

# HB4161



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4161

by Rep. La Shawn K. Ford

### SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-169

Amends the Property Tax Code. In a Section granting a homestead exemption to veterans with disabilities, provides that property that is used as a qualified residence by a veteran who was a member of the United States Armed Forces during World War II is exempt from taxation regardless of the veteran's level of disability. Provides that a veteran who qualifies as a result of his or her service in World War II need not reapply for the exemption. Effective immediately.

LRB100 15640 HLH 30736 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing  
5 Section 15-169 as follows:

6 (35 ILCS 200/15-169)

7 Sec. 15-169. Homestead exemption for veterans with  
8 disabilities and veterans of World War II.

9 (a) Beginning with taxable year 2007, an annual homestead  
10 exemption, limited to the amounts set forth in subsections (b)  
11 and (b-3), is granted for property that is used as a qualified  
12 residence by a veteran with a disability.

13 (b) For taxable years prior to 2015, the amount of the  
14 exemption under this Section is as follows:

15 (1) for veterans with a service-connected disability  
16 of at least (i) 75% for exemptions granted in taxable years  
17 2007 through 2009 and (ii) 70% for exemptions granted in  
18 taxable year 2010 and each taxable year thereafter, as  
19 certified by the United States Department of Veterans  
20 Affairs, the annual exemption is \$5,000; and

21 (2) for veterans with a service-connected disability  
22 of at least 50%, but less than (i) 75% for exemptions  
23 granted in taxable years 2007 through 2009 and (ii) 70% for

1 exemptions granted in taxable year 2010 and each taxable  
2 year thereafter, as certified by the United States  
3 Department of Veterans Affairs, the annual exemption is  
4 \$2,500.

5 (b-3) For taxable years 2015 and thereafter:

6 (1) if the veteran has a service connected disability  
7 of 30% or more but less than 50%, as certified by the  
8 United States Department of Veterans Affairs, then the  
9 annual exemption is \$2,500;

10 (2) if the veteran has a service connected disability  
11 of 50% or more but less than 70%, as certified by the  
12 United States Department of Veterans Affairs, then the  
13 annual exemption is \$5,000; and

14 (3) if the veteran has a service connected disability  
15 of 70% or more, as certified by the United States  
16 Department of Veterans Affairs, then the property is exempt  
17 from taxation under this Code; beginning in taxable year  
18 2017, if the veteran was a member of the United States  
19 Armed Forces during World War II, then the property is  
20 exempt from taxation under this Code regardless of the  
21 veteran's level of disability.

22 (b-5) If a homestead exemption is granted under this  
23 Section and the person awarded the exemption subsequently  
24 becomes a resident of a facility licensed under the Nursing  
25 Home Care Act or a facility operated by the United States  
26 Department of Veterans Affairs, then the exemption shall

1 continue (i) so long as the residence continues to be occupied  
2 by the qualifying person's spouse or (ii) if the residence  
3 remains unoccupied but is still owned by the person who  
4 qualified for the homestead exemption.

5 (c) The tax exemption under this Section carries over to  
6 the benefit of the veteran's surviving spouse as long as the  
7 spouse holds the legal or beneficial title to the homestead,  
8 permanently resides thereon, and does not remarry. If the  
9 surviving spouse sells the property, an exemption not to exceed  
10 the amount granted from the most recent ad valorem tax roll may  
11 be transferred to his or her new residence as long as it is  
12 used as his or her primary residence and he or she does not  
13 remarry.

14 (c-1) Beginning with taxable year 2015, nothing in this  
15 Section shall require the veteran to have qualified for or  
16 obtained the exemption before death if the veteran was killed  
17 in the line of duty.

18 (d) The exemption under this Section applies for taxable  
19 year 2007 and thereafter. A taxpayer who claims an exemption  
20 under Section 15-165 or 15-168 may not claim an exemption under  
21 this Section.

22 (e) Each taxpayer who has been granted an exemption under  
23 this Section must reapply on an annual basis, provided that a  
24 veteran who qualifies as a result of his or her service in  
25 World War II need not reapply. Application must be made during  
26 the application period in effect for the county of his or her

1 residence. The assessor or chief county assessment officer may  
2 determine the eligibility of residential property to receive  
3 the homestead exemption provided by this Section by  
4 application, visual inspection, questionnaire, or other  
5 reasonable methods. The determination must be made in  
6 accordance with guidelines established by the Department.

7 (f) For the purposes of this Section:

8 "Qualified residence" means real property, but less any  
9 portion of that property that is used for commercial purposes,  
10 with an equalized assessed value of less than \$250,000 that is  
11 the primary residence of a veteran with a disability. Property  
12 rented for more than 6 months is presumed to be used for  
13 commercial purposes.

14 "Veteran" means an Illinois resident who has served as a  
15 member of the United States Armed Forces on active duty or  
16 State active duty, a member of the Illinois National Guard, or  
17 a member of the United States Reserve Forces and who has  
18 received an honorable discharge.

19 (Source: P.A. 98-1145, eff. 12-30-14; 99-143, eff. 7-27-15;  
20 99-375, eff. 8-17-15; 99-642, eff. 7-28-16.)

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.