

SB1461



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1461

Introduced 2/13/2019, by Sen. Dan McConchie

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-206

Amends the Property Tax Code. In a Section concerning a reduced extension for a school district's educational purposes, provides that the Section applies if the school district's final percent of adequacy (currently, adequacy target) exceeds 110%. Provides that the referendum petition for the reduction shall be submitted to and certified by the school board's secretary (currently, the applicable election authority). Effective immediately.

LRB101 08012 HLH 53073 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 18-206 as follows:

6 (35 ILCS 200/18-206)

7 Sec. 18-206. Decrease in extension for educational
8 purposes.

9 (a) Notwithstanding any other provision of law, for those
10 school districts whose final percent of adequacy ~~targets~~, as
11 defined in Section 18-8.15 of this Code, exceeds ~~exceed~~ 110%
12 for the school year that begins during the calendar year
13 immediately preceding the levy year for which the reduction
14 under this Section is sought, the question of whether the
15 school district shall reduce its extension for educational
16 purposes for the levy year in which the election is held to an
17 amount that is less than the extension for educational purposes
18 for the immediately preceding levy year shall be submitted to
19 the voters of the school district at the next consolidated
20 election but only upon submission of a petition signed by not
21 fewer than 10% of the registered voters in the school district.
22 In no event shall the reduced extension be more than 10% lower
23 than the amount extended for educational purposes in the

1 previous levy year, and in no event shall the reduction cause
2 the school district's final percent of adequacy ~~target~~ to fall
3 below 110% for the levy year for which the reduction is sought.

4 (b) The petition shall be filed with the school board's
5 secretary ~~applicable election authority, as defined in Section~~
6 ~~1-3 of the Election Code, or, in the case of multiple election~~
7 ~~authorities, with the State Board of Elections,~~ not less ~~more~~
8 than 92 days ~~10 months nor less than 6 months~~ prior to the
9 election at which the question is to be submitted to the
10 voters, and its validity shall be determined as provided by
11 Article 28 of the Election Code and general election law. The
12 school board's secretary ~~election authority or Board, as~~
13 ~~applicable,~~ shall certify the question and the proper election
14 authority or authorities shall submit the question to the
15 voters. Except as otherwise provided in this Section, this
16 referendum shall be subject to all other general election law
17 requirements.

18 (c) The proposition seeking to reduce the extension for
19 educational purposes shall be in substantially the following
20 form:

21 Shall the amount extended for educational purposes by
22 (school district) be reduced from (previous levy year's
23 extension) to (proposed extension) for (levy year), but in
24 no event lower than the amount required to maintain a final
25 percent of ~~an~~ adequacy ~~target~~ of 110%?

26 Votes shall be recorded as "Yes" or "No".

1 If a majority of all votes cast on the proposition are in
2 favor of the proposition, then, for the levy year in which the
3 election is held, the amount extended by the school district
4 for educational purposes shall be reduced as provided in the
5 referendum; however, in no event shall the reduction exceed the
6 amount that would cause the school district to have a final
7 percent of an adequacy target of 110% for the applicable school
8 year.

9 Once the question is submitted to the voters, then the
10 question may not be submitted again for the same school
11 district at any of the next 2 consolidated elections.

12 (d) For school districts that approve a reduction under
13 this Section, the county clerk shall extend a rate for
14 educational purposes that is no greater than the limiting rate
15 for educational purposes. If the school district is otherwise
16 subject to this Law for the applicable levy year, then, for the
17 levy year in which the reduction occurs, the county clerk shall
18 calculate separate limiting rates for educational purposes and
19 for the aggregate of the school district's other funds.

20 As used in this Section:

21 "School district" means each school district in the State,
22 regardless of whether or not that school district is otherwise
23 subject to this Law.

24 "Limiting rate for educational purposes" means a fraction
25 the numerator of which is the greater of (i) the amount
26 approved by the voters in the referendum under subsection (c)

1 of this Section or (ii) the amount that would cause the school
2 district to have a final percent of ~~an adequacy target~~ of 110%
3 for the applicable school year, but in no event more than the
4 school district's extension for educational purposes in the
5 immediately preceding levy year, and the denominator of which
6 is the current year's equalized assessed value of all real
7 property under the jurisdiction of the school district during
8 the prior levy year.

9 (Source: P.A. 100-465, eff. 8-31-17.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.