

# HB1765



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB1765

by Rep. Allen Skillicorn

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-170

Amends the Property Tax Code. Provides that for taxable year 2017, the amount of the senior homestead exemption is \$10,000. Provides that for taxable years 2018 and following, the amount of the senior homestead exemption is \$10,000 indexed for inflation.

LRB100 07849 HLH 17918 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing  
5 Section 15-170 as follows:

6 (35 ILCS 200/15-170)

7 Sec. 15-170. Senior Citizens Homestead Exemption. An  
8 annual homestead exemption limited, except as described here  
9 with relation to cooperatives or life care facilities, to a  
10 maximum reduction set forth below from the property's value, as  
11 equalized or assessed by the Department, is granted for  
12 property that is occupied as a residence by a person 65 years  
13 of age or older who is liable for paying real estate taxes on  
14 the property and is an owner of record of the property or has a  
15 legal or equitable interest therein as evidenced by a written  
16 instrument, except for a leasehold interest, other than a  
17 leasehold interest of land on which a single family residence  
18 is located, which is occupied as a residence by a person 65  
19 years or older who has an ownership interest therein, legal,  
20 equitable or as a lessee, and on which he or she is liable for  
21 the payment of property taxes. Before taxable year 2004, the  
22 maximum reduction shall be \$2,500 in counties with 3,000,000 or  
23 more inhabitants and \$2,000 in all other counties. For taxable

1 years 2004 through 2005, the maximum reduction shall be \$3,000  
2 in all counties. For taxable years 2006 and 2007, the maximum  
3 reduction shall be \$3,500. For taxable years 2008 through 2011,  
4 the maximum reduction is \$4,000 in all counties. For taxable  
5 year 2012, the maximum reduction is \$5,000 in counties with  
6 3,000,000 or more inhabitants and \$4,000 in all other counties.  
7 For taxable years 2013 through 2016 ~~and thereafter~~, the maximum  
8 reduction is \$5,000 in all counties. For taxable year 2017, the  
9 maximum reduction is \$10,000 in all counties. For taxable years  
10 2018 and thereafter, the maximum reduction is the maximum  
11 reduction for the prior taxable year increased by the annual  
12 rate of increase, for the previous calendar year, of the  
13 Consumer Price Index for All Urban Consumers for all items,  
14 published by the United States Bureau of Labor Statistics.

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

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

16 When a homestead exemption has been granted under this  
17 Section and the person qualifying subsequently becomes a  
18 resident of a facility licensed under the Assisted Living and  
19 Shared Housing Act, the Nursing Home Care Act, the Specialized  
20 Mental Health Rehabilitation Act of 2013, the ID/DD Community  
21 Care Act, or the MC/DD Act, the exemption shall continue so  
22 long as the residence continues to be occupied by the  
23 qualifying person's spouse if the spouse is 65 years of age or  
24 older, or if the residence remains unoccupied but is still  
25 owned by the person qualified for the homestead exemption.

26 A person who will be 65 years of age during the current

1 assessment year shall be eligible to apply for the homestead  
2 exemption during that assessment year. Application shall be  
3 made during the application period in effect for the county of  
4 his residence.

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

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

26 The chief county assessment officer of each county with

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

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

25 In counties with 3,000,000 or more inhabitants, beginning  
26 in taxable year 2010, each taxpayer who has been granted an

1 exemption under this Section must reapply on an annual basis.  
2 The chief county assessment officer shall mail the application  
3 to the taxpayer. In counties with less than 3,000,000  
4 inhabitants, the county board may by resolution provide that if  
5 a person has been granted a homestead exemption under this  
6 Section, the person qualifying need not reapply for the  
7 exemption.

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

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

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

25 (Source: P.A. 98-7, eff. 4-23-13; 98-104, eff. 7-22-13; 98-756,  
26 eff. 7-16-14; 99-180, eff. 7-29-15.)