



## 100TH GENERAL ASSEMBLY

### State of Illinois

### 2017 and 2018

### HB1768

by Rep. David McSweeney

#### SYNOPSIS AS INTRODUCED:

- 35 ILCS 200/18-185
- 35 ILCS 200/18-205
- 35 ILCS 200/18-212
- 35 ILCS 200/18-213
- 35 ILCS 200/18-214
- 35 ILCS 200/18-242 new
- 30 ILCS 805/8.41 new

Amends the Property Tax Code. Provides that, beginning with the 2017 levy year, the Property Tax Extension Limitation Law applies to all taxing districts, including home rule units. Provides that, for the 2017 levy year, for taxing districts other than school districts and community college districts, the limiting rate under the Property Tax Extension Limitation Law shall be calculated by reducing the district's 2016 aggregate extension by 5%. Provides that, for the 2018 levy year, for taxing districts other than school districts and community college districts, the limiting rate under the Property Tax Extension Limitation Law shall be calculated by reducing the district's 2016 aggregate extension by 10%. Provides that, beginning with the 2017 levy year for school districts and community college districts, and beginning with the 2019 levy year for all other taxing districts, the extension limitation is 0%. Preempts home rule. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB100 09711 HLH 19880 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, 18-205, 18-212, 18-213, and 18-214 and by  
6 adding Section 18-242 as follows:

7 (35 ILCS 200/18-185)

8 (Text of Section before amendment by P.A. 99-521)

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 levy years prior to 2017, means  
16 (a) the lesser of 5% or the percentage increase in the Consumer  
17 Price Index during the 12-month calendar year preceding the  
18 levy year or (b) the rate of increase approved by voters under  
19 Section 18-205.

20 "Extension limitation", beginning in levy year 2017 for  
21 school districts and community college districts, and  
22 beginning in levy year 2019 for all other taxing districts,  
23 means 0% or the rate of increase approved by the voters under

1 Section 18-205. For levy years 2017 and 2018, the limiting rate  
2 for taxing districts other than school districts and community  
3 college districts shall not be calculated using an extension  
4 limitation, but shall be calculated according to the reduction  
5 provided in the definition of limiting rate in this Section.

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

9 "Taxing district" has the same meaning provided in Section  
10 1-150, except as otherwise provided in this Section. For the  
11 1991 through 1994 levy years only, "taxing district" includes  
12 only each non-home rule taxing district having the majority of  
13 its 1990 equalized assessed value within any county or counties  
14 contiguous to a county with 3,000,000 or more inhabitants.  
15 Beginning with the 1995 levy year and through the 2016 levy  
16 year, "taxing district" includes only each non-home rule taxing  
17 district subject to this Law before the 1995 levy year and each  
18 non-home rule taxing district not subject to this Law before  
19 the 1995 levy year having the majority of its 1994 equalized  
20 assessed value in an affected county or counties. Beginning  
21 with the levy year in which this Law becomes applicable to a  
22 taxing district as provided in Section 18-213, "taxing  
23 district" also includes those taxing districts made subject to  
24 this Law as provided in Section 18-213. Beginning with the 2017  
25 levy year, "taxing district" has the same meaning provided in  
26 Section 1-150 and includes home rule units.

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

1 October 1, 1991; (h) made for payments of principal and  
2 interest on bonds issued under the Metropolitan Water  
3 Reclamation District Act to finance construction projects  
4 initiated before October 1, 1991; (i) made for payments of  
5 principal and interest on limited bonds, as defined in Section  
6 3 of the Local Government Debt Reform Act, in an amount not to  
7 exceed the debt service extension base less the amount in items  
8 (b), (c), (e), and (h) of this definition for non-referendum  
9 obligations, except obligations initially issued pursuant to  
10 referendum; (j) made for payments of principal and interest on  
11 bonds issued under Section 15 of the Local Government Debt  
12 Reform Act; (k) made by a school district that participates in  
13 the Special Education District of Lake County, created by  
14 special education joint agreement under Section 10-22.31 of the  
15 School Code, for payment of the school district's share of the  
16 amounts required to be contributed by the Special Education  
17 District of Lake County to the Illinois Municipal Retirement  
18 Fund under Article 7 of the Illinois Pension Code; the amount  
19 of any extension under this item (k) shall be certified by the  
20 school district to the county clerk; (l) made to fund expenses  
21 of providing joint recreational programs for persons with  
22 disabilities under Section 5-8 of the Park District Code or  
23 Section 11-95-14 of the Illinois Municipal Code; (m) made for  
24 temporary relocation loan repayment purposes pursuant to  
25 Sections 2-3.77 and 17-2.2d of the School Code; (n) made for  
26 payment of principal and interest on any bonds issued under the

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

10 "Aggregate extension" for the taxing districts to which  
11 this Law did not apply before the 1995 levy year (except taxing  
12 districts subject to this Law in accordance with Section 18-213  
13 or this amendatory Act of the 100th General Assembly) means the  
14 annual corporate extension for the taxing district and those  
15 special purpose extensions that are made annually for the  
16 taxing district, excluding special purpose extensions: (a)  
17 made for the taxing district to pay interest or principal on  
18 general obligation bonds that were approved by referendum; (b)  
19 made for any taxing district to pay interest or principal on  
20 general obligation bonds issued before March 1, 1995; (c) made  
21 for any taxing district to pay interest or principal on bonds  
22 issued to refund or continue to refund those bonds issued  
23 before March 1, 1995; (d) made for any taxing district to pay  
24 interest or principal on bonds issued to refund or continue to  
25 refund bonds issued after March 1, 1995 that were approved by  
26 referendum; (e) made for any taxing district to pay interest or

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

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

23 "Aggregate extension" for all taxing districts to which  
24 this Law applies in accordance with Section 18-213, except for  
25 those taxing districts subject to paragraph (2) of subsection  
26 (e) of Section 18-213, means the annual corporate extension for



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

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

1 Illinois Pension Code, to the extent of the amount certified  
2 under item (5) of Section 4-134 of the Illinois Pension Code;  
3 and (m) made for the taxing district to pay interest or  
4 principal on general obligation bonds issued pursuant to  
5 Section 19-3.10 of the School Code.

6 "Aggregate extension" for all taxing districts to which  
7 this Law applies in accordance with paragraph (2) of subsection  
8 (e) of Section 18-213 or this amendatory Act of the 100th  
9 General Assembly means the annual corporate extension for the  
10 taxing district and those special purpose extensions that are  
11 made annually for the taxing district, excluding special  
12 purpose extensions: (a) made for the taxing district to pay  
13 interest or principal on general obligation bonds that were  
14 approved by referendum; (b) made for any taxing district to pay  
15 interest or principal on general obligation bonds issued before  
16 the effective date of this amendatory Act of 1997; (c) made for  
17 any taxing district to pay interest or principal on bonds  
18 issued to refund or continue to refund those bonds issued  
19 before the effective date of this amendatory Act of 1997; (d)  
20 made for any taxing district to pay interest or principal on  
21 bonds issued to refund or continue to refund bonds issued after  
22 the effective date of this amendatory Act of 1997 if the bonds  
23 were approved by referendum after the effective date of this  
24 amendatory Act of 1997; (e) made for any taxing district to pay  
25 interest or principal on revenue bonds issued before the  
26 effective date of this amendatory Act of 1997 for payment of

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

1 joint recreational programs for persons with disabilities  
2 under Section 5-8 of the Park District Code or Section 11-95-14  
3 of the Illinois Municipal Code; and (1) made for contributions  
4 to a firefighter's pension fund created under Article 4 of the  
5 Illinois Pension Code, to the extent of the amount certified  
6 under item (5) of Section 4-134 of the Illinois Pension Code.

7 "Debt service extension base" means an amount equal to that  
8 portion of the extension for a taxing district for the  
9 preceding levy year ~~for the 1994 levy year, or for those taxing~~  
10 ~~districts subject to this Law in accordance with Section~~  
11 ~~18-213, except for those subject to paragraph (2) of subsection~~  
12 ~~(c) of Section 18-213, for the levy year in which the~~  
13 ~~referendum making this Law applicable to the taxing district is~~  
14 ~~held, or for those taxing districts subject to this Law in~~  
15 ~~accordance with paragraph (2) of subsection (c) of Section~~  
16 ~~18-213 for the 1996 levy year,~~ constituting an extension for  
17 payment of principal and interest on bonds issued by the taxing  
18 district without referendum, but not including excluded  
19 non-referendum bonds. For park districts (i) that were first  
20 subject to this Law in 1991 or 1995 and (ii) whose extension  
21 for the 1994 levy year for the payment of principal and  
22 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). For levy years prior to 2017, a ~~A~~ debt  
7 service extension base established or increased at any time  
8 pursuant to any provision of this Law, except Section 18-212,  
9 shall be increased each year commencing with the later of (i)  
10 the 2009 levy year or (ii) the first levy year in which this  
11 Law becomes applicable to the taxing district, by the lesser of  
12 5% or the percentage increase in the Consumer Price Index  
13 during the 12-month calendar year preceding the levy year. For  
14 levy year 2017, for taxing districts other than school  
15 districts and community college districts, the debt service  
16 extension base shall be reduced by 5% from the district's 2016  
17 debt service extension base. For levy year 2018, for taxing  
18 districts other than school districts and community college  
19 districts, the debt service extension base shall be reduced by  
20 10% from the district's 2016 debt service extension base.  
21 Beginning in levy year 2017 for school districts and community  
22 college districts, and beginning in levy year 2019 for all  
23 other taxing districts, the debt service extension base shall  
24 be increased by 0%. The debt service extension base may be  
25 established or increased as provided under Section 18-212.  
26 "Excluded non-referendum bonds" means (i) bonds authorized by

1 Public Act 88-503 and issued under Section 20a of the Chicago  
2 Park District Act for aquarium and museum projects; (ii) bonds  
3 issued under Section 15 of the Local Government Debt Reform  
4 Act; or (iii) refunding obligations issued to refund or to  
5 continue to refund obligations initially issued pursuant to  
6 referendum.

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

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

1 to the amount that the aggregate extension of the taxing  
2 district would have been for the last preceding levy year if  
3 either or both (i) actual, rather than estimated, valuations or  
4 rates had been used to calculate the extension of taxes for the  
5 last levy year, or (ii) the tax extension for the last  
6 preceding levy year had not been adjusted as required by  
7 subsection (c) of Section 18-135.

8 Notwithstanding any other provision of law, for levy year  
9 2012, the aggregate extension base for West Northfield School  
10 District No. 31 in Cook County shall be \$12,654,592.

11 "Levy year" has the same meaning as "year" under Section  
12 1-155.

13 "New property" means (i) the assessed value, after final  
14 board of review or board of appeals action, of new improvements  
15 or additions to existing improvements on any parcel of real  
16 property that increase the assessed value of that real property  
17 during the levy year multiplied by the equalization factor  
18 issued by the Department under Section 17-30, (ii) the assessed  
19 value, after final board of review or board of appeals action,  
20 of real property not exempt from real estate taxation, which  
21 real property was exempt from real estate taxation for any  
22 portion of the immediately preceding levy year, multiplied by  
23 the equalization factor issued by the Department under Section  
24 17-30, including the assessed value, upon final stabilization  
25 of occupancy after new construction is complete, of any real  
26 property located within the boundaries of an otherwise or



1 previously exempt military reservation that is intended for  
2 residential use and owned by or leased to a private corporation  
3 or other entity, (iii) in counties that classify in accordance  
4 with Section 4 of Article IX of the Illinois Constitution, an  
5 incentive property's additional assessed value resulting from  
6 a scheduled increase in the level of assessment as applied to  
7 the first year final board of review market value, and (iv) any  
8 increase in assessed value due to oil or gas production from an  
9 oil or gas well required to be permitted under the Hydraulic  
10 Fracturing Regulatory Act that was not produced in or accounted  
11 for during the previous levy year. In addition, the county  
12 clerk in a county containing a population of 3,000,000 or more  
13 shall include in the 1997 recovered tax increment value for any  
14 school district, any recovered tax increment value that was  
15 applicable to the 1995 tax year calculations.

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

20 "Recovered tax increment value" means, except as otherwise  
21 provided in this paragraph, the amount of the current year's  
22 equalized assessed value, in the first year after a  
23 municipality terminates the designation of an area as a  
24 redevelopment project area previously established under the  
25 Tax Increment Allocation Development Act in the Illinois  
26 Municipal Code, previously established under the Industrial

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

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

9 Except as otherwise provided in this Section, "limiting  
10 rate" means a fraction the numerator of which is the last  
11 preceding aggregate extension base times an amount equal to one  
12 plus the extension limitation defined in this Section and the  
13 denominator of which is the current year's equalized assessed  
14 value of all real property in the territory under the  
15 jurisdiction of the taxing district during the prior levy year.  
16 For those taxing districts that reduced their aggregate  
17 extension for the last preceding levy year, the highest  
18 aggregate extension in any of the last 3 preceding levy years  
19 shall be used for the purpose of computing the limiting rate.  
20 The denominator shall not include new property or the recovered  
21 tax increment value. Notwithstanding any other provision of  
22 law: (1) for levy year 2017, for taxing districts other than  
23 school districts and community college districts, "limiting  
24 rate" means the taxing district's aggregate extension for the  
25 2016 levy year (or, in the case of taxing districts that were  
26 not subject to this Law in the 2016 levy year, the aggregate

1 extension that would have applied to that taxing district in  
2 the 2016 levy year if the district had been subject to this Law  
3 in that year) reduced by 5%; and (2) for levy year 2018, for  
4 taxing districts other than school districts and community  
5 college districts, "limiting rate" means the taxing district's  
6 aggregate extension for the 2016 levy year (or, in the case of  
7 taxing districts that were not subject to this Law in the 2016  
8 levy year, the aggregate extension that would have applied to  
9 that taxing district in the 2016 levy year if the district had  
10 been subject to this Law in that year) reduced by 10%. If a new  
11 rate, a rate decrease, or a limiting rate increase has been  
12 approved at an election held after March 21, 2006, then (i) the  
13 otherwise applicable limiting rate shall be increased by the  
14 amount of the new rate or shall be reduced by the amount of the  
15 rate decrease, as the case may be, or (ii) in the case of a  
16 limiting rate increase, the limiting rate shall be equal to the  
17 rate set forth in the proposition approved by the voters for  
18 each of the years specified in the proposition, after which the  
19 limiting rate of the taxing district shall be calculated as  
20 otherwise provided. In the case of a taxing district that  
21 obtained referendum approval for an increased limiting rate on  
22 March 20, 2012, the limiting rate for tax year 2012 shall be  
23 the rate that generates the approximate total amount of taxes  
24 extendable for that tax year, as set forth in the proposition  
25 approved by the voters; this rate shall be the final rate  
26 applied by the county clerk for the aggregate of all capped

1 funds of the district for tax year 2012.

2 (Source: P.A. 98-6, eff. 3-29-13; 98-23, eff. 6-17-13; 99-143,  
3 eff. 7-27-15.)

4 (Text of Section after amendment by P.A. 99-521)

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

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

11 "Extension limitation", for levy years prior to 2017, means  
12 (a) the lesser of 5% or the percentage increase in the Consumer  
13 Price Index during the 12-month calendar year preceding the  
14 levy year or (b) the rate of increase approved by voters under  
15 Section 18-205.

16 "Extension limitation", beginning in levy year 2017 for  
17 school districts and community college districts, and  
18 beginning in levy year 2019 for all other taxing districts,  
19 means 0% or the rate of increase approved by the voters under  
20 Section 18-205. For levy years 2017 and 2018, the limiting rate  
21 for taxing districts other than school districts and community  
22 college districts shall not be calculated using an extension  
23 limitation, but shall be calculated according to the reduction  
24 provided in the definition of limiting rate in this Section.

25 "Affected county" means a county of 3,000,000 or more

1 inhabitants or a county contiguous to a county of 3,000,000 or  
2 more inhabitants.

3 "Taxing district" has the same meaning provided in Section  
4 1-150, except as otherwise provided in this Section. For the  
5 1991 through 1994 levy years only, "taxing district" includes  
6 only each non-home rule taxing district having the majority of  
7 its 1990 equalized assessed value within any county or counties  
8 contiguous to a county with 3,000,000 or more inhabitants.  
9 Beginning with the 1995 levy year and through the 2016 levy  
10 year, "taxing district" includes only each non-home rule taxing  
11 district subject to this Law before the 1995 levy year and each  
12 non-home rule taxing district not subject to this Law before  
13 the 1995 levy year having the majority of its 1994 equalized  
14 assessed value in an affected county or counties. Beginning  
15 with the levy year in which this Law becomes applicable to a  
16 taxing district as provided in Section 18-213, "taxing  
17 district" also includes those taxing districts made subject to  
18 this Law as provided in Section 18-213. Beginning with the 2017  
19 levy year, "taxing district" has the same meaning provided in  
20 Section 1-150 and includes home rule units.

21 "Aggregate extension" for taxing districts to which this  
22 Law applied before the 1995 levy year means the annual  
23 corporate extension for the taxing district and those special  
24 purpose extensions that are made annually for the taxing  
25 district, excluding special purpose extensions: (a) made for  
26 the taxing district to pay interest or principal on general

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

1 exceed the debt service extension base less the amount in items  
2 (b), (c), (e), and (h) of this definition for non-referendum  
3 obligations, except obligations initially issued pursuant to  
4 referendum; (j) made for payments of principal and interest on  
5 bonds issued under Section 15 of the Local Government Debt  
6 Reform Act; (k) made by a school district that participates in  
7 the Special Education District of Lake County, created by  
8 special education joint agreement under Section 10-22.31 of the  
9 School Code, for payment of the school district's share of the  
10 amounts required to be contributed by the Special Education  
11 District of Lake County to the Illinois Municipal Retirement  
12 Fund under Article 7 of the Illinois Pension Code; the amount  
13 of any extension under this item (k) shall be certified by the  
14 school district to the county clerk; (l) made to fund expenses  
15 of providing joint recreational programs for persons with  
16 disabilities under Section 5-8 of the Park District Code or  
17 Section 11-95-14 of the Illinois Municipal Code; (m) made for  
18 temporary relocation loan repayment purposes pursuant to  
19 Sections 2-3.77 and 17-2.2d of the School Code; (n) made for  
20 payment of principal and interest on any bonds issued under the  
21 authority of Section 17-2.2d of the School Code; (o) made for  
22 contributions to a firefighter's pension fund created under  
23 Article 4 of the Illinois Pension Code, to the extent of the  
24 amount certified under item (5) of Section 4-134 of the  
25 Illinois Pension Code; and (p) made for road purposes in the  
26 first year after a township assumes the rights, powers, duties,



1 assets, property, liabilities, obligations, and  
2 responsibilities of a road district abolished under the  
3 provisions of Section 6-133 of the Illinois Highway Code.

4 "Aggregate extension" for the taxing districts to which  
5 this Law did not apply before the 1995 levy year (except taxing  
6 districts subject to this Law in accordance with Section 18-213  
7 or this amendatory Act of the 100th General Assembly) means the  
8 annual corporate extension for the taxing district and those  
9 special purpose extensions that are made annually for the  
10 taxing district, excluding special purpose extensions: (a)  
11 made for the taxing district to pay interest or principal on  
12 general obligation bonds that were approved by referendum; (b)  
13 made for any taxing district to pay interest or principal on  
14 general obligation bonds issued before March 1, 1995; (c) made  
15 for any taxing district to pay interest or principal on bonds  
16 issued to refund or continue to refund those bonds issued  
17 before March 1, 1995; (d) made for any taxing district to pay  
18 interest or principal on bonds issued to refund or continue to  
19 refund bonds issued after March 1, 1995 that were approved by  
20 referendum; (e) made for any taxing district to pay interest or  
21 principal on revenue bonds issued before March 1, 1995 for  
22 payment of which a property tax levy or the full faith and  
23 credit of the unit of local government is pledged; however, a  
24 tax for the payment of interest or principal on those bonds  
25 shall be made only after the governing body of the unit of  
26 local government finds that all other sources for payment are

1 insufficient to make those payments; (f) made for payments  
2 under a building commission lease when the lease payments are  
3 for the retirement of bonds issued by the commission before  
4 March 1, 1995 to pay for the building project; (g) made for  
5 payments due under installment contracts entered into before  
6 March 1, 1995; (h) made for payments of principal and interest  
7 on bonds issued under the Metropolitan Water Reclamation  
8 District Act to finance construction projects initiated before  
9 October 1, 1991; (h-4) made for stormwater management purposes  
10 by the Metropolitan Water Reclamation District of Greater  
11 Chicago under Section 12 of the Metropolitan Water Reclamation  
12 District Act; (i) made for payments of principal and interest  
13 on limited bonds, as defined in Section 3 of the Local  
14 Government Debt Reform Act, in an amount not to exceed the debt  
15 service extension base less the amount in items (b), (c), and  
16 (e) of this definition for non-referendum obligations, except  
17 obligations initially issued pursuant to referendum and bonds  
18 described in subsection (h) of this definition; (j) made for  
19 payments of principal and interest on bonds issued under  
20 Section 15 of the Local Government Debt Reform Act; (k) made  
21 for payments of principal and interest on bonds authorized by  
22 Public Act 88-503 and issued under Section 20a of the Chicago  
23 Park District Act for aquarium or museum projects; (l) made for  
24 payments of principal and interest on bonds authorized by  
25 Public Act 87-1191 or 93-601 and (i) issued pursuant to Section  
26 21.2 of the Cook County Forest Preserve District Act, (ii)

1 issued under Section 42 of the Cook County Forest Preserve  
2 District Act for zoological park projects, or (iii) issued  
3 under Section 44.1 of the Cook County Forest Preserve District  
4 Act for botanical gardens projects; (m) made pursuant to  
5 Section 34-53.5 of the School Code, whether levied annually or  
6 not; (n) made to fund expenses of providing joint recreational  
7 programs for persons with disabilities under Section 5-8 of the  
8 Park District Code or Section 11-95-14 of the Illinois  
9 Municipal Code; (o) made by the Chicago Park District for  
10 recreational programs for persons with disabilities under  
11 subsection (c) of Section 7.06 of the Chicago Park District  
12 Act; (p) made for contributions to a firefighter's pension fund  
13 created under Article 4 of the Illinois Pension Code, to the  
14 extent of the amount certified under item (5) of Section 4-134  
15 of the Illinois Pension Code; (q) made by Ford Heights School  
16 District 169 under Section 17-9.02 of the School Code; and (r)  
17 made for the purpose of making employer contributions to the  
18 Public School Teachers' Pension and Retirement Fund of Chicago  
19 under Section 34-53 of the School Code.

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

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

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

1 principal on general obligation bonds issued pursuant to  
2 Section 19-3.10 of the School Code.

3 "Aggregate extension" for all taxing districts to which  
4 this Law applies in accordance with paragraph (2) of subsection  
5 (e) of Section 18-213 or this amendatory Act of the 100th  
6 General Assembly means the annual corporate extension for the  
7 taxing district and those special purpose extensions that are  
8 made annually for the taxing district, excluding special  
9 purpose extensions: (a) made for the taxing district to pay  
10 interest or principal on general obligation bonds that were  
11 approved by referendum; (b) made for any taxing district to pay  
12 interest or principal on general obligation bonds issued before  
13 the effective date of this amendatory Act of 1997; (c) made for  
14 any taxing district to pay interest or principal on bonds  
15 issued to refund or continue to refund those bonds issued  
16 before the effective date of this amendatory Act of 1997; (d)  
17 made for any taxing district to pay interest or principal on  
18 bonds issued to refund or continue to refund bonds issued after  
19 the effective date of this amendatory Act of 1997 if the bonds  
20 were approved by referendum after the effective date of this  
21 amendatory Act of 1997; (e) made for any taxing district to pay  
22 interest or principal on revenue bonds issued before the  
23 effective date of this amendatory Act of 1997 for payment of  
24 which a property tax levy or the full faith and credit of the  
25 unit of local government is pledged; however, a tax for the  
26 payment of interest or principal on those bonds shall be made

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

1 to a firefighter's pension fund created under Article 4 of the  
2 Illinois Pension Code, to the extent of the amount certified  
3 under item (5) of Section 4-134 of the Illinois Pension Code.

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



1 on bonds issued by the park district without referendum (but  
2 not including excluded non-referendum bonds). For levy years  
3 prior to 2017, a ~~A~~ debt service extension base established or  
4 increased at any time pursuant to any provision of this Law,  
5 except Section 18-212, shall be increased each year commencing  
6 with the later of (i) the 2009 levy year or (ii) the first levy  
7 year in which this Law becomes applicable to the taxing  
8 district, by the lesser of 5% or the percentage increase in the  
9 Consumer Price Index during the 12-month calendar year  
10 preceding the levy year. For levy year 2017, for taxing  
11 districts other than school districts and community college  
12 districts, the debt service extension base shall be reduced by  
13 5% from the district's 2016 debt service extension base. For  
14 levy year 2018, for taxing districts other than school  
15 districts and community college districts, the debt service  
16 extension base shall be reduced by 10% from the district's 2016  
17 debt service extension base. Beginning in levy year 2017 for  
18 school districts and community college districts, and  
19 beginning in levy year 2019 for all other taxing districts, the  
20 debt service extension base shall be increased by 0%. The debt  
21 service extension base may be established or increased as  
22 provided under Section 18-212. "Excluded non-referendum bonds"  
23 means (i) bonds authorized by Public Act 88-503 and issued  
24 under Section 20a of the Chicago Park District Act for aquarium  
25 and museum projects; (ii) bonds issued under Section 15 of the  
26 Local Government Debt Reform Act; or (iii) refunding

1 obligations issued to refund or to continue to refund  
2 obligations initially issued pursuant to 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 Notwithstanding any other provision of law, for levy year  
5 2012, the aggregate extension base for West Northfield School  
6 District No. 31 in Cook County shall be \$12,654,592.

7 "Levy year" has the same meaning as "year" under Section  
8 1-155.

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

1 incentive property's additional assessed value resulting from  
2 a scheduled increase in the level of assessment as applied to  
3 the first year final board of review market value, and (iv) any  
4 increase in assessed value due to oil or gas production from an  
5 oil or gas well required to be permitted under the Hydraulic  
6 Fracturing Regulatory Act that was not produced in or accounted  
7 for during the previous levy year. In addition, the county  
8 clerk in a county containing a population of 3,000,000 or more  
9 shall include in the 1997 recovered tax increment value for any  
10 school district, any recovered tax increment value that was  
11 applicable to the 1995 tax year calculations.

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

16 "Recovered tax increment value" means, except as otherwise  
17 provided in this paragraph, the amount of the current year's  
18 equalized assessed value, in the first year after a  
19 municipality terminates the designation of an area as a  
20 redevelopment project area previously established under the  
21 Tax Increment Allocation Development Act in the Illinois  
22 Municipal Code, previously established under the Industrial  
23 Jobs Recovery Law in the Illinois Municipal Code, previously  
24 established under the Economic Development Project Area Tax  
25 Increment Act of 1995, or previously established under the  
26 Economic Development Area Tax Increment Allocation Act, of each

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

1 of each taxable lot, block, tract, or parcel of real property  
2 removed from the redevelopment project area over and above the  
3 initial equalized assessed value of that real property before  
4 removal from the redevelopment project area.

5 Except as otherwise provided in this Section, "limiting  
6 rate" means a fraction the numerator of which is the last  
7 preceding aggregate extension base times an amount equal to one  
8 plus the extension limitation defined in this Section and the  
9 denominator of which is the current year's equalized assessed  
10 value of all real property in the territory under the  
11 jurisdiction of the taxing district during the prior levy year.  
12 For those taxing districts that reduced their aggregate  
13 extension for the last preceding levy year, the highest  
14 aggregate extension in any of the last 3 preceding levy years  
15 shall be used for the purpose of computing the limiting rate.  
16 The denominator shall not include new property or the recovered  
17 tax increment value. Notwithstanding any other provision of  
18 law: (1) for levy year 2017, for taxing districts other than  
19 school districts and community college districts, "limiting  
20 rate" means the taxing district's aggregate extension for the  
21 2016 levy year (or, in the case of taxing districts that were  
22 not subject to this Law in the 2016 levy year, the aggregate  
23 extension that would have applied to that taxing district in  
24 the 2016 levy year if the district had been subject to this Law  
25 in that year) reduced by 5%; and (2) for levy year 2018, for  
26 taxing districts other than school districts and community

1 college districts, "limiting rate" means the taxing district's  
2 aggregate extension for the 2016 levy year (or, in the case of  
3 taxing districts that were not subject to this Law in the 2016  
4 levy year, the aggregate extension that would have applied to  
5 that taxing district in the 2016 levy year if the district had  
6 been subject to this Law in that year) reduced by 10%. If a new  
7 rate, a rate decrease, or a limiting rate increase has been  
8 approved at an election held after March 21, 2006, then (i) the  
9 otherwise applicable limiting rate shall be increased by the  
10 amount of the new rate or shall be reduced by the amount of the  
11 rate decrease, as the case may be, or (ii) in the case of a  
12 limiting rate increase, the limiting rate shall be equal to the  
13 rate set forth in the proposition approved by the voters for  
14 each of the years specified in the proposition, after which the  
15 limiting rate of the taxing district shall be calculated as  
16 otherwise provided. In the case of a taxing district that  
17 obtained referendum approval for an increased limiting rate on  
18 March 20, 2012, the limiting rate for tax year 2012 shall be  
19 the rate that generates the approximate total amount of taxes  
20 extendable for that tax year, as set forth in the proposition  
21 approved by the voters; this rate shall be the final rate  
22 applied by the county clerk for the aggregate of all capped  
23 funds of the district for tax year 2012.

24 (Source: P.A. 98-6, eff. 3-29-13; 98-23, eff. 6-17-13; 99-143,  
25 eff. 7-27-15; 99-521, eff. 6-1-17.)

1 (35 ILCS 200/18-205)

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

15 Shall the extension limitation under the Property Tax  
16 Extension Limitation Law for (insert the legal name,  
17 number, if any, and county or counties of the taxing  
18 district and geographic or other common name by which a  
19 school or community college district is known and referred  
20 to), Illinois, be increased from (extension limitation  
21 under Section 18-185) ~~the lesser of 5% or the percentage~~  
22 ~~increase in the Consumer Price Index over the prior levy~~  
23 ~~year~~ to (insert the percentage of the proposed increase)%  
24 per year for (insert each levy year for which the increased  
25 extension limitation will apply)?

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



1 If a majority of voters voting on the issue approves the  
2 adoption of the increase, the increase shall be applicable for  
3 each levy year specified.

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

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

15 (2) Based upon an average annual percentage increase  
16 (or decrease) in the market value of such property of ...%  
17 (insert percentage equal to the average annual percentage  
18 increase or decrease for the prior 3 levy years, at the  
19 time the submission of the question is initiated by the  
20 taxing district, in the amount of (A) the equalized  
21 assessed value of the taxable property in the taxing  
22 district less (B) the new property included in the  
23 equalized assessed value), the approximate amount of the  
24 additional tax extendable against such property for the ...  
25 levy year is estimated to be \$... and for the ... levy year  
26 is estimated to be \$....

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

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

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

19 (35 ILCS 200/18-212)

20 Sec. 18-212. Referendum on debt service extension base. A  
21 taxing district may establish or increase its debt service  
22 extension base if (i) that taxing district holds a referendum  
23 before the date on which the levy must be filed with the county  
24 clerk of the county or counties in which the taxing district is  
25 situated and (ii) a majority of voters voting on the issue

1 approves the establishment of or increase in the debt service  
2 extension base. A debt service extension base established or  
3 increased by a referendum held pursuant to this Section after  
4 February 2, 2010 and prior to the effective date of this  
5 amendatory Act of the 100th General Assembly, shall be  
6 increased each year, commencing with the first levy year  
7 beginning after the date of the referendum, by the lesser of 5%  
8 or the percentage increase in the Consumer Price Index during  
9 the 12-month calendar year preceding the levy year if the  
10 optional language concerning the annual increase is included in  
11 the question submitted to the electors of the taxing district.  
12 Referenda under this Section shall be conducted at a regularly  
13 scheduled election in accordance with the Election Code. The  
14 governing body of the taxing district shall certify the  
15 question to the proper election authorities who shall submit  
16 the question to the electors of the taxing district in  
17 substantially the following form:

18 "Shall the debt service extension base under the Property  
19 Tax Extension Limitation Law for ... (taxing district name)  
20 ... for payment of principal and interest on limited bonds  
21 be .... ((established at \$ ....) . (or) (increased from \$  
22 .... to \$ ....)) .. for the ..... levy year and all  
23 subsequent levy years (optional language: , such debt  
24 service extension base to be increased each year by the  
25 lesser of 5% or the percentage increase in the Consumer  
26 Price Index during the 12-month calendar year preceding the

1           levy year)?"

2           Votes on the question shall be recorded as "Yes" or "No".

3           If a majority of voters voting on the issue approves the  
4           establishment of or increase in the debt service extension  
5           base, the establishment of or increase in the debt service  
6           extension base shall be applicable for the levy years  
7           specified.

8           (Source: P.A. 96-1202, eff. 7-22-10.)

9           (35 ILCS 200/18-213)

10          Sec. 18-213. Referenda on applicability of the Property Tax  
11          Extension Limitation Law.

12          (a) The provisions of this Section do not apply to a taxing  
13          district subject to this Law because a majority of its 1990  
14          equalized assessed value is in a county or counties contiguous  
15          to a county of 3,000,000 or more inhabitants, or because a  
16          majority of its 1994 equalized assessed value is in an affected  
17          county and the taxing district was not subject to this Law  
18          before the 1995 levy year.

19          (b) Prior to taxable year 2017, the ~~The~~ county board of a  
20          county that is not subject to this Law may, by ordinance or  
21          resolution, submit to the voters of the county the question of  
22          whether to make all non-home rule taxing districts that have  
23          all or a portion of their equalized assessed valuation situated  
24          in the county subject to this Law in the manner set forth in  
25          this Section.

1 For purposes of this Section only:

2 "Taxing district" has the same meaning provided in Section  
3 1-150.

4 "Equalized assessed valuation" means the equalized  
5 assessed valuation for a taxing district for the immediately  
6 preceding levy year.

7 (c) The ordinance or resolution shall request the  
8 submission of the proposition at any election, except a  
9 consolidated primary election, for the purpose of voting for or  
10 against making the Property Tax Extension Limitation Law  
11 applicable to all non-home rule taxing districts that have all  
12 or a portion of their equalized assessed valuation situated in  
13 the county.

14 The question shall be placed on a separate ballot and shall  
15 be in substantially the following form:

16 Shall the Property Tax Extension Limitation Law (35  
17 ILCS 200/18-185 through 18-245), which limits annual  
18 property tax extension increases, apply to non-home rule  
19 taxing districts with all or a portion of their equalized  
20 assessed valuation located in (name of county)?

21 Votes on the question shall be recorded as "yes" or "no".

22 (d) The county clerk shall order the proposition submitted  
23 to the electors of the county at the election specified in the  
24 ordinance or resolution. If part of the county is under the  
25 jurisdiction of a board or boards of election commissioners,  
26 the county clerk shall submit a certified copy of the ordinance

1 or resolution to each board of election commissioners, which  
2 shall order the proposition submitted to the electors of the  
3 taxing district within its jurisdiction at the election  
4 specified in the ordinance or resolution.

5 (e) (1) With respect to taxing districts having all of  
6 their equalized assessed valuation located in the county,  
7 if a majority of the votes cast on the proposition are in  
8 favor of the proposition, then this Law becomes applicable  
9 to the taxing district beginning on January 1 of the year  
10 following the date of the referendum.

11 (2) With respect to taxing districts that meet all the  
12 following conditions this Law shall become applicable to  
13 the taxing district beginning on January 1, 1997. The  
14 districts to which this paragraph (2) is applicable

15 (A) do not have all of their equalized assessed  
16 valuation located in a single county,

17 (B) have equalized assessed valuation in an  
18 affected county,

19 (C) meet the condition that each county, other than  
20 an affected county, in which any of the equalized  
21 assessed valuation of the taxing district is located  
22 has held a referendum under this Section at any  
23 election, except a consolidated primary election, held  
24 prior to the effective date of this amendatory Act of  
25 1997, and

26 (D) have a majority of the district's equalized

1           assessed valuation located in one or more counties in  
2           each of which the voters have approved a referendum  
3           under this Section prior to the effective date of this  
4           amendatory Act of 1997. For purposes of this Section,  
5           in determining whether a majority of the equalized  
6           assessed valuation of the taxing district is located in  
7           one or more counties in which the voters have approved  
8           a referendum under this Section, the equalized  
9           assessed valuation of the taxing district in any  
10          affected county shall be included with the equalized  
11          assessed value of the taxing district in counties in  
12          which the voters have approved the referendum.

13           (3) With respect to taxing districts that do not have  
14          all of their equalized assessed valuation located in a  
15          single county and to which paragraph (2) of subsection (e)  
16          is not applicable, if each county other than an affected  
17          county in which any of the equalized assessed valuation of  
18          the taxing district is located has held a referendum under  
19          this Section at any election, except a consolidated primary  
20          election, held in any year and if a majority of the  
21          equalized assessed valuation of the taxing district is  
22          located in one or more counties that have each approved a  
23          referendum under this Section, then this Law shall become  
24          applicable to the taxing district on January 1 of the year  
25          following the year in which the last referendum in a county  
26          in which the taxing district has any equalized assessed



1 valuation is held. For the purposes of this Law, the last  
2 referendum shall be deemed to be the referendum making this  
3 Law applicable to the taxing district. For purposes of this  
4 Section, in determining whether a majority of the equalized  
5 assessed valuation of the taxing district is located in one  
6 or more counties that have approved a referendum under this  
7 Section, the equalized assessed valuation of the taxing  
8 district in any affected county shall be included with the  
9 equalized assessed value of the taxing district in counties  
10 that have approved the referendum.

11 (f) Immediately after a referendum is held under this  
12 Section, the county clerk of the county holding the referendum  
13 shall give notice of the referendum having been held and its  
14 results to all taxing districts that have all or a portion of  
15 their equalized assessed valuation located in the county, the  
16 county clerk of any other county in which any of the equalized  
17 assessed valuation of any taxing district is located, and the  
18 Department of Revenue. After the last referendum affecting a  
19 multi-county taxing district is held, the Department of Revenue  
20 shall determine whether the taxing district is subject to this  
21 Law and, if so, shall notify the taxing district and the county  
22 clerks of all of the counties in which a portion of the  
23 equalized assessed valuation of the taxing district is located  
24 that, beginning the following January 1, the taxing district is  
25 subject to this Law. For each taxing district subject to  
26 paragraph (2) of subsection (e) of this Section, the Department

1 of Revenue shall notify the taxing district and the county  
2 clerks of all of the counties in which a portion of the  
3 equalized assessed valuation of the taxing district is located  
4 that, beginning January 1, 1997, the taxing district is subject  
5 to this Law.

6 (g) Referenda held under this Section shall be conducted in  
7 accordance with the Election Code.

8 (Source: P.A. 89-510, eff. 7-11-96; 89-718, eff. 3-7-97.)

9 (35 ILCS 200/18-214)

10 Sec. 18-214. Referenda on removal of the applicability of  
11 the Property Tax Extension Limitation Law to non-home rule  
12 taxing districts.

13 (a) The provisions of this Section do not apply to a taxing  
14 district that is subject to this Law because a majority of its  
15 1990 equalized assessed value is in a county or counties  
16 contiguous to a county of 3,000,000 or more inhabitants, or  
17 because a majority of its 1994 equalized assessed value is in  
18 an affected county and the taxing district was not subject to  
19 this Law before the 1995 levy year.

20 (b) For purposes of this Section only:

21 "Taxing district" means any non-home rule taxing district  
22 that became subject to this Law under Section 18-213 of this  
23 Law.

24 "Equalized assessed valuation" means the equalized  
25 assessed valuation for a taxing district for the immediately

1 preceding levy year.

2 (c) The county board of a county that became subject to  
3 this Law by a referendum approved by the voters of the county  
4 under Section 18-213 may, by ordinance or resolution, in the  
5 manner set forth in this Section, submit to the voters of the  
6 county the question of whether this Law applies to all non-home  
7 rule taxing districts that have all or a portion of their  
8 equalized assessed valuation situated in the county in the  
9 manner set forth in this Section.

10 (d) The ordinance or resolution shall request the  
11 submission of the proposition at any election, except a  
12 consolidated primary election, for the purpose of voting for or  
13 against the continued application of the Property Tax Extension  
14 Limitation Law to all non-home rule taxing districts that have  
15 all or a portion of their equalized assessed valuation situated  
16 in the county.

17 The question shall be placed on a separate ballot and shall  
18 be in substantially the following form:

19 Shall the Property Tax Extension Limitation Law (35  
20 ILCS 200/18-185 through 35 ILCS 200/18-245), which limits  
21 annual property tax extension increases, apply to non-home  
22 rule taxing districts with all or a portion of their  
23 equalized assessed valuation located in (name of county)?

24 Votes on the question shall be recorded as "yes" or "no".

25 (e) The county clerk shall order the proposition submitted  
26 to the electors of the county at the election specified in the

1 ordinance or resolution. If part of the county is under the  
2 jurisdiction of a board or boards of election commissioners,  
3 the county clerk shall submit a certified copy of the ordinance  
4 or resolution to each board of election commissioners, which  
5 shall order the proposition submitted to the electors of the  
6 taxing district within its jurisdiction at the election  
7 specified in the ordinance or resolution.

8 (f) With respect to taxing districts having all of their  
9 equalized assessed valuation located in one county, if a  
10 majority of the votes cast on the proposition are against the  
11 proposition, then this Law shall not apply to the taxing  
12 district beginning on January 1 of the year following the date  
13 of the referendum.

14 (g) With respect to taxing districts that do not have all  
15 of their equalized assessed valuation located in a single  
16 county, if both of the following conditions are met, then this  
17 Law shall no longer apply to the taxing district beginning on  
18 January 1 of the year following the date of the referendum.

19 (1) Each county in which the district has any equalized  
20 assessed valuation must either, (i) have held a referendum  
21 under this Section, (ii) be an affected county, or (iii)  
22 have held a referendum under Section 18-213 at which the  
23 voters rejected the proposition at the most recent election  
24 at which the question was on the ballot in the county.

25 (2) The majority of the equalized assessed valuation of  
26 the taxing district, other than any equalized assessed

1 valuation in an affected county, is in one or more counties  
2 in which the voters rejected the proposition. For purposes  
3 of this Section, in determining whether a majority of the  
4 equalized assessed valuation of the taxing district is  
5 located in one or more counties in which the voters have  
6 rejected the proposition under this Section, the equalized  
7 assessed valuation of any taxing district in a county which  
8 has held a referendum under Section 18-213 at which the  
9 voters rejected that proposition, at the most recent  
10 election at which the question was on the ballot in the  
11 county, will be included with the equalized assessed value  
12 of the taxing district in counties in which the voters have  
13 rejected the referendum held under this Section.

14 (h) Immediately after a referendum is held under this  
15 Section, the county clerk of the county holding the referendum  
16 shall give notice of the referendum having been held and its  
17 results to all taxing districts that have all or a portion of  
18 their equalized assessed valuation located in the county, the  
19 county clerk of any other county in which any of the equalized  
20 assessed valuation of any such taxing district is located, and  
21 the Department of Revenue. After the last referendum affecting  
22 a multi-county taxing district is held, the Department of  
23 Revenue shall determine whether the taxing district is no  
24 longer subject to this Law and, if the taxing district is no  
25 longer subject to this Law, the Department of Revenue shall  
26 notify the taxing district and the county clerks of all of the

1 counties in which a portion of the equalized assessed valuation  
2 of the taxing district is located that, beginning on January 1  
3 of the year following the date of the last referendum, the  
4 taxing district is no longer subject to this Law.

5 (i) Notwithstanding any other provision of law, no  
6 referendum may be submitted under this Section for taxable year  
7 2017 or thereafter.

8 (Source: P.A. 89-718, eff. 3-7-97.)

9 (35 ILCS 200/18-242 new)

10 Sec. 18-242. Home rule. This Division 5 is a limitation,  
11 under subsection (g) of Section 6 of Article VII of the  
12 Illinois Constitution, on the power of home rule units to tax.

13 Section 90. The State Mandates Act is amended by adding  
14 Section 8.41 as follows:

15 (30 ILCS 805/8.41 new)

16 Sec. 8.41. Exempt mandate. Notwithstanding Sections 6 and 8  
17 of this Act, no reimbursement by the State is required for the  
18 implementation of any mandate created by this amendatory Act of  
19 the 100th General Assembly.

20 Section 95. No acceleration or delay. Where this Act makes  
21 changes in a statute that is represented in this Act by text  
22 that is not yet or no longer in effect (for example, a Section

1 represented by multiple versions), the use of that text does  
2 not accelerate or delay the taking effect of (i) the changes  
3 made by this Act or (ii) provisions derived from any other  
4 Public Act.

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