



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5731

by Rep. Jim Durkin

SYNOPSIS AS INTRODUCED:

- 35 ILCS 200/18-185
- 35 ILCS 200/18-205
- 35 ILCS 200/18-206 new
- 35 ILCS 200/18-212
- 35 ILCS 200/18-214
- 35 ILCS 200/18-216 new
- 35 ILCS 200/18-242 new
- 30 ILCS 805/8.42 new

Amends the Property Tax Code. Provides that, for levy years 2018 through 2021, the Property Tax Extension Limitation Law applies to all taxing districts, including home rule units. Provides that, for levy years 2018 through 2021, the extension limitation under the Property Tax Extension Limitation Law is 0% or the rate of increase approved by the voters. Provides that, for taxing districts that became subject to the Law as a result of the amendatory Act, "aggregate extension" does not include special purpose extensions made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district prior to the effective date of the amendatory Act. Provides that taxing districts may provide for the continuation of the amendatory Act for up to 4 years upon referendum approval. Provides that the voters of the taxing district may require a reduction in the taxing district's aggregate extension base by referendum. Preempts home rule. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB100 19720 HLH 34994 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, 18-216, and 18-214 and by
6 adding Sections 18-242 and 18-206 as follows:

7 (35 ILCS 200/18-185)

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

11 "Consumer Price Index" means the Consumer Price Index for
12 All Urban Consumers for all items published by the United
13 States Department of Labor.

14 "Extension limitation", for levy years prior to levy year
15 2018 and again for levy years after levy year 2021, means (a)
16 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", for levy years 2018 through 2021,
21 means 0% or the rate of increase approved by the voters under
22 Section 18-205.

23 "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. For
9 levy years 1995 through 2017 and beginning again with levy year
10 2022 ~~Beginning with the 1995 levy year, "taxing district"~~
11 includes only each non-home rule taxing district subject to
12 this Law before the 1995 levy year and each non-home rule
13 taxing district not subject to this Law before the 1995 levy
14 year having the majority of its 1994 equalized assessed value
15 in an affected county or counties. Beginning with the levy year
16 in which this Law becomes applicable to a taxing district as
17 provided in Section 18-213, "taxing district" also includes
18 those taxing districts made subject to this Law as provided in
19 Section 18-213. For levy years 2018 through 2021, "taxing
20 district" has the same meaning provided in Section 1-150 and
21 includes home rule units.

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

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

1 3 of the Local Government Debt Reform Act, in an amount not to
2 exceed the debt service extension base less the amount in items
3 (b), (c), (e), and (h) of this definition for non-referendum
4 obligations, except obligations initially issued pursuant to
5 referendum; (j) made for payments of principal and interest on
6 bonds issued under Section 15 of the Local Government Debt
7 Reform Act; (k) made by a school district that participates in
8 the Special Education District of Lake County, created by
9 special education joint agreement under Section 10-22.31 of the
10 School Code, for payment of the school district's share of the
11 amounts required to be contributed by the Special Education
12 District of Lake County to the Illinois Municipal Retirement
13 Fund under Article 7 of the Illinois Pension Code; the amount
14 of any extension under this item (k) shall be certified by the
15 school district to the county clerk; (l) made to fund expenses
16 of providing joint recreational programs for persons with
17 disabilities under Section 5-8 of the Park District Code or
18 Section 11-95-14 of the Illinois Municipal Code; (m) made for
19 temporary relocation loan repayment purposes pursuant to
20 Sections 2-3.77 and 17-2.2d of the School Code; (n) made for
21 payment of principal and interest on any bonds issued under the
22 authority of Section 17-2.2d of the School Code; (o) made for
23 contributions to a firefighter's pension fund created under
24 Article 4 of the Illinois Pension Code, to the extent of the
25 amount certified under item (5) of Section 4-134 of the
26 Illinois Pension Code; and (p) made for road purposes in the

1 first year after a township assumes the rights, powers, duties,
2 assets, property, liabilities, obligations, and
3 responsibilities of a road district abolished under the
4 provisions of Section 6-133 of the Illinois Highway Code.

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

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

1 21.2 of the Cook County Forest Preserve District Act, (ii)
2 issued under Section 42 of the Cook County Forest Preserve
3 District Act for zoological park projects, or (iii) issued
4 under Section 44.1 of the Cook County Forest Preserve District
5 Act for botanical gardens projects; (m) made pursuant to
6 Section 34-53.5 of the School Code, whether levied annually or
7 not; (n) made to fund expenses of providing joint recreational
8 programs for persons with disabilities under Section 5-8 of the
9 Park District Code or Section 11-95-14 of the Illinois
10 Municipal Code; (o) made by the Chicago Park District for
11 recreational programs for persons with disabilities under
12 subsection (c) of Section 7.06 of the Chicago Park District
13 Act; (p) made for contributions to a firefighter's pension fund
14 created under Article 4 of the Illinois Pension Code, to the
15 extent of the amount certified under item (5) of Section 4-134
16 of the Illinois Pension Code; (q) made by Ford Heights School
17 District 169 under Section 17-9.02 of the School Code; and (r)
18 made for the purpose of making employer contributions to the
19 Public School Teachers' Pension and Retirement Fund of Chicago
20 under Section 34-53 of the School Code.

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

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

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

1 and (m) made for the taxing district to pay interest or
2 principal on general obligation bonds issued pursuant to
3 Section 19-3.10 of the School Code.

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

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

1 of the Illinois Municipal Code; and (l) made for contributions
2 to a firefighter's pension fund created under Article 4 of the
3 Illinois Pension Code, to the extent of the amount certified
4 under item (5) of Section 4-134 of the Illinois Pension Code.
5 In addition, for taxing districts that became subject to the
6 Law as a result of this amendatory Act of the 100th General
7 Assembly, "aggregate extension" does not include special
8 purpose extensions made for the payment of principal and
9 interest on bonds or other evidences of indebtedness issued by
10 the taxing district prior to the effective date of this
11 amendatory Act of the 100th General Assembly.

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

1 referendum (but not including excluded non-referendum bonds)
2 was less than 51% of the amount for the 1991 levy year
3 constituting an extension for payment of principal and interest
4 on bonds issued by the park district without referendum (but
5 not including excluded non-referendum bonds), "debt service
6 extension base" means an amount equal to that portion of the
7 extension for the 1991 levy year constituting an extension for
8 payment of principal and interest on bonds issued by the park
9 district without referendum (but not including excluded
10 non-referendum bonds). A debt service extension base
11 established or increased at any time pursuant to any provision
12 of this Law, except Section 18-212, shall be increased each
13 year commencing with the later of (i) the 2009 levy year or
14 (ii) the first levy year in which this Law becomes applicable
15 to the taxing district, by (A) for levy years prior to the 2018
16 levy year and for levy year 2022 and thereafter, the lesser of
17 5% or the percentage increase in the Consumer Price Index
18 during the 12-month calendar year preceding the levy year or
19 (B) for levy years 2018 through 2021, 0%. The debt service
20 extension base may be established or increased as provided
21 under Section 18-212. "Excluded non-referendum bonds" means
22 (i) bonds authorized by Public Act 88-503 and issued under
23 Section 20a of the Chicago Park District Act for aquarium and
24 museum projects; (ii) bonds issued under Section 15 of the
25 Local Government Debt Reform Act; or (iii) refunding
26 obligations issued to refund or to continue to refund

1 obligations initially issued pursuant to referendum.

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

10 "Aggregate extension base" means the taxing district's
11 last preceding aggregate extension as adjusted under Sections
12 18-135, 18-215, and 18-230, or the aggregate extension base set
13 by referendum under Section 18-206, whichever is less ~~and~~
14 ~~18-206~~. An adjustment under Section 18-135 shall be made for
15 the 2007 levy year and all subsequent levy years whenever one
16 or more counties within which a taxing district is located (i)
17 used estimated valuations or rates when extending taxes in the
18 taxing district for the last preceding levy year that resulted
19 in the over or under extension of taxes, or (ii) increased or
20 decreased the tax extension for the last preceding levy year as
21 required by Section 18-135(c). Whenever an adjustment is
22 required under Section 18-135, the aggregate extension base of
23 the taxing district shall be equal to the amount that the
24 aggregate extension of the taxing district would have been for
25 the last preceding levy year if either or both (i) actual,
26 rather than estimated, valuations or rates had been used to

1 calculate the extension of taxes for the last levy year, or
2 (ii) the tax extension for the last preceding levy year had not
3 been adjusted as required by 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, except for school
14 districts that reduced their extension for educational
15 purposes pursuant to Section 18-206, the highest aggregate
16 extension in any of the last 3 preceding levy years shall be
17 used for the purpose of computing the limiting rate.
18 Notwithstanding any other provision of law, if the voters of
19 the taxing district approve a reduced aggregate extension base,
20 as provided in Section 18-206, then that reduced aggregate
21 extension base shall be used for the purpose of computing the
22 limiting rate. The denominator shall not include new property
23 or the recovered tax increment value. If a new rate, a rate
24 decrease, or a limiting rate increase has been approved at an
25 election held after March 21, 2006, then (i) the otherwise
26 applicable limiting rate shall be increased by the amount of

1 the new rate or shall be reduced by the amount of the rate
2 decrease, as the case may be, or (ii) in the case of a limiting
3 rate increase, the limiting rate shall be equal to the rate set
4 forth in the proposition approved by the voters for each of the
5 years specified in the proposition, after which the limiting
6 rate of the taxing district shall be calculated as otherwise
7 provided. In the case of a taxing district that obtained
8 referendum approval for an increased limiting rate on March 20,
9 2012, the limiting rate for tax year 2012 shall be the rate
10 that generates the approximate total amount of taxes extendable
11 for that tax year, as set forth in the proposition approved by
12 the voters; this rate shall be the final rate applied by the
13 county clerk for the aggregate of all capped funds of the
14 district for tax year 2012.

15 (Source: P.A. 99-143, eff. 7-27-15; 99-521, eff. 6-1-17;
16 100-465, eff. 8-31-17.)

17 (35 ILCS 200/18-205)

18 Sec. 18-205. Referendum to increase the extension
19 limitation. A taxing district is limited to an extension
20 limitation as defined in Section 18-185 ~~of 5% or the percentage~~
21 ~~increase in the Consumer Price Index during the 12-month~~
22 ~~calendar year preceding the levy year, whichever is less.~~ A
23 taxing district may increase its extension limitation for one
24 or more levy years if that taxing district holds a referendum
25 before the levy date for the first levy year at which a

1 majority of voters voting on the issue approves adoption of a
2 higher extension limitation. Referenda shall be conducted at a
3 regularly scheduled election in accordance with the Election
4 Code. The question shall be presented in substantially the
5 following manner for all elections held after March 21, 2006:

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

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

18 If a majority of voters voting on the issue approves the
19 adoption of the increase, the increase shall be applicable for
20 each levy year specified.

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

26 (1) For the (insert the first levy year for which the

1 increased extension limitation will be applicable) levy
2 year the approximate amount of the additional tax
3 extendable against property containing a single family
4 residence and having a fair market value at the time of the
5 referendum of \$100,000 is estimated to be \$....

6 (2) Based upon an average annual percentage increase
7 (or decrease) in the market value of such property of ...%
8 (insert percentage equal to the average annual percentage
9 increase or decrease for the prior 3 levy years, at the
10 time the submission of the question is initiated by the
11 taxing district, in the amount of (A) the equalized
12 assessed value of the taxable property in the taxing
13 district less (B) the new property included in the
14 equalized assessed value), the approximate amount of the
15 additional tax extendable against such property for the ...
16 levy year is estimated to be \$... and for the ... levy year
17 is estimated to be \$....

18 Paragraph (2) shall be included only if the increased
19 extension limitation will be applicable for more than one year
20 and shall list each levy year for which the increased extension
21 limitation will be applicable. The additional tax shown for
22 each levy year shall be the approximate dollar amount of the
23 increase over the amount of the most recently completed
24 extension at the time the submission of the question is
25 initiated by the taxing district. The approximate amount of the
26 additional tax extendable shown in paragraphs (1) and (2) shall

1 be calculated by multiplying \$100,000 (the fair market value of
2 the property without regard to any property tax exemptions) by
3 (i) the percentage level of assessment prescribed for that
4 property by statute, or by ordinance of the county board in
5 counties that classify property for purposes of taxation in
6 accordance with Section 4 of Article IX of the Illinois
7 Constitution; (ii) the most recent final equalization factor
8 certified to the county clerk by the Department of Revenue at
9 the time the taxing district initiates the submission of the
10 proposition to the electors; (iii) the last known aggregate
11 extension base of the taxing district at the time the
12 submission of the question is initiated by the taxing district;
13 and (iv) the difference between the percentage increase
14 proposed in the question and (A) the lesser of 5% or the
15 percentage increase in the Consumer Price Index for the prior
16 levy year (or an estimate of the percentage increase for the
17 prior levy year if the increase is unavailable at the time the
18 submission of the question is initiated by the taxing district)
19 or (B) 0%, as applicable; and dividing the result by the last
20 known equalized assessed value of the taxing district at the
21 time the submission of the question is initiated by the taxing
22 district. This amendatory Act of the 97th General Assembly is
23 intended to clarify the existing requirements of this Section,
24 and shall not be construed to validate any prior non-compliant
25 referendum language. Any notice required to be published in
26 connection with the submission of the question shall also

1 contain this supplemental information and shall not contain any
2 other supplemental information. Any error, miscalculation, or
3 inaccuracy in computing any amount set forth on the ballot or
4 in the notice that is not deliberate shall not invalidate or
5 affect the validity of any proposition approved. Notice of the
6 referendum shall be published and posted as otherwise required
7 by law, and the submission of the question shall be initiated
8 as provided by law.

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

10 (35 ILCS 200/18-206 new)

11 Sec. 18-206. Referendum to reduce the aggregate extension
12 base.

13 (a) Notwithstanding any other provision of law, if a
14 written petition is submitted to the corporate authorities of a
15 taxing district calling for a referendum on the question of
16 whether or not the aggregate extension base of the taxing
17 district should be reduced and setting forth the amount of the
18 reduction, signed by a number of voters of the taxing district
19 equal to at least 5% of the total votes cast for candidates for
20 Governor in the preceding gubernatorial election by the
21 registered voters of the taxing district, then the corporate
22 authorities of the taxing district shall adopt a resolution for
23 the submission of that proposition at the next regular election
24 held in that taxing district. The corporate authorities shall
25 certify the resolution and the proposition to the proper

1 election officials, who shall submit the proposition at the
2 election in accordance with the general election law.

3 (b) The question shall be in substantially the following
4 form:

5 Shall the aggregate extension base for (taxing
6 district) for (levy year or levy years) be reduced from
7 (statutory aggregate extension base) to (proposed
8 aggregate extension base)?

9 The votes must be recorded as "Yes" or "No". If a majority
10 of voters voting on the issue approves the reduction, then the
11 reduction shall be applicable for the levy year or levy years
12 specified, but shall not exceed a 4-year period.

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

18 For the (levy year or levy years) the reduction in the
19 amount of taxes extendable against property containing a
20 single family residence and having a fair market value at
21 the time of the referendum of \$100,000 is estimated to be
22 \$....

23 (35 ILCS 200/18-212)

24 Sec. 18-212. Referendum on debt service extension base. A
25 taxing district may establish or increase its debt service

1 extension base if (i) that taxing district holds a referendum
2 before the date on which the levy must be filed with the county
3 clerk of the county or counties in which the taxing district is
4 situated and (ii) a majority of voters voting on the issue
5 approves the establishment of or increase in the debt service
6 extension base. Except with respect to levy years 2018 through
7 2021, a ~~A~~ debt service extension base established or increased
8 by a referendum held pursuant to this Section after February 2,
9 2010, shall be increased each year, commencing with the first
10 levy year beginning after the date of the referendum, by the
11 lesser of 5% or the percentage increase in the Consumer Price
12 Index during the 12-month calendar year preceding the levy year
13 if the optional language concerning the annual increase is
14 included in the question submitted to the electors of the
15 taxing district. Referenda under this Section shall be
16 conducted at a regularly scheduled election in accordance with
17 the Election Code. The governing body of the taxing district
18 shall certify the question to the proper election authorities
19 who shall submit the question to the electors of the taxing
20 district in substantially the following form:

21 "Shall the debt service extension base under the Property
22 Tax Extension Limitation Law for ... (taxing district name)
23 ... for payment of principal and interest on limited bonds
24 be ((established at \$) . (or) (increased from \$
25 to \$)) .. for the levy year and all
26 subsequent levy years (optional language: , such debt

1 service extension base to be increased each year by the
2 lesser of 5% or the percentage increase in the Consumer
3 Price Index during the 12-month calendar year preceding the
4 levy year)?"

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

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

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

12 (35 ILCS 200/18-214)

13 Sec. 18-214. Referenda on removal of the applicability of
14 the Property Tax Extension Limitation Law to non-home rule
15 taxing districts.

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

23 (b) For purposes of this Section only:

24 "Taxing district" means any non-home rule taxing district
25 that became subject to this Law under Section 18-213 of this

1 Law.

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

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

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

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

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

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

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

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

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

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

1 at which the question was on the ballot in the county.

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

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

1 longer subject to this Law and, if the taxing district is no
2 longer subject to this Law, the Department of Revenue shall
3 notify the taxing district and the county clerks of all of the
4 counties in which a portion of the equalized assessed valuation
5 of the taxing district is located that, beginning on January 1
6 of the year following the date of the last referendum, the
7 taxing district is no longer subject to this Law.

8 (i) Notwithstanding any other provision of law, no
9 referendum may be submitted under this Section for levy years
10 2018 through 2021.

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

12 (35 ILCS 200/18-216 new)

13 Sec. 18-216. Extension of amendatory Act.

14 (a) Notwithstanding any other provision of law, during
15 calendar years 2018 through 2022, the corporate authorities of
16 any taxing district may, by resolution, submit to the voters of
17 the taxing district the question of whether or not to continue
18 to apply the provisions of this amendatory Act of the 100th
19 General Assembly concerning the Property Tax Extension
20 Limitation Law to the taxing district for a period not to
21 exceed 4 years. In addition, if a written petition calling for
22 a referendum on that question signed by a number of voters of
23 the taxing district equal to at least 5% of the total votes
24 cast for candidates for Governor in the preceding gubernatorial
25 election by the registered voters of the taxing district is

1 submitted to the corporate authorities of the taxing district,
2 then the corporate authorities shall adopt a resolution for the
3 submission of that proposition at the next regular election
4 held in that taxing district. Such a petition shall be
5 submitted to the corporate authorities no later than September
6 30, 2021. In either case, the corporate authorities shall
7 certify the resolution and the proposition to the proper
8 election officials, who shall submit the proposition at the
9 election in accordance with the general election law.

10 (b) The question shall be in substantially the following
11 form:

12 Shall the provisions of (insert Public Act number),
13 commonly referred to as the Property Tax Freeze, be
14 continued for (name of taxing district) for a period of
15 (number of years, not to exceed 4 years) years? This would
16 mean that (taxing district) may not increase its annual
17 corporate extension or certain special purpose extensions
18 without referendum approval.

19 Votes shall be recorded as "yes" or "no".

20 If a majority of the votes cast on the proposition are in
21 favor of the proposition, then the provisions of this
22 amendatory Act of the 100th General Assembly concerning the
23 Property Tax Extension Limitation Law shall continue to apply
24 to the taxing district for the period of time specified in the
25 proposition.

26 (c) As used in this Section, "taxing district" includes

1 each taxing district that is subject to this Law for the 2018
2 and 2019 levy years.

3 (35 ILCS 200/18-242 new)

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

7 Section 90. The State Mandates Act is amended by adding
8 Section 8.42 as follows:

9 (30 ILCS 805/8.42 new)

10 Sec. 8.42. Exempt mandate. Notwithstanding Sections 6 and 8
11 of this Act, no reimbursement by the State is required for the
12 implementation of any mandate created by this amendatory Act of
13 the 100th General Assembly.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.