21 the percentage increase in the Consumer Price Index during the
22 12-month calendar year preceding the levy year or (b) the rate
23 of increase approved by voters under Section 18-205.

24 "Affected county" means a county of 3,000,000 or more
25 inhabitants or a county contiguous to a county of 3,000,000 or

1 more inhabitants.

2 "Taxing district" has the same meaning provided in Section
3 1-150, except as otherwise provided in this Section. For the
4 1991 through 1994 levy years only, "taxing district" includes
5 only each non-home rule taxing district having the majority of
6 its 1990 equalized assessed value within any county or counties
7 contiguous to a county with 3,000,000 or more inhabitants.
8 Beginning with the 1995 levy year, "taxing district" includes
9 only each non-home rule taxing district subject to this Law
10 before the 1995 levy year and each non-home rule taxing
11 district not subject to this Law before the 1995 levy year
12 having the majority of its 1994 equalized assessed value in an
13 affected county or counties. Beginning with the levy year in
14 which this Law becomes applicable to a taxing district as
15 provided in Section 18-213, "taxing district" also includes
16 those taxing districts made subject to this Law as provided in
17 Section 18-213.

18 "Aggregate extension" for taxing districts to which this
19 Law applied before the 1995 levy year means the annual
20 corporate extension for the taxing district and those special
21 purpose extensions that are made annually for the taxing
22 district, excluding special purpose extensions: (a) made for
23 the taxing district to pay interest or principal on general
24 obligation bonds that were approved by referendum; (b) made for
25 any taxing district to pay interest or principal on general
26 obligation bonds issued before October 1, 1991; (c) made for

1 any taxing district to pay interest or principal on bonds
2 issued to refund or continue to refund those bonds issued
3 before October 1, 1991; (d) made for any taxing district to pay
4 interest or principal on bonds issued to refund or continue to
5 refund bonds issued after October 1, 1991 that were approved by
6 referendum; (e) made for any taxing district to pay interest or
7 principal on revenue bonds issued before October 1, 1991 for
8 payment of which a property tax levy or the full faith and
9 credit of the unit of local government is pledged; however, a
10 tax for the payment of interest or principal on those bonds
11 shall be made only after the governing body of the unit of
12 local government finds that all other sources for payment are
13 insufficient to make those payments; (f) made for payments
14 under a building commission lease when the lease payments are
15 for the retirement of bonds issued by the commission before
16 October 1, 1991, to pay for the building project; (g) made for
17 payments due under installment contracts entered into before
18 October 1, 1991; (h) made for payments of principal and
19 interest on bonds issued under the Metropolitan Water
20 Reclamation District Act to finance construction projects
21 initiated before October 1, 1991; (i) made for payments of
22 principal and interest on limited bonds, as defined in Section
23 3 of the Local Government Debt Reform Act, in an amount not to
24 exceed the debt service extension base less the amount in items
25 (b), (c), (e), and (h) of this definition for non-referendum
26 obligations, except obligations initially issued pursuant to

1 referendum; (j) made for payments of principal and interest on
2 bonds issued under Section 15 of the Local Government Debt
3 Reform Act; (k) made by a school district that participates in
4 the Special Education District of Lake County, created by
5 special education joint agreement under Section 10-22.31 of the
6 School Code, for payment of the school district's share of the
7 amounts required to be contributed by the Special Education
8 District of Lake County to the Illinois Municipal Retirement
9 Fund under Article 7 of the Illinois Pension Code; the amount
10 of any extension under this item (k) shall be certified by the
11 school district to the county clerk; (l) made to fund expenses
12 of providing joint recreational programs for the handicapped
13 under Section 5-8 of the Park District Code or Section 11-95-14
14 of the Illinois Municipal Code; (m) made for temporary
15 relocation loan repayment purposes pursuant to Sections 2-3.77
16 and 17-2.2d of the School Code; (n) made for payment of
17 principal and interest on any bonds issued under the authority
18 of Section 17-2.2d of the School Code; and (o) made for
19 contributions to a firefighter's pension fund created under
20 Article 4 of the Illinois Pension Code, to the extent of the
21 amount certified under item (5) of Section 4-134 of the
22 Illinois Pension Code.

23 "Aggregate extension" for the taxing districts to which
24 this Law did not apply before the 1995 levy year (except taxing
25 districts subject to this Law in accordance with Section
26 18-213) means the annual corporate extension for the taxing

1 district and those special purpose extensions that are made
2 annually for the taxing district, excluding special purpose
3 extensions: (a) made for the taxing district to pay interest or
4 principal on general obligation bonds that were approved by
5 referendum; (b) made for any taxing district to pay interest or
6 principal on general obligation bonds issued before March 1,
7 1995; (c) made for any taxing district to pay interest or
8 principal on bonds issued to refund or continue to refund those
9 bonds issued before March 1, 1995; (d) made for any taxing
10 district to pay interest or principal on bonds issued to refund
11 or continue to refund bonds issued after March 1, 1995 that
12 were approved by referendum; (e) made for any taxing district
13 to pay interest or principal on revenue bonds issued before
14 March 1, 1995 for payment of which a property tax levy or the
15 full faith and credit of the unit of local government is
16 pledged; however, a tax for the payment of interest or
17 principal on those bonds shall be made only after the governing
18 body of the unit of local government finds that all other
19 sources for payment are insufficient to make those payments;
20 (f) made for payments under a building commission lease when
21 the lease payments are for the retirement of bonds issued by
22 the commission before March 1, 1995 to pay for the building
23 project; (g) made for payments due under installment contracts
24 entered into before March 1, 1995; (h) made for payments of
25 principal and interest on bonds issued under the Metropolitan
26 Water Reclamation District Act to finance construction

1 projects initiated before October 1, 1991; (h-4) made for
2 stormwater management purposes by the Metropolitan Water
3 Reclamation District of Greater Chicago under Section 12 of the
4 Metropolitan Water Reclamation District Act; (i) made for
5 payments of principal and interest on limited bonds, as defined
6 in Section 3 of the Local Government Debt Reform Act, in an
7 amount not to exceed the debt service extension base less the
8 amount in items (b), (c), and (e) of this definition for
9 non-referendum obligations, except obligations initially
10 issued pursuant to referendum and bonds described in subsection
11 (h) of this definition; (j) made for payments of principal and
12 interest on bonds issued under Section 15 of the Local
13 Government Debt Reform Act; (k) made for payments of principal
14 and interest on bonds authorized by Public Act 88-503 and
15 issued under Section 20a of the Chicago Park District Act for
16 aquarium or museum projects; (l) made for payments of principal
17 and interest on bonds authorized by Public Act 87-1191 or
18 93-601 and (i) issued pursuant to Section 21.2 of the Cook
19 County Forest Preserve District Act, (ii) issued under Section
20 42 of the Cook County Forest Preserve District Act for
21 zoological park projects, or (iii) issued under Section 44.1 of
22 the Cook County Forest Preserve District Act for botanical
23 gardens projects; (m) made pursuant to Section 34-53.5 of the
24 School Code, whether levied annually or not; (n) made to fund
25 expenses of providing joint recreational programs for the
26 handicapped under Section 5-8 of the Park District Code or

1 Section 11-95-14 of the Illinois Municipal Code; (o) made by
2 the Chicago Park District for recreational programs for the
3 handicapped under subsection (c) of Section 7.06 of the Chicago
4 Park District Act; (p) made for contributions to a
5 firefighter's pension fund created under Article 4 of the
6 Illinois Pension Code, to the extent of the amount certified
7 under item (5) of Section 4-134 of the Illinois Pension Code;
8 and (q) made by Ford Heights School District 169 under Section
9 17-9.02 of the School Code.

10 "Aggregate extension" for all taxing districts to which
11 this Law applies in accordance with Section 18-213, except for
12 those taxing districts subject to paragraph (2) of subsection
13 (e) of Section 18-213, means the annual corporate extension for
14 the taxing district and those special purpose extensions that
15 are made annually for the taxing district, excluding special
16 purpose extensions: (a) made for the taxing district to pay
17 interest or principal on general obligation bonds that were
18 approved by referendum; (b) made for any taxing district to pay
19 interest or principal on general obligation bonds issued before
20 the date on which the referendum making this Law applicable to
21 the taxing district is held; (c) made for any taxing district
22 to pay interest or principal on bonds issued to refund or
23 continue to refund those bonds issued before the date on which
24 the referendum making this Law applicable to the taxing
25 district is held; (d) made for any taxing district to pay
26 interest or principal on bonds issued to refund or continue to

1 refund bonds issued after the date on which the referendum
2 making this Law applicable to the taxing district is held if
3 the bonds were approved by referendum after the date on which
4 the referendum making this Law applicable to the taxing
5 district is held; (e) made for any taxing district to pay
6 interest or principal on revenue bonds issued before the date
7 on which the referendum making this Law applicable to the
8 taxing district is held for payment of which a property tax
9 levy or the full faith and credit of the unit of local
10 government is pledged; however, a tax for the payment of
11 interest or principal on those bonds shall be made only after
12 the governing body of the unit of local government finds that
13 all other sources for payment are insufficient to make those
14 payments; (f) made for payments under a building commission
15 lease when the lease payments are for the retirement of bonds
16 issued by the commission before the date on which the
17 referendum making this Law applicable to the taxing district is
18 held to pay for the building project; (g) made for payments due
19 under installment contracts entered into before the date on
20 which the referendum making this Law applicable to the taxing
21 district is held; (h) made for payments of principal and
22 interest on limited bonds, as defined in Section 3 of the Local
23 Government Debt Reform Act, in an amount not to exceed the debt
24 service extension base less the amount in items (b), (c), and
25 (e) of this definition for non-referendum obligations, except
26 obligations initially issued pursuant to referendum; (i) made

1 for payments of principal and interest on bonds issued under
2 Section 15 of the Local Government Debt Reform Act; (j) made
3 for a qualified airport authority to pay interest or principal
4 on general obligation bonds issued for the purpose of paying
5 obligations due under, or financing airport facilities
6 required to be acquired, constructed, installed or equipped
7 pursuant to, contracts entered into before March 1, 1996 (but
8 not including any amendments to such a contract taking effect
9 on or after that date); (k) made to fund expenses of providing
10 joint recreational programs for the handicapped under Section
11 5-8 of the Park District Code or Section 11-95-14 of the
12 Illinois Municipal Code; (l) made for contributions to a
13 firefighter's pension fund created under Article 4 of the
14 Illinois Pension Code, to the extent of the amount certified
15 under item (5) of Section 4-134 of the Illinois Pension Code;
16 and (m) made for the taxing district to pay interest or
17 principal on general obligation bonds issued pursuant to
18 Section 19-3.10 of the School Code.

19 "Aggregate extension" for all taxing districts to which
20 this Law applies in accordance with paragraph (2) of subsection
21 (e) of Section 18-213 means the annual corporate extension for
22 the taxing district and those special purpose extensions that
23 are made annually for the taxing district, excluding special
24 purpose extensions: (a) made for the taxing district to pay
25 interest or principal on general obligation bonds that were
26 approved by referendum; (b) made for any taxing district to pay

1 interest or principal on general obligation bonds issued before
2 the effective date of this amendatory Act of 1997; (c) made for
3 any taxing district to pay interest or principal on bonds
4 issued to refund or continue to refund those bonds issued
5 before the effective date of this amendatory Act of 1997; (d)
6 made for any taxing district to pay interest or principal on
7 bonds issued to refund or continue to refund bonds issued after
8 the effective date of this amendatory Act of 1997 if the bonds
9 were approved by referendum after the effective date of this
10 amendatory Act of 1997; (e) made for any taxing district to pay
11 interest or principal on revenue bonds issued before the
12 effective date of this amendatory Act of 1997 for payment of
13 which a property tax levy or the full faith and credit of the
14 unit of local government is pledged; however, a tax for the
15 payment of interest or principal on those bonds shall be made
16 only after the governing body of the unit of local government
17 finds that all other sources for payment are insufficient to
18 make those payments; (f) made for payments under a building
19 commission lease when the lease payments are for the retirement
20 of bonds issued by the commission before the effective date of
21 this amendatory Act of 1997 to pay for the building project;
22 (g) made for payments due under installment contracts entered
23 into before the effective date of this amendatory Act of 1997;
24 (h) made for payments of principal and interest on limited
25 bonds, as defined in Section 3 of the Local Government Debt
26 Reform Act, in an amount not to exceed the debt service

1 extension base less the amount in items (b), (c), and (e) of
2 this definition for non-referendum obligations, except
3 obligations initially issued pursuant to referendum; (i) made
4 for payments of principal and interest on bonds issued under
5 Section 15 of the Local Government Debt Reform Act; (j) made
6 for a qualified airport authority to pay interest or principal
7 on general obligation bonds issued for the purpose of paying
8 obligations due under, or financing airport facilities
9 required to be acquired, constructed, installed or equipped
10 pursuant to, contracts entered into before March 1, 1996 (but
11 not including any amendments to such a contract taking effect
12 on or after that date); (k) made to fund expenses of providing
13 joint recreational programs for the handicapped under Section
14 5-8 of the Park District Code or Section 11-95-14 of the
15 Illinois Municipal Code; and (l) made for contributions to a
16 firefighter's pension fund created under Article 4 of the
17 Illinois Pension Code, to the extent of the amount certified
18 under item (5) of Section 4-134 of the Illinois Pension Code.

19 "Debt service extension base" means an amount equal to that
20 portion of the extension for a taxing district for the 1994
21 levy year, or for those taxing districts subject to this Law in
22 accordance with Section 18-213, except for those subject to
23 paragraph (2) of subsection (e) of Section 18-213, for the levy
24 year in which the referendum making this Law applicable to the
25 taxing district is held, or for those taxing districts subject
26 to this Law in accordance with paragraph (2) of subsection (e)

1 of Section 18-213 for the 1996 levy year, constituting an
2 extension for payment of principal and interest on bonds issued
3 by the taxing district without referendum, increased each year,
4 commencing with the 2009 levy year, by the lesser of 5% or the
5 percentage increase in the Consumer Price Index during the
6 12-month calendar year preceding the levy year, but not
7 including excluded non-referendum bonds. For park districts
8 (i) that were first subject to this Law in 1991 or 1995 and
9 (ii) whose extension for the 1994 levy year for the payment of
10 principal and interest on bonds issued by the park district
11 without referendum (but not including excluded non-referendum
12 bonds) was less than 51% of the amount for the 1991 levy year
13 constituting an extension for payment of principal and interest
14 on bonds issued by the park district without referendum (but
15 not including excluded non-referendum bonds), "debt service
16 extension base" means an amount equal to that portion of the
17 extension for the 1991 levy year constituting an extension for
18 payment of principal and interest on bonds issued by the park
19 district without referendum (but not including excluded
20 non-referendum bonds). The debt service extension base may be
21 established or increased as provided under Section 18-212.
22 "Excluded non-referendum bonds" means (i) bonds authorized by
23 Public Act 88-503 and issued under Section 20a of the Chicago
24 Park District Act for aquarium and museum projects; (ii) bonds
25 issued under Section 15 of the Local Government Debt Reform
26 Act; or (iii) refunding obligations issued to refund or to

1 continue to refund obligations initially issued pursuant to
2 referendum.

3 "Special purpose extensions" include, but are not limited
4 to, extensions for levies made on an annual basis for
5 unemployment and workers' compensation, self-insurance,
6 contributions to pension plans, and extensions made pursuant to
7 Section 6-601 of the Illinois Highway Code for a road
8 district's permanent road fund whether levied annually or not.
9 The extension for a special service area is not included in the
10 aggregate extension.

11 "Aggregate extension base" means the taxing district's
12 last preceding aggregate extension as adjusted under Sections
13 18-135, 18-215, and 18-230. An adjustment under Section 18-135
14 shall be made for the 2007 levy year and all subsequent levy
15 years whenever one or more counties within which a taxing
16 district is located (i) used estimated valuations or rates when
17 extending taxes in the taxing district for the last preceding
18 levy year that resulted in the over or under extension of
19 taxes, or (ii) increased or decreased the tax extension for the
20 last preceding levy year as required by Section 18-135(c).
21 Whenever an adjustment is required under Section 18-135, the
22 aggregate extension base of the taxing district shall be equal
23 to the amount that the aggregate extension of the taxing
24 district would have been for the last preceding levy year if
25 either or both (i) actual, rather than estimated, valuations or
26 rates had been used to calculate the extension of taxes for the

1 last levy year, or (ii) the tax extension for the last
2 preceding levy year had not been adjusted as required by
3 subsection (c) of Section 18-135.

4 "Levy year" has the same meaning as "year" under Section
5 1-155.

6 "New property" means (i) the assessed value, after final
7 board of review or board of appeals action, of new improvements
8 or additions to existing improvements on any parcel of real
9 property that increase the assessed value of that real property
10 during the levy year multiplied by the equalization factor
11 issued by the Department under Section 17-30, (ii) the assessed
12 value, after final board of review or board of appeals action,
13 of real property not exempt from real estate taxation, which
14 real property was exempt from real estate taxation for any
15 portion of the immediately preceding levy year, multiplied by
16 the equalization factor issued by the Department under Section
17 17-30, including the assessed value, upon final stabilization
18 of occupancy after new construction is complete, of any real
19 property located within the boundaries of an otherwise or
20 previously exempt military reservation that is intended for
21 residential use and owned by or leased to a private corporation
22 or other entity, and (iii) in counties that classify in
23 accordance with Section 4 of Article IX of the Illinois
24 Constitution, an incentive property's additional assessed
25 value resulting from a scheduled increase in the level of
26 assessment as applied to the first year final board of review

1 market value. In addition, the county clerk in a county
2 containing a population of 3,000,000 or more shall include in
3 the 1997 recovered tax increment value for any school district,
4 any recovered tax increment value that was applicable to the
5 1995 tax year calculations.

6 "Qualified airport authority" means an airport authority
7 organized under the Airport Authorities Act and located in a
8 county bordering on the State of Wisconsin and having a
9 population in excess of 200,000 and not greater than 500,000.

10 "Recovered tax increment value" means, except as otherwise
11 provided in this paragraph, the amount of the current year's
12 equalized assessed value, in the first year after a
13 municipality terminates the designation of an area as a
14 redevelopment project area previously established under the
15 Tax Increment Allocation Development Act in the Illinois
16 Municipal Code, previously established under the Industrial
17 Jobs Recovery Law in the Illinois Municipal Code, previously
18 established under the Economic Development Project Area Tax
19 Increment Act of 1995, or previously established under the
20 Economic Development Area Tax Increment Allocation Act, of each
21 taxable lot, block, tract, or parcel of real property in the
22 redevelopment project area over and above the initial equalized
23 assessed value of each property in the redevelopment project
24 area. For the taxes which are extended for the 1997 levy year,
25 the recovered tax increment value for a non-home rule taxing
26 district that first became subject to this Law for the 1995

1 levy year because a majority of its 1994 equalized assessed
2 value was in an affected county or counties shall be increased
3 if a municipality terminated the designation of an area in 1993
4 as a redevelopment project area previously established under
5 the Tax Increment Allocation Development Act in the Illinois
6 Municipal Code, previously established under the Industrial
7 Jobs Recovery Law in the Illinois Municipal Code, or previously
8 established under the Economic Development Area Tax Increment
9 Allocation Act, by an amount equal to the 1994 equalized
10 assessed value of each taxable lot, block, tract, or parcel of
11 real property in the redevelopment project area over and above
12 the initial equalized assessed value of each property in the
13 redevelopment project area. In the first year after a
14 municipality removes a taxable lot, block, tract, or parcel of
15 real property from a redevelopment project area established
16 under the Tax Increment Allocation Development Act in the
17 Illinois Municipal Code, the Industrial Jobs Recovery Law in
18 the Illinois Municipal Code, or the Economic Development Area
19 Tax Increment Allocation Act, "recovered tax increment value"
20 means the amount of the current year's equalized assessed value
21 of each taxable lot, block, tract, or parcel of real property
22 removed from the redevelopment project area over and above the
23 initial equalized assessed value of that real property before
24 removal from the redevelopment project area.

25 Except as otherwise provided in this Section, "limiting
26 rate" means a fraction the numerator of which is the last

1 preceding aggregate extension base times an amount equal to one
2 plus the extension limitation defined in this Section and the
3 denominator of which is the current year's equalized assessed
4 value of all real property in the territory under the
5 jurisdiction of the taxing district during the prior levy year.
6 For those taxing districts that reduced their aggregate
7 extension for the last preceding levy year, the highest
8 aggregate extension in any of the last 3 preceding levy years
9 shall be used for the purpose of computing the limiting rate.
10 The denominator shall not include new property or the recovered
11 tax increment value. If a new rate, a rate decrease, or a
12 limiting rate increase has been approved at an election held
13 after March 21, 2006, then (i) the otherwise applicable
14 limiting rate shall be increased by the amount of the new rate
15 or shall be reduced by the amount of the rate decrease, as the
16 case may be, or (ii) in the case of a limiting rate increase,
17 the limiting rate shall be equal to the rate set forth in the
18 proposition approved by the voters for each of the years
19 specified in the proposition, after which the limiting rate of
20 the taxing district shall be calculated as otherwise provided.

21 (Source: P.A. 95-90, eff. 1-1-08; 95-331, eff. 8-21-07; 95-404,
22 eff. 1-1-08; 95-876, eff. 8-21-08; 96-501, eff. 8-14-09;
23 96-517, eff. 8-14-09; revised 9-15-09.)

24 (35 ILCS 200/20-178)

25 Sec. 20-178. Certificate of error; refund; interest. When

1 the county collector makes any refunds due on certificates of
2 error issued under Sections 14-15 through 14-25 that have been
3 either certified or adjudicated, the county collector shall pay
4 the taxpayer interest on the amount of the refund at the rate
5 of 0.5% per month.

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

21 This Section shall not apply to any certificate of error
22 granting a homestead exemption under Article 15 ~~Section 15-170,~~
23 ~~15-172, 15-175, 15-176, or 15-177.~~

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

25 Section 15. The County Economic Development Project Area

1 Property Tax Allocation Act is amended by changing Section 6 as
2 follows:

3 (55 ILCS 85/6) (from Ch. 34, par. 7006)

4 Sec. 6. Filing with county clerk; certification of initial
5 equalized assessed value.

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

1 "total initial equalized assessed value" of the taxable
2 property within the economic development project area.

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

1 from paying a uniform rate of taxes upon the current equalized
2 assessed value of their taxable property as provided in the
3 Property Tax Code.

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

5 Section 20. The Illinois Municipal Code is amended by
6 changing Sections 11-74.4-9 as follows:

7 (65 ILCS 5/11-74.4-9) (from Ch. 24, par. 11-74.4-9)

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

9 (a) If a municipality by ordinance provides for tax
10 increment allocation financing pursuant to Section 11-74.4-8,
11 the county clerk immediately thereafter shall determine (1) the
12 most recently ascertained equalized assessed value of each lot,
13 block, tract or parcel of real property within such
14 redevelopment project area from which shall be deducted the
15 homestead exemptions under Article 15 of the Property Tax Code,
16 which value shall be the "initial equalized assessed value" of
17 each such piece of property, and (2) the total equalized
18 assessed value of all taxable real property within such
19 redevelopment project area by adding together the most recently
20 ascertained equalized assessed value of each taxable lot,
21 block, tract, or parcel of real property within such project
22 area, from which shall be deducted the homestead exemptions
23 provided by Article 15 ~~Sections 15-170, 15-175, and 15-176~~ of
24 the Property Tax Code, and shall certify such amount as the

1 "total initial equalized assessed value" of the taxable real
2 property within such project area.

3 (b) In reference to any municipality which has adopted tax
4 increment financing after January 1, 1978, and in respect to
5 which the county clerk has certified the "total initial
6 equalized assessed value" of the property in the redevelopment
7 area, the municipality may thereafter request the clerk in
8 writing to adjust the initial equalized value of all taxable
9 real property within the redevelopment project area by
10 deducting therefrom the exemptions under Article 15 of the
11 Property Tax Code applicable to each lot, block, tract or
12 parcel of real property within such redevelopment project area.
13 The county clerk shall immediately after the written request to
14 adjust the total initial equalized value is received determine
15 the total homestead exemptions in the redevelopment project
16 area provided by Article 15 ~~Sections 15-170, 15-175, and 15-176~~
17 of the Property Tax Code by adding together the homestead
18 exemptions provided by said Sections on each lot, block, tract
19 or parcel of real property within such redevelopment project
20 area and then shall deduct the total of said exemptions from
21 the total initial equalized assessed value. The county clerk
22 shall then promptly certify such amount as the "total initial
23 equalized assessed value as adjusted" of the taxable real
24 property within such redevelopment project area.

25 (c) After the county clerk has certified the "total initial
26 equalized assessed value" of the taxable real property in such

1 area, then in respect to every taxing district containing a
2 redevelopment project area, the county clerk or any other
3 official required by law to ascertain the amount of the
4 equalized assessed value of all taxable property within such
5 district for the purpose of computing the rate per cent of tax
6 to be extended upon taxable property within such district,
7 shall in every year that tax increment allocation financing is
8 in effect ascertain the amount of value of taxable property in
9 a redevelopment project area by including in such amount the
10 lower of the current equalized assessed value or the certified
11 "total initial equalized assessed value" of all taxable real
12 property in such area, except that after he has certified the
13 "total initial equalized assessed value as adjusted" he shall
14 in the year of said certification if tax rates have not been
15 extended and in every year thereafter that tax increment
16 allocation financing is in effect ascertain the amount of value
17 of taxable property in a redevelopment project area by
18 including in such amount the lower of the current equalized
19 assessed value or the certified "total initial equalized
20 assessed value as adjusted" of all taxable real property in
21 such area. The rate per cent of tax determined shall be
22 extended to the current equalized assessed value of all
23 property in the redevelopment project area in the same manner
24 as the rate per cent of tax is extended to all other taxable
25 property in the taxing district. The method of extending taxes
26 established under this Section shall terminate when the

1 municipality adopts an ordinance dissolving the special tax
2 allocation fund for the redevelopment project area. This
3 Division shall not be construed as relieving property owners
4 within a redevelopment project area from paying a uniform rate
5 of taxes upon the current equalized assessed value of their
6 taxable property as provided in the Property Tax Code.

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

8 Section 25. The Economic Development Project Area Tax
9 Increment Allocation Act of 1995 is amended by changing Section
10 45 as follows:

11 (65 ILCS 110/45)

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

14 (a) A municipality that has by ordinance approved an
15 economic development plan, established an economic development
16 project area, and adopted tax increment allocation financing
17 for that area shall file certified copies of the ordinance or
18 ordinances with the county clerk. Upon receiving the ordinance
19 or ordinances, the county clerk shall immediately determine (i)
20 the most recently ascertained equalized assessed value of each
21 lot, block, tract, or parcel of real property within the
22 economic development project area from which shall be deducted
23 the homestead exemptions under Article 15 of the Property Tax
24 Code (that value being the "initial equalized assessed value"

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

12 (b) After the county clerk has certified the "total initial
13 equalized assessed value" of the taxable real property in the
14 economic development project area, then in respect to every
15 taxing district containing an economic development project
16 area, the county clerk or any other official required by law to
17 ascertain the amount of the equalized assessed value of all
18 taxable property within the taxing district for the purpose of
19 computing the rate per cent of tax to be extended upon taxable
20 property within the taxing district shall, in every year that
21 tax increment allocation financing is in effect, ascertain the
22 amount of value of taxable property in an economic development
23 project area by including in that amount the lower of the
24 current equalized assessed value or the certified "total
25 initial equalized assessed value" of all taxable real property
26 in the area. The rate per cent of tax determined shall be

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

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

14 Section 30. The School Code is amended by changing Section
15 18-8.05 as follows:

16 (105 ILCS 5/18-8.05)

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

20 (A) General Provisions.

21 (1) The provisions of this Section apply to the 1998-1999
22 and subsequent school years. The system of general State
23 financial aid provided for in this Section is designed to

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

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

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

26 (a) Any school district which fails for any given

1 school year to maintain school as required by law, or to
2 maintain a recognized school is not eligible to file for
3 such school year any claim upon the Common School Fund. In
4 case of nonrecognition of one or more attendance centers in
5 a school district otherwise operating recognized schools,
6 the claim of the district shall be reduced in the
7 proportion which the Average Daily Attendance in the
8 attendance center or centers bear to the Average Daily
9 Attendance in the school district. A "recognized school"
10 means any public school which meets the standards as
11 established for recognition by the State Board of
12 Education. A school district or attendance center not
13 having recognition status at the end of a school term is
14 entitled to receive State aid payments due upon a legal
15 claim which was filed while it was recognized.

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

19 (c) If a school district operates a full year school
20 under Section 10-19.1, the general State aid to the school
21 district shall be determined by the State Board of
22 Education in accordance with this Section as near as may be
23 applicable.

24 (d) (Blank).

25 (4) Except as provided in subsections (H) and (L), the
26 board of any district receiving any of the grants provided for

1 in this Section may apply those funds to any fund so received
2 for which that board is authorized to make expenditures by law.

3 School districts are not required to exert a minimum
4 Operating Tax Rate in order to qualify for assistance under
5 this Section.

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

8 (a) "Average Daily Attendance": A count of pupil
9 attendance in school, averaged as provided for in
10 subsection (C) and utilized in deriving per pupil financial
11 support levels.

12 (b) "Available Local Resources": A computation of
13 local financial support, calculated on the basis of Average
14 Daily Attendance and derived as provided pursuant to
15 subsection (D).

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

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

25 (e) "Operating Tax Rate": All school district property
26 taxes extended for all purposes, except Bond and Interest,

1 Summer School, Rent, Capital Improvement, and Vocational
2 Education Building purposes.

3 (B) Foundation Level.

4 (1) The Foundation Level is a figure established by the
5 State representing the minimum level of per pupil financial
6 support that should be available to provide for the basic
7 education of each pupil in Average Daily Attendance. As set
8 forth in this Section, each school district is assumed to exert
9 a sufficient local taxing effort such that, in combination with
10 the aggregate of general State financial aid provided the
11 district, an aggregate of State and local resources are
12 available to meet the basic education needs of pupils in the
13 district.

14 (2) For the 1998-1999 school year, the Foundation Level of
15 support is \$4,225. For the 1999-2000 school year, the
16 Foundation Level of support is \$4,325. For the 2000-2001 school
17 year, the Foundation Level of support is \$4,425. For the
18 2001-2002 school year and 2002-2003 school year, the Foundation
19 Level of support is \$4,560. For the 2003-2004 school year, the
20 Foundation Level of support is \$4,810. For the 2004-2005 school
21 year, the Foundation Level of support is \$4,964. For the
22 2005-2006 school year, the Foundation Level of support is
23 \$5,164. For the 2006-2007 school year, the Foundation Level of
24 support is \$5,334. For the 2007-2008 school year, the
25 Foundation Level of support is \$5,734. For the 2008-2009 school

1 year, the Foundation Level of support is \$5,959.

2 (3) For the 2009-2010 school year and each school year
3 thereafter, the Foundation Level of support is \$6,119 or such
4 greater amount as may be established by law by the General
5 Assembly.

6 (C) Average Daily Attendance.

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

18 (2) The Average Daily Attendance figures utilized in
19 subsection (E) 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 or the average of the
22 attendance data for the 3 preceding school years, whichever is
23 greater. The Average Daily Attendance figures utilized in
24 subsection (H) shall be the requisite attendance data for the
25 school year immediately preceding the school year for which

1 general State aid is being calculated.

2 (D) Available Local Resources.

3 (1) For purposes of calculating general State aid pursuant
4 to subsection (E), a representation of Available Local
5 Resources per pupil, as that term is defined and determined in
6 this subsection, shall be utilized. Available Local Resources
7 per pupil shall include a calculated dollar amount representing
8 local school district revenues from local property taxes and
9 from Corporate Personal Property Replacement Taxes, expressed
10 on the basis of pupils in Average Daily Attendance. Calculation
11 of Available Local Resources shall exclude any tax amnesty
12 funds received as a result of Public Act 93-26.

13 (2) In determining a school district's revenue from local
14 property taxes, the State Board of Education shall utilize the
15 equalized assessed valuation of all taxable property of each
16 school district as of September 30 of the previous year. The
17 equalized assessed valuation utilized shall be obtained and
18 determined as provided in subsection (G).

19 (3) For school districts maintaining grades kindergarten
20 through 12, local property tax revenues per pupil shall be
21 calculated as the product of the applicable equalized assessed
22 valuation for the district multiplied by 3.00%, and divided by
23 the district's Average Daily Attendance figure. For school
24 districts maintaining grades kindergarten through 8, local
25 property tax revenues per pupil shall be calculated as the

1 product of the applicable equalized assessed valuation for the
2 district multiplied by 2.30%, and divided by the district's
3 Average Daily Attendance figure. For school districts
4 maintaining grades 9 through 12, local property tax revenues
5 per pupil shall be the applicable equalized assessed valuation
6 of the district multiplied by 1.05%, and divided by the
7 district's Average Daily Attendance figure.

8 For partial elementary unit districts created pursuant to
9 Article 11E of this Code, local property tax revenues per pupil
10 shall be calculated as the product of the equalized assessed
11 valuation for property within the partial elementary unit
12 district for elementary purposes, as defined in Article 11E of
13 this Code, multiplied by 2.06% and divided by the district's
14 Average Daily Attendance figure, plus the product of the
15 equalized assessed valuation for property within the partial
16 elementary unit district for high school purposes, as defined
17 in Article 11E of this Code, multiplied by 0.94% and divided by
18 the district's Average Daily Attendance figure.

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

1 that term is utilized in subsection (E) in the calculation of
2 general State aid.

3 (E) Computation of General State Aid.

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

7 (2) For any school district for which Available Local
8 Resources per pupil is less than the product of 0.93 times the
9 Foundation Level, general State aid for that district shall be
10 calculated as an amount equal to the Foundation Level minus
11 Available Local Resources, multiplied by the Average Daily
12 Attendance of the school district.

13 (3) For any school district for which Available Local
14 Resources per pupil is equal to or greater than the product of
15 0.93 times the Foundation Level and less than the product of
16 1.75 times the Foundation Level, the general State aid per
17 pupil shall be a decimal proportion of the Foundation Level
18 derived using a linear algorithm. Under this linear algorithm,
19 the calculated general State aid per pupil shall decline in
20 direct linear fashion from 0.07 times the Foundation Level for
21 a school district with Available Local Resources equal to the
22 product of 0.93 times the Foundation Level, to 0.05 times the
23 Foundation Level for a school district with Available Local
24 Resources equal to the product of 1.75 times the Foundation
25 Level. The allocation of general State aid for school districts

1 subject to this paragraph 3 shall be the calculated general
2 State aid per pupil figure multiplied by the Average Daily
3 Attendance of the school district.

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

9 (5) The amount of general State aid allocated to a school
10 district for the 1999-2000 school year meeting the requirements
11 set forth in paragraph (4) of subsection (G) shall be increased
12 by an amount equal to the general State aid that would have
13 been received by the district for the 1998-1999 school year by
14 utilizing the Extension Limitation Equalized Assessed
15 Valuation as calculated in paragraph (4) of subsection (G) less
16 the general State aid allotted for the 1998-1999 school year.
17 This amount shall be deemed a one time increase, and shall not
18 affect any future general State aid allocations.

19 (F) Compilation of Average Daily Attendance.

20 (1) Each school district shall, by July 1 of each year,
21 submit to the State Board of Education, on forms prescribed by
22 the State Board of Education, attendance figures for the school
23 year that began in the preceding calendar year. The attendance
24 information so transmitted shall identify the average daily
25 attendance figures for each month of the school year. Beginning

1 with the general State aid claim form for the 2002-2003 school
2 year, districts shall calculate Average Daily Attendance as
3 provided in subdivisions (a), (b), and (c) of this paragraph
4 (1).

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

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

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

25 Except as otherwise provided in this Section, days of
26 attendance by pupils shall be counted only for sessions of not

1 less than 5 clock hours of school work per day under direct
2 supervision of: (i) teachers, or (ii) non-teaching personnel or
3 volunteer personnel when engaging in non-teaching duties and
4 supervising in those instances specified in subsection (a) of
5 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
6 of legal school age and in kindergarten and grades 1 through
7 12.

8 Days of attendance by tuition pupils shall be accredited
9 only to the districts that pay the tuition to a recognized
10 school.

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

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

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

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

6 (d) A session of 3 or more clock hours may be counted
7 as a day of attendance (1) when the remainder of the school
8 day or at least 2 hours in the evening of that day is
9 utilized for an in-service training program for teachers,
10 up to a maximum of 5 days per school year, provided a
11 district conducts an in-service training program for
12 teachers in accordance with Section 10-22.39 of this Code;
13 or, in lieu of 4 such days, 2 full days may be used, in
14 which event each such day may be counted as a day required
15 for a legal school calendar pursuant to Section 10-19 of
16 this Code; (1.5) when, of the 5 days allowed under item
17 (1), a maximum of 4 days are used for parent-teacher
18 conferences, or, in lieu of 4 such days, 2 full days are
19 used, in which case each such day may be counted as a
20 calendar day required under Section 10-19 of this Code,
21 provided that the full-day, parent-teacher conference
22 consists of (i) a minimum of 5 clock hours of
23 parent-teacher conferences, (ii) both a minimum of 2 clock
24 hours of parent-teacher conferences held in the evening
25 following a full day of student attendance, as specified in
26 subsection (F)(1)(c), and a minimum of 3 clock hours of

1 parent-teacher conferences held on the day immediately
2 following evening parent-teacher conferences, or (iii)
3 multiple parent-teacher conferences held in the evenings
4 following full days of student attendance, as specified in
5 subsection (F)(1)(c), in which the time used for the
6 parent-teacher conferences is equivalent to a minimum of 5
7 clock hours; and (2) when days in addition to those
8 provided in items (1) and (1.5) are scheduled by a school
9 pursuant to its school improvement plan adopted under
10 Article 34 or its revised or amended school improvement
11 plan adopted under Article 2, provided that (i) such
12 sessions of 3 or more clock hours are scheduled to occur at
13 regular intervals, (ii) the remainder of the school days in
14 which such sessions occur are utilized for in-service
15 training programs or other staff development activities
16 for teachers, and (iii) a sufficient number of minutes of
17 school work under the direct supervision of teachers are
18 added to the school days between such regularly scheduled
19 sessions to accumulate not less than the number of minutes
20 by which such sessions of 3 or more clock hours fall short
21 of 5 clock hours. Any full days used for the purposes of
22 this paragraph shall not be considered for computing
23 average daily attendance. Days scheduled for in-service
24 training programs, staff development activities, or
25 parent-teacher conferences may be scheduled separately for
26 different grade levels and different attendance centers of

1 the district.

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

8 (f) A session of at least 4 clock hours may be counted
9 as a day of attendance for first grade pupils, and pupils
10 in full day kindergartens, and a session of 2 or more hours
11 may be counted as 1/2 day of attendance by pupils in
12 kindergartens which provide only 1/2 day of attendance.

13 (g) For children with disabilities who are below the
14 age of 6 years and who cannot attend 2 or more clock hours
15 because of their disability or immaturity, a session of not
16 less than one clock hour may be counted as 1/2 day of
17 attendance; however for such children whose educational
18 needs so require a session of 4 or more clock hours may be
19 counted as a full day of attendance.

20 (h) A recognized kindergarten which provides for only
21 1/2 day of attendance by each pupil shall not have more
22 than 1/2 day of attendance counted in any one day. However,
23 kindergartens may count 2 1/2 days of attendance in any 5
24 consecutive school days. When a pupil attends such a
25 kindergarten for 2 half days on any one school day, the
26 pupil shall have the following day as a day absent from

1 school, unless the school district obtains permission in
2 writing from the State Superintendent of Education.
3 Attendance at kindergartens which provide for a full day of
4 attendance by each pupil shall be counted the same as
5 attendance by first grade pupils. Only the first year of
6 attendance in one kindergarten shall be counted, except in
7 case of children who entered the kindergarten in their
8 fifth year whose educational development requires a second
9 year of kindergarten as determined under the rules and
10 regulations of the State Board of Education.

11 (i) On the days when the Prairie State Achievement
12 Examination is administered under subsection (c) of
13 Section 2-3.64 of this Code, the day of attendance for a
14 pupil whose school day must be shortened to accommodate
15 required testing procedures may be less than 5 clock hours
16 and shall be counted towards the 176 days of actual pupil
17 attendance required under Section 10-19 of this Code,
18 provided that a sufficient number of minutes of school work
19 in excess of 5 clock hours are first completed on other
20 school days to compensate for the loss of school work on
21 the examination days.

22 (G) Equalized Assessed Valuation Data.

23 (1) For purposes of the calculation of Available Local
24 Resources required pursuant to subsection (D), the State Board
25 of Education shall secure from the Department of Revenue the

1 value as equalized or assessed by the Department of Revenue of
2 all taxable property of every school district, together with
3 (i) the applicable tax rate used in extending taxes for the
4 funds of the district as of September 30 of the previous year
5 and (ii) the limiting rate for all school districts subject to
6 property tax extension limitations as imposed under the
7 Property Tax Extension Limitation Law.

8 The Department of Revenue shall add to the equalized
9 assessed value of all taxable property of each school district
10 situated entirely or partially within a county that is or was
11 subject to the provisions of Section 15-176, ~~or~~ 15-177, or
12 15-178 of the Property Tax Code (a) an amount equal to the
13 total amount by which the homestead exemption allowed under
14 Section 15-176, ~~or~~ 15-177, or 15-178 of the Property Tax Code
15 for real property situated in that school district exceeds the
16 total amount that would have been allowed in that school
17 district if the maximum reduction under Section 15-176 was (i)
18 \$4,500 in Cook County or \$3,500 in all other counties in tax
19 year 2003 or (ii) \$5,000 in all counties in tax year 2004 and
20 thereafter and (b) an amount equal to the aggregate amount for
21 the taxable year of all additional exemptions under Section
22 15-175 of the Property Tax Code for owners with a household
23 income of \$30,000 or less. The county clerk of any county that
24 is or was subject to the provisions of Section 15-176, ~~or~~
25 15-177, or 15-178 of the Property Tax Code shall annually
26 calculate and certify to the Department of Revenue for each

1 school district all homestead exemption amounts under Section
2 15-176, ~~or~~ 15-177, or 15-178 of the Property Tax Code and all
3 amounts of additional exemptions under Section 15-175 of the
4 Property Tax Code for owners with a household income of \$30,000
5 or less. It is the intent of this paragraph that if the general
6 homestead exemption for a parcel of property is determined
7 under Section 15-176, ~~or~~ 15-177, or 15-178 of the Property Tax
8 Code rather than Section 15-175, then the calculation of
9 Available Local Resources shall not be affected by the
10 difference, if any, between the amount of the general homestead
11 exemption allowed for that parcel of property under Section
12 15-176, ~~or~~ 15-177, or 15-178 of the Property Tax Code and the
13 amount that would have been allowed had the general homestead
14 exemption for that parcel of property been determined under
15 Section 15-175 of the Property Tax Code. It is further the
16 intent of this paragraph that if additional exemptions are
17 allowed under Section 15-175 of the Property Tax Code for
18 owners with a household income of less than \$30,000, then the
19 calculation of Available Local Resources shall not be affected
20 by the difference, if any, because of those additional
21 exemptions.

22 This equalized assessed valuation, as adjusted further by
23 the requirements of this subsection, shall be utilized in the
24 calculation of Available Local Resources.

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

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

24 (b) The real property equalized assessed valuation for
25 a school district shall be adjusted by subtracting from the
26 real property value as equalized or assessed by the

1 Department of Revenue for the district an amount computed
2 by dividing the amount of any abatement of taxes under
3 Section 18-170 of the Property Tax Code by 3.00% for a
4 district maintaining grades kindergarten through 12, by
5 2.30% for a district maintaining grades kindergarten
6 through 8, or by 1.05% for a district maintaining grades 9
7 through 12 and adjusted by an amount computed by dividing
8 the amount of any abatement of taxes under subsection (a)
9 of Section 18-165 of the Property Tax Code by the same
10 percentage rates for district type as specified in this
11 subparagraph (b).

12 (3) For the 1999-2000 school year and each school year
13 thereafter, if a school district meets all of the criteria of
14 this subsection (G) (3), the school district's Available Local
15 Resources shall be calculated under subsection (D) using the
16 district's Extension Limitation Equalized Assessed Valuation
17 as calculated under this subsection (G) (3).

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

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

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

24 "Preceding Tax Year": The property tax levy year
25 immediately preceding the Base Tax Year.

26 "Base Tax Year's Tax Extension": The product of the

1 equalized assessed valuation utilized by the County Clerk
2 in the Base Tax Year multiplied by the limiting rate as
3 calculated by the County Clerk and defined in the Property
4 Tax Extension Limitation Law.

5 "Preceding Tax Year's Tax Extension": The product of
6 the equalized assessed valuation utilized by the County
7 Clerk in the Preceding Tax Year multiplied by the Operating
8 Tax Rate as defined in subsection (A).

9 "Extension Limitation Ratio": A numerical ratio,
10 certified by the County Clerk, in which the numerator is
11 the Base Tax Year's Tax Extension and the denominator is
12 the Preceding Tax Year's Tax Extension.

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

15 If a school district is subject to property tax extension
16 limitations as imposed under the Property Tax Extension
17 Limitation Law, the State Board of Education shall calculate
18 the Extension Limitation Equalized Assessed Valuation of that
19 district. For the 1999-2000 school year, the Extension
20 Limitation Equalized Assessed Valuation of a school district as
21 calculated by the State Board of Education shall be equal to
22 the product of the district's 1996 Equalized Assessed Valuation
23 and the district's Extension Limitation Ratio. Except as
24 otherwise provided in this paragraph for a school district that
25 has approved or does approve an increase in its limiting rate,
26 for the 2000-2001 school year and each school year thereafter,

1 the Extension Limitation Equalized Assessed Valuation of a
2 school district as calculated by the State Board of Education
3 shall be equal to the product of the Equalized Assessed
4 Valuation last used in the calculation of general State aid and
5 the district's Extension Limitation Ratio. If the Extension
6 Limitation Equalized Assessed Valuation of a school district as
7 calculated under this subsection (G)(3) is less than the
8 district's equalized assessed valuation as calculated pursuant
9 to subsections (G)(1) and (G)(2), then for purposes of
10 calculating the district's general State aid for the Budget
11 Year pursuant to subsection (E), that Extension Limitation
12 Equalized Assessed Valuation shall be utilized to calculate the
13 district's Available Local Resources under subsection (D). For
14 the 2009-2010 school year and each school year thereafter, if a
15 school district has approved or does approve an increase in its
16 limiting rate, pursuant to Section 18-190 of the Property Tax
17 Code, affecting the Base Tax Year, the Extension Limitation
18 Equalized Assessed Valuation of the school district, as
19 calculated by the State Board of Education, shall be equal to
20 the product of the Equalized Assessed Valuation last used in
21 the calculation of general State aid times an amount equal to
22 one plus the percentage increase, if any, in the Consumer Price
23 Index for all Urban Consumers for all items published by the
24 United States Department of Labor for the 12-month calendar
25 year preceding the Base Tax Year, plus the Equalized Assessed
26 Valuation of new property, annexed property, and recovered tax

1 increment value and minus the Equalized Assessed Valuation of
2 disconnected property. New property and recovered tax
3 increment value shall have the meanings set forth in the
4 Property Tax Extension Limitation Law.

5 Partial elementary unit districts created in accordance
6 with Article 11E of this Code shall not be eligible for the
7 adjustment in this subsection (G)(3) until the fifth year
8 following the effective date of the reorganization.

9 (4) For the purposes of calculating general State aid for
10 the 1999-2000 school year only, if a school district
11 experienced a triennial reassessment on the equalized assessed
12 valuation used in calculating its general State financial aid
13 apportionment for the 1998-1999 school year, the State Board of
14 Education shall calculate the Extension Limitation Equalized
15 Assessed Valuation that would have been used to calculate the
16 district's 1998-1999 general State aid. This amount shall equal
17 the product of the equalized assessed valuation used to
18 calculate general State aid for the 1997-1998 school year and
19 the district's Extension Limitation Ratio. If the Extension
20 Limitation Equalized Assessed Valuation of the school district
21 as calculated under this paragraph (4) is less than the
22 district's equalized assessed valuation utilized in
23 calculating the district's 1998-1999 general State aid
24 allocation, then for purposes of calculating the district's
25 general State aid pursuant to paragraph (5) of subsection (E),
26 that Extension Limitation Equalized Assessed Valuation shall

1 be utilized to calculate the district's Available Local
2 Resources.

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

15 (H) Supplemental General State Aid.

16 (1) In addition to the general State aid a school district
17 is allotted pursuant to subsection (E), qualifying school
18 districts shall receive a grant, paid in conjunction with a
19 district's payments of general State aid, for supplemental
20 general State aid based upon the concentration level of
21 children from low-income households within the school
22 district. Supplemental State aid grants provided for school
23 districts under this subsection 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

1 appropriated under this Section. If the appropriation in any
2 fiscal year for general State aid and supplemental general
3 State aid is insufficient to pay the amounts required under the
4 general State aid and supplemental general State aid
5 calculations, then the State Board of Education shall ensure
6 that each school district receives the full amount due for
7 general State aid and the remainder of the appropriation shall
8 be used for supplemental general State aid, which the State
9 Board of Education shall calculate and pay to eligible
10 districts on a prorated basis.

11 (1.5) This paragraph (1.5) applies only to those school
12 years preceding the 2003-2004 school year. For purposes of this
13 subsection (H), the term "Low-Income Concentration Level"
14 shall be the low-income eligible pupil count from the most
15 recently available federal census divided by the Average Daily
16 Attendance of the school district. If, however, (i) the
17 percentage decrease from the 2 most recent federal censuses in
18 the low-income eligible pupil count of a high school district
19 with fewer than 400 students exceeds by 75% or more the
20 percentage change in the total low-income eligible pupil count
21 of contiguous elementary school districts, whose boundaries
22 are coterminous with the high school district, or (ii) a high
23 school district within 2 counties and serving 5 elementary
24 school districts, whose boundaries are coterminous with the
25 high school district, has a percentage decrease from the 2 most
26 recent federal censuses in the low-income eligible pupil count

1 and there is a percentage increase in the total low-income
2 eligible pupil count of a majority of the elementary school
3 districts in excess of 50% from the 2 most recent federal
4 censuses, then the high school district's low-income eligible
5 pupil count from the earlier federal census shall be the number
6 used as the low-income eligible pupil count for the high school
7 district, for purposes of this subsection (H). The changes made
8 to this paragraph (1) by Public Act 92-28 shall apply to
9 supplemental general State aid grants for school years
10 preceding the 2003-2004 school year that are paid in fiscal
11 year 1999 or thereafter and to any State aid payments made in
12 fiscal year 1994 through fiscal year 1998 pursuant to
13 subsection 1(n) of Section 18-8 of this Code (which was
14 repealed on July 1, 1998), and any high school district that is
15 affected by Public Act 92-28 is entitled to a recomputation of
16 its supplemental general State aid grant or State aid paid in
17 any of those fiscal years. This recomputation shall not be
18 affected by any other funding.

19 (1.10) This paragraph (1.10) applies to the 2003-2004
20 school year and each school year thereafter. For purposes of
21 this subsection (H), the term "Low-Income Concentration Level"
22 shall, for each fiscal year, be the low-income eligible pupil
23 count as of July 1 of the immediately preceding fiscal year (as
24 determined by the Department of Human Services based on the
25 number of pupils who are eligible for at least one of the
26 following low income programs: Medicaid, the Children's Health

1 Insurance Program, TANF, or Food Stamps, excluding pupils who
2 are eligible for services provided by the Department of
3 Children and Family Services, averaged over the 2 immediately
4 preceding fiscal years for fiscal year 2004 and over the 3
5 immediately preceding fiscal years for each fiscal year
6 thereafter) divided by the Average Daily Attendance of the
7 school district.

8 (2) Supplemental general State aid pursuant to this
9 subsection (H) shall be provided as follows for the 1998-1999,
10 1999-2000, and 2000-2001 school years only:

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

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

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

23 (d) For any school district with a Low Income
24 Concentration Level of 60% or more, the grant for the
25 1998-99 school year shall be \$1,900 multiplied by the low
26 income eligible pupil count.

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

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

9 (2.5) Supplemental general State aid pursuant to this
10 subsection (H) shall be provided as follows for the 2002-2003
11 school year:

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

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

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

24 (d) For any school district with a Low Income
25 Concentration Level of at least 35% and less than 50%, the
26 grant for each school year shall be \$1,362 multiplied by

1 the low income eligible pupil count.

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

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

10 (2.10) Except as otherwise provided, supplemental general
11 State aid pursuant to this subsection (H) shall be provided as
12 follows for the 2003-2004 school year and each school year
13 thereafter:

14 (a) For any school district with a Low Income
15 Concentration Level of 15% or less, the grant for each
16 school year shall be \$355 multiplied by the low income
17 eligible pupil count.

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

23 For the 2003-2004 school year and each school year
24 thereafter through the 2008-2009 school year only, the grant
25 shall be no less than the grant for the 2002-2003 school year.
26 For the 2009-2010 school year only, the grant shall be no less

1 than the grant for the 2002-2003 school year multiplied by
2 0.66. For the 2010-2011 school year only, the grant shall be no
3 less than the grant for the 2002-2003 school year multiplied by
4 0.33. Notwithstanding the provisions of this paragraph to the
5 contrary, if for any school year supplemental general State aid
6 grants are prorated as provided in paragraph (1) of this
7 subsection (H), then the grants under this paragraph shall be
8 prorated.

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

1 (3) School districts with an Average Daily Attendance of
2 more than 1,000 and less than 50,000 that qualify for
3 supplemental general State aid pursuant to this subsection
4 shall submit a plan to the State Board of Education prior to
5 October 30 of each year for the use of the funds resulting from
6 this grant of supplemental general State aid for the
7 improvement of instruction in which priority is given to
8 meeting the education needs of disadvantaged children. Such
9 plan shall be submitted in accordance with rules and
10 regulations promulgated by the State Board of Education.

11 (4) School districts with an Average Daily Attendance of
12 50,000 or more that qualify for supplemental general State aid
13 pursuant to this subsection shall be required to distribute
14 from funds available pursuant to this Section, no less than
15 \$261,000,000 in accordance with the following requirements:

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

23 (b) The distribution of these portions of supplemental
24 and general State aid among attendance centers according to
25 these requirements shall not be compensated for or
26 contravened by adjustments of the total of other funds

1 appropriated to any attendance centers, and the Board of
2 Education shall utilize funding from one or several sources
3 in order to fully implement this provision annually prior
4 to the opening of school.

5 (c) Each attendance center shall be provided by the
6 school district a distribution of noncategorical funds and
7 other categorical funds to which an attendance center is
8 entitled under law in order that the general State aid and
9 supplemental general State aid provided by application of
10 this subsection supplements rather than supplants the
11 noncategorical funds and other categorical funds provided
12 by the school district to the attendance centers.

13 (d) Any funds made available under this subsection that
14 by reason of the provisions of this subsection are not
15 required to be allocated and provided to attendance centers
16 may be used and appropriated by the board of the district
17 for any lawful school purpose.

18 (e) Funds received by an attendance center pursuant to
19 this subsection shall be used by the attendance center at
20 the discretion of the principal and local school council
21 for programs to improve educational opportunities at
22 qualifying schools through the following programs and
23 services: early childhood education, reduced class size or
24 improved adult to student classroom ratio, enrichment
25 programs, remedial assistance, attendance improvement, and
26 other educationally beneficial expenditures which

1 supplement the regular and basic programs as determined by
2 the State Board of Education. Funds provided shall not be
3 expended for any political or lobbying purposes as defined
4 by board rule.

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

21 Upon notification by the State Board of Education that
22 the district has not submitted a plan prior to July 15 or a
23 modified plan within the time period specified herein, the
24 State aid funds affected by that plan or modified plan
25 shall be withheld by the State Board of Education until a
26 plan or modified plan is submitted.

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

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

1 funds.

2 The State Board of Education shall promulgate rules and
3 regulations to implement the provisions of this
4 subsection. No funds shall be released under this
5 subdivision (H) (4) to any district that has not submitted a
6 plan that has been approved by the State Board of
7 Education.

8 (I) (Blank).

9 (J) Supplementary Grants in Aid.

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

1 received by the district under Section 18-8 (exclusive of
2 amounts received under subsections 5(p) and 5(p-5) of that
3 Section) for the 1997-1998 school year, pursuant to the
4 provisions of that Section as it was then in effect.

5 (2) If, as provided in paragraph (1) of this subsection
6 (J), a school district is to receive aggregate general State
7 aid in combination with supplemental general State aid under
8 this Section for the 1998-99 school year and any subsequent
9 school year that in any such school year is less than the
10 amount of the aggregate general State aid entitlement that the
11 district received for the 1997-98 school year, the school
12 district shall also receive, from a separate appropriation made
13 for purposes of this subsection (J), a supplementary payment
14 that is equal to the amount of the difference in the aggregate
15 State aid figures as described in paragraph (1).

16 (3) (Blank).

17 (K) Grants to Laboratory and Alternative Schools.

18 In calculating the amount to be paid to the governing board
19 of a public university that operates a laboratory school under
20 this Section or to any alternative school that is operated by a
21 regional superintendent of schools, the State Board of
22 Education shall require by rule such reporting requirements as
23 it deems necessary.

24 As used in this Section, "laboratory school" means a public
25 school which is created and operated by a public university and

1 approved by the State Board of Education. The governing board
2 of a public university which receives funds from the State
3 Board under this subsection (K) may not increase the number of
4 students enrolled in its laboratory school from a single
5 district, if that district is already sending 50 or more
6 students, except under a mutual agreement between the school
7 board of a student's district of residence and the university
8 which operates the laboratory school. A laboratory school may
9 not have more than 1,000 students, excluding students with
10 disabilities in a special education program.

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

1 (M) Education Funding Advisory Board.

2 The Education Funding Advisory Board, hereinafter in this
3 subsection (M) referred to as the "Board", is hereby created.
4 The Board shall consist of 5 members who are appointed by the
5 Governor, by and with the advice and consent of the Senate. The
6 members appointed shall include representatives of education,
7 business, and the general public. One of the members so
8 appointed shall be designated by the Governor at the time the
9 appointment is made as the chairperson of the Board. The
10 initial members of the Board may be appointed any time after
11 the effective date of this amendatory Act of 1997. The regular
12 term of each member of the Board shall be for 4 years from the
13 third Monday of January of the year in which the term of the
14 member's appointment is to commence, except that of the 5
15 initial members appointed to serve on the Board, the member who
16 is appointed as the chairperson shall serve for a term that
17 commences on the date of his or her appointment and expires on
18 the third Monday of January, 2002, and the remaining 4 members,
19 by lots drawn at the first meeting of the Board that is held
20 after all 5 members are appointed, shall determine 2 of their
21 number to serve for terms that commence on the date of their
22 respective appointments and expire on the third Monday of
23 January, 2001, and 2 of their number to serve for terms that
24 commence on the date of their respective appointments and
25 expire on the third Monday of January, 2000. All members

1 appointed to serve on the Board shall serve until their
2 respective successors are appointed and confirmed. Vacancies
3 shall be filled in the same manner as original appointments. If
4 a vacancy in membership occurs at a time when the Senate is not
5 in session, the Governor shall make a temporary appointment
6 until the next meeting of the Senate, when he or she shall
7 appoint, by and with the advice and consent of the Senate, a
8 person to fill that membership for the unexpired term. If the
9 Senate is not in session when the initial appointments are
10 made, those appointments shall be made as in the case of
11 vacancies.

12 The Education Funding Advisory Board shall be deemed
13 established, and the initial members appointed by the Governor
14 to serve as members of the Board shall take office, on the date
15 that the Governor makes his or her appointment of the fifth
16 initial member of the Board, whether those initial members are
17 then serving pursuant to appointment and confirmation or
18 pursuant to temporary appointments that are made by the
19 Governor as in the case of vacancies.

20 The State Board of Education shall provide such staff
21 assistance to the Education Funding Advisory Board as is
22 reasonably required for the proper performance by the Board of
23 its responsibilities.

24 For school years after the 2000-2001 school year, the
25 Education Funding Advisory Board, in consultation with the
26 State Board of Education, shall make recommendations as

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

12 (N) (Blank).

13 (O) References.

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

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

22 (P) Public Act 93-838 and Public Act 93-808 make inconsistent
23 changes to this Section. Under Section 6 of the Statute on

1 Statutes there is an irreconcilable conflict between Public Act
2 93-808 and Public Act 93-838. Public Act 93-838, being the last
3 acted upon, is controlling. The text of Public Act 93-838 is
4 the law regardless of the text of Public Act 93-808.

5 (Source: P.A. 95-331, eff. 8-21-07; 95-644, eff. 10-12-07;
6 95-707, eff. 1-11-08; 95-744, eff. 7-18-08; 95-903, eff.
7 8-25-08; 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300, eff.
8 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09; revised
9 10-23-09.)

10 Section 90. The State Mandates Act is amended by adding
11 Section 8.34 as follows:

12 (30 ILCS 805/8.34 new)

13 Sec. 8.34. Exempt mandate. Notwithstanding Sections 6 and 8
14 of this Act, no reimbursement by the State is required for the
15 implementation of any mandate created by this amendatory Act of
16 the 96th General Assembly.

17 Section 95. No acceleration or delay. Where this Act makes
18 changes in a statute that is represented in this Act by text
19 that is not yet or no longer in effect (for example, a Section
20 represented by multiple versions), the use of that text does
21 not accelerate or delay the taking effect of (i) the changes
22 made by this Act or (ii) provisions derived from any other
23 Public Act.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 20 ILCS 620/6 from Ch. 67 1/2, par. 1006

4 35 ILCS 200/9-147 new

5 35 ILCS 200/15-10

6 35 ILCS 200/15-170

7 35 ILCS 200/15-175

8 35 ILCS 200/15-178 new

9 35 ILCS 200/18-179 new

10 35 ILCS 200/18-185

11 35 ILCS 200/20-178

12 55 ILCS 85/6 from Ch. 34, par. 7006

13 65 ILCS 5/11-74.4-9 from Ch. 24, par. 11-74.4-9

14 65 ILCS 110/45

15 105 ILCS 5/18-8.05

16 30 ILCS 805/8.34 new