



## 98TH GENERAL ASSEMBLY

### State of Illinois

### 2013 and 2014

### HB1310

by Rep. Jack D. Franks

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-185  
35 ILCS 200/18-205

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that, for levy years 2013 and 2014, if the total equalized assessed value of all taxable property in the taxing district for the current levy year (excluding new property, recovered tax increment value, and property that is annexed to or disconnected from the taxing district in the current levy year) is less than the total equalized assessed value of all taxable property in the taxing district for the previous levy year, then the extension limitation is (a) 0% or (b) the rate of increase approved by voters (instead of the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters). Effective immediately.

LRB098 05048 HLH 35079 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing  
5 Sections 18-185 and 18-205 as follows:

6 (35 ILCS 200/18-185)

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

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

13 "Extension limitation" means (a) the lesser of 5% or the  
14 percentage increase in the Consumer Price Index during the  
15 12-month calendar year preceding the levy year or (b) the rate  
16 of increase approved by voters under Section 18-205.  
17 Notwithstanding any other provision of law, for levy years 2013  
18 and 2014, if the total equalized assessed value of all taxable  
19 property in the taxing district for the current levy year  
20 (excluding new property, recovered tax increment value, and  
21 property that is annexed to or disconnected from the taxing  
22 district in the current levy year) is less than the total  
23 equalized assessed value of all taxable property in the taxing

1 district for the previous levy year, then the extension  
2 limitation is (a) 0% or (b) the rate of increase approved by  
3 voters under Section 18-205.

4 "Affected county" means a county of 3,000,000 or more  
5 inhabitants or a county contiguous to a county of 3,000,000 or  
6 more inhabitants.

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

23 "Aggregate extension" for taxing districts to which this  
24 Law applied before the 1995 levy year means the annual  
25 corporate extension for the taxing district and those special  
26 purpose extensions that are made annually for the taxing

1 district, excluding special purpose extensions: (a) made for  
2 the taxing district to pay interest or principal on general  
3 obligation bonds that were approved by referendum; (b) made for  
4 any taxing district to pay interest or principal on general  
5 obligation bonds issued before October 1, 1991; (c) made for  
6 any taxing district to pay interest or principal on bonds  
7 issued to refund or continue to refund those bonds issued  
8 before October 1, 1991; (d) made for any taxing district to pay  
9 interest or principal on bonds issued to refund or continue to  
10 refund bonds issued after October 1, 1991 that were approved by  
11 referendum; (e) made for any taxing district to pay interest or  
12 principal on revenue bonds issued before October 1, 1991 for  
13 payment of which a property tax levy or the full faith and  
14 credit of the unit of local government is pledged; however, a  
15 tax for the payment of interest or principal on those bonds  
16 shall be made only after the governing body of the unit of  
17 local government finds that all other sources for payment are  
18 insufficient to make those payments; (f) made for payments  
19 under a building commission lease when the lease payments are  
20 for the retirement of bonds issued by the commission before  
21 October 1, 1991, to pay for the building project; (g) made for  
22 payments due under installment contracts entered into before  
23 October 1, 1991; (h) made for payments of principal and  
24 interest on bonds issued under the Metropolitan Water  
25 Reclamation District Act to finance construction projects  
26 initiated before October 1, 1991; (i) made for payments of

1 principal and interest on limited bonds, as defined in Section  
2 3 of the Local Government Debt Reform Act, in an amount not to  
3 exceed the debt service extension base less the amount in items  
4 (b), (c), (e), and (h) of this definition for non-referendum  
5 obligations, except obligations initially issued pursuant to  
6 referendum; (j) made for payments of principal and interest on  
7 bonds issued under Section 15 of the Local Government Debt  
8 Reform Act; (k) made by a school district that participates in  
9 the Special Education District of Lake County, created by  
10 special education joint agreement under Section 10-22.31 of the  
11 School Code, for payment of the school district's share of the  
12 amounts required to be contributed by the Special Education  
13 District of Lake County to the Illinois Municipal Retirement  
14 Fund under Article 7 of the Illinois Pension Code; the amount  
15 of any extension under this item (k) shall be certified by the  
16 school district to the county clerk; (l) made to fund expenses  
17 of providing joint recreational programs for the handicapped  
18 under Section 5-8 of the Park District Code or Section 11-95-14  
19 of the Illinois Municipal Code; (m) made for temporary  
20 relocation loan repayment purposes pursuant to Sections 2-3.77  
21 and 17-2.2d of the School Code; (n) made for payment of  
22 principal and interest on any bonds issued under the authority  
23 of Section 17-2.2d of the School Code; (o) made for  
24 contributions to a firefighter's pension fund created under  
25 Article 4 of the Illinois Pension Code, to the extent of the  
26 amount certified under item (5) of Section 4-134 of the

1 Illinois Pension Code; and (p) made for road purposes in the  
2 first year after a township assumes the rights, powers, duties,  
3 assets, property, liabilities, obligations, and  
4 responsibilities of a road district abolished under the  
5 provisions of Section 6-133 of the Illinois Highway Code.

6 "Aggregate extension" for the taxing districts to which  
7 this Law did not apply before the 1995 levy year (except taxing  
8 districts subject to this Law in accordance with Section  
9 18-213) means the annual corporate extension for the taxing  
10 district and those special purpose extensions that are made  
11 annually for the taxing district, excluding special purpose  
12 extensions: (a) made for the taxing district to pay interest or  
13 principal on general obligation bonds that were approved by  
14 referendum; (b) made for any taxing district to pay interest or  
15 principal on general obligation bonds issued before March 1,  
16 1995; (c) made for any taxing district to pay interest or  
17 principal on bonds issued to refund or continue to refund those  
18 bonds issued before March 1, 1995; (d) made for any taxing  
19 district to pay interest or principal on bonds issued to refund  
20 or continue to refund bonds issued after March 1, 1995 that  
21 were approved by referendum; (e) made for any taxing district  
22 to pay interest or principal on revenue bonds issued before  
23 March 1, 1995 for payment of which a property tax levy or the  
24 full faith and credit of the unit of local government is  
25 pledged; however, a tax for the payment of interest or  
26 principal on those bonds shall be made only after the governing

1 body of the unit of local government finds that all other  
2 sources for payment are insufficient to make those payments;  
3 (f) made for payments under a building commission lease when  
4 the lease payments are for the retirement of bonds issued by  
5 the commission before March 1, 1995 to pay for the building  
6 project; (g) made for payments due under installment contracts  
7 entered into before March 1, 1995; (h) made for payments of  
8 principal and interest on bonds issued under the Metropolitan  
9 Water Reclamation District Act to finance construction  
10 projects initiated before October 1, 1991; (h-4) made for  
11 stormwater management purposes by the Metropolitan Water  
12 Reclamation District of Greater Chicago under Section 12 of the  
13 Metropolitan Water Reclamation District Act; (i) made for  
14 payments of principal and interest on limited bonds, as defined  
15 in Section 3 of the Local Government Debt Reform Act, in an  
16 amount not to exceed the debt service extension base less the  
17 amount in items (b), (c), and (e) of this definition for  
18 non-referendum obligations, except obligations initially  
19 issued pursuant to referendum and bonds described in subsection  
20 (h) of this definition; (j) made for payments of principal and  
21 interest on bonds issued under Section 15 of the Local  
22 Government Debt Reform Act; (k) made for payments of principal  
23 and interest on bonds authorized by Public Act 88-503 and  
24 issued under Section 20a of the Chicago Park District Act for  
25 aquarium or museum projects; (l) made for payments of principal  
26 and interest on bonds authorized by Public Act 87-1191 or

1 93-601 and (i) issued pursuant to Section 21.2 of the Cook  
2 County Forest Preserve District Act, (ii) issued under Section  
3 42 of the Cook County Forest Preserve District Act for  
4 zoological park projects, or (iii) issued under Section 44.1 of  
5 the Cook County Forest Preserve District Act for botanical  
6 gardens projects; (m) made pursuant to Section 34-53.5 of the  
7 School Code, whether levied annually or not; (n) made to fund  
8 expenses of providing joint recreational programs for the  
9 handicapped under Section 5-8 of the Park District Code or  
10 Section 11-95-14 of the Illinois Municipal Code; (o) made by  
11 the Chicago Park District for recreational programs for the  
12 handicapped under subsection (c) of Section 7.06 of the Chicago  
13 Park District Act; (p) made for contributions to a  
14 firefighter's pension fund created under Article 4 of the  
15 Illinois Pension Code, to the extent of the amount certified  
16 under item (5) of Section 4-134 of the Illinois Pension Code;  
17 and (q) made by Ford Heights School District 169 under Section  
18 17-9.02 of the School Code.

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



1 approved by referendum; (b) made for any taxing district to pay  
2 interest or principal on general obligation bonds issued before  
3 the date on which the referendum making this Law applicable to  
4 the taxing district is held; (c) made for any taxing district  
5 to pay interest or principal on bonds issued to refund or  
6 continue to refund those bonds issued before the date on which  
7 the referendum making this Law applicable to the taxing  
8 district is held; (d) made for any taxing district to pay  
9 interest or principal on bonds issued to refund or continue to  
10 refund bonds issued after the date on which the referendum  
11 making this Law applicable to the taxing district is held if  
12 the bonds were approved by referendum after the date on which  
13 the referendum making this Law applicable to the taxing  
14 district is held; (e) made for any taxing district to pay  
15 interest or principal on revenue bonds issued before the date  
16 on which the referendum making this Law applicable to the  
17 taxing district is held for payment of which a property tax  
18 levy or the full faith and credit of the unit of local  
19 government is pledged; however, a tax for the payment of  
20 interest or principal on those bonds shall be made only after  
21 the governing body of the unit of local government finds that  
22 all other sources for payment are insufficient to make those  
23 payments; (f) made for payments under a building commission  
24 lease when the lease payments are for the retirement of bonds  
25 issued by the commission before the date on which the  
26 referendum making this Law applicable to the taxing district is

1 held to pay for the building project; (g) made for payments due  
2 under installment contracts entered into before the date on  
3 which the referendum making this Law applicable to the taxing  
4 district is held; (h) made for payments of principal and  
5 interest on limited bonds, as defined in Section 3 of the Local  
6 Government Debt Reform Act, in an amount not to exceed the debt  
7 service extension base less the amount in items (b), (c), and  
8 (e) of this definition for non-referendum obligations, except  
9 obligations initially issued pursuant to referendum; (i) made  
10 for payments of principal and interest on bonds issued under  
11 Section 15 of the Local Government Debt Reform Act; (j) made  
12 for a qualified airport authority to pay interest or principal  
13 on general obligation bonds issued for the purpose of paying  
14 obligations due under, or financing airport facilities  
15 required to be acquired, constructed, installed or equipped  
16 pursuant to, contracts entered into before March 1, 1996 (but  
17 not including any amendments to such a contract taking effect  
18 on or after that date); (k) made to fund expenses of providing  
19 joint recreational programs for the handicapped under Section  
20 5-8 of the Park District Code or Section 11-95-14 of the  
21 Illinois Municipal Code; (l) made for contributions to a  
22 firefighter's pension fund created under Article 4 of the  
23 Illinois Pension Code, to the extent of the amount certified  
24 under item (5) of Section 4-134 of the Illinois Pension Code;  
25 and (m) made for the taxing district to pay interest or  
26 principal on general obligation bonds issued pursuant to

1 Section 19-3.10 of the School Code.

2 "Aggregate extension" for all taxing districts to which  
3 this Law applies in accordance with paragraph (2) of subsection  
4 (e) of Section 18-213 means the annual corporate extension for  
5 the taxing district and those special purpose extensions that  
6 are made annually for the taxing district, excluding special  
7 purpose extensions: (a) made for the taxing district to pay  
8 interest or principal on general obligation bonds that were  
9 approved by referendum; (b) made for any taxing district to pay  
10 interest or principal on general obligation bonds issued before  
11 the effective date of this amendatory Act of 1997; (c) made for  
12 any taxing district to pay interest or principal on bonds  
13 issued to refund or continue to refund those bonds issued  
14 before the effective date of this amendatory Act of 1997; (d)  
15 made for any taxing district to pay interest or principal on  
16 bonds issued to refund or continue to refund bonds issued after  
17 the effective date of this amendatory Act of 1997 if the bonds  
18 were approved by referendum after the effective date of this  
19 amendatory Act of 1997; (e) made for any taxing district to pay  
20 interest or principal on revenue bonds issued before the  
21 effective date of this amendatory Act of 1997 for payment of  
22 which a property tax levy or the full faith and credit of the  
23 unit of local government is pledged; however, a tax for the  
24 payment of interest or principal on those bonds shall be made  
25 only after the governing body of the unit of local government  
26 finds that all other sources for payment are insufficient to

1 make those payments; (f) made for payments under a building  
2 commission lease when the lease payments are for the retirement  
3 of bonds issued by the commission before the effective date of  
4 this amendatory Act of 1997 to pay for the building project;  
5 (g) made for payments due under installment contracts entered  
6 into before the effective date of this amendatory Act of 1997;  
7 (h) made for payments of principal and interest on limited  
8 bonds, as defined in Section 3 of the Local Government Debt  
9 Reform Act, in an amount not to exceed the debt service  
10 extension base less the amount in items (b), (c), and (e) of  
11 this definition for non-referendum obligations, except  
12 obligations initially issued pursuant to referendum; (i) made  
13 for payments of principal and interest on bonds issued under  
14 Section 15 of the Local Government Debt Reform Act; (j) made  
15 for a qualified airport authority to pay interest or principal  
16 on general obligation bonds issued for the purpose of paying  
17 obligations due under, or financing airport facilities  
18 required to be acquired, constructed, installed or equipped  
19 pursuant to, contracts entered into before March 1, 1996 (but  
20 not including any amendments to such a contract taking effect  
21 on or after that date); (k) made to fund expenses of providing  
22 joint recreational programs for the handicapped under Section  
23 5-8 of the Park District Code or Section 11-95-14 of the  
24 Illinois Municipal Code; and (l) made for contributions to a  
25 firefighter's pension fund created under Article 4 of the  
26 Illinois Pension Code, to the extent of the amount certified

1 under item (5) of Section 4-134 of the Illinois Pension Code.

2 "Debt service extension base" means an amount equal to that  
3 portion of the extension for a taxing district for the 1994  
4 levy year, or for those taxing districts subject to this Law in  
5 accordance with Section 18-213, except for those subject to  
6 paragraph (2) of subsection (e) of Section 18-213, for the levy  
7 year in which the referendum making this Law applicable to the  
8 taxing district is held, or for those taxing districts subject  
9 to this Law in accordance with paragraph (2) of subsection (e)  
10 of Section 18-213 for the 1996 levy year, constituting an  
11 extension for payment of principal and interest on bonds issued  
12 by the taxing district without referendum, but not including  
13 excluded non-referendum bonds. For park districts (i) that were  
14 first subject to this Law in 1991 or 1995 and (ii) whose  
15 extension for the 1994 levy year for the payment of principal  
16 and interest on bonds issued by the park district without  
17 referendum (but not including excluded non-referendum bonds)  
18 was less than 51% of the amount for the 1991 levy year  
19 constituting an extension for payment of principal and interest  
20 on bonds issued by the park district without referendum (but  
21 not including excluded non-referendum bonds), "debt service  
22 extension base" means an amount equal to that portion of the  
23 extension for the 1991 levy year constituting an extension for  
24 payment of principal and interest on bonds issued by the park  
25 district without referendum (but not including excluded  
26 non-referendum bonds). A debt service extension base

1 established or increased at any time pursuant to any provision  
2 of this Law, except Section 18-212, shall be increased each  
3 year commencing with the later of (i) the 2009 levy year or  
4 (ii) the first levy year in which this Law becomes applicable  
5 to the taxing district, by the lesser of 5% or the percentage  
6 increase in the Consumer Price Index during the 12-month  
7 calendar year preceding the levy year. The debt service  
8 extension base may be established or increased as provided  
9 under Section 18-212. "Excluded non-referendum bonds" means  
10 (i) bonds authorized by Public Act 88-503 and issued under  
11 Section 20a of the Chicago Park District Act for aquarium and  
12 museum projects; (ii) bonds issued under Section 15 of the  
13 Local Government Debt Reform Act; or (iii) refunding  
14 obligations issued to refund or to continue to refund  
15 obligations initially issued pursuant to referendum.

16 "Special purpose extensions" include, but are not limited  
17 to, extensions for levies made on an annual basis for  
18 unemployment and workers' compensation, self-insurance,  
19 contributions to pension plans, and extensions made pursuant to  
20 Section 6-601 of the Illinois Highway Code for a road  
21 district's permanent road fund whether levied annually or not.  
22 The extension for a special service area is not included in the  
23 aggregate extension.

24 "Aggregate extension base" means the taxing district's  
25 last preceding aggregate extension as adjusted under Sections  
26 18-135, 18-215, and 18-230. An adjustment under Section 18-135

1 shall be made for the 2007 levy year and all subsequent levy  
2 years whenever one or more counties within which a taxing  
3 district is located (i) used estimated valuations or rates when  
4 extending taxes in the taxing district for the last preceding  
5 levy year that resulted in the over or under extension of  
6 taxes, or (ii) increased or decreased the tax extension for the  
7 last preceding levy year as required by Section 18-135(c).  
8 Whenever an adjustment is required under Section 18-135, the  
9 aggregate extension base of the taxing district shall be equal  
10 to the amount that the aggregate extension of the taxing  
11 district would have been for the last preceding levy year if  
12 either or both (i) actual, rather than estimated, valuations or  
13 rates had been used to calculate the extension of taxes for the  
14 last levy year, or (ii) the tax extension for the last  
15 preceding levy year had not been adjusted as required by  
16 subsection (c) of Section 18-135.

17 "Levy year" has the same meaning as "year" under Section  
18 1-155.

19 "New property" means (i) the assessed value, after final  
20 board of review or board of appeals action, of new improvements  
21 or additions to existing improvements on any parcel of real  
22 property that increase the assessed value of that real property  
23 during the levy year multiplied by the equalization factor  
24 issued by the Department under Section 17-30, (ii) the assessed  
25 value, after final board of review or board of appeals action,  
26 of real property not exempt from real estate taxation, which

1 real property was exempt from real estate taxation for any  
2 portion of the immediately preceding levy year, multiplied by  
3 the equalization factor issued by the Department under Section  
4 17-30, including the assessed value, upon final stabilization  
5 of occupancy after new construction is complete, of any real  
6 property located within the boundaries of an otherwise or  
7 previously exempt military reservation that is intended for  
8 residential use and owned by or leased to a private corporation  
9 or other entity, and (iii) in counties that classify in  
10 accordance with Section 4 of Article IX of the Illinois  
11 Constitution, an incentive property's additional assessed  
12 value resulting from a scheduled increase in the level of  
13 assessment as applied to the first year final board of review  
14 market value. In addition, the county clerk in a county  
15 containing a population of 3,000,000 or more shall include in  
16 the 1997 recovered tax increment value for any school district,  
17 any recovered tax increment value that was applicable to the  
18 1995 tax year calculations.

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

23 "Recovered tax increment value" means, except as otherwise  
24 provided in this paragraph, the amount of the current year's  
25 equalized assessed value, in the first year after a  
26 municipality terminates the designation of an area as a



1 redevelopment project area previously established under the  
2 Tax Increment Allocation Development Act in the Illinois  
3 Municipal Code, previously established under the Industrial  
4 Jobs Recovery Law in the Illinois Municipal Code, previously  
5 established under the Economic Development Project Area Tax  
6 Increment Act of 1995, or previously established under the  
7 Economic Development Area Tax Increment Allocation Act, of each  
8 taxable lot, block, tract, or parcel of real property in the  
9 redevelopment project area over and above the initial equalized  
10 assessed value of each property in the redevelopment project  
11 area. For the taxes which are extended for the 1997 levy year,  
12 the recovered tax increment value for a non-home rule taxing  
13 district that first became subject to this Law for the 1995  
14 levy year because a majority of its 1994 equalized assessed  
15 value was in an affected county or counties shall be increased  
16 if a municipality terminated the designation of an area in 1993  
17 as a redevelopment project area previously established under  
18 the Tax Increment Allocation Development Act in the Illinois  
19 Municipal Code, previously established under the Industrial  
20 Jobs Recovery Law in the Illinois Municipal Code, or previously  
21 established under the Economic Development Area Tax Increment  
22 Allocation Act, by an amount equal to the 1994 equalized  
23 assessed value of each taxable lot, block, tract, or parcel of  
24 real property in the redevelopment project area over and above  
25 the initial equalized assessed value of each property in the  
26 redevelopment project area. In the first year after a

1 municipality removes a taxable lot, block, tract, or parcel of  
2 real property from a redevelopment project area established  
3 under the Tax Increment Allocation Development Act in the  
4 Illinois Municipal Code, the Industrial Jobs Recovery Law in  
5 the Illinois Municipal Code, or the Economic Development Area  
6 Tax Increment Allocation Act, "recovered tax increment value"  
7 means the amount of the current year's equalized assessed value  
8 of each taxable lot, block, tract, or parcel of real property  
9 removed from the redevelopment project area over and above the  
10 initial equalized assessed value of that real property before  
11 removal from the redevelopment project area.

12 Except as otherwise provided in this Section, "limiting  
13 rate" means a fraction the numerator of which is the last  
14 preceding aggregate extension base times an amount equal to one  
15 plus the extension limitation defined in this Section and the  
16 denominator of which is the current year's equalized assessed  
17 value of all real property in the territory under the  
18 jurisdiction of the taxing district during the prior levy year.  
19 For those taxing districts that reduced their aggregate  
20 extension for the last preceding levy year, the highest  
21 aggregate extension in any of the last 3 preceding levy years  
22 shall be used for the purpose of computing the limiting rate.  
23 The denominator shall not include new property or the recovered  
24 tax increment value. If a new rate, a rate decrease, or a  
25 limiting rate increase has been approved at an election held  
26 after March 21, 2006, then (i) the otherwise applicable

1 limiting rate shall be increased by the amount of the new rate  
2 or shall be reduced by the amount of the rate decrease, as the  
3 case may be, or (ii) in the case of a limiting rate increase,  
4 the limiting rate shall be equal to the rate set forth in the  
5 proposition approved by the voters for each of the years  
6 specified in the proposition, after which the limiting rate of  
7 the taxing district shall be calculated as otherwise provided.

8 (Source: P.A. 96-501, eff. 8-14-09; 96-517, eff. 8-14-09;  
9 96-1000, eff. 7-2-10; 96-1202, eff. 7-22-10; 97-611, eff.  
10 1-1-12.)

11 (35 ILCS 200/18-205)

12 Sec. 18-205. Referendum to increase the extension  
13 limitation. A taxing district is limited to an extension  
14 limitation as defined in Section 18-185 ~~of 5% or the percentage~~  
15 ~~increase in the Consumer Price Index during the 12 month~~  
16 ~~calendar year preceding the levy year, whichever is less.~~ A  
17 taxing district may increase its extension limitation for one  
18 or more levy years if that taxing district holds a referendum  
19 before the levy date for the first levy year at which a  
20 majority of voters voting on the issue approves adoption of a  
21 higher extension limitation. Referenda shall be conducted at a  
22 regularly scheduled election in accordance with the Election  
23 Code. The question shall be presented in substantially the  
24 following manner for all elections held after March 21, 2006:

25 Shall the extension limitation under the Property Tax

1 Extension Limitation Law for (insert the legal name,  
2 number, if any, and county or counties of the taxing  
3 district and geographic or other common name by which a  
4 school or community college district is known and referred  
5 to), Illinois, be increased from (applicable extension  
6 limitation) ~~the lesser of 5% or the percentage increase in~~  
7 ~~the Consumer Price Index over the prior levy year~~ to  
8 (insert the percentage of the proposed increase)% per year  
9 for (insert each levy year for which the increased  
10 extension limitation will apply)?

11 The votes must be recorded as "Yes" or "No".

12 If a majority of voters voting on the issue approves the  
13 adoption of the increase, the increase shall be applicable for  
14 each levy year specified.

15 The ballot for any question submitted pursuant to this  
16 Section shall have printed thereon, but not as a part of the  
17 question submitted, only the following supplemental  
18 information (which shall be supplied to the election authority  
19 by the taxing district) in substantially the following form:

20 (1) For the (insert the first levy year for which the  
21 increased extension limitation will be applicable) levy  
22 year the approximate amount of the additional tax  
23 extendable against property containing a single family  
24 residence and having a fair market value at the time of the  
25 referendum of \$100,000 is estimated to be \$....

26 (2) Based upon an average annual percentage increase

1 (or decrease) in the market value of such property of ...%  
2 (insert percentage equal to the average annual percentage  
3 increase or decrease for the prior 3 levy years, at the  
4 time the submission of the question is initiated by the  
5 taxing district, in the amount of (A) the equalized  
6 assessed value of the taxable property in the taxing  
7 district less (B) the new property included in the  
8 equalized assessed value), the approximate amount of the  
9 additional tax extendable against such property for the ...  
10 levy year is estimated to be \$... and for the ... levy year  
11 is estimated to be \$....

12 Paragraph (2) shall be included only if the increased  
13 extension limitation will be applicable for more than one year  
14 and shall list each levy year for which the increased extension  
15 limitation will be applicable. The additional tax shown for  
16 each levy year shall be the approximate dollar amount of the  
17 increase over the amount of the most recently completed  
18 extension at the time the submission of the question is  
19 initiated by the taxing district. The approximate amount of the  
20 additional tax extendable shown in paragraphs (1) and (2) shall  
21 be calculated by multiplying \$100,000 (the fair market value of  
22 the property without regard to any property tax exemptions) by  
23 (i) the percentage level of assessment prescribed for that  
24 property by statute, or by ordinance of the county board in  
25 counties that classify property for purposes of taxation in  
26 accordance with Section 4 of Article IX of the Illinois

1 Constitution; (ii) the most recent final equalization factor  
2 certified to the county clerk by the Department of Revenue at  
3 the time the taxing district initiates the submission of the  
4 proposition to the electors; (iii) the last known aggregate  
5 extension base of the taxing district at the time the  
6 submission of the question is initiated by the taxing district;  
7 and (iv) the difference between the percentage increase  
8 proposed in the question and either (i) the lesser of 5% or the  
9 percentage increase in the Consumer Price Index for the prior  
10 levy year (or an estimate of the percentage increase for the  
11 prior levy year if the increase is unavailable at the time the  
12 submission of the question is initiated by the taxing district)  
13 or (ii) 0%, as applicable; and dividing the result by the last  
14 known equalized assessed value of the taxing district at the  
15 time the submission of the question is initiated by the taxing  
16 district. This amendatory Act of the 97th General Assembly is  
17 intended to clarify the existing requirements of this Section,  
18 and shall not be construed to validate any prior non-compliant  
19 referendum language. Any notice required to be published in  
20 connection with the submission of the question shall also  
21 contain this supplemental information and shall not contain any  
22 other supplemental information. Any error, miscalculation, or  
23 inaccuracy in computing any amount set forth on the ballot or  
24 in the notice that is not deliberate shall not invalidate or  
25 affect the validity of any proposition approved. Notice of the  
26 referendum shall be published and posted as otherwise required

1 by law, and the submission of the question shall be initiated  
2 as provided by law.

3 (Source: P.A. 97-1087, eff. 8-24-12.)

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