



Sen. Terry Link

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1 AMENDMENT TO HOUSE BILL 850

2 AMENDMENT NO. _____. Amend House Bill 850 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Economic Development Area Tax Increment
5 Allocation Act is amended by changing Section 6 as follows:

6 (20 ILCS 620/6) (from Ch. 67 1/2, par. 1006)

7 Sec. 6. Filing with county clerk; certification of initial
8 equalized assessed value.

9 (a) The municipality shall file a certified copy of any
10 ordinance authorizing tax increment allocation financing for
11 an economic development project area with the county clerk, and
12 the county clerk shall immediately thereafter determine (1) the
13 most recently ascertained equalized assessed value of each lot,
14 block, tract or parcel of real property within the economic
15 development project area from which shall be deducted the
16 homestead exemptions provided by Sections 15-170, ~~and~~ 15-175,
17 and 15-176 of the Property Tax Code, which value shall be the
18 "initial equalized assessed value" of each such piece of
19 property, and (2) the total equalized assessed value of all
20 taxable real property within the economic development project
21 area by adding together the most recently ascertained equalized
22 assessed value of each taxable lot, block, tract, or parcel of
23 real property within such economic development project area,
24 from which shall be deducted the homestead exemptions provided

1 by Sections 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax
2 Code, and shall certify such amount as the "total initial
3 equalized assessed value" of the taxable real property within
4 the economic development project area.

5 (b) After the county clerk has certified the "total initial
6 equalized assessed value" of the taxable real property in the
7 economic development project area, then in respect to every
8 taxing district containing an economic development project
9 area, the county clerk or any other official required by law to
10 ascertain the amount of the equalized assessed value of all
11 taxable property within that taxing district for the purpose of
12 computing the rate per cent of tax to be extended upon taxable
13 property within that taxing district, shall in every year that
14 tax increment allocation financing is in effect ascertain the
15 amount of value of taxable property in an economic development
16 project area by including in that amount the lower of the
17 current equalized assessed value or the certified "total
18 initial equalized assessed value" of all taxable real property
19 in such area. The rate per cent of tax determined shall be
20 extended to the current equalized assessed value of all
21 property in the economic development project area in the same
22 manner as the rate per cent of tax is extended to all other
23 taxable property in the taxing district. The method of
24 allocating taxes established under this Section shall
25 terminate when the municipality adopts an ordinance dissolving
26 the special tax allocation fund for the economic development
27 project area, terminating the economic development project
28 area, and terminating the use of tax increment allocation
29 financing for the economic development project area. This Act
30 shall not be construed as relieving property owners within an
31 economic development project area from paying a uniform rate of
32 taxes upon the current equalized assessed value of their
33 taxable property as provided in the Property Tax Code.

34 (Source: P.A. 88-670, eff. 12-2-94.)

1 Section 10. The Property Tax Code is amended by changing
2 Sections 14-15, 15-10, 15-170, 15-172, 15-175, and 20-178 and
3 by adding Sections 15-176 and 18-53 as follows:

4 (35 ILCS 200/14-15)

5 Sec. 14-15. Certificate of error; counties of 3,000,000 or
6 more.

7 (a) In counties with 3,000,000 or more inhabitants, if,
8 after the assessment is certified pursuant to Section 16-150,
9 but subject to the limitations of subsection (c) of this
10 Section, the county assessor discovers an error or mistake in
11 the assessment, the assessor shall execute a certificate
12 setting forth the nature and cause of the error. The
13 certificate when endorsed by the county assessor, or when
14 endorsed by the county assessor and board of appeals (until the
15 first Monday in December 1998 and the board of review beginning
16 the first Monday in December 1998 and thereafter) where the
17 certificate is executed for any assessment which was the
18 subject of a complaint filed in the board of appeals (until the
19 first Monday in December 1998 and the board of review beginning
20 the first Monday in December 1998 and thereafter) for the tax
21 year for which the certificate is issued, may, either be
22 certified according to the procedure authorized by this Section
23 or be presented and received in evidence in any court of
24 competent jurisdiction. Certification is authorized, at the
25 discretion of the county assessor, for: (1) certificates of
26 error allowing homestead exemptions pursuant to Sections
27 15-170, 15-172, ~~and~~ 15-175, and 15-176; (2) certificates of
28 error on residential property of 6 units or less; (3)
29 certificates of error allowing exemption of the property
30 pursuant to Section 14-25; and (4) other certificates of error
31 reducing assessed value by less than \$100,000. Any certificate
32 of error not certified shall be presented to the court. The

1 county assessor shall develop reasonable procedures for the
2 filing and processing of certificates of error. Prior to the
3 certification or presentation to the court, the county assessor
4 or his or her designee shall execute and include in the
5 certificate of error a statement attesting that all procedural
6 requirements pertaining to the issuance of the certificate of
7 error have been met and that in fact an error exists. When so
8 introduced in evidence such certificate shall become a part of
9 the court records, and shall not be removed from the files
10 except upon the order of the court.

11 Certificates of error that will be presented to the court
12 shall be filed as an objection in the application for judgment
13 and order of sale for the year in relation to which the
14 certificate is made or as an amendment to the objection under
15 subsection (b). Certificates of error that are to be certified
16 according to the procedure authorized by this Section need not
17 be presented to the court as an objection or an amendment under
18 subsection (b). The State's Attorney of the county in which the
19 property is situated shall mail a copy of any final judgment
20 entered by the court regarding any certificate of error to the
21 taxpayer of record for the year in question.

22 Any unpaid taxes after the entry of the final judgment by
23 the court or certification on certificates issued under this
24 Section may be included in a special tax sale, provided that an
25 advertisement is published and a notice is mailed to the person
26 in whose name the taxes were last assessed, in a form and
27 manner substantially similar to the advertisement and notice
28 required under Sections 21-110 and 21-135. The advertisement
29 and sale shall be subject to all provisions of law regulating
30 the annual advertisement and sale of delinquent property, to
31 the extent that those provisions may be made applicable.

32 A certificate of error certified under this Section shall
33 be given effect by the county treasurer, who shall mark the tax
34 books and, upon receipt of one of the following certificates

1 from the county assessor or the county assessor and the board
2 of review where the board of review is required to endorse the
3 certificate of error, shall issue refunds to the taxpayer
4 accordingly:

5 "CERTIFICATION

6 I,, county assessor, hereby certify
7 that the Certificates of Error set out on the attached list
8 have been duly issued to correct an error or mistake in the
9 assessment."

10 "CERTIFICATION

11 I,, county assessor, and we,
12,
13 members of the board of review, hereby certify that the
14 Certificates of Error set out on the attached list have
15 been duly issued to correct an error or mistake in the
16 assessment and that any certificates of error required to
17 be endorsed by the board of review have been so endorsed."

18 The county treasurer has the power to mark the tax books to
19 reflect the issuance of certificates of error certified
20 according to the procedure authorized in this Section for
21 certificates of error issued under Section 14-25 or
22 certificates of error issued to and including 3 years after the
23 date on which the annual judgment and order of sale for that
24 tax year was first entered. The county treasurer has the power
25 to issue refunds to the taxpayer as set forth above until all
26 refunds authorized by this Section have been completed.

27 To the extent that the certificate of error obviates the
28 liability for nonpayment of taxes, certification of a
29 certificate of error according to the procedure authorized in
30 this Section shall operate to vacate any judgment or forfeiture
31 as to that year's taxes, and the warrant books and judgment

1 books shall be marked to reflect that the judgment or
2 forfeiture has been vacated.

3 (b) Nothing in subsection (a) of this Section shall be
4 construed to prohibit the execution, endorsement, issuance,
5 and adjudication of a certificate of error if (i) the annual
6 judgment and order of sale for the tax year in question is
7 reopened for further proceedings upon consent of the county
8 collector and county assessor, represented by the State's
9 Attorney, and (ii) a new final judgment is subsequently entered
10 pursuant to the certificate. This subsection (b) shall be
11 construed as declarative of existing law and not as a new
12 enactment.

13 (c) No certificate of error, other than a certificate to
14 establish an exemption under Section 14-25, shall be executed
15 for any tax year more than 3 years after the date on which the
16 annual judgment and order of sale for that tax year was first
17 entered, except that during calendar years 1999 and 2000 a
18 certificate of error may be executed for any tax year, provided
19 that the error or mistake in the assessment was discovered no
20 more than 3 years after the date on which the annual judgment
21 and order of sale for that tax year was first entered.

22 (d) The time limitation of subsection (c) shall not apply
23 to a certificate of error correcting an assessment to \$1, under
24 Section 10-35, on a parcel that a subdivision or planned
25 development has acquired by adverse possession, if during the
26 tax year for which the certificate is executed the subdivision
27 or planned development used the parcel as common area, as
28 defined in Section 10-35, and if application for the
29 certificate of error is made prior to December 1, 1997.

30 (e) The changes made by this amendatory Act of the 91st
31 General Assembly apply to certificates of error issued before,
32 on, and after the effective date of this amendatory Act of the
33 91st General Assembly.

34 (Source: P.A. 90-4, eff. 3-7-97; 90-288, eff. 8-1-97; 90-655,

1 eff. 7-30-98; 91-393, eff. 7-30-99; 91-686, eff. 1-26-00.)

2 (35 ILCS 200/15-10)

3 Sec. 15-10. Exempt property; procedures for certification.
4 All property granted an exemption by the Department pursuant to
5 the requirements of Section 15-5 and described in the Sections
6 following Section 15-30 and preceding Section 16-5, to the
7 extent therein limited, is exempt from taxation. In order to
8 maintain that exempt status, the titleholder or the owner of
9 the beneficial interest of any property that is exempt must
10 file with the chief county assessment officer, on or before
11 January 31 of each year (May 31 in the case of property
12 exempted by Section 15-170), an affidavit stating whether there
13 has been any change in the ownership or use of the property or
14 the status of the owner-resident, or that a disabled veteran
15 who qualifies under Section 15-165 owned and used the property
16 as of January 1 of that year. The nature of any change shall be
17 stated in the affidavit. Failure to file an affidavit shall, in
18 the discretion of the assessment officer, constitute cause to
19 terminate the exemption of that property, notwithstanding any
20 other provision of this Code. Owners of 5 or more such exempt
21 parcels within a county may file a single annual affidavit in
22 lieu of an affidavit for each parcel. The assessment officer,
23 upon request, shall furnish an affidavit form to the owners, in
24 which the owner may state whether there has been any change in
25 the ownership or use of the property or status of the owner or
26 resident as of January 1 of that year. The owner of 5 or more
27 exempt parcels shall list all the properties giving the same
28 information for each parcel as required of owners who file
29 individual affidavits.

30 However, titleholders or owners of the beneficial interest
31 in any property exempted under any of the following provisions
32 are not required to submit an annual filing under this Section:

33 (1) Section 15-45 (burial grounds) in counties of less

1 than 3,000,000 inhabitants and owned by a not-for-profit
2 organization.

3 (2) Section 15-40.

4 (3) Section 15-50 (United States property).

5 If there is a change in use or ownership, however, notice
6 must be filed pursuant to Section 15-20.

7 An application for homestead exemptions shall be filed as
8 provided in Section 15-170 (senior citizens homestead
9 exemption), Section 15-172 (senior citizens assessment freeze
10 homestead exemption), and Sections ~~Section~~ 15-175 and 15-176
11 (general homestead exemption), respectively.

12 (Source: P.A. 92-333, eff. 8-10-01; 92-729, eff. 7-25-02.)

13 (35 ILCS 200/15-170)

14 Sec. 15-170. Senior Citizens Homestead Exemption. An
15 annual homestead exemption limited, except as described here
16 with relation to cooperatives or life care facilities, to a
17 maximum reduction set forth below from the property's value, as
18 equalized or assessed by the Department, is granted for
19 property that is occupied as a residence by a person 65 years
20 of age or older who is liable for paying real estate taxes on
21 the property and is an owner of record of the property or has a
22 legal or equitable interest therein as evidenced by a written
23 instrument, except for a leasehold interest, other than a
24 leasehold interest of land on which a single family residence
25 is located, which is occupied as a residence by a person 65
26 years or older who has an ownership interest therein, legal,
27 equitable or as a lessee, and on which he or she is liable for
28 the payment of property taxes. Before taxable year 2004, the
29 ~~The~~ maximum reduction shall be \$2,500 in counties with
30 3,000,000 or more inhabitants and \$2,000 in all other counties.
31 For taxable years 2004 and thereafter, the maximum reduction
32 shall be \$2,500 in all counties. For land improved with an
33 apartment building owned and operated as a cooperative, the

1 maximum reduction from the value of the property, as equalized
2 by the Department, shall be multiplied by the number of
3 apartments or units occupied by a person 65 years of age or
4 older who is liable, by contract with the owner or owners of
5 record, for paying property taxes on the property and is an
6 owner of record of a legal or equitable interest in the
7 cooperative apartment building, other than a leasehold
8 interest. For land improved with a life care facility, the
9 maximum reduction from the value of the property, as equalized
10 by the Department, shall be multiplied by the number of
11 apartments or units occupied by persons 65 years of age or
12 older, irrespective of any legal, equitable, or leasehold
13 interest in the facility, who are liable, under a contract with
14 the owner or owners of record of the facility, for paying
15 property taxes on the property. In a cooperative or a life care
16 facility where a homestead exemption has been granted, the
17 cooperative association or the management firm of the
18 cooperative or facility shall credit the savings resulting from
19 that exemption only to the apportioned tax liability of the
20 owner or resident who qualified for the exemption. Any person
21 who willfully refuses to so credit the savings shall be guilty
22 of a Class B misdemeanor. Under this Section and Sections
23 ~~Section~~ 15-175 and 15-176, "life care facility" means a
24 facility as defined in Section 2 of the Life Care Facilities
25 Act, with which the applicant for the homestead exemption has a
26 life care contract as defined in that Act.

27 When a homestead exemption has been granted under this
28 Section and the person qualifying subsequently becomes a
29 resident of a facility licensed under the Nursing Home Care
30 Act, the exemption shall continue so long as the residence
31 continues to be occupied by the qualifying person's spouse if
32 the spouse is 65 years of age or older, or if the residence
33 remains unoccupied but is still owned by the person qualified
34 for the homestead exemption.

1 A person who will be 65 years of age during the current
2 assessment year shall be eligible to apply for the homestead
3 exemption during that assessment year. Application shall be
4 made during the application period in effect for the county of
5 his residence.

6 Beginning with assessment year 2003, for taxes payable in
7 2004, property that is first occupied as a residence after
8 January 1 of any assessment year by a person who is eligible
9 for the senior citizens homestead exemption under this Section
10 must be granted a pro-rata exemption for the assessment year.
11 The amount of the pro-rata exemption is the exemption allowed
12 in the county under this Section divided by 365 and multiplied
13 by the number of days during the assessment year the property
14 is occupied as a residence by a person eligible for the
15 exemption under this Section. The chief county assessment
16 officer must adopt reasonable procedures to establish
17 eligibility for this pro-rata exemption.

18 The assessor or chief county assessment officer may
19 determine the eligibility of a life care facility to receive
20 the benefits provided by this Section, by affidavit,
21 application, visual inspection, questionnaire or other
22 reasonable methods in order to insure that the tax savings
23 resulting from the exemption are credited by the management
24 firm to the apportioned tax liability of each qualifying
25 resident. The assessor may request reasonable proof that the
26 management firm has so credited the exemption.

27 The chief county assessment officer of each county with
28 less than 3,000,000 inhabitants shall provide to each person
29 allowed a homestead exemption under this Section a form to
30 designate any other person to receive a duplicate of any notice
31 of delinquency in the payment of taxes assessed and levied
32 under this Code on the property of the person receiving the
33 exemption. The duplicate notice shall be in addition to the
34 notice required to be provided to the person receiving the

1 exemption, and shall be given in the manner required by this
2 Code. The person filing the request for the duplicate notice
3 shall pay a fee of \$5 to cover administrative costs to the
4 supervisor of assessments, who shall then file the executed
5 designation with the county collector. Notwithstanding any
6 other provision of this Code to the contrary, the filing of
7 such an executed designation requires the county collector to
8 provide duplicate notices as indicated by the designation. A
9 designation may be rescinded by the person who executed such
10 designation at any time, in the manner and form required by the
11 chief county assessment officer.

12 The assessor or chief county assessment officer may
13 determine the eligibility of residential property to receive
14 the homestead exemption provided by this Section by
15 application, visual inspection, questionnaire or other
16 reasonable methods. The determination shall be made in
17 accordance with guidelines established by the Department.

18 In counties with less than 3,000,000 inhabitants, the
19 county board may by resolution provide that if a person has
20 been granted a homestead exemption under this Section, the
21 person qualifying need not reapply for the exemption.

22 In counties with less than 3,000,000 inhabitants, if the
23 assessor or chief county assessment officer requires annual
24 application for verification of eligibility for an exemption
25 once granted under this Section, the application shall be
26 mailed to the taxpayer.

27 The assessor or chief county assessment officer shall
28 notify each person who qualifies for an exemption under this
29 Section that the person may also qualify for deferral of real
30 estate taxes under the Senior Citizens Real Estate Tax Deferral
31 Act. The notice shall set forth the qualifications needed for
32 deferral of real estate taxes, the address and telephone number
33 of county collector, and a statement that applications for
34 deferral of real estate taxes may be obtained from the county

1 collector.

2 Notwithstanding Sections 6 and 8 of the State Mandates Act,
3 no reimbursement by the State is required for the
4 implementation of any mandate created by this Section.

5 (Source: P.A. 92-196, eff. 1-1-02; 93-511, eff. 8-11-03.)

6 (35 ILCS 200/15-172)

7 Sec. 15-172. Senior Citizens Assessment Freeze Homestead
8 Exemption.

9 (a) This Section may be cited as the Senior Citizens
10 Assessment Freeze Homestead Exemption.

11 (b) As used in this Section:

12 "Applicant" means an individual who has filed an
13 application under this Section.

14 "Base amount" means the base year equalized assessed value
15 of the residence plus the first year's equalized assessed value
16 of any added improvements which increased the assessed value of
17 the residence after the base year.

18 "Base year" means the taxable year prior to the taxable
19 year for which the applicant first qualifies and applies for
20 the exemption provided that in the prior taxable year the
21 property was improved with a permanent structure that was
22 occupied as a residence by the applicant who was liable for
23 paying real property taxes on the property and who was either
24 (i) an owner of record of the property or had legal or
25 equitable interest in the property as evidenced by a written
26 instrument or (ii) had a legal or equitable interest as a
27 lessee in the parcel of property that was single family
28 residence. If in any subsequent taxable year for which the
29 applicant applies and qualifies for the exemption the equalized
30 assessed value of the residence is less than the equalized
31 assessed value in the existing base year (provided that such
32 equalized assessed value is not based on an assessed value that
33 results from a temporary irregularity in the property that

1 reduces the assessed value for one or more taxable years), then
2 that subsequent taxable year shall become the base year until a
3 new base year is established under the terms of this paragraph.
4 For taxable year 1999 only, the Chief County Assessment Officer
5 shall review (i) all taxable years for which the applicant
6 applied and qualified for the exemption and (ii) the existing
7 base year. The assessment officer shall select as the new base
8 year the year with the lowest equalized assessed value. An
9 equalized assessed value that is based on an assessed value
10 that results from a temporary irregularity in the property that
11 reduces the assessed value for one or more taxable years shall
12 not be considered the lowest equalized assessed value. The
13 selected year shall be the base year for taxable year 1999 and
14 thereafter until a new base year is established under the terms
15 of this paragraph.

16 "Chief County Assessment Officer" means the County
17 Assessor or Supervisor of Assessments of the county in which
18 the property is located.

19 "Equalized assessed value" means the assessed value as
20 equalized by the Illinois Department of Revenue.

21 "Household" means the applicant, the spouse of the
22 applicant, and all persons using the residence of the applicant
23 as their principal place of residence.

24 "Household income" means the combined income of the members
25 of a household for the calendar year preceding the taxable
26 year.

27 "Income" has the same meaning as provided in Section 3.07
28 of the Senior Citizens and Disabled Persons Property Tax Relief
29 and Pharmaceutical Assistance Act, except that, beginning in
30 assessment year 2001, "income" does not include veteran's
31 benefits.

32 "Internal Revenue Code of 1986" means the United States
33 Internal Revenue Code of 1986 or any successor law or laws
34 relating to federal income taxes in effect for the year

1 preceding the taxable year.

2 "Life care facility that qualifies as a cooperative" means
3 a facility as defined in Section 2 of the Life Care Facilities
4 Act.

5 "Residence" means the principal dwelling place and
6 appurtenant structures used for residential purposes in this
7 State occupied on January 1 of the taxable year by a household
8 and so much of the surrounding land, constituting the parcel
9 upon which the dwelling place is situated, as is used for
10 residential purposes. If the Chief County Assessment Officer
11 has established a specific legal description for a portion of
12 property constituting the residence, then that portion of
13 property shall be deemed the residence for the purposes of this
14 Section.

15 "Taxable year" means the calendar year during which ad
16 valorem property taxes payable in the next succeeding year are
17 levied.

18 (c) Beginning in taxable year 1994, a senior citizens
19 assessment freeze homestead exemption is granted for real
20 property that is improved with a permanent structure that is
21 occupied as a residence by an applicant who (i) is 65 years of
22 age or older during the taxable year, (ii) has a household
23 income of \$35,000 or less prior to taxable year 1999, ~~or~~
24 \$40,000 or less in taxable years year 1999 through 2003, and
25 \$45,000 or less in taxable year 2004 and thereafter, (iii) is
26 liable for paying real property taxes on the property, and (iv)
27 is an owner of record of the property or has a legal or
28 equitable interest in the property as evidenced by a written
29 instrument. This homestead exemption shall also apply to a
30 leasehold interest in a parcel of property improved with a
31 permanent structure that is a single family residence that is
32 occupied as a residence by a person who (i) is 65 years of age
33 or older during the taxable year, (ii) has a household income
34 of \$35,000 or less prior to taxable year 1999, ~~or~~ \$40,000 or

1 less in taxable years ~~year~~ 1999 through 2003, and \$45,000 or
2 less in taxable year 2004 and thereafter, (iii) has a legal or
3 equitable ownership interest in the property as lessee, and
4 (iv) is liable for the payment of real property taxes on that
5 property.

6 Through taxable year 2003, the ~~The~~ amount of this exemption
7 shall be the equalized assessed value of the residence in the
8 taxable year for which application is made minus the base
9 amount. Beginning taxable year 2004 and thereafter, the amount
10 of the exemption is as follows:

11 (1) For an applicant who has a household income of
12 \$40,000 or less, the amount of the exemption is the
13 equalized assessed value of the residence in the taxable
14 year for which application is made minus the base amount.

15 (2) For an applicant who has a household income
16 exceeding \$40,000 but not exceeding \$41,250, the amount of
17 the exemption is (i) the equalized assessed value of the
18 residence in the taxable year for which application is made
19 minus the base amount (ii) multiplied by 0.8.

20 (3) For an applicant who has a household income
21 exceeding \$41,250 but not exceeding \$42,500, the amount of
22 the exemption is (i) the equalized assessed value of the
23 residence in the taxable year for which application is made
24 minus the base amount (ii) multiplied by 0.6.

25 (4) For an applicant who has a household income
26 exceeding \$42,500 but not exceeding \$43,750, the amount of
27 the exemption is (i) the equalized assessed value of the
28 residence in the taxable year for which application is made
29 minus the base amount (ii) multiplied by 0.4.

30 (5) For an applicant who has a household income
31 exceeding \$43,750 but not exceeding \$45,000, the amount of
32 the exemption is (i) the equalized assessed value of the
33 residence in the taxable year for which application is made
34 minus the base amount (ii) multiplied by 0.2.

1 When the applicant is a surviving spouse of an applicant
2 for a prior year for the same residence for which an exemption
3 under this Section has been granted, the base year and base
4 amount for that residence are the same as for the applicant for
5 the prior year.

6 Each year at the time the assessment books are certified to
7 the County Clerk, the Board of Review or Board of Appeals shall
8 give to the County Clerk a list of the assessed values of
9 improvements on each parcel qualifying for this exemption that
10 were added after the base year for this parcel and that
11 increased the assessed value of the property.

12 In the case of land improved with an apartment building
13 owned and operated as a cooperative or a building that is a
14 life care facility that qualifies as a cooperative, the maximum
15 reduction from the equalized assessed value of the property is
16 limited to the sum of the reductions calculated for each unit
17 occupied as a residence by a person or persons (i) 65 years of
18 age or older, (ii) with a household income of \$35,000 or less
19 prior to taxable year 1999, ~~or~~ \$40,000 or less in taxable years
20 ~~year~~ 1999 through 2003, and \$45,000 or less in taxable year
21 2004 and thereafter, (iii) who is liable, by contract with the
22 owner or owners of record, for paying real property taxes on
23 the property, and (iv) who is an owner of record of a legal or
24 equitable interest in the cooperative apartment building,
25 other than a leasehold interest. In the instance of a
26 cooperative where a homestead exemption has been granted under
27 this Section, the cooperative association or its management
28 firm shall credit the savings resulting from that exemption
29 only to the apportioned tax liability of the owner who
30 qualified for the exemption. Any person who willfully refuses
31 to credit that savings to an owner who qualifies for the
32 exemption is guilty of a Class B misdemeanor.

33 When a homestead exemption has been granted under this
34 Section and an applicant then becomes a resident of a facility

1 licensed under the Nursing Home Care Act, the exemption shall
2 be granted in subsequent years so long as the residence (i)
3 continues to be occupied by the qualified applicant's spouse or
4 (ii) if remaining unoccupied, is still owned by the qualified
5 applicant for the homestead exemption.

6 Beginning January 1, 1997, when an individual dies who
7 would have qualified for an exemption under this Section, and
8 the surviving spouse does not independently qualify for this
9 exemption because of age, the exemption under this Section
10 shall be granted to the surviving spouse for the taxable year
11 preceding and the taxable year of the death, provided that,
12 except for age, the surviving spouse meets all other
13 qualifications for the granting of this exemption for those
14 years.

15 When married persons maintain separate residences, the
16 exemption provided for in this Section may be claimed by only
17 one of such persons and for only one residence.

18 For taxable year 1994 only, in counties having less than
19 3,000,000 inhabitants, to receive the exemption, a person shall
20 submit an application by February 15, 1995 to the Chief County
21 Assessment Officer of the county in which the property is
22 located. In counties having 3,000,000 or more inhabitants, for
23 taxable year 1994 and all subsequent taxable years, to receive
24 the exemption, a person may submit an application to the Chief
25 County Assessment Officer of the county in which the property
26 is located during such period as may be specified by the Chief
27 County Assessment Officer. The Chief County Assessment Officer
28 in counties of 3,000,000 or more inhabitants shall annually
29 give notice of the application period by mail or by
30 publication. In counties having less than 3,000,000
31 inhabitants, beginning with taxable year 1995 and thereafter,
32 to receive the exemption, a person shall submit an application
33 by July 1 of each taxable year to the Chief County Assessment
34 Officer of the county in which the property is located. A

1 county may, by ordinance, establish a date for submission of
2 applications that is different than July 1. The applicant shall
3 submit with the application an affidavit of the applicant's
4 total household income, age, marital status (and if married the
5 name and address of the applicant's spouse, if known), and
6 principal dwelling place of members of the household on January
7 1 of the taxable year. The Department shall establish, by rule,
8 a method for verifying the accuracy of affidavits filed by
9 applicants under this Section. The applications shall be
10 clearly marked as applications for the Senior Citizens
11 Assessment Freeze Homestead Exemption.

12 Notwithstanding any other provision to the contrary, in
13 counties having fewer than 3,000,000 inhabitants, if an
14 applicant fails to file the application required by this
15 Section in a timely manner and this failure to file is due to a
16 mental or physical condition sufficiently severe so as to
17 render the applicant incapable of filing the application in a
18 timely manner, the Chief County Assessment Officer may extend
19 the filing deadline for a period of 30 days after the applicant
20 regains the capability to file the application, but in no case
21 may the filing deadline be extended beyond 3 months of the
22 original filing deadline. In order to receive the extension
23 provided in this paragraph, the applicant shall provide the
24 Chief County Assessment Officer with a signed statement from
25 the applicant's physician stating the nature and extent of the
26 condition, that, in the physician's opinion, the condition was
27 so severe that it rendered the applicant incapable of filing
28 the application in a timely manner, and the date on which the
29 applicant regained the capability to file the application.

30 Beginning January 1, 1998, notwithstanding any other
31 provision to the contrary, in counties having fewer than
32 3,000,000 inhabitants, if an applicant fails to file the
33 application required by this Section in a timely manner and
34 this failure to file is due to a mental or physical condition

1 sufficiently severe so as to render the applicant incapable of
2 filing the application in a timely manner, the Chief County
3 Assessment Officer may extend the filing deadline for a period
4 of 3 months. In order to receive the extension provided in this
5 paragraph, the applicant shall provide the Chief County
6 Assessment Officer with a signed statement from the applicant's
7 physician stating the nature and extent of the condition, and
8 that, in the physician's opinion, the condition was so severe
9 that it rendered the applicant incapable of filing the
10 application in a timely manner.

11 In counties having less than 3,000,000 inhabitants, if an
12 applicant was denied an exemption in taxable year 1994 and the
13 denial occurred due to an error on the part of an assessment
14 official, or his or her agent or employee, then beginning in
15 taxable year 1997 the applicant's base year, for purposes of
16 determining the amount of the exemption, shall be 1993 rather
17 than 1994. In addition, in taxable year 1997, the applicant's
18 exemption shall also include an amount equal to (i) the amount
19 of any exemption denied to the applicant in taxable year 1995
20 as a result of using 1994, rather than 1993, as the base year,
21 (ii) the amount of any exemption denied to the applicant in
22 taxable year 1996 as a result of using 1994, rather than 1993,
23 as the base year, and (iii) the amount of the exemption
24 erroneously denied for taxable year 1994.

25 For purposes of this Section, a person who will be 65 years
26 of age during the current taxable year shall be eligible to
27 apply for the homestead exemption during that taxable year.
28 Application shall be made during the application period in
29 effect for the county of his or her residence.

30 The Chief County Assessment Officer may determine the
31 eligibility of a life care facility that qualifies as a
32 cooperative to receive the benefits provided by this Section by
33 use of an affidavit, application, visual inspection,
34 questionnaire, or other reasonable method in order to insure

1 that the tax savings resulting from the exemption are credited
2 by the management firm to the apportioned tax liability of each
3 qualifying resident. The Chief County Assessment Officer may
4 request reasonable proof that the management firm has so
5 credited that exemption.

6 Except as provided in this Section, all information
7 received by the chief county assessment officer or the
8 Department from applications filed under this Section, or from
9 any investigation conducted under the provisions of this
10 Section, shall be confidential, except for official purposes or
11 pursuant to official procedures for collection of any State or
12 local tax or enforcement of any civil or criminal penalty or
13 sanction imposed by this Act or by any statute or ordinance
14 imposing a State or local tax. Any person who divulges any such
15 information in any manner, except in accordance with a proper
16 judicial order, is guilty of a Class A misdemeanor.

17 Nothing contained in this Section shall prevent the
18 Director or chief county assessment officer from publishing or
19 making available reasonable statistics concerning the
20 operation of the exemption contained in this Section in which
21 the contents of claims are grouped into aggregates in such a
22 way that information contained in any individual claim shall
23 not be disclosed.

24 (d) Each Chief County Assessment Officer shall annually
25 publish a notice of availability of the exemption provided
26 under this Section. The notice shall be published at least 60
27 days but no more than 75 days prior to the date on which the
28 application must be submitted to the Chief County Assessment
29 Officer of the county in which the property is located. The
30 notice shall appear in a newspaper of general circulation in
31 the county.

32 Notwithstanding Sections 6 and 8 of the State Mandates Act,
33 no reimbursement by the State is required for the
34 implementation of any mandate created by this Section.

1 (Source: P.A. 90-14, eff. 7-1-97; 90-204, eff. 7-25-97; 90-523,
2 eff. 11-13-97; 90-524, eff. 1-1-98; 90-531, eff. 1-1-98;
3 90-655, eff. 7-30-98; 91-45, eff. 6-30-99; 91-56, eff. 6-30-99;
4 91-819, eff. 6-13-00.)

5 (35 ILCS 200/15-175)

6 Sec. 15-175. General homestead exemption. Except as
7 provided in Section 15-176, homestead property is entitled to
8 an annual homestead exemption limited, except as described here
9 with relation to cooperatives, to a reduction in the equalized
10 assessed value of homestead property equal to the increase in
11 equalized assessed value for the current assessment year above
12 the equalized assessed value of the property for 1977, up to
13 the maximum reduction set forth below. If however, the 1977
14 equalized assessed value upon which taxes were paid is
15 subsequently determined by local assessing officials, the
16 Property Tax Appeal Board, or a court to have been excessive,
17 the equalized assessed value which should have been placed on
18 the property for 1977 shall be used to determine the amount of
19 the exemption.

20 Except as provided in Section 15-176, the maximum reduction
21 before taxable year 2004 shall be \$4,500 in counties with
22 3,000,000 or more inhabitants and \$3,500 in all other counties.
23 Except as provided in Section 15-176, for taxable years 2004
24 and thereafter, the maximum reduction shall be \$4,500 in all
25 counties. If a county has elected to subject itself to the
26 provisions of Section 15-176 as provided in subsection (k) of
27 that Section, then, for each taxable year after the provisions
28 of Section 15-176 no longer apply, for owners whose qualified
29 property has an assessed valuation that has increased by more
30 than 20% over the previous assessed valuation of the property,
31 there shall be an additional exemption of \$5,000 for owners
32 with a household income of \$30,000 or less. For purposes of
33 this paragraph, "household income" has the meaning set forth in

1 this Section 15-175.

2 In counties with fewer than 3,000,000 inhabitants, if,
3 based on the most recent assessment, the equalized assessed
4 value of the homestead property for the current assessment year
5 is greater than the equalized assessed value of the property
6 for 1977, the owner of the property shall automatically receive
7 the exemption granted under this Section in an amount equal to
8 the increase over the 1977 assessment up to the maximum
9 reduction set forth in this Section.

10 If in any assessment year beginning with the 2000
11 assessment year, homestead property has a pro-rata valuation
12 under Section 9-180 resulting in an increase in the assessed
13 valuation, a reduction in equalized assessed valuation equal to
14 the increase in equalized assessed value of the property for
15 the year of the pro-rata valuation above the equalized assessed
16 value of the property for 1977 shall be applied to the property
17 on a proportionate basis for the period the property qualified
18 as homestead property during the assessment year. The maximum
19 proportionate homestead exemption shall not exceed the maximum
20 homestead exemption allowed in the county under this Section
21 divided by 365 and multiplied by the number of days the
22 property qualified as homestead property.

23 "Homestead property" under this Section includes
24 residential property that is occupied by its owner or owners as
25 his or their principal dwelling place, or that is a leasehold
26 interest on which a single family residence is situated, which
27 is occupied as a residence by a person who has an ownership
28 interest therein, legal or equitable or as a lessee, and on
29 which the person is liable for the payment of property taxes.
30 For land improved with an apartment building owned and operated
31 as a cooperative or a building which is a life care facility as
32 defined in Section 15-170 and considered to be a cooperative
33 under Section 15-170, the maximum reduction from the equalized
34 assessed value shall be limited to the increase in the value

1 above the equalized assessed value of the property for 1977, up
2 to the maximum reduction set forth above, multiplied by the
3 number of apartments or units occupied by a person or persons
4 who is liable, by contract with the owner or owners of record,
5 for paying property taxes on the property and is an owner of
6 record of a legal or equitable interest in the cooperative
7 apartment building, other than a leasehold interest. For
8 purposes of this Section, the term "life care facility" has the
9 meaning stated in Section 15-170.

10 "Household", as used in this Section, means the owner, the
11 spouse of the owner, and all persons using the residence of the
12 owner as their principal place of residence.

13 "Household income", as used in this Section, means the
14 combined income of the members of a household for the calendar
15 year preceding the taxable year.

16 "Income", as used in this Section, has the same meaning as
17 provided in Section 3.07 of the Senior Citizens and Disabled
18 Persons Property Tax Relief and Pharmaceutical Assistance Act,
19 except that "income" does not include veteran's benefits.

20 In a cooperative where a homestead exemption has been
21 granted, the cooperative association or its management firm
22 shall credit the savings resulting from that exemption only to
23 the apportioned tax liability of the owner who qualified for
24 the exemption. Any person who willfully refuses to so credit
25 the savings shall be guilty of a Class B misdemeanor.

26 Where married persons maintain and reside in separate
27 residences qualifying as homestead property, each residence
28 shall receive 50% of the total reduction in equalized assessed
29 valuation provided by this Section.

30 In all counties ~~with more than 3,000,000 inhabitants,~~ the
31 assessor or chief county assessment officer may determine the
32 eligibility of residential property to receive the homestead
33 exemption and the amount of the exemption by application,
34 visual inspection, questionnaire or other reasonable methods.

1 The determination shall be made in accordance with guidelines
2 established by the Department, provided that the taxpayer
3 applying for an additional general exemption under this Section
4 shall submit to the chief county assessment officer an
5 application with an affidavit of the applicant's total
6 household income, age, marital status (and, if married, the
7 name and address of the applicant's spouse, if known), and
8 principal dwelling place of members of the household on January
9 1 of the taxable year. The Department shall issue guidelines
10 establishing a method for verifying the accuracy of the
11 affidavits filed by applicants under this paragraph. The
12 applications shall be clearly marked as applications for the
13 Additional General Homestead Exemption.

14 In counties with fewer than 3,000,000 inhabitants, in the
15 event of a sale of homestead property the homestead exemption
16 shall remain in effect for the remainder of the assessment year
17 of the sale. The assessor or chief county assessment officer
18 may require the new owner of the property to apply for the
19 homestead exemption for the following assessment year.

20 Notwithstanding Sections 6 and 8 of the State Mandates Act,
21 no reimbursement by the State is required for the
22 implementation of any mandate created by this Section.

23 (Source: P.A. 90-368, eff. 1-1-98; 90-552, eff. 12-12-97;
24 90-655, eff. 7-30-98; 91-346, eff. 7-29-99.)

25 (35 ILCS 200/15-176 new)

26 Sec. 15-176. Alternative general homestead exemption.

27 (a) For the assessment years as determined under subsection
28 (j), in any county that has elected, by an ordinance in
29 accordance with subsection (k), to be subject to the provisions
30 of this Section in lieu of the provisions of Section 15-175,
31 homestead property is entitled to an annual homestead exemption
32 equal to a reduction in the property's equalized assessed value
33 calculated as provided in this Section.

1 (b) As used in this Section:

2 (1) "Assessor" means the supervisor of assessments or
3 the chief county assessment officer of each county.

4 (2) "Adjusted homestead value" means the lesser of the
5 following values:

6 (A) The property's base homestead value increased
7 by 7% for each tax year after the base year through and
8 including the current tax year, or, if the property is
9 sold or ownership is otherwise transferred, the
10 property's base homestead value increased by 7% for
11 each tax year after the year of the sale or transfer
12 through and including the current tax year. The
13 increase by 7% each year is an increase by 7% over the
14 prior year.

15 (B) The property's equalized assessed value for
16 the current tax year minus (i) \$4,500 in Cook County or
17 \$3,500 in all other counties in tax year 2003 or (ii)
18 \$4,500 in all counties in tax year 2004 and thereafter.

19 (3) "Base homestead value".

20 (A) Except as provided in subdivision ((b) (3) (B),
21 "base homestead value" means the equalized assessed
22 value of the property for the base year prior to
23 exemptions, minus (i) \$4,500 in Cook County or \$3,500
24 in all other counties in tax year 2003 or (ii) \$4,500
25 in all counties in tax year 2004 and thereafter,
26 provided that it was assessed for that year as
27 residential property qualified for any of the
28 homestead exemptions under Sections 15-170 through
29 15-175 of this Code, then in force, and further
30 provided that the property's assessment was not based
31 on a reduced assessed value resulting from a temporary
32 irregularity in the property for that year. Except as
33 provided in subdivision (b) (3) (B), if the property did
34 not have a residential equalized assessed value for the

1 base year, then "base homestead value" means the base
2 homestead value established by the assessor under
3 subsection (c).

4 (B) If the property is sold or ownership is
5 otherwise transferred, other than sales or transfers
6 between spouses or between a parent and a child, "base
7 homestead value" means the equalized assessed value of
8 the property at the time of the sale or transfer prior
9 to exemptions, minus (i) \$4,500 in Cook County or
10 \$3,500 in all other counties in tax year 2003 or (ii)
11 \$4,500 in all counties in tax year 2004 and thereafter,
12 provided that it was assessed as residential property
13 qualified for any of the homestead exemptions under
14 Sections 15-170 through 15-175 of this Code, then in
15 force, and further provided that the property's
16 assessment was not based on a reduced assessed value
17 resulting from a temporary irregularity in the
18 property.

19 (3.5) "Base year" means (i) tax year 2002 in Cook
20 County or (ii) tax year 2002 or 2003 in all other counties
21 in accordance with the designation made by the county as
22 provided in subsection (k).

23 (4) "Current tax year" means the tax year for which the
24 exemption under this Section is being applied.

25 (5) "Equalized assessed value" means the property's
26 assessed value as equalized by the Department.

27 (6) "Homestead" or "homestead property" means:

28 (A) Residential property that as of January 1 of
29 the tax year is occupied by its owner or owners as his,
30 her, or their principal dwelling place, or that is a
31 leasehold interest on which a single family residence
32 is situated, that is occupied as a residence by a
33 person who has a legal or equitable interest therein
34 evidenced by a written instrument, as an owner or as a

1 lessee, and on which the person is liable for the
2 payment of property taxes. Residential units in an
3 apartment building owned and operated as a
4 cooperative, or as a life care facility, which are
5 occupied by persons who hold a legal or equitable
6 interest in the cooperative apartment building or life
7 care facility as owners or lessees, and who are liable
8 by contract for the payment of property taxes, shall be
9 included within this definition of homestead property.

10 (B) A homestead includes the dwelling place,
11 appurtenant structures, and so much of the surrounding
12 land constituting the parcel on which the dwelling
13 place is situated as is used for residential purposes.
14 If the assessor has established a specific legal
15 description for a portion of property constituting the
16 homestead, then the homestead shall be limited to the
17 property within that description.

18 (7) "Life care facility" means a facility as defined in
19 Section 2 of the Life Care Facilities Act.

20 (c) If the property did not have a residential equalized
21 assessed value for the base year as provided in subdivision
22 (b) (3) (A) of this Section, then the assessor shall first
23 determine an initial value for the property by comparison with
24 assessed values for the base year of other properties having
25 physical and economic characteristics similar to those of the
26 subject property, so that the initial value is uniform in
27 relation to assessed values of those other properties for the
28 base year. The product of the initial value multiplied by the
29 equalized factor for the base year for homestead properties in
30 that county, less (i) \$4,500 in Cook County or \$3,500 in all
31 other counties in tax year 2003 or (ii) \$4,500 in all counties
32 in tax year 2004 and thereafter , is the base homestead value.

33 For any tax year for which the assessor determines or
34 adjusts an initial value and hence a base homestead value under

1 this subsection (c), the initial value shall be subject to
2 review by the same procedures applicable to assessed values
3 established under this Code for that tax year.

4 (d) The base homestead value shall remain constant, except
5 that the assessor may revise it under the following
6 circumstances:

7 (1) If the equalized assessed value of a homestead
8 property for the current tax year is less than the previous
9 base homestead value for that property, then the current
10 equalized assessed value (provided it is not based on a
11 reduced assessed value resulting from a temporary
12 irregularity in the property) shall become the base
13 homestead value in subsequent tax years.

14 (2) For any year in which new buildings, structures, or
15 other improvements are constructed on the homestead
16 property that would increase its assessed value, the
17 assessor shall adjust the base homestead value as provided
18 in subsection (c) of this Section with due regard to the
19 value added by the new improvements.

20 (3) If the property is sold or ownership is otherwise
21 transferred, the base homestead value of the property shall
22 be adjusted as provided in subdivision (b) (3) (B). This item
23 (3) does not apply to sales or transfers between spouses or
24 between a parent and a child.

25 (e) The amount of the exemption under this Section is the
26 equalized assessed value of the homestead property for the
27 current tax year, minus the adjusted homestead value, with the
28 following exceptions:

29 (1) The exemption under this Section shall not exceed
30 \$20,000 for any taxable year.

31 (2) In the case of homestead property that also
32 qualifies for the exemption under Section 15-172, the
33 property is entitled to the exemption under this Section,
34 limited to the amount of (i) \$4,500 in Cook County or

1 \$3,500 in all other counties in tax year 2003 or (ii)
2 \$4,500 in all counties in tax year 2004 and thereafter.

3 (f) In the case of an apartment building owned and operated
4 as a cooperative, or as a life care facility, that contains
5 residential units that qualify as homestead property under this
6 Section, the maximum cumulative exemption amount attributed to
7 the entire building or facility shall not exceed the sum of the
8 exemptions calculated for each qualified residential unit. The
9 cooperative association, management firm, or other person or
10 entity that manages or controls the cooperative apartment
11 building or life care facility shall credit the exemption
12 attributable to each residential unit only to the apportioned
13 tax liability of the owner or other person responsible for
14 payment of taxes as to that unit. Any person who willfully
15 refuses to so credit the exemption is guilty of a Class B
16 misdemeanor.

17 (g) When married persons maintain separate residences, the
18 exemption provided under this Section shall be claimed by only
19 one such person and for only one residence.

20 (h) In the event of a sale or other transfer in ownership
21 of the homestead property, the exemption under this Section
22 shall remain in effect for the remainder of the tax year in
23 which the sale or transfer occurs, but (other than for sales or
24 transfers between spouses or between a parent and a child)
25 shall be calculated using the new base homestead value as
26 provided in subdivision (b) (3) (B). The assessor may require the
27 new owner of the property to apply for the exemption in the
28 following year.

29 (i) The assessor may determine whether property qualifies
30 as a homestead under this Section by application, visual
31 inspection, questionnaire, or other reasonable methods. Each
32 year, at the time the assessment books are certified to the
33 county clerk by the board of review, the assessor shall furnish
34 to the county clerk a list of the properties qualified for the

1 homestead exemption under this Section. The list shall note the
2 base homestead value of each property to be used in the
3 calculation of the exemption for the current tax year.

4 (j) In counties with 3,000,000 or more inhabitants, the
5 provisions of this Section apply as follows:

6 (1) If the general assessment year for the property is
7 2003, this Section applies for assessment years 2003, 2004,
8 and 2005. Thereafter, the provisions of Section 15-175
9 apply.

10 (2) If the general assessment year for the property is
11 2004, this Section applies for assessment years 2004, 2005,
12 and 2006. Thereafter, the provisions of Section 15-175
13 apply.

14 (3) If the general assessment year for the property is
15 2005, this Section applies for assessment years 2005, 2006,
16 and 2007. Thereafter, the provisions of Section 15-175
17 apply.

18 In counties with less than 3,000,000 inhabitants, this
19 Section applies for assessment years (i) 2003, 2004, and 2005
20 if 2002 is the designated base year or (ii) 2004, 2005, and
21 2006 if 2003 is the designated base year. Thereafter, the
22 provisions of Section 15-175 apply.

23 (k) To be subject to the provisions of this Section in lieu
24 of Section 15-175, a county must adopt an ordinance to subject
25 itself to the provisions of this Section within 6 months after
26 the effective date of this amendatory Act of the 93rd General
27 Assembly. In a county other than Cook County, the ordinance
28 must designate either tax year 2002 or tax year 2003 as the
29 base year.

30 (l) Notwithstanding Sections 6 and 8 of the State Mandates
31 Act, no reimbursement by the State is required for the
32 implementation of any mandate created by this Section.

1 Sec. 18-53. Recovery of revenue lost due to tax refunds.

2 (a) When a school district is required to refund a portion
3 of the property tax revenue distributed to that school district
4 because of a decision of the Property Tax Appeal Board, an
5 assessment or exemption decision of the Department of Revenue,
6 a court order issued pursuant to an assessment valuation
7 complaint under subdivision (b)(3) of Section 23-15, or an
8 administrative decision of a local assessing official reducing
9 the assessed value of a property within the district, that
10 school district may, without referendum, adopt a levy to
11 recapture the revenue lost by the refund or refunds. The
12 recapture levy must not exceed an amount equal to the aggregate
13 refunds paid by the district for the prior fiscal year. Within
14 45 days after a request by a school district, the county
15 treasurer must certify the aggregate refunds paid by a school
16 district for purposes of this Section. For purposes of the
17 Property Tax Extension Limitation Law, the school district's
18 aggregate extension base shall not include the recapture levy
19 authorized under this Section.

20 (b) Whenever the county treasurer certifies aggregate
21 refunds at the request of a school district under this Section,
22 the treasurer shall keep records of the individual refunds
23 included in the aggregate. All such information shall be
24 provided to the county clerk. The county clerk shall keep a
25 record of such information and of any recapture levy that may
26 thereafter be extended, so that the amount of such extension
27 may be distinguished from any other levies and extensions for
28 that district. The county treasurer's and the county clerk's
29 records under this Section shall be available to the public
30 upon request.

31 (c) Any taxpayer who has received a refund of taxes paid on
32 his or her property, which refund has been included in a
33 recapture levy by a particular school district under this
34 Section, shall have the right to have the extension of such

1 district's levy against his or her property abated to the
2 extent such extension exceeds \$500. The abatement shall be
3 granted only upon application as provided in this Section. For
4 purposes of this Section, the "property" for which the
5 recapture extension may be abated is defined as one or more
6 parcels which were the subject of a consolidated refund. If the
7 school district's recapture levy and extension was made in a
8 lesser amount than the aggregate of all refunds certified by
9 the treasurer for that district, each abatement shall reflect
10 that same proportionate reduction.

11 (d) A taxpayer seeking an abatement under this Section
12 shall apply to the county treasurer no later than the due date
13 under Section 23-10 for tax objection complaints regarding tax
14 levies of the year for which the recapture levy was extended.
15 The county treasurer may prescribe the form in which the
16 application shall be made. The application shall include a copy
17 of the decision or order that gave rise to the refund and shall
18 specify the abatement claimed. The treasurer, assisted if
19 necessary by the county clerk, shall confirm whether the refund
20 identified in the application was included within the
21 appropriate treasurer's certification of aggregate refunds,
22 and upon such confirmation the abatement shall be allowed as
23 provided in this Section. If the taxes abated have been paid
24 they shall be refunded. If the treasurer cannot determine
25 whether the application should be allowed, or otherwise denies
26 the application, any taxpayer who has paid the tax subject to
27 the claimed abatement may petition the circuit court for a
28 refund in the time and manner provided in Section 20-175. Any
29 refund granted pursuant to an abatement shall not be included
30 in a recapture levy under this Section.

31 (e) The county treasurer and county clerk shall mark their
32 records to reflect any abatement under this Section.

1 Sec. 20-178. Certificate of error; refund; interest. When
2 the county collector makes any refunds due on certificates of
3 error issued under Sections 14-15 through 14-25 that have been
4 either certified or adjudicated, the county collector shall pay
5 the taxpayer interest on the amount of the refund at the rate
6 of 0.5% per month.

7 No interest shall be due under this Section for any time
8 prior to 60 days after the effective date of this amendatory
9 Act of the 91st General Assembly. For certificates of error
10 issued prior to the effective date of this amendatory Act of
11 the 91st General Assembly, the county collector shall pay the
12 taxpayer interest from 60 days after the effective date of this
13 amendatory Act of the 91st General Assembly until the date the
14 refund is paid. For certificates of error issued on or after
15 the effective date of this amendatory Act of the 91st General
16 Assembly, interest shall be paid from 60 days after the
17 certificate of error is issued by the chief county assessment
18 officer to the date the refund is made. To cover the cost of
19 interest, the county collector shall proportionately reduce
20 the distribution of taxes collected for each taxing district in
21 which the property is situated.

22 This Section shall not apply to any certificate of error
23 granting a homestead exemption under Section 15-170, 15-172, ~~or~~
24 15-175, or 15-176.

25 (Source: P.A. 91-393, eff. 7-30-99.)

26 Section 15. The County Economic Development Project Area
27 Property Tax Allocation Act is amended by changing Section 6 as
28 follows:

29 (55 ILCS 85/6) (from Ch. 34, par. 7006)

30 Sec. 6. Filing with county clerk; certification of initial
31 equalized assessed value.

32 (a) The county shall file a certified copy of any ordinance

1 authorizing property tax allocation financing for an economic
2 development project area with the county clerk, and the county
3 clerk shall immediately thereafter determine (1) the most
4 recently ascertained equalized assessed value of each lot,
5 block, tract or parcel of real property within the economic
6 development project area from which shall be deducted the
7 homestead exemptions provided by Sections 15-170, ~~and~~ 15-175,
8 and 15-176 of the Property Tax Code, which value shall be the
9 "initial equalized assessed value" of each such piece of
10 property, and (2) the total equalized assessed value of all
11 taxable real property within the economic development project
12 area by adding together the most recently ascertained equalized
13 assessed value of each taxable lot, block, tract, or parcel of
14 real property within such economic development project area,
15 from which shall be deducted the homestead exemptions provided
16 by Sections 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax
17 Code. Upon receiving written notice from the Department of its
18 approval and certification of such economic development
19 project area, the county clerk shall immediately certify such
20 amount as the "total initial equalized assessed value" of the
21 taxable property within the economic development project area.

22 (b) After the county clerk has certified the "total initial
23 equalized assessed value" of the taxable real property in the
24 economic development project area, then in respect to every
25 taxing district containing an economic development project
26 area, the county clerk or any other official required by law to
27 ascertain the amount of the equalized assessed value of all
28 taxable property within that taxing district for the purpose of
29 computing the rate percent of tax to be extended upon taxable
30 property within the taxing district, shall in every year that
31 property tax allocation financing is in effect ascertain the
32 amount of value of taxable property in an economic development
33 project area by including in that amount the lower of the
34 current equalized assessed value or the certified "total

1 initial equalized assessed value" of all taxable real property
2 in such area. The rate percent of tax determined shall be
3 extended to the current equalized assessed value of all
4 property in the economic development project area in the same
5 manner as the rate percent of tax is extended to all other
6 taxable property in the taxing district. The method of
7 allocating taxes established under this Section shall
8 terminate when the county adopts an ordinance dissolving the
9 special tax allocation fund for the economic development
10 project area. This Act shall not be construed as relieving
11 property owners within an economic development project area
12 from paying a uniform rate of taxes upon the current equalized
13 assessed value of their taxable property as provided in the
14 Property Tax Code.

15 (Source: P.A. 88-670, eff. 12-2-94.)

16 Section 20. The County Economic Development Project Area
17 Tax Increment Allocation Act of 1991 is amended by changing
18 Section 45 as follows:

19 (55 ILCS 90/45) (from Ch. 34, par. 8045)

20 Sec. 45. Filing with county clerk; certification of initial
21 equalized assessed value.

22 (a) A county that has by ordinance approved an economic
23 development plan, established an economic development project
24 area, and adopted tax increment allocation financing for that
25 area shall file certified copies of the ordinance or ordinances
26 with the county clerk. Upon receiving the ordinance or
27 ordinances, the county clerk shall immediately determine (i)
28 the most recently ascertained equalized assessed value of each
29 lot, block, tract, or parcel of real property within the
30 economic development project area from which shall be deducted
31 the homestead exemptions provided by Sections 15-170, ~~and~~
32 15-175, and 15-176 of the Property Tax Code (that value being

1 the "initial equalized assessed value" of each such piece of
2 property) and (ii) the total equalized assessed value of all
3 taxable real property within the economic development project
4 area by adding together the most recently ascertained equalized
5 assessed value of each taxable lot, block, tract, or parcel of
6 real property within the economic development project area,
7 from which shall be deducted the homestead exemptions provided
8 by Sections 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax
9 Code, and shall certify that amount as the "total initial
10 equalized assessed value" of the taxable real property within
11 the economic development project area.

12 (b) After the county clerk has certified the "total initial
13 equalized assessed value" of the taxable real property in the
14 economic development project area, then in respect to every
15 taxing district containing an economic development project
16 area, the county clerk or any other official required by law to
17 ascertain the amount of the equalized assessed value of all
18 taxable property within the taxing district for the purpose of
19 computing the rate per cent of tax to be extended upon taxable
20 property within the taxing district shall, in every year that
21 tax increment allocation financing is in effect, ascertain the
22 amount of value of taxable property in an economic development
23 project area by including in that amount the lower of the
24 current equalized assessed value or the certified "total
25 initial equalized assessed value" of all taxable real property
26 in the area. The rate per cent of tax determined shall be
27 extended to the current equalized assessed value of all
28 property in the economic development project area in the same
29 manner as the rate per cent of tax is extended to all other
30 taxable property in the taxing district. The method of
31 extending taxes established under this Section shall terminate
32 when the county adopts an ordinance dissolving the special tax
33 allocation fund for the economic development project area. This
34 Act shall not be construed as relieving property owners within

1 an economic development project area from paying a uniform rate
2 of taxes upon the current equalized assessed value of their
3 taxable property as provided in the Property Tax Code.

4 (Source: P.A. 87-1; 88-670, eff. 12-2-94.)

5 Section 25. The Illinois Municipal Code is amended by
6 changing Sections 11-74.4-8, 11-74.4-9, and 11-74.6-40 as
7 follows:

8 (65 ILCS 5/11-74.4-8) (from Ch. 24, par. 11-74.4-8)

9 Sec. 11-74.4-8. Tax increment allocation financing. A
10 municipality may not adopt tax increment financing in a
11 redevelopment project area after the effective date of this
12 amendatory Act of 1997 that will encompass an area that is
13 currently included in an enterprise zone created under the
14 Illinois Enterprise Zone Act unless that municipality,
15 pursuant to Section 5.4 of the Illinois Enterprise Zone Act,
16 amends the enterprise zone designating ordinance to limit the
17 eligibility for tax abatements as provided in Section 5.4.1 of
18 the Illinois Enterprise Zone Act. A municipality, at the time a
19 redevelopment project area is designated, may adopt tax
20 increment allocation financing by passing an ordinance
21 providing that the ad valorem taxes, if any, arising from the
22 levies upon taxable real property in such redevelopment project
23 area by taxing districts and tax rates determined in the manner
24 provided in paragraph (c) of Section 11-74.4-9 each year after
25 the effective date of the ordinance until redevelopment project
26 costs and all municipal obligations financing redevelopment
27 project costs incurred under this Division have been paid shall
28 be divided as follows:

29 (a) That portion of taxes levied upon each taxable lot,
30 block, tract or parcel of real property which is attributable
31 to the lower of the current equalized assessed value or the
32 initial equalized assessed value of each such taxable lot,

1 block, tract or parcel of real property in the redevelopment
2 project area shall be allocated to and when collected shall be
3 paid by the county collector to the respective affected taxing
4 districts in the manner required by law in the absence of the
5 adoption of tax increment allocation financing.

6 (b) Except from a tax levied by a township to retire bonds
7 issued to satisfy court-ordered damages, that portion, if any,
8 of such taxes which is attributable to the increase in the
9 current equalized assessed valuation of each taxable lot,
10 block, tract or parcel of real property in the redevelopment
11 project area over and above the initial equalized assessed
12 value of each property in the project area shall be allocated
13 to and when collected shall be paid to the municipal treasurer
14 who shall deposit said taxes into a special fund called the
15 special tax allocation fund of the municipality for the purpose
16 of paying redevelopment project costs and obligations incurred
17 in the payment thereof. In any county with a population of
18 3,000,000 or more that has adopted a procedure for collecting
19 taxes that provides for one or more of the installments of the
20 taxes to be billed and collected on an estimated basis, the
21 municipal treasurer shall be paid for deposit in the special
22 tax allocation fund of the municipality, from the taxes
23 collected from estimated bills issued for property in the
24 redevelopment project area, the difference between the amount
25 actually collected from each taxable lot, block, tract, or
26 parcel of real property within the redevelopment project area
27 and an amount determined by multiplying the rate at which taxes
28 were last extended against the taxable lot, block, track, or
29 parcel of real property in the manner provided in subsection
30 (c) of Section 11-74.4-9 by the initial equalized assessed
31 value of the property divided by the number of installments in
32 which real estate taxes are billed and collected within the
33 county; provided that the payments on or before December 31,
34 1999 to a municipal treasurer shall be made only if each of the

1 following conditions are met:

2 (1) The total equalized assessed value of the
3 redevelopment project area as last determined was not less
4 than 175% of the total initial equalized assessed value.

5 (2) Not more than 50% of the total equalized assessed
6 value of the redevelopment project area as last determined
7 is attributable to a piece of property assigned a single
8 real estate index number.

9 (3) The municipal clerk has certified to the county
10 clerk that the municipality has issued its obligations to
11 which there has been pledged the incremental property taxes
12 of the redevelopment project area or taxes levied and
13 collected on any or all property in the municipality or the
14 full faith and credit of the municipality to pay or secure
15 payment for all or a portion of the redevelopment project
16 costs. The certification shall be filed annually no later
17 than September 1 for the estimated taxes to be distributed
18 in the following year; however, for the year 1992 the
19 certification shall be made at any time on or before March
20 31, 1992.

21 (4) The municipality has not requested that the total
22 initial equalized assessed value of real property be
23 adjusted as provided in subsection (b) of Section
24 11-74.4-9.

25 The conditions of paragraphs (1) through (4) do not apply
26 after December 31, 1999 to payments to a municipal treasurer
27 made by a county with 3,000,000 or more inhabitants that has
28 adopted an estimated billing procedure for collecting taxes. If
29 a county that has adopted the estimated billing procedure makes
30 an erroneous overpayment of tax revenue to the municipal
31 treasurer, then the county may seek a refund of that
32 overpayment. The county shall send the municipal treasurer a
33 notice of liability for the overpayment on or before the
34 mailing date of the next real estate tax bill within the

1 county. The refund shall be limited to the amount of the
2 overpayment.

3 It is the intent of this Division that after the effective
4 date of this amendatory Act of 1988 a municipality's own ad
5 valorem tax arising from levies on taxable real property be
6 included in the determination of incremental revenue in the
7 manner provided in paragraph (c) of Section 11-74.4-9. If the
8 municipality does not extend such a tax, it shall annually
9 deposit in the municipality's Special Tax Increment Fund an
10 amount equal to 10% of the total contributions to the fund from
11 all other taxing districts in that year. The annual 10% deposit
12 required by this paragraph shall be limited to the actual
13 amount of municipally produced incremental tax revenues
14 available to the municipality from taxpayers located in the
15 redevelopment project area in that year if: (a) the plan for
16 the area restricts the use of the property primarily to
17 industrial purposes, (b) the municipality establishing the
18 redevelopment project area is a home-rule community with a 1990
19 population of between 25,000 and 50,000, (c) the municipality
20 is wholly located within a county with a 1990 population of
21 over 750,000 and (d) the redevelopment project area was
22 established by the municipality prior to June 1, 1990. This
23 payment shall be in lieu of a contribution of ad valorem taxes
24 on real property. If no such payment is made, any redevelopment
25 project area of the municipality shall be dissolved.

26 If a municipality has adopted tax increment allocation
27 financing by ordinance and the County Clerk thereafter
28 certifies the "total initial equalized assessed value as
29 adjusted" of the taxable real property within such
30 redevelopment project area in the manner provided in paragraph
31 (b) of Section 11-74.4-9, each year after the date of the
32 certification of the total initial equalized assessed value as
33 adjusted until redevelopment project costs and all municipal
34 obligations financing redevelopment project costs have been

1 paid the ad valorem taxes, if any, arising from the levies upon
2 the taxable real property in such redevelopment project area by
3 taxing districts and tax rates determined in the manner
4 provided in paragraph (c) of Section 11-74.4-9 shall be divided
5 as follows:

6 (1) That portion of the taxes levied upon each taxable
7 lot, block, tract or parcel of real property which is
8 attributable to the lower of the current equalized assessed
9 value or "current equalized assessed value as adjusted" or
10 the initial equalized assessed value of each such taxable
11 lot, block, tract, or parcel of real property existing at
12 the time tax increment financing was adopted, minus the
13 total current homestead exemptions provided by Sections
14 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax Code in
15 the redevelopment project area shall be allocated to and
16 when collected shall be paid by the county collector to the
17 respective affected taxing districts in the manner
18 required by law in the absence of the adoption of tax
19 increment allocation financing.

20 (2) That portion, if any, of such taxes which is
21 attributable to the increase in the current equalized
22 assessed valuation of each taxable lot, block, tract, or
23 parcel of real property in the redevelopment project area,
24 over and above the initial equalized assessed value of each
25 property existing at the time tax increment financing was
26 adopted, minus the total current homestead exemptions
27 pertaining to each piece of property provided by Sections
28 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax Code in
29 the redevelopment project area, shall be allocated to and
30 when collected shall be paid to the municipal Treasurer,
31 who shall deposit said taxes into a special fund called the
32 special tax allocation fund of the municipality for the
33 purpose of paying redevelopment project costs and
34 obligations incurred in the payment thereof.

1 The municipality may pledge in the ordinance the funds in
2 and to be deposited in the special tax allocation fund for the
3 payment of such costs and obligations. No part of the current
4 equalized assessed valuation of each property in the
5 redevelopment project area attributable to any increase above
6 the total initial equalized assessed value, or the total
7 initial equalized assessed value as adjusted, of such
8 properties shall be used in calculating the general State
9 school aid formula, provided for in Section 18-8 of the School
10 Code, until such time as all redevelopment project costs have
11 been paid as provided for in this Section.

12 Whenever a municipality issues bonds for the purpose of
13 financing redevelopment project costs, such municipality may
14 provide by ordinance for the appointment of a trustee, which
15 may be any trust company within the State, and for the
16 establishment of such funds or accounts to be maintained by
17 such trustee as the municipality shall deem necessary to
18 provide for the security and payment of the bonds. If such
19 municipality provides for the appointment of a trustee, such
20 trustee shall be considered the assignee of any payments
21 assigned by the municipality pursuant to such ordinance and
22 this Section. Any amounts paid to such trustee as assignee
23 shall be deposited in the funds or accounts established
24 pursuant to such trust agreement, and shall be held by such
25 trustee in trust for the benefit of the holders of the bonds,
26 and such holders shall have a lien on and a security interest
27 in such funds or accounts so long as the bonds remain
28 outstanding and unpaid. Upon retirement of the bonds, the
29 trustee shall pay over any excess amounts held to the
30 municipality for deposit in the special tax allocation fund.

31 When such redevelopment projects costs, including without
32 limitation all municipal obligations financing redevelopment
33 project costs incurred under this Division, have been paid, all
34 surplus funds then remaining in the special tax allocation fund

1 shall be distributed by being paid by the municipal treasurer
2 to the Department of Revenue, the municipality and the county
3 collector; first to the Department of Revenue and the
4 municipality in direct proportion to the tax incremental
5 revenue received from the State and the municipality, but not
6 to exceed the total incremental revenue received from the State
7 or the municipality less any annual surplus distribution of
8 incremental revenue previously made; with any remaining funds
9 to be paid to the County Collector who shall immediately
10 thereafter pay said funds to the taxing districts in the
11 redevelopment project area in the same manner and proportion as
12 the most recent distribution by the county collector to the
13 affected districts of real property taxes from real property in
14 the redevelopment project area.

15 Upon the payment of all redevelopment project costs, the
16 retirement of obligations, the distribution of any excess
17 monies pursuant to this Section, and final closing of the books
18 and records of the redevelopment project area, the municipality
19 shall adopt an ordinance dissolving the special tax allocation
20 fund for the redevelopment project area and terminating the
21 designation of the redevelopment project area as a
22 redevelopment project area. Title to real or personal property
23 and public improvements acquired by or for the municipality as
24 a result of the redevelopment project and plan shall vest in
25 the municipality when acquired and shall continue to be held by
26 the municipality after the redevelopment project area has been
27 terminated. Municipalities shall notify affected taxing
28 districts prior to November 1 if the redevelopment project area
29 is to be terminated by December 31 of that same year. If a
30 municipality extends estimated dates of completion of a
31 redevelopment project and retirement of obligations to finance
32 a redevelopment project, as allowed by this amendatory Act of
33 1993, that extension shall not extend the property tax
34 increment allocation financing authorized by this Section.

1 Thereafter the rates of the taxing districts shall be extended
2 and taxes levied, collected and distributed in the manner
3 applicable in the absence of the adoption of tax increment
4 allocation financing.

5 Nothing in this Section shall be construed as relieving
6 property in such redevelopment project areas from being
7 assessed as provided in the Property Tax Code or as relieving
8 owners of such property from paying a uniform rate of taxes, as
9 required by Section 4 of Article 9 of the Illinois
10 Constitution.

11 (Source: P.A. 92-16, eff. 6-28-01; 93-298, eff. 7-23-03.)

12 (65 ILCS 5/11-74.4-9) (from Ch. 24, par. 11-74.4-9)

13 Sec. 11-74.4-9. Equalized assessed value of property.

14 (a) If a municipality by ordinance provides for tax
15 increment allocation financing pursuant to Section 11-74.4-8,
16 the county clerk immediately thereafter shall determine (1) the
17 most recently ascertained equalized assessed value of each lot,
18 block, tract or parcel of real property within such
19 redevelopment project area from which shall be deducted the
20 homestead exemptions provided by Sections 15-170, ~~and~~ 15-175,
21 and 15-176 of the Property Tax Code, which value shall be the
22 "initial equalized assessed value" of each such piece of
23 property, and (2) the total equalized assessed value of all
24 taxable real property within such redevelopment project area by
25 adding together the most recently ascertained equalized
26 assessed value of each taxable lot, block, tract, or parcel of
27 real property within such project area, from which shall be
28 deducted the homestead exemptions provided by Sections 15-170,
29 ~~and~~ 15-175, and 15-176 of the Property Tax Code, and shall
30 certify such amount as the "total initial equalized assessed
31 value" of the taxable real property within such project area.

32 (b) In reference to any municipality which has adopted tax
33 increment financing after January 1, 1978, and in respect to

1 which the county clerk has certified the "total initial
2 equalized assessed value" of the property in the redevelopment
3 area, the municipality may thereafter request the clerk in
4 writing to adjust the initial equalized value of all taxable
5 real property within the redevelopment project area by
6 deducting therefrom the exemptions provided for by Sections
7 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax Code
8 applicable to each lot, block, tract or parcel of real property
9 within such redevelopment project area. The county clerk shall
10 immediately after the written request to adjust the total
11 initial equalized value is received determine the total
12 homestead exemptions in the redevelopment project area
13 provided by Sections 15-170, ~~and~~ 15-175, and 15-176 of the
14 Property Tax Code by adding together the homestead exemptions
15 provided by said Sections on each lot, block, tract or parcel
16 of real property within such redevelopment project area and
17 then shall deduct the total of said exemptions from the total
18 initial equalized assessed value. The county clerk shall then
19 promptly certify such amount as the "total initial equalized
20 assessed value as adjusted" of the taxable real property within
21 such redevelopment project area.

22 (c) After the county clerk has certified the "total initial
23 equalized assessed value" of the taxable real property in such
24 area, then in respect to every taxing district containing a
25 redevelopment project area, the county clerk or any other
26 official required by law to ascertain the amount of the
27 equalized assessed value of all taxable property within such
28 district for the purpose of computing the rate per cent of tax
29 to be extended upon taxable property within such district,
30 shall in every year that tax increment allocation financing is
31 in effect ascertain the amount of value of taxable property in
32 a redevelopment project area by including in such amount the
33 lower of the current equalized assessed value or the certified
34 "total initial equalized assessed value" of all taxable real

1 property in such area, except that after he has certified the
2 "total initial equalized assessed value as adjusted" he shall
3 in the year of said certification if tax rates have not been
4 extended and in every year thereafter that tax increment
5 allocation financing is in effect ascertain the amount of value
6 of taxable property in a redevelopment project area by
7 including in such amount the lower of the current equalized
8 assessed value or the certified "total initial equalized
9 assessed value as adjusted" of all taxable real property in
10 such area. The rate per cent of tax determined shall be
11 extended to the current equalized assessed value of all
12 property in the redevelopment project area in the same manner
13 as the rate per cent of tax is extended to all other taxable
14 property in the taxing district. The method of extending taxes
15 established under this Section shall terminate when the
16 municipality adopts an ordinance dissolving the special tax
17 allocation fund for the redevelopment project area. This
18 Division shall not be construed as relieving property owners
19 within a redevelopment project area from paying a uniform rate
20 of taxes upon the current equalized assessed value of their
21 taxable property as provided in the Property Tax Code.

22 (Source: P.A. 88-670, eff. 12-2-94.)

23 (65 ILCS 5/11-74.6-40)

24 Sec. 11-74.6-40. Equalized assessed value determination;
25 property tax extension.

26 (a) If a municipality by ordinance provides for tax
27 increment allocation financing under Section 11-74.6-35, the
28 county clerk immediately thereafter:

29 (1) shall determine the initial equalized assessed
30 value of each parcel of real property in the redevelopment
31 project area, which is the most recently established
32 equalized assessed value of each lot, block, tract or
33 parcel of taxable real property within the redevelopment

1 project area, minus the homestead exemptions provided by
2 Sections 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax
3 Code; and

4 (2) shall certify to the municipality the total initial
5 equalized assessed value of all taxable real property
6 within the redevelopment project area.

7 (b) Any municipality that has established a vacant
8 industrial buildings conservation area may, by ordinance
9 passed after the adoption of tax increment allocation
10 financing, provide that the county clerk immediately
11 thereafter shall again determine:

12 (1) the updated initial equalized assessed value of
13 each lot, block, tract or parcel of real property, which is
14 the most recently ascertained equalized assessed value of
15 each lot, block, tract or parcel of real property within
16 the vacant industrial buildings conservation area; and

17 (2) the total updated initial equalized assessed value
18 of all taxable real property within the redevelopment
19 project area, which is the total of the updated initial
20 equalized assessed value of all taxable real property
21 within the vacant industrial buildings conservation area.

22 The county clerk shall certify to the municipality the
23 total updated initial equalized assessed value of all taxable
24 real property within the industrial buildings conservation
25 area.

26 (c) After the county clerk has certified the total initial
27 equalized assessed value or the total updated initial equalized
28 assessed value of the taxable real property in the area, for
29 each taxing district in which a redevelopment project area is
30 situated, the county clerk or any other official required by
31 law to determine the amount of the equalized assessed value of
32 all taxable property within the district for the purpose of
33 computing the percentage rate of tax to be extended upon
34 taxable property within the district, shall in every year that

1 tax increment allocation financing is in effect determine the
2 total equalized assessed value of taxable property in a
3 redevelopment project area by including in that amount the
4 lower of the current equalized assessed value or the certified
5 total initial equalized assessed value or, if the total of
6 updated equalized assessed value has been certified, the total
7 updated initial equalized assessed value of all taxable real
8 property in the redevelopment project area. After he has
9 certified the total initial equalized assessed value he shall
10 in the year of that certification, if tax rates have not been
11 extended, and in every subsequent year that tax increment
12 allocation financing is in effect, determine the amount of
13 equalized assessed value of taxable property in a redevelopment
14 project area by including in that amount the lower of the
15 current total equalized assessed value or the certified total
16 initial equalized assessed value or, if the total of updated
17 initial equalized assessed values have been certified, the
18 total updated initial equalized assessed value of all taxable
19 real property in the redevelopment project area.

20 (d) The percentage rate of tax determined shall be extended
21 on the current equalized assessed value of all property in the
22 redevelopment project area in the same manner as the rate per
23 cent of tax is extended to all other taxable property in the
24 taxing district. The method of extending taxes established
25 under this Section shall terminate when the municipality adopts
26 an ordinance dissolving the special tax allocation fund for the
27 redevelopment project area. This Law shall not be construed as
28 relieving property owners within a redevelopment project area
29 from paying a uniform rate of taxes upon the current equalized
30 assessed value of their taxable property as provided in the
31 Property Tax Code.

32 (Source: P.A. 88-537; 88-670, eff. 12-2-94.)

33 Section 30. The Economic Development Project Area Tax

1 Increment Allocation Act of 1995 is amended by changing Section
2 45 as follows:

3 (65 ILCS 110/45)

4 Sec. 45. Filing with county clerk; certification of initial
5 equalized assessed value.

6 (a) A municipality that has by ordinance approved an
7 economic development plan, established an economic development
8 project area, and adopted tax increment allocation financing
9 for that area shall file certified copies of the ordinance or
10 ordinances with the county clerk. Upon receiving the ordinance
11 or ordinances, the county clerk shall immediately determine (i)
12 the most recently ascertained equalized assessed value of each
13 lot, block, tract, or parcel of real property within the
14 economic development project area from which shall be deducted
15 the homestead exemptions provided by Sections 15-170, ~~and~~
16 15-175, and 15-176 of the Property Tax Code (that value being
17 the "initial equalized assessed value" of each such piece of
18 property) and (ii) the total equalized assessed value of all
19 taxable real property within the economic development project
20 area by adding together the most recently ascertained equalized
21 assessed value of each taxable lot, block, tract, or parcel of
22 real property within the economic development project area,
23 from which shall be deducted the homestead exemptions provided
24 by Sections 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax
25 Code, and shall certify that amount as the "total initial
26 equalized assessed value" of the taxable real property within
27 the economic development project area.

28 (b) After the county clerk has certified the "total initial
29 equalized assessed value" of the taxable real property in the
30 economic development project area, then in respect to every
31 taxing district containing an economic development project
32 area, the county clerk or any other official required by law to
33 ascertain the amount of the equalized assessed value of all

1 taxable property within the taxing district for the purpose of
2 computing the rate per cent of tax to be extended upon taxable
3 property within the taxing district shall, in every year that
4 tax increment allocation financing is in effect, ascertain the
5 amount of value of taxable property in an economic development
6 project area by including in that amount the lower of the
7 current equalized assessed value or the certified "total
8 initial equalized assessed value" of all taxable real property
9 in the area. The rate per cent of tax determined shall be
10 extended to the current equalized assessed value of all
11 property in the economic development project area in the same
12 manner as the rate per cent of tax is extended to all other
13 taxable property in the taxing district. The method of
14 extending taxes established under this Section shall terminate
15 when the municipality adopts an ordinance dissolving the
16 special tax allocation fund for the economic development
17 project area. This Act shall not be construed as relieving
18 owners or lessees of property within an economic development
19 project area from paying a uniform rate of taxes upon the
20 current equalized assessed value of their taxable property as
21 provided in the Property Tax Code.

22 (Source: P.A. 89-176, eff. 1-1-96.)

23 Section 35. The School Code is amended by changing Section
24 18-8.05 as follows:

25 (105 ILCS 5/18-8.05)

26 Sec. 18-8.05. Basis for apportionment of general State
27 financial aid and supplemental general State aid to the common
28 schools for the 1998-1999 and subsequent school years.

29 (A) General Provisions.

30 (1) The provisions of this Section apply to the 1998-1999
31 and subsequent school years. The system of general State

1 financial aid provided for in this Section is designed to
2 assure that, through a combination of State financial aid and
3 required local resources, the financial support provided each
4 pupil in Average Daily Attendance equals or exceeds a
5 prescribed per pupil Foundation Level. This formula approach
6 imputes a level of per pupil Available Local Resources and
7 provides for the basis to calculate a per pupil level of
8 general State financial aid that, when added to Available Local
9 Resources, equals or exceeds the Foundation Level. The amount
10 of per pupil general State financial aid for school districts,
11 in general, varies in inverse relation to Available Local
12 Resources. Per pupil amounts are based upon each school
13 district's Average Daily Attendance as that term is defined in
14 this Section.

15 (2) In addition to general State financial aid, school
16 districts with specified levels or concentrations of pupils
17 from low income households are eligible to receive supplemental
18 general State financial aid grants as provided pursuant to
19 subsection (H). The supplemental State aid grants provided for
20 school districts under subsection (H) shall be appropriated for
21 distribution to school districts as part of the same line item
22 in which the general State financial aid of school districts is
23 appropriated under this Section.

24 (3) To receive financial assistance under this Section,
25 school districts are required to file claims with the State
26 Board of Education, subject to the following requirements:

27 (a) Any school district which fails for any given
28 school year to maintain school as required by law, or to
29 maintain a recognized school is not eligible to file for
30 such school year any claim upon the Common School Fund. In
31 case of nonrecognition of one or more attendance centers in
32 a school district otherwise operating recognized schools,
33 the claim of the district shall be reduced in the
34 proportion which the Average Daily Attendance in the

1 attendance center or centers bear to the Average Daily
2 Attendance in the school district. A "recognized school"
3 means any public school which meets the standards as
4 established for recognition by the State Board of
5 Education. A school district or attendance center not
6 having recognition status at the end of a school term is
7 entitled to receive State aid payments due upon a legal
8 claim which was filed while it was recognized.

9 (b) School district claims filed under this Section are
10 subject to Sections 18-9, 18-10, and 18-12, except as
11 otherwise provided in this Section.

12 (c) If a school district operates a full year school
13 under Section 10-19.1, the general State aid to the school
14 district shall be determined by the State Board of
15 Education in accordance with this Section as near as may be
16 applicable.

17 (d) (Blank).

18 (4) Except as provided in subsections (H) and (L), the
19 board of any district receiving any of the grants provided for
20 in this Section may apply those funds to any fund so received
21 for which that board is authorized to make expenditures by law.

22 School districts are not required to exert a minimum
23 Operating Tax Rate in order to qualify for assistance under
24 this Section.

25 (5) As used in this Section the following terms, when
26 capitalized, shall have the meaning ascribed herein:

27 (a) "Average Daily Attendance": A count of pupil
28 attendance in school, averaged as provided for in
29 subsection (C) and utilized in deriving per pupil financial
30 support levels.

31 (b) "Available Local Resources": A computation of
32 local financial support, calculated on the basis of Average
33 Daily Attendance and derived as provided pursuant to
34 subsection (D).

1 (c) "Corporate Personal Property Replacement Taxes":
2 Funds paid to local school districts pursuant to "An Act in
3 relation to the abolition of ad valorem personal property
4 tax and the replacement of revenues lost thereby, and
5 amending and repealing certain Acts and parts of Acts in
6 connection therewith", certified August 14, 1979, as
7 amended (Public Act 81-1st S.S.-1).

8 (d) "Foundation Level": A prescribed level of per pupil
9 financial support as provided for in subsection (B).

10 (e) "Operating Tax Rate": All school district property
11 taxes extended for all purposes, except Bond and Interest,
12 Summer School, Rent, Capital Improvement, and Vocational
13 Education Building purposes.

14 (B) Foundation Level.

15 (1) The Foundation Level is a figure established by the
16 State representing the minimum level of per pupil financial
17 support that should be available to provide for the basic
18 education of each pupil in Average Daily Attendance. As set
19 forth in this Section, each school district is assumed to exert
20 a sufficient local taxing effort such that, in combination with
21 the aggregate of general State financial aid provided the
22 district, an aggregate of State and local resources are
23 available to meet the basic education needs of pupils in the
24 district.

25 (2) For the 1998-1999 school year, the Foundation Level of
26 support is \$4,225. For the 1999-2000 school year, the
27 Foundation Level of support is \$4,325. For the 2000-2001 school
28 year, the Foundation Level of support is \$4,425.

29 (3) For the 2001-2002 school year and 2002-2003 school
30 year, the Foundation Level of support is \$4,560.

31 (4) For the 2003-2004 school year and each school year
32 thereafter, the Foundation Level of support is \$4,810 or such
33 greater amount as may be established by law by the General

1 Assembly.

2 (C) Average Daily Attendance.

3 (1) For purposes of calculating general State aid pursuant
4 to subsection (E), an Average Daily Attendance figure shall be
5 utilized. The Average Daily Attendance figure for formula
6 calculation purposes shall be the monthly average of the actual
7 number of pupils in attendance of each school district, as
8 further averaged for the best 3 months of pupil attendance for
9 each school district. In compiling the figures for the number
10 of pupils in attendance, school districts and the State Board
11 of Education shall, for purposes of general State aid funding,
12 conform attendance figures to the requirements of subsection
13 (F).

14 (2) The Average Daily Attendance figures utilized in
15 subsection (E) shall be the requisite attendance data for the
16 school year immediately preceding the school year for which
17 general State aid is being calculated or the average of the
18 attendance data for the 3 preceding school years, whichever is
19 greater. The Average Daily Attendance figures utilized in
20 subsection (H) shall be the requisite attendance data for the
21 school year immediately preceding the school year for which
22 general State aid is being calculated.

23 (D) Available Local Resources.

24 (1) For purposes of calculating general State aid pursuant
25 to subsection (E), a representation of Available Local
26 Resources per pupil, as that term is defined and determined in
27 this subsection, shall be utilized. Available Local Resources
28 per pupil shall include a calculated dollar amount representing
29 local school district revenues from local property taxes and
30 from Corporate Personal Property Replacement Taxes, expressed
31 on the basis of pupils in Average Daily Attendance.

32 (2) In determining a school district's revenue from local

1 property taxes, the State Board of Education shall utilize the
2 equalized assessed valuation of all taxable property of each
3 school district as of September 30 of the previous year. The
4 equalized assessed valuation utilized shall be obtained and
5 determined as provided in subsection (G).

6 (3) For school districts maintaining grades kindergarten
7 through 12, local property tax revenues per pupil shall be
8 calculated as the product of the applicable equalized assessed
9 valuation for the district multiplied by 3.00%, and divided by
10 the district's Average Daily Attendance figure. For school
11 districts maintaining grades kindergarten through 8, local
12 property tax revenues per pupil shall be calculated as the
13 product of the applicable equalized assessed valuation for the
14 district multiplied by 2.30%, and divided by the district's
15 Average Daily Attendance figure. For school districts
16 maintaining grades 9 through 12, local property tax revenues
17 per pupil shall be the applicable equalized assessed valuation
18 of the district multiplied by 1.05%, and divided by the
19 district's Average Daily Attendance figure.

20 (4) The Corporate Personal Property Replacement Taxes paid
21 to each school district during the calendar year 2 years before
22 the calendar year in which a school year begins, divided by the
23 Average Daily Attendance figure for that district, shall be
24 added to the local property tax revenues per pupil as derived
25 by the application of the immediately preceding paragraph (3).
26 The sum of these per pupil figures for each school district
27 shall constitute Available Local Resources as that term is
28 utilized in subsection (E) in the calculation of general State
29 aid.

30 (E) Computation of General State Aid.

31 (1) For each school year, the amount of general State aid
32 allotted to a school district shall be computed by the State
33 Board of Education as provided in this subsection.

1 (2) For any school district for which Available Local
2 Resources per pupil is less than the product of 0.93 times the
3 Foundation Level, general State aid for that district shall be
4 calculated as an amount equal to the Foundation Level minus
5 Available Local Resources, multiplied by the Average Daily
6 Attendance of the school district.

7 (3) For any school district for which Available Local
8 Resources per pupil is equal to or greater than the product of
9 0.93 times the Foundation Level and less than the product of
10 1.75 times the Foundation Level, the general State aid per
11 pupil shall be a decimal proportion of the Foundation Level
12 derived using a linear algorithm. Under this linear algorithm,
13 the calculated general State aid per pupil shall decline in
14 direct linear fashion from 0.07 times the Foundation Level for
15 a school district with Available Local Resources equal to the
16 product of 0.93 times the Foundation Level, to 0.05 times the
17 Foundation Level for a school district with Available Local
18 Resources equal to the product of 1.75 times the Foundation
19 Level. The allocation of general State aid for school districts
20 subject to this paragraph 3 shall be the calculated general
21 State aid per pupil figure multiplied by the Average Daily
22 Attendance of the school district.

23 (4) For any school district for which Available Local
24 Resources per pupil equals or exceeds the product of 1.75 times
25 the Foundation Level, the general State aid for the school
26 district shall be calculated as the product of \$218 multiplied
27 by the Average Daily Attendance of the school district.

28 (5) The amount of general State aid allocated to a school
29 district for the 1999-2000 school year meeting the requirements
30 set forth in paragraph (4) of subsection (G) shall be increased
31 by an amount equal to the general State aid that would have
32 been received by the district for the 1998-1999 school year by
33 utilizing the Extension Limitation Equalized Assessed
34 Valuation as calculated in paragraph (4) of subsection (G) less

1 the general State aid allotted for the 1998-1999 school year.
2 This amount shall be deemed a one time increase, and shall not
3 affect any future general State aid allocations.

4 (F) Compilation of Average Daily Attendance.

5 (1) Each school district shall, by July 1 of each year,
6 submit to the State Board of Education, on forms prescribed by
7 the State Board of Education, attendance figures for the school
8 year that began in the preceding calendar year. The attendance
9 information so transmitted shall identify the average daily
10 attendance figures for each month of the school year. Beginning
11 with the general State aid claim form for the 2002-2003 school
12 year, districts shall calculate Average Daily Attendance as
13 provided in subdivisions (a), (b), and (c) of this paragraph
14 (1).

15 (a) In districts that do not hold year-round classes,
16 days of attendance in August shall be added to the month of
17 September and any days of attendance in June shall be added
18 to the month of May.

19 (b) In districts in which all buildings hold year-round
20 classes, days of attendance in July and August shall be
21 added to the month of September and any days of attendance
22 in June shall be added to the month of May.

23 (c) In districts in which some buildings, but not all,
24 hold year-round classes, for the non-year-round buildings,
25 days of attendance in August shall be added to the month of
26 September and any days of attendance in June shall be added
27 to the month of May. The average daily attendance for the
28 year-round buildings shall be computed as provided in
29 subdivision (b) of this paragraph (1). To calculate the
30 Average Daily Attendance for the district, the average
31 daily attendance for the year-round buildings shall be
32 multiplied by the days in session for the non-year-round
33 buildings for each month and added to the monthly

1 attendance of the non-year-round buildings.

2 Except as otherwise provided in this Section, days of
3 attendance by pupils shall be counted only for sessions of not
4 less than 5 clock hours of school work per day under direct
5 supervision of: (i) teachers, or (ii) non-teaching personnel or
6 volunteer personnel when engaging in non-teaching duties and
7 supervising in those instances specified in subsection (a) of
8 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
9 of legal school age and in kindergarten and grades 1 through
10 12.

11 Days of attendance by tuition pupils shall be accredited
12 only to the districts that pay the tuition to a recognized
13 school.

14 (2) Days of attendance by pupils of less than 5 clock hours
15 of school shall be subject to the following provisions in the
16 compilation of Average Daily Attendance.

17 (a) Pupils regularly enrolled in a public school for
18 only a part of the school day may be counted on the basis
19 of 1/6 day for every class hour of instruction of 40
20 minutes or more attended pursuant to such enrollment,
21 unless a pupil is enrolled in a block-schedule format of 80
22 minutes or more of instruction, in which case the pupil may
23 be counted on the basis of the proportion of minutes of
24 school work completed each day to the minimum number of
25 minutes that school work is required to be held that day.

26 (b) Days of attendance may be less than 5 clock hours
27 on the opening and closing of the school term, and upon the
28 first day of pupil attendance, if preceded by a day or days
29 utilized as an institute or teachers' workshop.

30 (c) A session of 4 or more clock hours may be counted
31 as a day of attendance upon certification by the regional
32 superintendent, and approved by the State Superintendent
33 of Education to the extent that the district has been
34 forced to use daily multiple sessions.

1 (d) A session of 3 or more clock hours may be counted
2 as a day of attendance (1) when the remainder of the school
3 day or at least 2 hours in the evening of that day is
4 utilized for an in-service training program for teachers,
5 up to a maximum of 5 days per school year of which a
6 maximum of 4 days of such 5 days may be used for
7 parent-teacher conferences, provided a district conducts
8 an in-service training program for teachers which has been
9 approved by the State Superintendent of Education; or, in
10 lieu of 4 such days, 2 full days may be used, in which
11 event each such day may be counted as a day of attendance;
12 and (2) when days in addition to those provided in item (1)
13 are scheduled by a school pursuant to its school
14 improvement plan adopted under Article 34 or its revised or
15 amended school improvement plan adopted under Article 2,
16 provided that (i) such sessions of 3 or more clock hours
17 are scheduled to occur at regular intervals, (ii) the
18 remainder of the school days in which such sessions occur
19 are utilized for in-service training programs or other
20 staff development activities for teachers, and (iii) a
21 sufficient number of minutes of school work under the
22 direct supervision of teachers are added to the school days
23 between such regularly scheduled sessions to accumulate
24 not less than the number of minutes by which such sessions
25 of 3 or more clock hours fall short of 5 clock hours. Any
26 full days used for the purposes of this paragraph shall not
27 be considered for computing average daily attendance. Days
28 scheduled for in-service training programs, staff
29 development activities, or parent-teacher conferences may
30 be scheduled separately for different grade levels and
31 different attendance centers of the district.

32 (e) A session of not less than one clock hour of
33 teaching hospitalized or homebound pupils on-site or by
34 telephone to the classroom may be counted as 1/2 day of

1 attendance, however these pupils must receive 4 or more
2 clock hours of instruction to be counted for a full day of
3 attendance.

4 (f) A session of at least 4 clock hours may be counted
5 as a day of attendance for first grade pupils, and pupils
6 in full day kindergartens, and a session of 2 or more hours
7 may be counted as 1/2 day of attendance by pupils in
8 kindergartens which provide only 1/2 day of attendance.

9 (g) For children with disabilities who are below the
10 age of 6 years and who cannot attend 2 or more clock hours
11 because of their disability or immaturity, a session of not
12 less than one clock hour may be counted as 1/2 day of
13 attendance; however for such children whose educational
14 needs so require a session of 4 or more clock hours may be
15 counted as a full day of attendance.

16 (h) A recognized kindergarten which provides for only
17 1/2 day of attendance by each pupil shall not have more
18 than 1/2 day of attendance counted in any one day. However,
19 kindergartens may count 2 1/2 days of attendance in any 5
20 consecutive school days. When a pupil attends such a
21 kindergarten for 2 half days on any one school day, the
22 pupil shall have the following day as a day absent from
23 school, unless the school district obtains permission in
24 writing from the State Superintendent of Education.
25 Attendance at kindergartens which provide for a full day of
26 attendance by each pupil shall be counted the same as
27 attendance by first grade pupils. Only the first year of
28 attendance in one kindergarten shall be counted, except in
29 case of children who entered the kindergarten in their
30 fifth year whose educational development requires a second
31 year of kindergarten as determined under the rules and
32 regulations of the State Board of Education.

33 (G) Equalized Assessed Valuation Data.

1 (1) For purposes of the calculation of Available Local
2 Resources required pursuant to subsection (D), the State Board
3 of Education shall secure from the Department of Revenue the
4 value as equalized or assessed by the Department of Revenue of
5 all taxable property of every school district, together with
6 (i) the applicable tax rate used in extending taxes for the
7 funds of the district as of September 30 of the previous year
8 and (ii) the limiting rate for all school districts subject to
9 property tax extension limitations as imposed under the
10 Property Tax Extension Limitation Law.

11 The Department of Revenue shall add to the equalized
12 assessed value of all taxable property of each school district
13 situated entirely or partially within a county that is or was
14 subject to the alternative general homestead exemption
15 provisions of Section 15-176 of the Property Tax Code (i) an
16 amount equal to the total amount by which the homestead
17 exemption allowed under Section 15-176 of the Property Tax Code
18 for real property situated in that school district exceeds the
19 total amount that would have been allowed in that school
20 district if the maximum reduction under Section 15-176 was (i)
21 \$4,500 in Cook County or \$3,500 in all other counties in tax
22 year 2003 or (ii) \$4,500 in all counties in tax year 2004 and
23 thereafter and (ii) an amount equal to the aggregate amount for
24 the taxable year of all additional exemptions under Section
25 15-175 of the Property Tax Code for owners with a household
26 income of \$30,000 or less. The county clerk of any county that
27 is or was subject to the alternative general homestead
28 exemption provisions of Section 15-176 of the Property Tax Code
29 shall annually calculate and certify to the Department of
30 Revenue for each school district all homestead exemption
31 amounts under Section 15-176 of the Property Tax Code and all
32 amounts of additional exemptions under Section 15-175 of the
33 Property Tax Code for owners with a household income of \$30,000
34 or less. It is the intent of this paragraph that if the general

1 homestead exemption for a parcel of property is determined
2 under Section 15-176 of the Property Tax Code rather than
3 Section 15-175, then the calculation of Available Local
4 Resources shall not be affected by the difference, if any,
5 between the amount of the general homestead exemption allowed
6 for that parcel of property under Section 15-176 of the
7 Property Tax Code and the amount that would have been allowed
8 had the general homestead exemption for that parcel of property
9 been determined under Section 15-175 of the Property Tax Code.
10 It is further the intent of this paragraph that if additional
11 exemptions are allowed under Section 15-175 of the Property Tax
12 Code for owners with a household income of less than \$30,000,
13 then the calculation of Available Local Resources shall not be
14 affected by the difference, if any, because of those additional
15 exemptions.

16 This equalized assessed valuation, as adjusted further by
17 the requirements of this subsection, shall be utilized in the
18 calculation of Available Local Resources.

19 (2) The equalized assessed valuation in paragraph (1) shall
20 be adjusted, as applicable, in the following manner:

21 (a) For the purposes of calculating State aid under
22 this Section, with respect to any part of a school district
23 within a redevelopment project area in respect to which a
24 municipality has adopted tax increment allocation
25 financing pursuant to the Tax Increment Allocation
26 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11
27 of the Illinois Municipal Code or the Industrial Jobs
28 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
29 Illinois Municipal Code, no part of the current equalized
30 assessed valuation of real property located in any such
31 project area which is attributable to an increase above the
32 total initial equalized assessed valuation of such
33 property shall be used as part of the equalized assessed
34 valuation of the district, until such time as all

1 redevelopment project costs have been paid, as provided in
2 Section 11-74.4-8 of the Tax Increment Allocation
3 Redevelopment Act or in Section 11-74.6-35 of the
4 Industrial Jobs Recovery Law. For the purpose of the
5 equalized assessed valuation of the district, the total
6 initial equalized assessed valuation or the current
7 equalized assessed valuation, whichever is lower, shall be
8 used until such time as all redevelopment project costs
9 have been paid.

10 (b) The real property equalized assessed valuation for
11 a school district shall be adjusted by subtracting from the
12 real property value as equalized or assessed by the
13 Department of Revenue for the district an amount computed
14 by dividing the amount of any abatement of taxes under
15 Section 18-170 of the Property Tax Code by 3.00% for a
16 district maintaining grades kindergarten through 12, by
17 2.30% for a district maintaining grades kindergarten
18 through 8, or by 1.05% for a district maintaining grades 9
19 through 12 and adjusted by an amount computed by dividing
20 the amount of any abatement of taxes under subsection (a)
21 of Section 18-165 of the Property Tax Code by the same
22 percentage rates for district type as specified in this
23 subparagraph (b).

24 (3) For the 1999-2000 school year and each school year
25 thereafter, if a school district meets all of the criteria of
26 this subsection (G) (3), the school district's Available Local
27 Resources shall be calculated under subsection (D) using the
28 district's Extension Limitation Equalized Assessed Valuation
29 as calculated under this subsection (G) (3).

30 For purposes of this subsection (G) (3) the following terms
31 shall have the following meanings:

32 "Budget Year": The school year for which general State
33 aid is calculated and awarded under subsection (E).

34 "Base Tax Year": The property tax levy year used to

1 calculate the Budget Year allocation of general State aid.

2 "Preceding Tax Year": The property tax levy year
3 immediately preceding the Base Tax Year.

4 "Base Tax Year's Tax Extension": The product of the
5 equalized assessed valuation utilized by the County Clerk
6 in the Base Tax Year multiplied by the limiting rate as
7 calculated by the County Clerk and defined in the Property
8 Tax Extension Limitation Law.

9 "Preceding Tax Year's Tax Extension": The product of
10 the equalized assessed valuation utilized by the County
11 Clerk in the Preceding Tax Year multiplied by the Operating
12 Tax Rate as defined in subsection (A).

13 "Extension Limitation Ratio": A numerical ratio,
14 certified by the County Clerk, in which the numerator is
15 the Base Tax Year's Tax Extension and the denominator is
16 the Preceding Tax Year's Tax Extension.

17 "Operating Tax Rate": The operating tax rate as defined
18 in subsection (A).

19 If a school district is subject to property tax extension
20 limitations as imposed under the Property Tax Extension
21 Limitation Law, the State Board of Education shall calculate
22 the Extension Limitation Equalized Assessed Valuation of that
23 district. For the 1999-2000 school year, the Extension
24 Limitation Equalized Assessed Valuation of a school district as
25 calculated by the State Board of Education shall be equal to
26 the product of the district's 1996 Equalized Assessed Valuation
27 and the district's Extension Limitation Ratio. For the
28 2000-2001 school year and each school year thereafter, the
29 Extension Limitation Equalized Assessed Valuation of a school
30 district as calculated by the State Board of Education shall be
31 equal to the product of the Equalized Assessed Valuation last
32 used in the calculation of general State aid and the district's
33 Extension Limitation Ratio. If the Extension Limitation
34 Equalized Assessed Valuation of a school district as calculated

1 under this subsection (G)(3) is less than the district's
2 equalized assessed valuation as calculated pursuant to
3 subsections (G)(1) and (G)(2), then for purposes of calculating
4 the district's general State aid for the Budget Year pursuant
5 to subsection (E), that Extension Limitation Equalized
6 Assessed Valuation shall be utilized to calculate the
7 district's Available Local Resources under subsection (D).

8 (4) For the purposes of calculating general State aid for
9 the 1999-2000 school year only, if a school district
10 experienced a triennial reassessment on the equalized assessed
11 valuation used in calculating its general State financial aid
12 apportionment for the 1998-1999 school year, the State Board of
13 Education shall calculate the Extension Limitation Equalized
14 Assessed Valuation that would have been used to calculate the
15 district's 1998-1999 general State aid. This amount shall equal
16 the product of the equalized assessed valuation used to
17 calculate general State aid for the 1997-1998 school year and
18 the district's Extension Limitation Ratio. If the Extension
19 Limitation Equalized Assessed Valuation of the school district
20 as calculated under this paragraph (4) is less than the
21 district's equalized assessed valuation utilized in
22 calculating the district's 1998-1999 general State aid
23 allocation, then for purposes of calculating the district's
24 general State aid pursuant to paragraph (5) of subsection (E),
25 that Extension Limitation Equalized Assessed Valuation shall
26 be utilized to calculate the district's Available Local
27 Resources.

28 (5) For school districts having a majority of their
29 equalized assessed valuation in any county except Cook, DuPage,
30 Kane, Lake, McHenry, or Will, if the amount of general State
31 aid allocated to the school district for the 1999-2000 school
32 year under the provisions of subsection (E), (H), and (J) of
33 this Section is less than the amount of general State aid
34 allocated to the district for the 1998-1999 school year under

1 these subsections, then the general State aid of the district
2 for the 1999-2000 school year only shall be increased by the
3 difference between these amounts. The total payments made under
4 this paragraph (5) shall not exceed \$14,000,000. Claims shall
5 be prorated if they exceed \$14,000,000.

6 (H) Supplemental General State Aid.

7 (1) In addition to the general State aid a school district
8 is allotted pursuant to subsection (E), qualifying school
9 districts shall receive a grant, paid in conjunction with a
10 district's payments of general State aid, for supplemental
11 general State aid based upon the concentration level of
12 children from low-income households within the school
13 district. Supplemental State aid grants provided for school
14 districts under this subsection shall be appropriated for
15 distribution to school districts as part of the same line item
16 in which the general State financial aid of school districts is
17 appropriated under this Section. If the appropriation in any
18 fiscal year for general State aid and supplemental general
19 State aid is insufficient to pay the amounts required under the
20 general State aid and supplemental general State aid
21 calculations, then the State Board of Education shall ensure
22 that each school district receives the full amount due for
23 general State aid and the remainder of the appropriation shall
24 be used for supplemental general State aid, which the State
25 Board of Education shall calculate and pay to eligible
26 districts on a prorated basis.

27 (1.5) This paragraph (1.5) applies only to those school
28 years preceding the 2003-2004 school year. For purposes of this
29 subsection (H), the term "Low-Income Concentration Level"
30 shall be the low-income eligible pupil count from the most
31 recently available federal census divided by the Average Daily
32 Attendance of the school district. If, however, (i) the
33 percentage decrease from the 2 most recent federal censuses in

1 the low-income eligible pupil count of a high school district
2 with fewer than 400 students exceeds by 75% or more the
3 percentage change in the total low-income eligible pupil count
4 of contiguous elementary school districts, whose boundaries
5 are coterminous with the high school district, or (ii) a high
6 school district within 2 counties and serving 5 elementary
7 school districts, whose boundaries are coterminous with the
8 high school district, has a percentage decrease from the 2 most
9 recent federal censuses in the low-income eligible pupil count
10 and there is a percentage increase in the total low-income
11 eligible pupil count of a majority of the elementary school
12 districts in excess of 50% from the 2 most recent federal
13 censuses, then the high school district's low-income eligible
14 pupil count from the earlier federal census shall be the number
15 used as the low-income eligible pupil count for the high school
16 district, for purposes of this subsection (H). The changes made
17 to this paragraph (1) by Public Act 92-28 shall apply to
18 supplemental general State aid grants for school years
19 preceding the 2003-2004 school year that are paid in fiscal
20 year 1999 or thereafter and to any State aid payments made in
21 fiscal year 1994 through fiscal year 1998 pursuant to
22 subsection 1(n) of Section 18-8 of this Code (which was
23 repealed on July 1, 1998), and any high school district that is
24 affected by Public Act 92-28 is entitled to a recomputation of
25 its supplemental general State aid grant or State aid paid in
26 any of those fiscal years. This recomputation shall not be
27 affected by any other funding.

28 (1.10) This paragraph (1.10) applies to the 2003-2004
29 school year and each school year thereafter. For purposes of
30 this subsection (H), the term "Low-Income Concentration Level"
31 shall, for each fiscal year, be the low-income eligible pupil
32 count as of July 1 of the immediately preceding fiscal year (as
33 determined by the Department of Human Services based on the
34 number of pupils who are eligible for at least one of the

1 following low income programs: Medicaid, KidCare, TANF, or Food
2 Stamps, excluding pupils who are eligible for services provided
3 by the Department of Children and Family Services, averaged
4 over the 2 immediately preceding fiscal years for fiscal year
5 2004 and over the 3 immediately preceding fiscal years for each
6 fiscal year thereafter) divided by the Average Daily Attendance
7 of the school district.

8 (2) Supplemental general State aid pursuant to this
9 subsection (H) shall be provided as follows for the 1998-1999,
10 1999-2000, and 2000-2001 school years only:

11 (a) For any school district with a Low Income
12 Concentration Level of at least 20% and less than 35%, the
13 grant for any school year shall be \$800 multiplied by the
14 low income eligible pupil count.

15 (b) For any school district with a Low Income
16 Concentration Level of at least 35% and less than 50%, the
17 grant for the 1998-1999 school year shall be \$1,100
18 multiplied by the low income eligible pupil count.

19 (c) For any school district with a Low Income
20 Concentration Level of at least 50% and less than 60%, the
21 grant for the 1998-99 school year shall be \$1,500
22 multiplied by the low income eligible pupil count.

23 (d) For any school district with a Low Income
24 Concentration Level of 60% or more, the grant for the
25 1998-99 school year shall be \$1,900 multiplied by the low
26 income eligible pupil count.

27 (e) For the 1999-2000 school year, the per pupil amount
28 specified in subparagraphs (b), (c), and (d) immediately
29 above shall be increased to \$1,243, \$1,600, and \$2,000,
30 respectively.

31 (f) For the 2000-2001 school year, the per pupil
32 amounts specified in subparagraphs (b), (c), and (d)
33 immediately above shall be \$1,273, \$1,640, and \$2,050,
34 respectively.

1 (2.5) Supplemental general State aid pursuant to this
2 subsection (H) shall be provided as follows for the 2002-2003
3 school year:

4 (a) For any school district with a Low Income
5 Concentration Level of less than 10%, the grant for each
6 school year shall be \$355 multiplied by the low income
7 eligible pupil count.

8 (b) For any school district with a Low Income
9 Concentration Level of at least 10% and less than 20%, the
10 grant for each school year shall be \$675 multiplied by the
11 low income eligible pupil count.

12 (c) For any school district with a Low Income
13 Concentration Level of at least 20% and less than 35%, the
14 grant for each school year shall be \$1,330 multiplied by
15 the low income eligible pupil count.

16 (d) For any school district with a Low Income
17 Concentration Level of at least 35% and less than 50%, the
18 grant for each school year shall be \$1,362 multiplied by
19 the low income eligible pupil count.

20 (e) For any school district with a Low Income
21 Concentration Level of at least 50% and less than 60%, the
22 grant for each school year shall be \$1,680 multiplied by
23 the low income eligible pupil count.

24 (f) For any school district with a Low Income
25 Concentration Level of 60% or more, the grant for each
26 school year shall be \$2,080 multiplied by the low income
27 eligible pupil count.

28 (2.10) Except as otherwise provided, supplemental general
29 State aid pursuant to this subsection (H) shall be provided as
30 follows for the 2003-2004 school year and each school year
31 thereafter:

32 (a) For any school district with a Low Income
33 Concentration Level of 15% or less, the grant for each
34 school year shall be \$355 multiplied by the low income

1 eligible pupil count.

2 (b) For any school district with a Low Income
3 Concentration Level greater than 15%, the grant for each
4 school year shall be \$294.25 added to the product of \$2,700
5 and the square of the Low Income Concentration Level, all
6 multiplied by the low income eligible pupil count.

7 For the 2003-2004 school year only, the grant shall be no
8 less than the grant for the 2002-2003 school year. For the
9 2004-2005 school year only, the grant shall be no less than the
10 grant for the 2002-2003 school year multiplied by 0.66. For the
11 2005-2006 school year only, the grant shall be no less than the
12 grant for the 2002-2003 school year multiplied by 0.33.

13 For the 2003-2004 school year only, the grant shall be no
14 greater than the grant received during the 2002-2003 school
15 year added to the product of 0.25 multiplied by the difference
16 between the grant amount calculated under subsection (a) or (b)
17 of this paragraph (2.10), whichever is applicable, and the
18 grant received during the 2002-2003 school year. For the
19 2004-2005 school year only, the grant shall be no greater than
20 the grant received during the 2002-2003 school year added to
21 the product of 0.50 multiplied by the difference between the
22 grant amount calculated under subsection (a) or (b) of this
23 paragraph (2.10), whichever is applicable, and the grant
24 received during the 2002-2003 school year. For the 2005-2006
25 school year only, the grant shall be no greater than the grant
26 received during the 2002-2003 school year added to the product
27 of 0.75 multiplied by the difference between the grant amount
28 calculated under subsection (a) or (b) of this paragraph
29 (2.10), whichever is applicable, and the grant received during
30 the 2002-2003 school year.

31 (3) School districts with an Average Daily Attendance of
32 more than 1,000 and less than 50,000 that qualify for
33 supplemental general State aid pursuant to this subsection
34 shall submit a plan to the State Board of Education prior to

1 October 30 of each year for the use of the funds resulting from
2 this grant of supplemental general State aid for the
3 improvement of instruction in which priority is given to
4 meeting the education needs of disadvantaged children. Such
5 plan shall be submitted in accordance with rules and
6 regulations promulgated by the State Board of Education.

7 (4) School districts with an Average Daily Attendance of
8 50,000 or more that qualify for supplemental general State aid
9 pursuant to this subsection shall be required to distribute
10 from funds available pursuant to this Section, no less than
11 \$261,000,000 in accordance with the following requirements:

12 (a) The required amounts shall be distributed to the
13 attendance centers within the district in proportion to the
14 number of pupils enrolled at each attendance center who are
15 eligible to receive free or reduced-price lunches or
16 breakfasts under the federal Child Nutrition Act of 1966
17 and under the National School Lunch Act during the
18 immediately preceding school year.

19 (b) The distribution of these portions of supplemental
20 and general State aid among attendance centers according to
21 these requirements shall not be compensated for or
22 contravened by adjustments of the total of other funds
23 appropriated to any attendance centers, and the Board of
24 Education shall utilize funding from one or several sources
25 in order to fully implement this provision annually prior
26 to the opening of school.

27 (c) Each attendance center shall be provided by the
28 school district a distribution of noncategorical funds and
29 other categorical funds to which an attendance center is
30 entitled under law in order that the general State aid and
31 supplemental general State aid provided by application of
32 this subsection supplements rather than supplants the
33 noncategorical funds and other categorical funds provided
34 by the school district to the attendance centers.

1 (d) Any funds made available under this subsection that
2 by reason of the provisions of this subsection are not
3 required to be allocated and provided to attendance centers
4 may be used and appropriated by the board of the district
5 for any lawful school purpose.

6 (e) Funds received by an attendance center pursuant to
7 this subsection shall be used by the attendance center at
8 the discretion of the principal and local school council
9 for programs to improve educational opportunities at
10 qualifying schools through the following programs and
11 services: early childhood education, reduced class size or
12 improved adult to student classroom ratio, enrichment
13 programs, remedial assistance, attendance improvement, and
14 other educationally beneficial expenditures which
15 supplement the regular and basic programs as determined by
16 the State Board of Education. Funds provided shall not be
17 expended for any political or lobbying purposes as defined
18 by board rule.

19 (f) Each district subject to the provisions of this
20 subdivision (H) (4) shall submit an acceptable plan to meet
21 the educational needs of disadvantaged children, in
22 compliance with the requirements of this paragraph, to the
23 State Board of Education prior to July 15 of each year.
24 This plan shall be consistent with the decisions of local
25 school councils concerning the school expenditure plans
26 developed in accordance with part 4 of Section 34-2.3. The
27 State Board shall approve or reject the plan within 60 days
28 after its submission. If the plan is rejected, the district
29 shall give written notice of intent to modify the plan
30 within 15 days of the notification of rejection and then
31 submit a modified plan within 30 days after the date of the
32 written notice of intent to modify. Districts may amend
33 approved plans pursuant to rules promulgated by the State
34 Board of Education.

1 Upon notification by the State Board of Education that
2 the district has not submitted a plan prior to July 15 or a
3 modified plan within the time period specified herein, the
4 State aid funds affected by that plan or modified plan
5 shall be withheld by the State Board of Education until a
6 plan or modified plan is submitted.

7 If the district fails to distribute State aid to
8 attendance centers in accordance with an approved plan, the
9 plan for the following year shall allocate funds, in
10 addition to the funds otherwise required by this
11 subsection, to those attendance centers which were
12 underfunded during the previous year in amounts equal to
13 such underfunding.

14 For purposes of determining compliance with this
15 subsection in relation to the requirements of attendance
16 center funding, each district subject to the provisions of
17 this subsection shall submit as a separate document by
18 December 1 of each year a report of expenditure data for
19 the prior year in addition to any modification of its
20 current plan. If it is determined that there has been a
21 failure to comply with the expenditure provisions of this
22 subsection regarding contravention or supplanting, the
23 State Superintendent of Education shall, within 60 days of
24 receipt of the report, notify the district and any affected
25 local school council. The district shall within 45 days of
26 receipt of that notification inform the State
27 Superintendent of Education of the remedial or corrective
28 action to be taken, whether by amendment of the current
29 plan, if feasible, or by adjustment in the plan for the
30 following year. Failure to provide the expenditure report
31 or the notification of remedial or corrective action in a
32 timely manner shall result in a withholding of the affected
33 funds.

34 The State Board of Education shall promulgate rules and

1 regulations to implement the provisions of this
2 subsection. No funds shall be released under this
3 subdivision (H) (4) to any district that has not submitted a
4 plan that has been approved by the State Board of
5 Education.

6 (I) General State Aid for Newly Configured School Districts.

7 (1) For a new school district formed by combining property
8 included totally within 2 or more previously existing school
9 districts, for its first year of existence the general State
10 aid and supplemental general State aid calculated under this
11 Section shall be computed for the new district and for the
12 previously existing districts for which property is totally
13 included within the new district. If the computation on the
14 basis of the previously existing districts is greater, a
15 supplementary payment equal to the difference shall be made for
16 the first 4 years of existence of the new district.

17 (2) For a school district which annexes all of the
18 territory of one or more entire other school districts, for the
19 first year during which the change of boundaries attributable
20 to such annexation becomes effective for all purposes as
21 determined under Section 7-9 or 7A-8, the general State aid and
22 supplemental general State aid calculated under this Section
23 shall be computed for the annexing district as constituted
24 after the annexation and for the annexing and each annexed
25 district as constituted prior to the annexation; and if the
26 computation on the basis of the annexing and annexed districts
27 as constituted prior to the annexation is greater, a
28 supplementary payment equal to the difference shall be made for
29 the first 4 years of existence of the annexing school district
30 as constituted upon such annexation.

31 (3) For 2 or more school districts which annex all of the
32 territory of one or more entire other school districts, and for
33 2 or more community unit districts which result upon the

1 division (pursuant to petition under Section 11A-2) of one or
2 more other unit school districts into 2 or more parts and which
3 together include all of the parts into which such other unit
4 school district or districts are so divided, for the first year
5 during which the change of boundaries attributable to such
6 annexation or division becomes effective for all purposes as
7 determined under Section 7-9 or 11A-10, as the case may be, the
8 general State aid and supplemental general State aid calculated
9 under this Section shall be computed for each annexing or
10 resulting district as constituted after the annexation or
11 division and for each annexing and annexed district, or for
12 each resulting and divided district, as constituted prior to
13 the annexation or division; and if the aggregate of the general
14 State aid and supplemental general State aid as so computed for
15 the annexing or resulting districts as constituted after the
16 annexation or division is less than the aggregate of the
17 general State aid and supplemental general State aid as so
18 computed for the annexing and annexed districts, or for the
19 resulting and divided districts, as constituted prior to the
20 annexation or division, then a supplementary payment equal to
21 the difference shall be made and allocated between or among the
22 annexing or resulting districts, as constituted upon such
23 annexation or division, for the first 4 years of their
24 existence. The total difference payment shall be allocated
25 between or among the annexing or resulting districts in the
26 same ratio as the pupil enrollment from that portion of the
27 annexed or divided district or districts which is annexed to or
28 included in each such annexing or resulting district bears to
29 the total pupil enrollment from the entire annexed or divided
30 district or districts, as such pupil enrollment is determined
31 for the school year last ending prior to the date when the
32 change of boundaries attributable to the annexation or division
33 becomes effective for all purposes. The amount of the total
34 difference payment and the amount thereof to be allocated to

1 the annexing or resulting districts shall be computed by the
2 State Board of Education on the basis of pupil enrollment and
3 other data which shall be certified to the State Board of
4 Education, on forms which it shall provide for that purpose, by
5 the regional superintendent of schools for each educational
6 service region in which the annexing and annexed districts, or
7 resulting and divided districts are located.

8 (3.5) Claims for financial assistance under this
9 subsection (I) shall not be recomputed except as expressly
10 provided under this Section.

11 (4) Any supplementary payment made under this subsection
12 (I) shall be treated as separate from all other payments made
13 pursuant to this Section.

14 (J) Supplementary Grants in Aid.

15 (1) Notwithstanding any other provisions of this Section,
16 the amount of the aggregate general State aid in combination
17 with supplemental general State aid under this Section for
18 which each school district is eligible shall be no less than
19 the amount of the aggregate general State aid entitlement that
20 was received by the district under Section 18-8 (exclusive of
21 amounts received under subsections 5(p) and 5(p-5) of that
22 Section) for the 1997-98 school year, pursuant to the
23 provisions of that Section as it was then in effect. If a
24 school district qualifies to receive a supplementary payment
25 made under this subsection (J), the amount of the aggregate
26 general State aid in combination with supplemental general
27 State aid under this Section which that district is eligible to
28 receive for each school year shall be no less than the amount
29 of the aggregate general State aid entitlement that was
30 received by the district under Section 18-8 (exclusive of
31 amounts received under subsections 5(p) and 5(p-5) of that
32 Section) for the 1997-1998 school year, pursuant to the
33 provisions of that Section as it was then in effect.

1 (2) If, as provided in paragraph (1) of this subsection
2 (J), a school district is to receive aggregate general State
3 aid in combination with supplemental general State aid under
4 this Section for the 1998-99 school year and any subsequent
5 school year that in any such school year is less than the
6 amount of the aggregate general State aid entitlement that the
7 district received for the 1997-98 school year, the school
8 district shall also receive, from a separate appropriation made
9 for purposes of this subsection (J), a supplementary payment
10 that is equal to the amount of the difference in the aggregate
11 State aid figures as described in paragraph (1).

12 (3) (Blank).

13 (K) Grants to Laboratory and Alternative Schools.

14 In calculating the amount to be paid to the governing board
15 of a public university that operates a laboratory school under
16 this Section or to any alternative school that is operated by a
17 regional superintendent of schools, the State Board of
18 Education shall require by rule such reporting requirements as
19 it deems necessary.

20 As used in this Section, "laboratory school" means a public
21 school which is created and operated by a public university and
22 approved by the State Board of Education. The governing board
23 of a public university which receives funds from the State
24 Board under this subsection (K) may not increase the number of
25 students enrolled in its laboratory school from a single
26 district, if that district is already sending 50 or more
27 students, except under a mutual agreement between the school
28 board of a student's district of residence and the university
29 which operates the laboratory school. A laboratory school may
30 not have more than 1,000 students, excluding students with
31 disabilities in a special education program.

32 As used in this Section, "alternative school" means a
33 public school which is created and operated by a Regional

1 Superintendent of Schools and approved by the State Board of
2 Education. Such alternative schools may offer courses of
3 instruction for which credit is given in regular school
4 programs, courses to prepare students for the high school
5 equivalency testing program or vocational and occupational
6 training. A regional superintendent of schools may contract
7 with a school district or a public community college district
8 to operate an alternative school. An alternative school serving
9 more than one educational service region may be established by
10 the regional superintendents of schools of the affected
11 educational service regions. An alternative school serving
12 more than one educational service region may be operated under
13 such terms as the regional superintendents of schools of those
14 educational service regions may agree.

15 Each laboratory and alternative school shall file, on forms
16 provided by the State Superintendent of Education, an annual
17 State aid claim which states the Average Daily Attendance of
18 the school's students by month. The best 3 months' Average
19 Daily Attendance shall be computed for each school. The general
20 State aid entitlement shall be computed by multiplying the
21 applicable Average Daily Attendance by the Foundation Level as
22 determined under this Section.

23 (L) Payments, Additional Grants in Aid and Other Requirements.

24 (1) For a school district operating under the financial
25 supervision of an Authority created under Article 34A, the
26 general State aid otherwise payable to that district under this
27 Section, but not the supplemental general State aid, shall be
28 reduced by an amount equal to the budget for the operations of
29 the Authority as certified by the Authority to the State Board
30 of Education, and an amount equal to such reduction shall be
31 paid to the Authority created for such district for its
32 operating expenses in the manner provided in Section 18-11. The
33 remainder of general State school aid for any such district

1 shall be paid in accordance with Article 34A when that Article
2 provides for a disposition other than that provided by this
3 Article.

4 (2) (Blank).

5 (3) Summer school. Summer school payments shall be made as
6 provided in Section 18-4.3.

7 (M) Education Funding Advisory Board.

8 The Education Funding Advisory Board, hereinafter in this
9 subsection (M) referred to as the "Board", is hereby created.
10 The Board shall consist of 5 members who are appointed by the
11 Governor, by and with the advice and consent of the Senate. The
12 members appointed shall include representatives of education,
13 business, and the general public. One of the members so
14 appointed shall be designated by the Governor at the time the
15 appointment is made as the chairperson of the Board. The
16 initial members of the Board may be appointed any time after
17 the effective date of this amendatory Act of 1997. The regular
18 term of each member of the Board shall be for 4 years from the
19 third Monday of January of the year in which the term of the
20 member's appointment is to commence, except that of the 5
21 initial members appointed to serve on the Board, the member who
22 is appointed as the chairperson shall serve for a term that
23 commences on the date of his or her appointment and expires on
24 the third Monday of January, 2002, and the remaining 4 members,
25 by lots drawn at the first meeting of the Board that is held
26 after all 5 members are appointed, shall determine 2 of their
27 number to serve for terms that commence on the date of their
28 respective appointments and expire on the third Monday of
29 January, 2001, and 2 of their number to serve for terms that
30 commence on the date of their respective appointments and
31 expire on the third Monday of January, 2000. All members
32 appointed to serve on the Board shall serve until their
33 respective successors are appointed and confirmed. Vacancies

1 shall be filled in the same manner as original appointments. If
2 a vacancy in membership occurs at a time when the Senate is not
3 in session, the Governor shall make a temporary appointment
4 until the next meeting of the Senate, when he or she shall
5 appoint, by and with the advice and consent of the Senate, a
6 person to fill that membership for the unexpired term. If the
7 Senate is not in session when the initial appointments are
8 made, those appointments shall be made as in the case of
9 vacancies.

10 The Education Funding Advisory Board shall be deemed
11 established, and the initial members appointed by the Governor
12 to serve as members of the Board shall take office, on the date
13 that the Governor makes his or her appointment of the fifth
14 initial member of the Board, whether those initial members are
15 then serving pursuant to appointment and confirmation or
16 pursuant to temporary appointments that are made by the
17 Governor as in the case of vacancies.

18 The State Board of Education shall provide such staff
19 assistance to the Education Funding Advisory Board as is
20 reasonably required for the proper performance by the Board of
21 its responsibilities.

22 For school years after the 2000-2001 school year, the
23 Education Funding Advisory Board, in consultation with the
24 State Board of Education, shall make recommendations as
25 provided in this subsection (M) to the General Assembly for the
26 foundation level under subdivision (B)(3) of this Section and
27 for the supplemental general State aid grant level under
28 subsection (H) of this Section for districts with high
29 concentrations of children from poverty. The recommended
30 foundation level shall be determined based on a methodology
31 which incorporates the basic education expenditures of
32 low-spending schools exhibiting high academic performance. The
33 Education Funding Advisory Board shall make such
34 recommendations to the General Assembly on January 1 of odd

1 numbered years, beginning January 1, 2001.

2 (N) (Blank).

3 (O) References.

4 (1) References in other laws to the various subdivisions of
5 Section 18-8 as that Section existed before its repeal and
6 replacement by this Section 18-8.05 shall be deemed to refer to
7 the corresponding provisions of this Section 18-8.05, to the
8 extent that those references remain applicable.

9 (2) References in other laws to State Chapter 1 funds shall
10 be deemed to refer to the supplemental general State aid
11 provided under subsection (H) of this Section.

12 (Source: P.A. 92-16, eff. 6-28-01; 92-28, eff. 7-1-01; 92-29,
13 eff. 7-1-01; 92-269, eff. 8-7-01; 92-604, eff. 7-1-02; 92-636,
14 eff. 7-11-02; 92-651, eff. 7-11-02; 93-21, eff. 7-1-03.)

15 Section 40. The Criminal Code of 1961 is amended by
16 changing Section 17A-1 as follows:

17 (720 ILCS 5/17A-1) (from Ch. 38, par. 17A-1)

18 Sec. 17A-1. Persons under deportation order; ineligible
19 for benefits. An individual against whom a United States
20 Immigration Judge has issued an order of deportation which has
21 been affirmed by the Board of Immigration Review, as well as an
22 individual who appeals such an order pending appeal, under
23 paragraph 19 of Section 241(a) of the Immigration and
24 Nationality Act relating to persecution of others on account of
25 race, religion, national origin or political opinion under the
26 direction of or in association with the Nazi government of
27 Germany or its allies, shall be ineligible for the following
28 benefits authorized by State law:

29 (a) The homestead exemptions ~~exemption~~ and homestead
30 improvement exemption under Sections 15-170, 15-175, 15-176,

1 and 15-180 of the Property Tax Code.

2 (b) Grants under the Senior Citizens and Disabled Persons
3 Property Tax Relief and Pharmaceutical Assistance Act.

4 (c) The double income tax exemption conferred upon persons
5 65 years of age or older by Section 204 of the Illinois Income
6 Tax Act.

7 (d) Grants provided by the Department on Aging.

8 (e) Reductions in vehicle registration fees under Section
9 3-806.3 of the Illinois Vehicle Code.

10 (f) Free fishing and reduced fishing license fees under
11 Sections 20-5 and 20-40 of the Fish and Aquatic Life Code.

12 (g) Tuition free courses for senior citizens under the
13 Senior Citizen Courses Act.

14 (h) Any benefits under the Illinois Public Aid Code.

15 (Source: P.A. 87-895; 88-670, eff. 12-2-94.)

16 Section 90. The State Mandates Act is amended by adding
17 Section 8.28 as follows:

18 (30 ILCS 805/8.28 new)

19 Sec. 8.28. Exempt mandate. Notwithstanding Sections 6 and 8
20 of this Act, no reimbursement by the State is required for the
21 implementation of any mandate created by the Senior Citizens
22 Assessment Freeze Homestead Exemption under Section 15-172 of
23 the Property Tax Code, the General Homestead Exemption under
24 Section 15-175 of the Property Tax Code, the alternative
25 General Homestead Exemption under Section 15-176 of the
26 Property Tax Code, and by this amendatory Act of the 93rd
27 General Assembly.

28 Section 99. Effective date. This Act takes effect upon
29 becoming law."