

# HB2397



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB2397

by Rep. Fred Crespo

### SYNOPSIS AS INTRODUCED:

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

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that, if, at the end of any levy year, a taxing district has reserves of 50% or more of its operating budget for that levy year, then, for the next levy year, "extension limitation" means 0% or the rate of increase approved by the voters. Preempts the power of home rule units to tax. Effective immediately.

LRB100 07314 HLH 17376 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 Sections 18-185 and 18-205 and by adding Section 18-242 as  
6 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" means, except as otherwise provided  
16 in this Section, (a) the lesser of 5% or the percentage  
17 increase in the Consumer Price Index during the 12-month  
18 calendar year preceding the levy year or (b) the rate of  
19 increase approved by voters under Section 18-205.

20 If, at the end of any levy year, any taxing district, as  
21 defined in Section 1-150, has reserves of 50% or more of its  
22 operating budget for that levy year, then, for the next levy  
23 year, "extension limitation" means 0% or the rate of increase

1 approved by the voters under Section 18-205.

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

5 "Taxing district" has the same meaning provided in Section  
6 1-150, except as otherwise provided in this Section. For the  
7 1991 through 1994 levy years only, "taxing district" includes  
8 only each non-home rule taxing district having the majority of  
9 its 1990 equalized assessed value within any county or counties  
10 contiguous to a county with 3,000,000 or more inhabitants.  
11 Beginning with the 1995 levy year, "taxing district" includes  
12 only each non-home rule taxing district subject to this Law  
13 before the 1995 levy year and each non-home rule taxing  
14 district not subject to this Law before the 1995 levy year  
15 having the majority of its 1994 equalized assessed value in an  
16 affected county or counties. Beginning with the levy year in  
17 which this Law becomes applicable to a taxing district as  
18 provided in Section 18-213, "taxing district" also includes  
19 those taxing districts made subject to this Law as provided in  
20 Section 18-213. Beginning in levy year 2017, "taxing district"  
21 also means any taxing district, as defined in Section 1-150,  
22 that had reserves of 50% or more of its operating budget at the  
23 end of the immediately preceding levy year.

24 "Aggregate extension" for taxing districts to which this  
25 Law applied before the 1995 levy year means the annual  
26 corporate extension for the taxing district and those special

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

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

1 amount certified under item (5) of Section 4-134 of the  
2 Illinois Pension Code; and (p) made for road purposes in the  
3 first year after a township assumes the rights, powers, duties,  
4 assets, property, liabilities, obligations, and  
5 responsibilities of a road district abolished under the  
6 provisions of Section 6-133 of the Illinois Highway Code.

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

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

1 payments of principal and interest on bonds authorized by  
2 Public Act 87-1191 or 93-601 and (i) issued pursuant to Section  
3 21.2 of the Cook County Forest Preserve District Act, (ii)  
4 issued under Section 42 of the Cook County Forest Preserve  
5 District Act for zoological park projects, or (iii) issued  
6 under Section 44.1 of the Cook County Forest Preserve District  
7 Act for botanical gardens projects; (m) made pursuant to  
8 Section 34-53.5 of the School Code, whether levied annually or  
9 not; (n) made to fund expenses of providing joint recreational  
10 programs for persons with disabilities under Section 5-8 of the  
11 Park District Code or Section 11-95-14 of the Illinois  
12 Municipal Code; (o) made by the Chicago Park District for  
13 recreational programs for persons with disabilities under  
14 subsection (c) of Section 7.06 of the Chicago Park District  
15 Act; (p) made for contributions to a firefighter's pension fund  
16 created under Article 4 of the Illinois Pension Code, to the  
17 extent of the amount certified under item (5) of Section 4-134  
18 of the Illinois Pension Code; and (q) made by Ford Heights  
19 School District 169 under Section 17-9.02 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 1994  
6 levy year, or for those taxing districts subject to this Law in  
7 accordance with Section 18-213, except for those subject to  
8 paragraph (2) of subsection (e) of Section 18-213, for the levy  
9 year in which the referendum making this Law applicable to the  
10 taxing district is held, or for those taxing districts subject  
11 to this Law in accordance with paragraph (2) of subsection (e)  
12 of Section 18-213 for the 1996 levy year, constituting an  
13 extension for payment of principal and interest on bonds issued  
14 by the taxing district without referendum, but not including  
15 excluded non-referendum bonds. For park districts (i) that were  
16 first subject to this Law in 1991 or 1995 and (ii) whose  
17 extension for the 1994 levy year for the payment of principal  
18 and interest on bonds issued by the park district without  
19 referendum (but not including excluded non-referendum bonds)  
20 was less than 51% of the amount for the 1991 levy year  
21 constituting an extension for payment of principal and interest  
22 on bonds issued by the park district without referendum (but  
23 not including excluded non-referendum bonds), "debt service  
24 extension base" means an amount equal to that portion of the  
25 extension for the 1991 levy year constituting an extension for  
26 payment of principal and interest on bonds issued by the park

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

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

26 "Aggregate extension base" means the taxing district's

1 last preceding aggregate extension as adjusted under Sections  
2 18-135, 18-215, and 18-230. An adjustment under Section 18-135  
3 shall be made for the 2007 levy year and all subsequent levy  
4 years whenever one or more counties within which a taxing  
5 district is located (i) used estimated valuations or rates when  
6 extending taxes in the taxing district for the last preceding  
7 levy year that resulted in the over or under extension of  
8 taxes, or (ii) increased or decreased the tax extension for the  
9 last preceding levy year as required by Section 18-135(c).  
10 Whenever an adjustment is required under Section 18-135, the  
11 aggregate extension base of the taxing district shall be equal  
12 to the amount that the aggregate extension of the taxing  
13 district would have been for the last preceding levy year if  
14 either or both (i) actual, rather than estimated, valuations or  
15 rates had been used to calculate the extension of taxes for the  
16 last levy year, or (ii) the tax extension for the last  
17 preceding levy year had not been adjusted as required by  
18 subsection (c) of Section 18-135.

19 Notwithstanding any other provision of law, for levy year  
20 2012, the aggregate extension base for West Northfield School  
21 District No. 31 in Cook County shall be \$12,654,592.

22 "Levy year" has the same meaning as "year" under Section  
23 1-155.

24 "New property" means (i) the assessed value, after final  
25 board of review or board of appeals action, of new improvements  
26 or additions to existing improvements on any parcel of real

1 property that increase the assessed value of that real property  
2 during the levy year multiplied by the equalization factor  
3 issued by the Department under Section 17-30, (ii) the assessed  
4 value, after final board of review or board of appeals action,  
5 of real property not exempt from real estate taxation, which  
6 real property was exempt from real estate taxation for any  
7 portion of the immediately preceding levy year, multiplied by  
8 the equalization factor issued by the Department under Section  
9 17-30, including the assessed value, upon final stabilization  
10 of occupancy after new construction is complete, of any real  
11 property located within the boundaries of an otherwise or  
12 previously exempt military reservation that is intended for  
13 residential use and owned by or leased to a private corporation  
14 or other entity, (iii) in counties that classify in accordance  
15 with Section 4 of Article IX of the Illinois Constitution, an  
16 incentive property's additional assessed value resulting from  
17 a scheduled increase in the level of assessment as applied to  
18 the first year final board of review market value, and (iv) any  
19 increase in assessed value due to oil or gas production from an  
20 oil or gas well required to be permitted under the Hydraulic  
21 Fracturing Regulatory Act that was not produced in or accounted  
22 for during the previous levy year. In addition, the county  
23 clerk in a county containing a population of 3,000,000 or more  
24 shall include in the 1997 recovered tax increment value for any  
25 school district, any recovered tax increment value that was  
26 applicable to the 1995 tax year calculations.



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

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

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

20 Except as otherwise provided in this Section, "limiting  
21 rate" means a fraction the numerator of which is the last  
22 preceding aggregate extension base times an amount equal to one  
23 plus the extension limitation defined in this Section and the  
24 denominator of which is the current year's equalized assessed  
25 value of all real property in the territory under the  
26 jurisdiction of the taxing district during the prior levy year.

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

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

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

5 "Consumer Price Index" means the Consumer Price Index for  
6 All Urban Consumers for all items published by the United  
7 States Department of Labor.

8 "Extension limitation" means, except as otherwise provided  
9 in this Section, (a) the lesser of 5% or the percentage  
10 increase in the Consumer Price Index during the 12-month  
11 calendar year preceding the levy year or (b) the rate of  
12 increase approved by voters under Section 18-205.

13 If, at the end of any levy year, any taxing district, as  
14 defined in Section 1-150, has reserves of 50% or more of its  
15 operating budget for that levy year, then, for the next levy  
16 year, "extension limitation" means 0% or the rate of increase  
17 approved by the voters under Section 18-205.

18 "Affected county" means a county of 3,000,000 or more  
19 inhabitants or a county contiguous to a county of 3,000,000 or  
20 more inhabitants.

21 "Taxing district" has the same meaning provided in Section  
22 1-150, except as otherwise provided in this Section. For the  
23 1991 through 1994 levy years only, "taxing district" includes  
24 only each non-home rule taxing district having the majority of  
25 its 1990 equalized assessed value within any county or counties  
26 contiguous to a county with 3,000,000 or more inhabitants.

1 Beginning with the 1995 levy year, "taxing district" includes  
2 only each non-home rule taxing district subject to this Law  
3 before the 1995 levy year and each non-home rule taxing  
4 district not subject to this Law before the 1995 levy year  
5 having the majority of its 1994 equalized assessed value in an  
6 affected county or counties. Beginning with the levy year in  
7 which this Law becomes applicable to a taxing district as  
8 provided in Section 18-213, "taxing district" also includes  
9 those taxing districts made subject to this Law as provided in  
10 Section 18-213. Beginning in levy year 2017, "taxing district"  
11 also means any taxing district, as defined in Section 1-150,  
12 that had reserves of 50% or more of its operating budget at the  
13 end of the immediately preceding levy year.

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

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

1 special education joint agreement under Section 10-22.31 of the  
2 School Code, for payment of the school district's share of the  
3 amounts required to be contributed by the Special Education  
4 District of Lake County to the Illinois Municipal Retirement  
5 Fund under Article 7 of the Illinois Pension Code; the amount  
6 of any extension under this item (k) shall be certified by the  
7 school district to the county clerk; (l) made to fund expenses  
8 of providing joint recreational programs for persons with  
9 disabilities under Section 5-8 of the Park District Code or  
10 Section 11-95-14 of the Illinois Municipal Code; (m) made for  
11 temporary relocation loan repayment purposes pursuant to  
12 Sections 2-3.77 and 17-2.2d of the School Code; (n) made for  
13 payment of principal and interest on any bonds issued under the  
14 authority of Section 17-2.2d of the School Code; (o) made for  
15 contributions to a firefighter's pension fund created under  
16 Article 4 of the Illinois Pension Code, to the extent of the  
17 amount certified under item (5) of Section 4-134 of the  
18 Illinois Pension Code; and (p) made for road purposes in the  
19 first year after a township assumes the rights, powers, duties,  
20 assets, property, liabilities, obligations, and  
21 responsibilities of a road district abolished under the  
22 provisions of Section 6-133 of the Illinois Highway Code.

23 "Aggregate extension" for the taxing districts to which  
24 this Law did not apply before the 1995 levy year (except taxing  
25 districts subject to this Law in accordance with Section 18-213  
26 or this amendatory Act of the 100th General Assembly) means the

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



1 District Act to finance construction projects initiated before  
2 October 1, 1991; (h-4) made for stormwater management purposes  
3 by the Metropolitan Water Reclamation District of Greater  
4 Chicago under Section 12 of the Metropolitan Water Reclamation  
5 District Act; (i) made for payments of principal and interest  
6 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 and bonds  
11 described in subsection (h) of this definition; (j) made for  
12 payments of principal and interest on bonds issued under  
13 Section 15 of the Local Government Debt Reform Act; (k) made  
14 for payments of principal and interest on bonds authorized by  
15 Public Act 88-503 and issued under Section 20a of the Chicago  
16 Park District Act for aquarium or museum projects; (l) made for  
17 payments of principal and interest on bonds authorized by  
18 Public Act 87-1191 or 93-601 and (i) issued pursuant to Section  
19 21.2 of the Cook County Forest Preserve District Act, (ii)  
20 issued under Section 42 of the Cook County Forest Preserve  
21 District Act for zoological park projects, or (iii) issued  
22 under Section 44.1 of the Cook County Forest Preserve District  
23 Act for botanical gardens projects; (m) made pursuant to  
24 Section 34-53.5 of the School Code, whether levied annually or  
25 not; (n) made to fund expenses of providing joint recreational  
26 programs for persons with disabilities under Section 5-8 of the

1 Park District Code or Section 11-95-14 of the Illinois  
2 Municipal Code; (o) made by the Chicago Park District for  
3 recreational programs for persons with disabilities under  
4 subsection (c) of Section 7.06 of the Chicago Park District  
5 Act; (p) made for contributions to a firefighter's pension fund  
6 created under Article 4 of the Illinois Pension Code, to the  
7 extent of the amount certified under item (5) of Section 4-134  
8 of the Illinois Pension Code; (q) made by Ford Heights School  
9 District 169 under Section 17-9.02 of the School Code; and (r)  
10 made for the purpose of making employer contributions to the  
11 Public School Teachers' Pension and Retirement Fund of Chicago  
12 under Section 34-53 of the School Code.

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

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

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

22 "Aggregate extension" for all taxing districts to which  
23 this Law applies in accordance with paragraph (2) of subsection  
24 (e) of Section 18-213 or this amendatory Act of the 100th  
25 General Assembly means the annual corporate extension for the  
26 taxing district and those special purpose extensions that are

1 made annually for the taxing district, excluding special  
2 purpose extensions: (a) made for the taxing district to pay  
3 interest or principal on general obligation bonds that were  
4 approved by referendum; (b) made for any taxing district to pay  
5 interest or principal on general obligation bonds issued before  
6 the effective date of this amendatory Act of 1997; (c) made for  
7 any taxing district to pay interest or principal on bonds  
8 issued to refund or continue to refund those bonds issued  
9 before the effective date of this amendatory Act of 1997; (d)  
10 made for any taxing district to pay interest or principal on  
11 bonds issued to refund or continue to refund bonds issued after  
12 the effective date of this amendatory Act of 1997 if the bonds  
13 were approved by referendum after the effective date of this  
14 amendatory Act of 1997; (e) made for any taxing district to pay  
15 interest or principal on revenue bonds issued before the  
16 effective date of this amendatory Act of 1997 for payment of  
17 which a property tax levy or the full faith and credit of the  
18 unit of local government is pledged; however, a tax for the  
19 payment of interest or principal on those bonds shall be made  
20 only after the governing body of the unit of local government  
21 finds that all other sources for payment are insufficient to  
22 make those payments; (f) made for payments under a building  
23 commission lease when the lease payments are for the retirement  
24 of bonds issued by the commission before the effective date of  
25 this amendatory Act of 1997 to pay for the building project;  
26 (g) made for payments due under installment contracts entered

1 into before the effective date of this amendatory Act of 1997;  
2 (h) made for payments of principal and interest on limited  
3 bonds, as defined in Section 3 of the Local Government Debt  
4 Reform Act, in an amount not to exceed the debt service  
5 extension base less the amount in items (b), (c), and (e) of  
6 this definition for non-referendum obligations, except  
7 obligations initially issued pursuant to referendum; (i) made  
8 for payments of principal and interest on bonds issued under  
9 Section 15 of the Local Government Debt Reform Act; (j) made  
10 for a qualified airport authority to pay interest or principal  
11 on general obligation bonds issued for the purpose of paying  
12 obligations due under, or financing airport facilities  
13 required to be acquired, constructed, installed or equipped  
14 pursuant to, contracts entered into before March 1, 1996 (but  
15 not including any amendments to such a contract taking effect  
16 on or after that date); (k) made to fund expenses of providing  
17 joint recreational programs for persons with disabilities  
18 under Section 5-8 of the Park District Code or Section 11-95-14  
19 of the Illinois Municipal Code; and (l) made for contributions  
20 to a firefighter's pension fund created under Article 4 of the  
21 Illinois Pension Code, to the extent of the amount certified  
22 under item (5) of Section 4-134 of the Illinois Pension Code.

23 "Debt service extension base" means an amount equal to that  
24 portion of the extension for a taxing district for the 1994  
25 levy year, or for those taxing districts subject to this Law in  
26 accordance with Section 18-213, except for those subject to

1 paragraph (2) of subsection (e) of Section 18-213, for the levy  
2 year in which the referendum making this Law applicable to the  
3 taxing district is held, or for those taxing districts subject  
4 to this Law in accordance with paragraph (2) of subsection (e)  
5 of Section 18-213 for the 1996 levy year, constituting an  
6 extension for payment of principal and interest on bonds issued  
7 by the taxing district without referendum, but not including  
8 excluded non-referendum bonds. For park districts (i) that were  
9 first subject to this Law in 1991 or 1995 and (ii) whose  
10 extension for the 1994 levy year for the payment of principal  
11 and interest on bonds issued by the park district without  
12 referendum (but not including excluded non-referendum bonds)  
13 was less than 51% of the amount for the 1991 levy year  
14 constituting an extension for payment of principal and interest  
15 on bonds issued by the park district without referendum (but  
16 not including excluded non-referendum bonds), "debt service  
17 extension base" means an amount equal to that portion of the  
18 extension for the 1991 levy year constituting an extension for  
19 payment of principal and interest on bonds issued by the park  
20 district without referendum (but not including excluded  
21 non-referendum bonds). A debt service extension base  
22 established or increased at any time pursuant to any provision  
23 of this Law, except Section 18-212, shall be increased each  
24 year commencing with the later of (i) the 2009 levy year or  
25 (ii) the first levy year in which this Law becomes applicable  
26 to the taxing district, by the lesser of 5% or the percentage

1 increase in the Consumer Price Index during the 12-month  
2 calendar year preceding the levy year. The debt service  
3 extension base may be established or increased as provided  
4 under Section 18-212. "Excluded non-referendum bonds" means  
5 (i) bonds authorized by Public Act 88-503 and issued under  
6 Section 20a of the Chicago Park District Act for aquarium and  
7 museum projects; (ii) bonds issued under Section 15 of the  
8 Local Government Debt Reform Act; or (iii) refunding  
9 obligations issued to refund or to continue to refund  
10 obligations initially issued pursuant to referendum.

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

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



1 taxes, or (ii) increased or decreased the tax extension for the  
2 last preceding levy year as required by Section 18-135(c).  
3 Whenever an adjustment is required under Section 18-135, the  
4 aggregate extension base of the taxing district shall be equal  
5 to the amount that the aggregate extension of the taxing  
6 district would have been for the last preceding levy year if  
7 either or both (i) actual, rather than estimated, valuations or  
8 rates had been used to calculate the extension of taxes for the  
9 last levy year, or (ii) the tax extension for the last  
10 preceding levy year had not been adjusted as required by  
11 subsection (c) of Section 18-135.

12 Notwithstanding any other provision of law, for levy year  
13 2012, the aggregate extension base for West Northfield School  
14 District No. 31 in Cook County shall be \$12,654,592.

15 "Levy year" has the same meaning as "year" under Section  
16 1-155.

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

1 the equalization factor issued by the Department under Section  
2 17-30, including the assessed value, upon final stabilization  
3 of occupancy after new construction is complete, of any real  
4 property located within the boundaries of an otherwise or  
5 previously exempt military reservation that is intended for  
6 residential use and owned by or leased to a private corporation  
7 or other entity, (iii) in counties that classify in accordance  
8 with Section 4 of Article IX of the Illinois Constitution, an  
9 incentive property's additional assessed value resulting from  
10 a scheduled increase in the level of assessment as applied to  
11 the first year final board of review market value, and (iv) any  
12 increase in assessed value due to oil or gas production from an  
13 oil or gas well required to be permitted under the Hydraulic  
14 Fracturing Regulatory Act that was not produced in or accounted  
15 for during the previous levy year. In addition, the county  
16 clerk in a county containing a population of 3,000,000 or more  
17 shall include in the 1997 recovered tax increment value for any  
18 school district, any recovered tax increment value that was  
19 applicable to the 1995 tax year calculations.

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

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

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

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

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

1 after March 21, 2006, then (i) the otherwise applicable  
2 limiting rate shall be increased by the amount of the new rate  
3 or shall be reduced by the amount of the rate decrease, as the  
4 case may be, or (ii) in the case of a limiting rate increase,  
5 the limiting rate shall be equal to the rate set forth in the  
6 proposition approved by the voters for each of the years  
7 specified in the proposition, after which the limiting rate of  
8 the taxing district shall be calculated as otherwise provided.

9 In the case of a taxing district that obtained referendum  
10 approval for an increased limiting rate on March 20, 2012, the  
11 limiting rate for tax year 2012 shall be the rate that  
12 generates the approximate total amount of taxes extendable for  
13 that tax year, as set forth in the proposition approved by the  
14 voters; this rate shall be the final rate applied by the county  
15 clerk for the aggregate of all capped funds of the district for  
16 tax year 2012.

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

19 (35 ILCS 200/18-205)

20 Sec. 18-205. Referendum to increase the extension  
21 limitation. A taxing district is limited to an extension  
22 limitation as defined in Section 18-185 ~~of 5% or the percentage~~  
23 ~~increase in the Consumer Price Index during the 12-month~~  
24 ~~calendar year preceding the levy year, whichever is less.~~ A  
25 taxing district may increase its extension limitation for one

1 or more levy years if that taxing district holds a referendum  
2 before the levy date for the first levy year at which a  
3 majority of voters voting on the issue approves adoption of a  
4 higher extension limitation. Referenda shall be conducted at a  
5 regularly scheduled election in accordance with the Election  
6 Code. The question shall be presented in substantially the  
7 following manner ~~for all elections held after March 21, 2006:~~

8           Shall the extension limitation under the Property Tax  
9           Extension Limitation Law for (insert the legal name,  
10           number, if any, and county or counties of the taxing  
11           district and geographic or other common name by which a  
12           school or community college district is known and referred  
13           to), Illinois, be increased from the lesser of 5% or the  
14           percentage increase in the Consumer Price Index over the  
15           prior levy year to (insert the percentage of the proposed  
16           increase)% per year for (insert each levy year for which  
17           the increased extension limitation will apply)?

18           In the case of a taxing district that had reserves of 50%  
19           or more of its operating budget at the end of the immediately  
20           preceding levy year, the question shall be presented in  
21           substantially the following manner:

22           Shall the extension limitation under the Property Tax  
23           Extension Limitation Law for (insert the legal name,  
24           number, if any, and county or counties of the taxing  
25           district and geographic or other common name by which a  
26           school or community college district is known and referred

1       to), Illinois, be increased from 0% to (insert the  
2       percentage of the proposed increase)% per year for (insert  
3       each levy year for which the increased extension limitation  
4       will apply)?

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

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

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

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

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

1 district less (B) the new property included in the  
2 equalized assessed value), the approximate amount of the  
3 additional tax extendable against such property for the ...  
4 levy year is estimated to be \$... and for the ... levy year  
5 is estimated to be \$....

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



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

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

24 (35 ILCS 200/18-242 new)

25 Sec. 18-242. Home rule. This Division 5 is a limitation,

1 under subsection (g) of Section 6 of Article VII of the  
2 Illinois Constitution, on the power of home rule units to tax.

3 Section 90. The State Mandates Act is amended by adding  
4 Section 8.41 as follows:

5 (30 ILCS 805/8.41 new)

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

10 Section 95. No acceleration or delay. Where this Act makes  
11 changes in a statute that is represented in this Act by text  
12 that is not yet or no longer in effect (for example, a Section  
13 represented by multiple versions), the use of that text does  
14 not accelerate or delay the taking effect of (i) the changes  
15 made by this Act or (ii) provisions derived from any other  
16 Public Act.

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.