



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB4907

Introduced 2/18/2020, by Rep. Tom Weber

#### SYNOPSIS AS INTRODUCED:

See Index

Creates the Taxpayer Protection Act. Provides that, on and after the effective date of the Act, for bonds or incurred debt issued through a referendum by a unit of local government or school district, the bonds or incurred debt shall not be extended or reissued unless authorized by a referendum. Provides that a unit of local government or school district shall not submit the question concerning the extension or reissuance of a bond or incurring debt to voters in a referendum until at least one year has passed since the retirement of the bond or debt approved by a referendum. Provides that, on and after the effective date of the Act, a unit of local government or school district shall not submit a question concerning the issuance of a bond or incurring debt to the voters in a referendum until at least one year has passed since that unit or district last proposed a question or proposition concerning the issuance of bonds or incurring debt in a referendum. Limits home rule powers. Amends the Property Tax Code. Provides that there shall not be a service extension base annual increase unless increased by referendum. Amends the School Code. Provides that no later than 30 days before a school district submits to the voters of that district a question on whether to issue bonds or increase the school district's property tax rate, the school district must send informational material to each resident of voting age in the school district; defines "informational material". Specifies what must be included in the informational material Effective immediately.

LRB101 20570 HLH 70190 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE NOTE  
ACT MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 1. Short title. This Act may be cited as the  
5 Taxpayer Protection Act.

6 Section 5. Purpose. The purpose of this Act is to address  
7 the following items:

8 (1) To ensure that bonds or debts authorized by  
9 referendums cannot be renewed.

10 (2) To require all governmental agencies to allow one  
11 year between one referendum bond ending and one referendum  
12 bond starting to allow taxpayers to see how bonds affect  
13 their taxes and the savings they would incur if there was  
14 not a bond.

15 Section 10. Definitions. As used in this Act:

16 "Bond" has the meaning given to that term in the Local  
17 Government Debt Reform Act.

18 "Governmental unit" means a unit of local government or  
19 school district.

20 Section 15. Issuance of bonds or incurring debt by  
21 referendum; one-year wait.

1           (a) Notwithstanding any other provision of law, on and  
2 after the effective date of this Act, for bonds or incurred  
3 debt issued through a referendum by a governmental unit, the  
4 bonds or incurred debt shall not be extended or reissued unless  
5 authorized by a separate referendum. A government unit shall  
6 not submit the question concerning the extension or reissuance  
7 of a bond or incurring debt to voters in a referendum until at  
8 least one year has passed since the retirement of the bond or  
9 incurred debt approved by a referendum.

10          (b) Notwithstanding any other provision of law, on and  
11 after the effective date of this Act, a government unit shall  
12 not submit a question concerning the issuance of a bond or  
13 incurring debt to the voters in a referendum until at least one  
14 year has passed since that government unit last proposed a  
15 question or proposition concerning the issuance of bonds or  
16 incurring debt in a referendum.

17          Section 20. Home rule. The regulation of issuing,  
18 incurring, extending, or reissuing bonds and debt as contained  
19 in this Act are exclusive powers and functions of the State. A  
20 home rule unit may not regulate such matters. This Act is a  
21 denial and limitation of home rule powers and functions under  
22 subsection (h) of Section 6 of Article VII of the Illinois  
23 Constitution.

24          Section 90. The Property Tax Code is amended by changing

1 Sections 18-185 and 18-212 as follows:

2 (35 ILCS 200/18-185)

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

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

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

13 "Affected county" means a county of 3,000,000 or more  
14 inhabitants or a county contiguous to a county of 3,000,000 or  
15 more inhabitants.

16 "Taxing district" has the same meaning provided in Section  
17 1-150, except as otherwise provided in this Section. For the  
18 1991 through 1994 levy years only, "taxing district" includes  
19 only each non-home rule taxing district having the majority of  
20 its 1990 equalized assessed value within any county or counties  
21 contiguous to a county with 3,000,000 or more inhabitants.  
22 Beginning with the 1995 levy year, "taxing district" includes  
23 only each non-home rule taxing district subject to this Law  
24 before the 1995 levy year and each non-home rule taxing  
25 district not subject to this Law before the 1995 levy year

1 having the majority of its 1994 equalized assessed value in an  
2 affected county or counties. Beginning with the levy year in  
3 which this Law becomes applicable to a taxing district as  
4 provided in Section 18-213, "taxing district" also includes  
5 those taxing districts made subject to this Law as provided in  
6 Section 18-213.

7 "Aggregate extension" for taxing districts to which this  
8 Law applied before the 1995 levy year means the annual  
9 corporate extension for the taxing district and those special  
10 purpose extensions that are made annually for the taxing  
11 district, excluding special purpose extensions: (a) made for  
12 the taxing district to pay interest or principal on general  
13 obligation bonds that were approved by referendum; (b) made for  
14 any taxing district to pay interest or principal on general  
15 obligation bonds issued before October 1, 1991; (c) made for  
16 any taxing district to pay interest or principal on bonds  
17 issued to refund or continue to refund those bonds issued  
18 before October 1, 1991; (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 October 1, 1991 that were approved by  
21 referendum; (e) made for any taxing district to pay interest or  
22 principal on revenue bonds issued before October 1, 1991 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 October 1, 1991, to pay for the building project; (g) made for  
6 payments due under installment contracts entered into before  
7 October 1, 1991; (h) made for payments of principal and  
8 interest on bonds issued under the Metropolitan Water  
9 Reclamation District Act to finance construction projects  
10 initiated before October 1, 1991; (i) made for payments of  
11 principal and interest on limited bonds, as defined in Section  
12 3 of the Local Government Debt Reform Act, in an amount not to  
13 exceed the debt service extension base less the amount in items  
14 (b), (c), (e), and (h) of this definition for non-referendum  
15 obligations, except obligations initially issued pursuant to  
16 referendum; (j) made for payments of principal and interest on  
17 bonds issued under Section 15 of the Local Government Debt  
18 Reform Act; (k) made by a school district that participates in  
19 the Special Education District of Lake County, created by  
20 special education joint agreement under Section 10-22.31 of the  
21 School Code, for payment of the school district's share of the  
22 amounts required to be contributed by the Special Education  
23 District of Lake County to the Illinois Municipal Retirement  
24 Fund under Article 7 of the Illinois Pension Code; the amount  
25 of any extension under this item (k) shall be certified by the  
26 school district to the county clerk; (l) made to fund expenses

1 of providing joint recreational programs for persons with  
2 disabilities under Section 5-8 of the Park District Code or  
3 Section 11-95-14 of the Illinois Municipal Code; (m) made for  
4 temporary relocation loan repayment purposes pursuant to  
5 Sections 2-3.77 and 17-2.2d of the School Code; (n) made for  
6 payment of principal and interest on any bonds issued under the  
7 authority of Section 17-2.2d of the School Code; (o) made for  
8 contributions to a firefighter's pension fund created under  
9 Article 4 of the Illinois Pension Code, to the extent of the  
10 amount certified under item (5) of Section 4-134 of the  
11 Illinois Pension Code; and (p) made for road purposes in the  
12 first year after a township assumes the rights, powers, duties,  
13 assets, property, liabilities, obligations, and  
14 responsibilities of a road district abolished under the  
15 provisions of Section 6-133 of the Illinois Highway Code.

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

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



1 amount in items (b), (c), and (e) of this definition for  
2 non-referendum obligations, except obligations initially  
3 issued pursuant to referendum and bonds described in subsection  
4 (h) of this definition; (j) made for payments of principal and  
5 interest on bonds issued under Section 15 of the Local  
6 Government Debt Reform Act; (k) made for payments of principal  
7 and interest on bonds authorized by Public Act 88-503 and  
8 issued under Section 20a of the Chicago Park District Act for  
9 aquarium or museum projects; (l) made for payments of principal  
10 and interest on bonds authorized by Public Act 87-1191 or  
11 93-601 and (i) issued pursuant to Section 21.2 of the Cook  
12 County Forest Preserve District Act, (ii) issued under Section  
13 42 of the Cook County Forest Preserve District Act for  
14 zoological park projects, or (iii) issued under Section 44.1 of  
15 the Cook County Forest Preserve District Act for botanical  
16 gardens projects; (m) made pursuant to Section 34-53.5 of the  
17 School Code, whether levied annually or not; (n) made to fund  
18 expenses of providing joint recreational programs for persons  
19 with disabilities under Section 5-8 of the Park District Code  
20 or Section 11-95-14 of the Illinois Municipal Code; (o) made by  
21 the Chicago Park District for recreational programs for persons  
22 with disabilities under subsection (c) of Section 7.06 of the  
23 Chicago Park District Act; (p) 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 (q) made by Ford Heights School District 169 under Section  
2 17-9.02 of the School Code; and (r) made for the purpose of  
3 making employer contributions to the Public School Teachers'  
4 Pension and Retirement Fund of Chicago under Section 34-53 of  
5 the School Code.

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

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

1 obligations due under, or financing airport facilities  
2 required to be acquired, constructed, installed or equipped  
3 pursuant to, contracts entered into before March 1, 1996 (but  
4 not including any amendments to such a contract taking effect  
5 on or after that date); (k) made to fund expenses of providing  
6 joint recreational programs for persons with disabilities  
7 under Section 5-8 of the Park District Code or Section 11-95-14  
8 of the Illinois Municipal Code; (l) made for contributions to a  
9 firefighter's pension fund created under Article 4 of the  
10 Illinois Pension Code, to the extent of the amount certified  
11 under item (5) of Section 4-134 of the Illinois Pension Code;  
12 and (m) made for the taxing district to pay interest or  
13 principal on general obligation bonds issued pursuant to  
14 Section 19-3.10 of the School Code.

15 "Aggregate extension" for all taxing districts to which  
16 this Law applies in accordance with paragraph (2) of subsection  
17 (e) of Section 18-213 means the annual corporate extension for  
18 the taxing district and those special purpose extensions that  
19 are made annually for the taxing district, excluding special  
20 purpose extensions: (a) made for the taxing district to pay  
21 interest or principal on general obligation bonds that were  
22 approved by referendum; (b) made for any taxing district to pay  
23 interest or principal on general obligation bonds issued before  
24 March 7, 1997 (the effective date of Public Act 89-718) ~~this~~  
25 ~~amendatory Act of 1997~~; (c) made for any taxing district to pay  
26 interest or principal on bonds issued to refund or continue to

1 refund those bonds issued before March 7, 1997 (the effective  
2 date of Public Act 89-718) ~~this amendatory Act of 1997~~; (d)  
3 made for any taxing district to pay interest or principal on  
4 bonds issued to refund or continue to refund bonds issued after  
5 March 7, 1997 (the effective date of Public Act 89-718) ~~this~~  
6 ~~amendatory Act of 1997~~ if the bonds were approved by referendum  
7 after March 7, 1997 (the effective date of Public Act 89-718)  
8 ~~this amendatory Act of 1997~~; (e) made for any taxing district  
9 to pay interest or principal on revenue bonds issued before  
10 March 7, 1997 (the effective date of Public Act 89-718) ~~this~~  
11 ~~amendatory Act of 1997~~ for payment of which a property tax levy  
12 or the full faith and credit of the unit of local government is  
13 pledged; however, a tax for the payment of interest or  
14 principal on those bonds shall be made only after the governing  
15 body of the unit of local government finds that all other  
16 sources for payment are insufficient to make those payments;  
17 (f) made for payments under a building commission lease when  
18 the lease payments are for the retirement of bonds issued by  
19 the commission before March 7, 1997 (the effective date of  
20 Public Act 89-718) ~~this amendatory Act of 1997~~ to pay for the  
21 building project; (g) made for payments due under installment  
22 contracts entered into before March 7, 1997 (the effective date  
23 of Public Act 89-718) ~~this amendatory Act of 1997~~; (h) made for  
24 payments of principal and interest on limited bonds, as defined  
25 in Section 3 of the Local Government Debt Reform Act, in an  
26 amount not to exceed the debt service extension base less the

1 amount in items (b), (c), and (e) of this definition for  
2 non-referendum obligations, except obligations initially  
3 issued pursuant to referendum; (i) made for payments of  
4 principal and interest on bonds issued under Section 15 of the  
5 Local Government Debt Reform Act; (j) made for a qualified  
6 airport authority to pay interest or principal on general  
7 obligation bonds issued for the purpose of paying obligations  
8 due under, or financing airport facilities required to be  
9 acquired, constructed, installed or equipped pursuant to,  
10 contracts entered into before March 1, 1996 (but not including  
11 any amendments to such a contract taking effect on or after  
12 that date); (k) made to fund expenses of providing joint  
13 recreational programs for persons with disabilities under  
14 Section 5-8 of the Park District Code or Section 11-95-14 of  
15 the Illinois Municipal Code; and (l) made for contributions to  
16 a 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 "Debt service extension base" means an amount equal to that  
20 portion of the extension for a taxing district ~~for the 1994~~  
21 ~~levy year, or for those taxing districts subject to this Law in~~  
22 ~~accordance with Section 18-213, except for those subject to~~  
23 ~~paragraph (2) of subsection (c) of Section 18-213, for the levy~~  
24 ~~year in which the referendum making this Law applicable to the~~  
25 ~~taxing district is held, or for those taxing districts subject~~  
26 ~~to this Law in accordance with paragraph (2) of subsection (c)~~

1 ~~of Section 18-213 for the 1996 levy year,~~ constituting an  
2 extension for payment of principal and interest on bonds issued  
3 by the taxing district without referendum, but not including  
4 excluded non-referendum bonds. For park districts (i) that were  
5 first subject to this Law in 1991 or 1995 and (ii) whose  
6 extension for the 1994 levy year for the payment of principal  
7 and interest on bonds issued by the park district without  
8 referendum (but not including excluded non-referendum bonds)  
9 was less than 51% of the amount for the 1991 levy year  
10 constituting an extension for payment of principal and interest  
11 on bonds issued by the park district without referendum (but  
12 not including excluded non-referendum bonds), "debt service  
13 extension base" means an amount equal to that portion of the  
14 extension for the 1991 levy year constituting an extension for  
15 payment of principal and interest on bonds issued by the park  
16 district without referendum (but not including excluded  
17 non-referendum bonds). A debt service extension base  
18 established or increased at any time pursuant to any provision  
19 of this Law, except Section 18-212, shall be increased each  
20 year commencing with the later of: (i) the 2009 levy year; or  
21 (ii) the first levy year in which this Law becomes applicable  
22 to the taxing district, by (A) prior to the effective date of  
23 this amendatory Act of the 101st General Assembly, the lesser  
24 of 5% or the percentage increase in the Consumer Price Index  
25 during the 12-month calendar year preceding the levy year, and  
26 (B) on and after the effective date of this amendatory Act of

1 the 101st General Assembly, 0% or the rate of increase approved  
2 by the voters under Section 18-212. The debt service extension  
3 base may be established or increased as provided under Section  
4 18-212. "Excluded non-referendum bonds" means (i) bonds  
5 authorized by Public Act 88-503 and issued under Section 20a of  
6 the Chicago Park District Act for aquarium and museum projects;  
7 (ii) bonds issued under Section 15 of the Local Government Debt  
8 Reform Act; or (iii) refunding obligations issued to refund or  
9 to continue to refund obligations initially issued pursuant to  
10 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, 18-230, and 18-206. An adjustment under Section  
22 18-135 shall be made for the 2007 levy year and all subsequent  
23 levy 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 Redevelopment ~~Development~~ Act in the  
4 Illinois Municipal Code, previously established under the  
5 Industrial Jobs Recovery Law in the Illinois Municipal Code,  
6 previously established under the Economic Development Project  
7 Area Tax Increment Act of 1995, or previously established under  
8 the Economic Development Area Tax Increment Allocation Act, of  
9 each taxable lot, block, tract, or parcel of real property in  
10 the redevelopment project area over and above the initial  
11 equalized assessed value of each property in the redevelopment  
12 project area. For the taxes which are extended for the 1997  
13 levy year, the recovered tax increment value for a non-home  
14 rule taxing district that first became subject to this Law for  
15 the 1995 levy year because a majority of its 1994 equalized  
16 assessed value was in an affected county or counties shall be  
17 increased if a municipality terminated the designation of an  
18 area in 1993 as a redevelopment project area previously  
19 established under the Tax Increment Allocation Redevelopment  
20 ~~Development~~ Act in the Illinois Municipal Code, previously  
21 established under the Industrial Jobs Recovery Law in the  
22 Illinois Municipal Code, or previously established under the  
23 Economic Development Area Tax Increment Allocation Act, by an  
24 amount equal to the 1994 equalized assessed value of each  
25 taxable lot, block, tract, or parcel of real property in the  
26 redevelopment project area over and above the initial equalized

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

14 Except as otherwise provided in this Section, "limiting  
15 rate" means a fraction the numerator of which is the last  
16 preceding aggregate extension base times an amount equal to one  
17 plus the extension limitation defined in this Section and the  
18 denominator of which is the current year's equalized assessed  
19 value of all real property in the territory under the  
20 jurisdiction of the taxing district during the prior levy year.  
21 For those taxing districts that reduced their aggregate  
22 extension for the last preceding levy year, except for school  
23 districts that reduced their extension for educational  
24 purposes pursuant to Section 18-206, the highest aggregate  
25 extension in any of the last 3 preceding levy years shall be  
26 used for the purpose of computing the limiting rate. The

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

20 (Source: P.A. 99-143, eff. 7-27-15; 99-521, eff. 6-1-17;  
21 100-465, eff. 8-31-17; revised 8-12-19.)

22 (35 ILCS 200/18-212)

23 Sec. 18-212. Referendum on debt service extension base. A  
24 taxing district may establish or increase its debt service  
25 extension base if (i) that taxing district holds a referendum

1 before the date on which the levy must be filed with the county  
2 clerk of the county or counties in which the taxing district is  
3 situated and (ii) a majority of voters voting on the issue  
4 approves the establishment of or increase in the debt service  
5 extension base. A debt service extension base established or  
6 increased by a referendum held pursuant to this Section after  
7 February 2, 2010 and prior to the effective date of this  
8 amendatory Act of the 101st General Assembly, shall be  
9 increased each year, commencing with the first levy year  
10 beginning after the date of the referendum, by the lesser of 5%  
11 or the percentage increase in the Consumer Price Index during  
12 the 12-month calendar year preceding the levy year if the  
13 optional language concerning the annual increase is included in  
14 the question submitted to the electors of the taxing district.  
15 On and after the effective date of this amendatory Act of the  
16 101st General Assembly, the debt service extension base annual  
17 increase amount shall be 0% or the rate of increase approved by  
18 the voters under this Section. Referenda under this Section  
19 shall be conducted at a regularly scheduled election in  
20 accordance with the Election Code. The governing body of the  
21 taxing district shall certify the question to the proper  
22 election authorities who shall submit the question to the  
23 electors of the taxing district in substantially the following  
24 form:

25 "Shall the debt service extension base under the Property  
26 Tax Extension Limitation Law for ~~---~~ (taxing district name)

1       ~~---~~ for payment of principal and interest on limited bonds  
2       be ~~-----~~ ((established at \$ ....) ~~÷~~ (or) (increased from \$  
3       .... to \$ ....)) ~~--~~ for the ..... levy year and all  
4       subsequent levy years ~~(optional language: , such debt~~  
5       ~~service extension base to be increased each year by the~~  
6       ~~lesser of 5% or the percentage increase in the Consumer~~  
7       ~~Price Index during the 12 month calendar year preceding the~~  
8       ~~levy year)?"~~

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

10       If a majority of voters voting on the issue approves the  
11       establishment of or increase in the debt service extension  
12       base, the establishment of or increase in the debt service  
13       extension base shall be applicable for the levy years  
14       specified.

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

16       Section 95. The School Code is amended by adding Sections  
17       17-3.4a and 34-52.5 as follows:

18       (105 ILCS 5/17-3.4a new)

19       Sec. 17-3.4a. Tax increase; informational material.

20       (a) In this Section, "informational material" means a  
21       one-page fact sheet distributed via U.S. mail to all residents  
22       of a school district. A school district may determine the form  
23       of the fact sheet.

24       (b) No later than 30 days before a school district submits

1 to the voters of that district a question on whether to issue  
2 bonds or increase the school district's property tax rate, the  
3 school district must send informational material to each  
4 resident of voting age in the school district. The  
5 informational material must include all of the following, if  
6 applicable:

7 (1) A description of the project for which the bonds  
8 will be issued.

9 (2) A description of the estimated expenditures  
10 associated with the increase in the property tax rate.

11 (3) An estimate of the number of years during which the  
12 bonds will be outstanding.

13 (4) An estimate of the total debt service to be paid on  
14 the bonds, including principal, interest, and the costs of  
15 issuing the bonds.

16 (5) All potential outcomes related to the property  
17 taxes of a median-priced house in the district for both if  
18 the referendum passes and if the referendum fails.

19 (105 ILCS 5/34-52.5 new)

20 Sec. 34-52.5. Tax increase; informational material.

21 (a) In this Section, "informational material" means a  
22 one-page fact sheet distributed via U.S. mail to all residents  
23 of the school district. The school district may determine the  
24 form of the fact sheet.

25 (b) No later than 30 days before the school district



1 submits to the voters of the district a question on whether to  
2 issue bonds or increase the school district's property tax  
3 rate, the school district must send informational material to  
4 each resident of voting age in the school district. The  
5 informational material must include all of the following, if  
6 applicable:

7 (1) A description of the project for which the bonds  
8 will be issued.

9 (2) A description of the estimated expenditures  
10 associated with the increase in the property tax rate.

11 (3) An estimate of the number of years during which the  
12 bonds will be outstanding.

13 (4) An estimate of the total debt service to be paid on  
14 the bonds, including principal, interest, and the costs of  
15 issuing the bonds.

16 (5) All potential outcomes related to the property  
17 taxes of a median-priced house in the district for both if  
18 the referendum passes and if the referendum fails.

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.

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35 ILCS 200/18-185

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35 ILCS 200/18-212

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105 ILCS 5/17-3.4a new

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105 ILCS 5/34-52.5 new