



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4426

by Rep. Ron Sandack

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 if (i) the total equalized assessed value of all taxable property in the taxing district for 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, or (ii) the median equalized assessed value of all taxable property in the taxing district for the current levy year and the 2 levy years immediately preceding the current levy year is less than the median equalized assessed value of all taxable property in the taxing district for the 3 levy years immediately preceding that 3-year period, 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 the rate of increase approved by the voters). Effective immediately.

LRB098 15937 HLH 50984 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, if (i) the total
18 equalized assessed value of all taxable property in the taxing
19 district for the current levy year is less than the total
20 equalized assessed value of all taxable property in the taxing
21 district for the previous levy year, or (ii) the median
22 equalized assessed value of all taxable property in the taxing
23 district for the current levy year and the 2 levy years

1 immediately preceding the current levy year is less than the
2 median equalized assessed value of all taxable property in the
3 taxing district for the 3 levy years immediately preceding that
4 3-year period, then the extension limitation is (a) 0% or (b)
5 the rate of increase approved by voters under Section 18-205.
6 For the purposes of this paragraph, "equalized assessed value"
7 does not include new property, recovered tax increment value,
8 or property that is annexed to or disconnected from the taxing
9 district in the applicable levy year.

10 "Affected county" means a county of 3,000,000 or more
11 inhabitants or a county contiguous to a county of 3,000,000 or
12 more inhabitants.

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

1 those taxing districts made subject to this Law as provided in
2 Section 18-213.

3 "Aggregate extension" for taxing districts to which this
4 Law applied before the 1995 levy year means the annual
5 corporate extension for the taxing district and those special
6 purpose extensions that are made annually for the taxing
7 district, excluding special purpose extensions: (a) made for
8 the taxing district to pay interest or principal on general
9 obligation bonds that were approved by referendum; (b) made for
10 any taxing district to pay interest or principal on general
11 obligation bonds issued before October 1, 1991; (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 October 1, 1991; (d) made for any taxing district to pay
15 interest or principal on bonds issued to refund or continue to
16 refund bonds issued after October 1, 1991 that were approved by
17 referendum; (e) made for any taxing district to pay interest or
18 principal on revenue bonds issued before October 1, 1991 for
19 payment of which a property tax levy or the full faith and
20 credit of the unit of local government is pledged; however, a
21 tax for the payment of interest or principal on those bonds
22 shall be made only after the governing body of the unit of
23 local government finds that all other sources for payment are
24 insufficient to make those payments; (f) made for payments
25 under a building commission lease when the lease payments are
26 for the retirement of bonds issued by the commission before

1 October 1, 1991, to pay for the building project; (g) made for
2 payments due under installment contracts entered into before
3 October 1, 1991; (h) made for payments of principal and
4 interest on bonds issued under the Metropolitan Water
5 Reclamation District Act to finance construction projects
6 initiated before October 1, 1991; (i) made for payments of
7 principal and interest on limited bonds, as defined in Section
8 3 of the Local Government Debt Reform Act, in an amount not to
9 exceed the debt service extension base less the amount in items
10 (b), (c), (e), and (h) of this definition for non-referendum
11 obligations, except obligations initially issued pursuant to
12 referendum; (j) made for payments of principal and interest on
13 bonds issued under Section 15 of the Local Government Debt
14 Reform Act; (k) made by a school district that participates in
15 the Special Education District of Lake County, created by
16 special education joint agreement under Section 10-22.31 of the
17 School Code, for payment of the school district's share of the
18 amounts required to be contributed by the Special Education
19 District of Lake County to the Illinois Municipal Retirement
20 Fund under Article 7 of the Illinois Pension Code; the amount
21 of any extension under this item (k) shall be certified by the
22 school district to the county clerk; (l) made to fund expenses
23 of providing joint recreational programs for the handicapped
24 under Section 5-8 of the Park District Code or Section 11-95-14
25 of the Illinois Municipal Code; (m) made for temporary
26 relocation loan repayment purposes pursuant to Sections 2-3.77

1 and 17-2.2d of the School Code; (n) made for payment of
2 principal and interest on any bonds issued under the authority
3 of Section 17-2.2d of the School Code; (o) made for
4 contributions to a firefighter's pension fund created under
5 Article 4 of the Illinois Pension Code, to the extent of the
6 amount certified under item (5) of Section 4-134 of the
7 Illinois Pension Code; and (p) made for road purposes in the
8 first year after a township assumes the rights, powers, duties,
9 assets, property, liabilities, obligations, and
10 responsibilities of a road district abolished under the
11 provisions of Section 6-133 of the Illinois Highway Code.

12 "Aggregate extension" for the taxing districts to which
13 this Law did not apply before the 1995 levy year (except taxing
14 districts subject to this Law in accordance with Section
15 18-213) means the annual corporate extension for the taxing
16 district and those special purpose extensions that are made
17 annually for the taxing district, excluding special purpose
18 extensions: (a) made for the taxing district to pay interest or
19 principal on general obligation bonds that were approved by
20 referendum; (b) made for any taxing district to pay interest or
21 principal on general obligation bonds issued before March 1,
22 1995; (c) made for any taxing district to pay interest or
23 principal on bonds issued to refund or continue to refund those
24 bonds issued before March 1, 1995; (d) made for any taxing
25 district to pay interest or principal on bonds issued to refund
26 or continue to refund bonds issued after March 1, 1995 that

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

1 interest on bonds issued under Section 15 of the Local
2 Government Debt Reform Act; (k) made for payments of principal
3 and interest on bonds authorized by Public Act 88-503 and
4 issued under Section 20a of the Chicago Park District Act for
5 aquarium or museum projects; (l) made for payments of principal
6 and interest on bonds authorized by Public Act 87-1191 or
7 93-601 and (i) issued pursuant to Section 21.2 of the Cook
8 County Forest Preserve District Act, (ii) issued under Section
9 42 of the Cook County Forest Preserve District Act for
10 zoological park projects, or (iii) issued under Section 44.1 of
11 the Cook County Forest Preserve District Act for botanical
12 gardens projects; (m) made pursuant to Section 34-53.5 of the
13 School Code, whether levied annually or not; (n) made to fund
14 expenses of providing joint recreational programs for the
15 handicapped under Section 5-8 of the Park District Code or
16 Section 11-95-14 of the Illinois Municipal Code; (o) made by
17 the Chicago Park District for recreational programs for the
18 handicapped under subsection (c) of Section 7.06 of the Chicago
19 Park District Act; (p) made for contributions to a
20 firefighter's pension fund created under Article 4 of the
21 Illinois Pension Code, to the extent of the amount certified
22 under item (5) of Section 4-134 of the Illinois Pension Code;
23 and (q) made by Ford Heights School District 169 under Section
24 17-9.02 of the School Code.

25 "Aggregate extension" for all taxing districts to which
26 this Law applies in accordance with Section 18-213, except for

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

1 the governing body of the unit of local government finds that
2 all other sources for payment are insufficient to make those
3 payments; (f) made for payments under a building commission
4 lease when the lease payments are for the retirement of bonds
5 issued by the commission before the date on which the
6 referendum making this Law applicable to the taxing district is
7 held to pay for the building project; (g) made for payments due
8 under installment contracts entered into before the date on
9 which the referendum making this Law applicable to the taxing
10 district is held; (h) made for payments of principal and
11 interest on limited bonds, as defined in Section 3 of the Local
12 Government Debt Reform Act, in an amount not to exceed the debt
13 service extension base less the amount in items (b), (c), and
14 (e) of this definition for non-referendum obligations, except
15 obligations initially issued pursuant to referendum; (i) made
16 for payments of principal and interest on bonds issued under
17 Section 15 of the Local Government Debt Reform Act; (j) made
18 for a qualified airport authority to pay interest or principal
19 on general obligation bonds issued for the purpose of paying
20 obligations due under, or financing airport facilities
21 required to be acquired, constructed, installed or equipped
22 pursuant to, contracts entered into before March 1, 1996 (but
23 not including any amendments to such a contract taking effect
24 on or after that date); (k) made to fund expenses of providing
25 joint recreational programs for the handicapped under Section
26 5-8 of the Park District Code or Section 11-95-14 of the

1 Illinois Municipal Code; (l) made for contributions to a
2 firefighter's pension fund created under Article 4 of the
3 Illinois Pension Code, to the extent of the amount certified
4 under item (5) of Section 4-134 of the Illinois Pension Code;
5 and (m) made for the taxing district to pay interest or
6 principal on general obligation bonds issued pursuant to
7 Section 19-3.10 of the School Code.

8 "Aggregate extension" for all taxing districts to which
9 this Law applies in accordance with paragraph (2) of subsection
10 (e) of Section 18-213 means the annual corporate extension for
11 the taxing district and those special purpose extensions that
12 are made annually for the taxing district, excluding special
13 purpose extensions: (a) made for the taxing district to pay
14 interest or principal on general obligation bonds that were
15 approved by referendum; (b) made for any taxing district to pay
16 interest or principal on general obligation bonds issued before
17 the effective date of this amendatory Act of 1997; (c) made for
18 any taxing district to pay interest or principal on bonds
19 issued to refund or continue to refund those bonds issued
20 before the effective date of this amendatory Act of 1997; (d)
21 made for any taxing district to pay interest or principal on
22 bonds issued to refund or continue to refund bonds issued after
23 the effective date of this amendatory Act of 1997 if the bonds
24 were approved by referendum after the effective date of this
25 amendatory Act of 1997; (e) made for any taxing district to pay
26 interest or principal on revenue bonds issued before the

1 effective date of this amendatory Act of 1997 for payment of
2 which a property tax levy or the full faith and credit of the
3 unit of local government is pledged; however, a tax for the
4 payment of interest or principal on those bonds shall be made
5 only after the governing body of the unit of local government
6 finds that all other sources for payment are insufficient to
7 make those payments; (f) made for payments under a building
8 commission lease when the lease payments are for the retirement
9 of bonds issued by the commission before the effective date of
10 this amendatory Act of 1997 to pay for the building project;
11 (g) made for payments due under installment contracts entered
12 into before the effective date of this amendatory Act of 1997;
13 (h) made for payments of principal and interest on limited
14 bonds, as defined in Section 3 of the Local Government Debt
15 Reform Act, in an amount not to exceed the debt service
16 extension base less the amount in items (b), (c), and (e) of
17 this definition for non-referendum obligations, except
18 obligations initially issued pursuant to referendum; (i) made
19 for payments of principal and interest on bonds issued under
20 Section 15 of the Local Government Debt Reform Act; (j) made
21 for a qualified airport authority to pay interest or principal
22 on general obligation bonds issued for the purpose of paying
23 obligations due under, or financing airport facilities
24 required to be acquired, constructed, installed or equipped
25 pursuant to, contracts entered into before March 1, 1996 (but
26 not including any amendments to such a contract taking effect

1 on or after that date); (k) made to fund expenses of providing
2 joint recreational programs for the handicapped under Section
3 5-8 of the Park District Code or Section 11-95-14 of the
4 Illinois Municipal Code; and (l) 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 "Debt service extension base" means an amount equal to that
9 portion of the extension for a taxing district for the 1994
10 levy year, or for those taxing districts subject to this Law in
11 accordance with Section 18-213, except for those subject to
12 paragraph (2) of subsection (e) of Section 18-213, for the levy
13 year in which the referendum making this Law applicable to the
14 taxing district is held, or for those taxing districts subject
15 to this Law in accordance with paragraph (2) of subsection (e)
16 of Section 18-213 for the 1996 levy year, constituting an
17 extension for payment of principal and interest on bonds issued
18 by the taxing district without referendum, but not including
19 excluded non-referendum bonds. For park districts (i) that were
20 first subject to this Law in 1991 or 1995 and (ii) whose
21 extension for the 1994 levy year for the payment of principal
22 and interest on bonds issued by the park district without
23 referendum (but not including excluded non-referendum bonds)
24 was less than 51% of the amount for the 1991 levy year
25 constituting an extension for payment of principal and interest
26 on bonds issued by the park district without referendum (but

1 not including excluded non-referendum bonds), "debt service
2 extension base" means an amount equal to that portion of the
3 extension for the 1991 levy year constituting an extension for
4 payment of principal and interest on bonds issued by the park
5 district without referendum (but not including excluded
6 non-referendum bonds). A debt service extension base
7 established or increased at any time pursuant to any provision
8 of this Law, except Section 18-212, shall be increased each
9 year commencing with the later of (i) the 2009 levy year or
10 (ii) the first levy year in which this Law becomes applicable
11 to the taxing district, by the lesser of 5% or the percentage
12 increase in the Consumer Price Index during the 12-month
13 calendar year preceding the levy year. The debt service
14 extension base may be established or increased as provided
15 under Section 18-212. "Excluded non-referendum bonds" means
16 (i) bonds authorized by Public Act 88-503 and issued under
17 Section 20a of the Chicago Park District Act for aquarium and
18 museum projects; (ii) bonds issued under Section 15 of the
19 Local Government Debt Reform Act; or (iii) refunding
20 obligations issued to refund or to continue to refund
21 obligations initially issued pursuant to referendum.

22 "Special purpose extensions" include, but are not limited
23 to, extensions for levies made on an annual basis for
24 unemployment and workers' compensation, self-insurance,
25 contributions to pension plans, and extensions made pursuant to
26 Section 6-601 of the Illinois Highway Code for a road

1 district's permanent road fund whether levied annually or not.
2 The extension for a special service area is not included in the
3 aggregate extension.

4 "Aggregate extension base" means the taxing district's
5 last preceding aggregate extension as adjusted under Sections
6 18-135, 18-215, and 18-230. An adjustment under Section 18-135
7 shall be made for the 2007 levy year and all subsequent levy
8 years whenever one or more counties within which a taxing
9 district is located (i) used estimated valuations or rates when
10 extending taxes in the taxing district for the last preceding
11 levy year that resulted in the over or under extension of
12 taxes, or (ii) increased or decreased the tax extension for the
13 last preceding levy year as required by Section 18-135(c).
14 Whenever an adjustment is required under Section 18-135, the
15 aggregate extension base of the taxing district shall be equal
16 to the amount that the aggregate extension of the taxing
17 district would have been for the last preceding levy year if
18 either or both (i) actual, rather than estimated, valuations or
19 rates had been used to calculate the extension of taxes for the
20 last levy year, or (ii) the tax extension for the last
21 preceding levy year had not been adjusted as required by
22 subsection (c) of Section 18-135.

23 Notwithstanding any other provision of law, for levy year
24 2012, the aggregate extension base for West Northfield School
25 District No. 31 in Cook County shall be \$12,654,592.

26 "Levy year" has the same meaning as "year" under Section

1 1-155.

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

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

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

9 "Recovered tax increment value" means, except as otherwise
10 provided in this paragraph, the amount of the current year's
11 equalized assessed value, in the first year after a
12 municipality terminates the designation of an area as a
13 redevelopment project area previously established under the
14 Tax Increment Allocation Development Act in the Illinois
15 Municipal Code, previously established under the Industrial
16 Jobs Recovery Law in the Illinois Municipal Code, previously
17 established under the Economic Development Project Area Tax
18 Increment Act of 1995, or previously established under the
19 Economic Development Area Tax Increment Allocation Act, of each
20 taxable lot, block, tract, or parcel of real property in the
21 redevelopment project area over and above the initial equalized
22 assessed value of each property in the redevelopment project
23 area. For the taxes which are extended for the 1997 levy year,
24 the recovered tax increment value for a non-home rule taxing
25 district that first became subject to this Law for the 1995
26 levy year because a majority of its 1994 equalized assessed

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

24 Except as otherwise provided in this Section, "limiting
25 rate" means a fraction the numerator of which is the last
26 preceding aggregate extension base times an amount equal to one

1 plus the extension limitation defined in this Section and the
2 denominator of which is the current year's equalized assessed
3 value of all real property in the territory under the
4 jurisdiction of the taxing district during the prior levy year.
5 For those taxing districts that reduced their aggregate
6 extension for the last preceding levy year, the highest
7 aggregate extension in any of the last 3 preceding levy years
8 shall be used for the purpose of computing the limiting rate.
9 The denominator shall not include new property or the recovered
10 tax increment value. If a new rate, a rate decrease, or a
11 limiting rate increase has been approved at an election held
12 after March 21, 2006, then (i) the otherwise applicable
13 limiting rate shall be increased by the amount of the new rate
14 or shall be reduced by the amount of the rate decrease, as the
15 case may be, or (ii) in the case of a limiting rate increase,
16 the limiting rate shall be equal to the rate set forth in the
17 proposition approved by the voters for each of the years
18 specified in the proposition, after which the limiting rate of
19 the taxing district shall be calculated as otherwise provided.
20 In the case of a taxing district that obtained referendum
21 approval for an increased limiting rate on March 20, 2012, the
22 limiting rate for tax year 2012 shall be the rate that
23 generates the approximate total amount of taxes extendable for
24 that tax year, as set forth in the proposition approved by the
25 voters; this rate shall be the final rate applied by the county
26 clerk for the aggregate of all capped funds of the district for

1 tax year 2012.

2 (Source: P.A. 97-611, eff. 1-1-12; 97-1154, eff. 1-25-13; 98-6,
3 eff. 3-29-13; 98-23, eff. 6-17-13.)

4 (35 ILCS 200/18-205)

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

18 Shall the extension limitation under the Property Tax
19 Extension Limitation Law for (insert the legal name,
20 number, if any, and county or counties of the taxing
21 district and geographic or other common name by which a
22 school or community college district is known and referred
23 to), Illinois, be increased from (applicable extension
24 limitation) ~~the lesser of 5% or the percentage increase in~~
25 ~~the Consumer Price Index over the prior levy year to~~

1 (insert the percentage of the proposed increase)% per year
2 for (insert each levy year for which the increased
3 extension limitation will apply)?

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

5 If a majority of voters voting on the issue approves the
6 adoption of the increase, the increase shall be applicable for
7 each levy year specified.

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

13 (1) For the (insert the first levy year for which the
14 increased extension limitation will be applicable) levy
15 year the approximate amount of the additional tax
16 extendable against property containing a single family
17 residence and having a fair market value at the time of the
18 referendum of \$100,000 is estimated to be \$....

19 (2) Based upon an average annual percentage increase
20 (or decrease) in the market value of such property of ...%
21 (insert percentage equal to the average annual percentage
22 increase or decrease for the prior 3 levy years, at the
23 time the submission of the question is initiated by the
24 taxing district, in the amount of (A) the equalized
25 assessed value of the taxable property in the taxing
26 district less (B) the new property included in the

1 equalized assessed value), the approximate amount of the
2 additional tax extendable against such property for the ...
3 levy year is estimated to be \$... and for the ... levy year
4 is estimated to be \$....

5 Paragraph (2) shall be included only if the increased
6 extension limitation will be applicable for more than one year
7 and shall list each levy year for which the increased extension
8 limitation will be applicable. The additional tax shown for
9 each levy year shall be the approximate dollar amount of the
10 increase over the amount of the most recently completed
11 extension at the time the submission of the question is
12 initiated by the taxing district. The approximate amount of the
13 additional tax extendable shown in paragraphs (1) and (2) shall
14 be calculated by multiplying \$100,000 (the fair market value of
15 the property without regard to any property tax exemptions) by
16 (i) the percentage level of assessment prescribed for that
17 property by statute, or by ordinance of the county board in
18 counties that classify property for purposes of taxation in
19 accordance with Section 4 of Article IX of the Illinois
20 Constitution; (ii) the most recent final equalization factor
21 certified to the county clerk by the Department of Revenue at
22 the time the taxing district initiates the submission of the
23 proposition to the electors; (iii) the last known aggregate
24 extension base of the taxing district at the time the
25 submission of the question is initiated by the taxing district;
26 and (iv) the difference between the percentage increase

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

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

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.