



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

HB4070

Introduced 1/15/2004, by Lee A. Daniels - Robert W. Churchill -
John J. Millner - Paul D. Froehlich - Larry McKeon, et al.

SYNOPSIS AS INTRODUCED:

See Index

Amends the Property Tax Code. Provides that, in counties with 3,000,000 or more inhabitants, if a property has been granted a Senior Citizens Homestead Exemption, then the person qualifying need not reapply for the exemption. Increases the ceiling for household income eligibility for the Senior Citizens Assessment Freeze Homestead Exemption provisions, for taxable years 2003 and thereafter, from \$40,000 per year to \$45,000 per year. Creates a general homestead exemption provision that applies only to counties with 3,000,000 or more inhabitants and counties contiguous to counties with 3,000,000 or more inhabitants. Provides that the amount of the exemption is the equalized assessed value of the homestead property for the current tax year minus, in most cases, the property's base homestead value increased by 7% for each tax year after 2002 through and including the current tax year. Establishes procedures for determining the base homestead value of property improved after the 2002 tax year. Sunsets the provisions after the 2010 assessment year. Amends the Economic Development Area Tax Increment Allocation Act, the County Economic Development Project Area Property Tax Allocation Act, the County Economic Development Project Area Tax Increment Allocation Act of 1991, the Economic Development Project Area Tax Increment Allocation Act of 1995, the Tax Increment Allocation Redevelopment Act and the Industrial Jobs Recovery Law in the Illinois Municipal Code, the School Code, and the Criminal Code of 1961 to include a cross reference to the new general homestead exemption provision in the Property Tax Code. In provisions that authorize a partial exemption from property taxes for homestead properties that have been improved and residential structures on homestead property that have been rebuilt following a catastrophic event, changes the limit to \$75,000 per year for that homestead property beginning January 1, 2004 and thereafter (now, \$45,000 per year). Amends the State Mandates Act to require implementation without reimbursement for the new general homestead exemption and the Senior Citizens Assessment Freeze Homestead Exemption. Effective immediately.

LRB093 15487 SJM 41090 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning taxes.

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

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

29 (b) After the county clerk has certified the "total initial
30 equalized assessed value" of the taxable real property in the
31 economic development project area, then in respect to every
32 taxing district containing an economic development project

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

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

27 Section 10. The Property Tax Code is amended by changing
28 Sections 14-15, 15-10, 15-170, 15-172, 15-175, 15-180, and
29 20-178 and by adding Section 15-176 as follows:

30 (35 ILCS 200/14-15)

31 Sec. 14-15. Certificate of error; counties of 3,000,000 or
32 more.

33 (a) In counties with 3,000,000 or more inhabitants, if,
34 after the assessment is certified pursuant to Section 16-150,

1 but subject to the limitations of subsection (c) of this
2 Section, the county assessor discovers an error or mistake in
3 the assessment, the assessor shall execute a certificate
4 setting forth the nature and cause of the error. The
5 certificate when endorsed by the county assessor, or when
6 endorsed by the county assessor and board of appeals (until the
7 first Monday in December 1998 and the board of review beginning
8 the first Monday in December 1998 and thereafter) where the
9 certificate is executed for any assessment which was the
10 subject of a complaint filed in the board of appeals (until the
11 first Monday in December 1998 and the board of review beginning
12 the first Monday in December 1998 and thereafter) for the tax
13 year for which the certificate is issued, may, either be
14 certified according to the procedure authorized by this Section
15 or be presented and received in evidence in any court of
16 competent jurisdiction. Certification is authorized, at the
17 discretion of the county assessor, for: (1) certificates of
18 error allowing homestead exemptions pursuant to Sections
19 15-170, 15-172, ~~and~~ 15-175, and 15-176; (2) certificates of
20 error on residential property of 6 units or less; (3)
21 certificates of error allowing exemption of the property
22 pursuant to Section 14-25; and (4) other certificates of error
23 reducing assessed value by less than \$100,000. Any certificate
24 of error not certified shall be presented to the court. The
25 county assessor shall develop reasonable procedures for the
26 filing and processing of certificates of error. Prior to the
27 certification or presentation to the court, the county assessor
28 or his or her designee shall execute and include in the
29 certificate of error a statement attesting that all procedural
30 requirements pertaining to the issuance of the certificate of
31 error have been met and that in fact an error exists. When so
32 introduced in evidence such certificate shall become a part of
33 the court records, and shall not be removed from the files
34 except upon the order of the court.

35 Certificates of error that will be presented to the court
36 shall be filed as an objection in the application for judgment

1 and order of sale for the year in relation to which the
 2 certificate is made or as an amendment to the objection under
 3 subsection (b). Certificates of error that are to be certified
 4 according to the procedure authorized by this Section need not
 5 be presented to the court as an objection or an amendment under
 6 subsection (b). The State's Attorney of the county in which the
 7 property is situated shall mail a copy of any final judgment
 8 entered by the court regarding any certificate of error to the
 9 taxpayer of record for the year in question.

10 Any unpaid taxes after the entry of the final judgment by
 11 the court or certification on certificates issued under this
 12 Section may be included in a special tax sale, provided that an
 13 advertisement is published and a notice is mailed to the person
 14 in whose name the taxes were last assessed, in a form and
 15 manner substantially similar to the advertisement and notice
 16 required under Sections 21-110 and 21-135. The advertisement
 17 and sale shall be subject to all provisions of law regulating
 18 the annual advertisement and sale of delinquent property, to
 19 the extent that those provisions may be made applicable.

20 A certificate of error certified under this Section shall
 21 be given effect by the county treasurer, who shall mark the tax
 22 books and, upon receipt of one of the following certificates
 23 from the county assessor or the county assessor and the board
 24 of review where the board of review is required to endorse the
 25 certificate of error, shall issue refunds to the taxpayer
 26 accordingly:

27 "CERTIFICATION

28 I,, county assessor, hereby certify
 29 that the Certificates of Error set out on the attached list
 30 have been duly issued to correct an error or mistake in the
 31 assessment."

32 "CERTIFICATION

33 I,, county assessor, and we,
 34,

1 members of the board of review, hereby certify that the
2 Certificates of Error set out on the attached list have
3 been duly issued to correct an error or mistake in the
4 assessment and that any certificates of error required to
5 be endorsed by the board of review have been so endorsed."

6 The county treasurer has the power to mark the tax books to
7 reflect the issuance of certificates of error certified
8 according to the procedure authorized in this Section for
9 certificates of error issued under Section 14-25 or
10 certificates of error issued to and including 3 years after the
11 date on which the annual judgment and order of sale for that
12 tax year was first entered. The county treasurer has the power
13 to issue refunds to the taxpayer as set forth above until all
14 refunds authorized by this Section have been completed.

15 To the extent that the certificate of error obviates the
16 liability for nonpayment of taxes, certification of a
17 certificate of error according to the procedure authorized in
18 this Section shall operate to vacate any judgment or forfeiture
19 as to that year's taxes, and the warrant books and judgment
20 books shall be marked to reflect that the judgment or
21 forfeiture has been vacated.

22 (b) Nothing in subsection (a) of this Section shall be
23 construed to prohibit the execution, endorsement, issuance,
24 and adjudication of a certificate of error if (i) the annual
25 judgment and order of sale for the tax year in question is
26 reopened for further proceedings upon consent of the county
27 collector and county assessor, represented by the State's
28 Attorney, and (ii) a new final judgment is subsequently entered
29 pursuant to the certificate. This subsection (b) shall be
30 construed as declarative of existing law and not as a new
31 enactment.

32 (c) No certificate of error, other than a certificate to
33 establish an exemption under Section 14-25, shall be executed
34 for any tax year more than 3 years after the date on which the
35 annual judgment and order of sale for that tax year was first

1 entered, except that during calendar years 1999 and 2000 a
2 certificate of error may be executed for any tax year, provided
3 that the error or mistake in the assessment was discovered no
4 more than 3 years after the date on which the annual judgment
5 and order of sale for that tax year was first entered.

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

14 (e) The changes made by this amendatory Act of the 91st
15 General Assembly apply to certificates of error issued before,
16 on, and after the effective date of this amendatory Act of the
17 91st General Assembly.

18 (Source: P.A. 90-4, eff. 3-7-97; 90-288, eff. 8-1-97; 90-655,
19 eff. 7-30-98; 91-393, eff. 7-30-99; 91-686, eff. 1-26-00.)

20 (35 ILCS 200/15-10)

21 Sec. 15-10. Exempt property; procedures for certification.
22 All property granted an exemption by the Department pursuant to
23 the requirements of Section 15-5 and described in the Sections
24 following Section 15-30 and preceding Section 16-5, to the
25 extent therein limited, is exempt from taxation. In order to
26 maintain that exempt status, the titleholder or the owner of
27 the beneficial interest of any property that is exempt must
28 file with the chief county assessment officer, on or before
29 January 31 of each year (May 31 in the case of property
30 exempted by Section 15-170), an affidavit stating whether there
31 has been any change in the ownership or use of the property or
32 the status of the owner-resident, or that a disabled veteran
33 who qualifies under Section 15-165 owned and used the property
34 as of January 1 of that year. The nature of any change shall be
35 stated in the affidavit. Failure to file an affidavit shall, in

1 the discretion of the assessment officer, constitute cause to
2 terminate the exemption of that property, notwithstanding any
3 other provision of this Code. Owners of 5 or more such exempt
4 parcels within a county may file a single annual affidavit in
5 lieu of an affidavit for each parcel. The assessment officer,
6 upon request, shall furnish an affidavit form to the owners, in
7 which the owner may state whether there has been any change in
8 the ownership or use of the property or status of the owner or
9 resident as of January 1 of that year. The owner of 5 or more
10 exempt parcels shall list all the properties giving the same
11 information for each parcel as required of owners who file
12 individual affidavits.

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

16 (1) Section 15-45 (burial grounds) in counties of less
17 than 3,000,000 inhabitants and owned by a not-for-profit
18 organization.

19 (2) Section 15-40.

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

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

23 An application for homestead exemptions shall be filed as
24 provided in Section 15-170 (senior citizens homestead
25 exemption), Section 15-172 (senior citizens assessment freeze
26 homestead exemption), and Sections ~~Section~~ 15-175 and 15-176
27 (general homestead exemption), respectively.

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

29 (35 ILCS 200/15-170)

30 Sec. 15-170. Senior Citizens Homestead Exemption. An
31 annual homestead exemption limited, except as described here
32 with relation to cooperatives or life care facilities, to a
33 maximum reduction set forth below from the property's value, as
34 equalized or assessed by the Department, is granted for
35 property that is occupied as a residence by a person 65 years

1 of age or older who is liable for paying real estate taxes on
2 the property and is an owner of record of the property or has a
3 legal or equitable interest therein as evidenced by a written
4 instrument, except for a leasehold interest, other than a
5 leasehold interest of land on which a single family residence
6 is located, which is occupied as a residence by a person 65
7 years or older who has an ownership interest therein, legal,
8 equitable or as a lessee, and on which he or she is liable for
9 the payment of property taxes. The maximum reduction shall be
10 \$2,500 in counties with 3,000,000 or more inhabitants and
11 \$2,000 in all other counties. For land improved with an
12 apartment building owned and operated as a cooperative, the
13 maximum reduction from the value of the property, as equalized
14 by the Department, shall be multiplied by the number of
15 apartments or units occupied by a person 65 years of age or
16 older who is liable, by contract with the owner or owners of
17 record, for paying property taxes on the property and is an
18 owner of record of a legal or equitable interest in the
19 cooperative apartment building, other than a leasehold
20 interest. For land improved with a life care facility, the
21 maximum reduction from the value of the property, as equalized
22 by the Department, shall be multiplied by the number of
23 apartments or units occupied by persons 65 years of age or
24 older, irrespective of any legal, equitable, or leasehold
25 interest in the facility, who are liable, under a contract with
26 the owner or owners of record of the facility, for paying
27 property taxes on the property. In a cooperative or a life care
28 facility where a homestead exemption has been granted, the
29 cooperative association or the management firm of the
30 cooperative or facility shall credit the savings resulting from
31 that exemption only to the apportioned tax liability of the
32 owner or resident who qualified for the exemption. Any person
33 who willfully refuses to so credit the savings shall be guilty
34 of a Class B misdemeanor. Under this Section and Section
35 15-175, "life care facility" means a facility as defined in
36 Section 2 of the Life Care Facilities Act, with which the

1 applicant for the homestead exemption has a life care contract
2 as defined in that Act.

3 When a homestead exemption has been granted under this
4 Section and the person qualifying subsequently becomes a
5 resident of a facility licensed under the Nursing Home Care
6 Act, the exemption shall continue so long as the residence
7 continues to be occupied by the qualifying person's spouse if
8 the spouse is 65 years of age or older, or if the residence
9 remains unoccupied but is still owned by the person qualified
10 for the homestead exemption.

11 A person who will be 65 years of age during the current
12 assessment year shall be eligible to apply for the homestead
13 exemption during that assessment year. Application shall be
14 made during the application period in effect for the county of
15 his residence.

16 Beginning with assessment year 2003, for taxes payable in
17 2004, property that is first occupied as a residence after
18 January 1 of any assessment year by a person who is eligible
19 for the senior citizens homestead exemption under this Section
20 must be granted a pro-rata exemption for the assessment year.
21 The amount of the pro-rata exemption is the exemption allowed
22 in the county under this Section divided by 365 and multiplied
23 by the number of days during the assessment year the property
24 is occupied as a residence by a person eligible for the
25 exemption under this Section. The chief county assessment
26 officer must adopt reasonable procedures to establish
27 eligibility for this pro-rata exemption.

28 The assessor or chief county assessment officer may
29 determine the eligibility of a life care facility to receive
30 the benefits provided by this Section, by affidavit,
31 application, visual inspection, questionnaire or other
32 reasonable methods in order to insure that the tax savings
33 resulting from the exemption are credited by the management
34 firm to the apportioned tax liability of each qualifying
35 resident. The assessor may request reasonable proof that the
36 management firm has so credited the exemption.

1 The chief county assessment officer of each county with
2 less than 3,000,000 inhabitants shall provide to each person
3 allowed a homestead exemption under this Section a form to
4 designate any other person to receive a duplicate of any notice
5 of delinquency in the payment of taxes assessed and levied
6 under this Code on the property of the person receiving the
7 exemption. The duplicate notice shall be in addition to the
8 notice required to be provided to the person receiving the
9 exemption, and shall be given in the manner required by this
10 Code. The person filing the request for the duplicate notice
11 shall pay a fee of \$5 to cover administrative costs to the
12 supervisor of assessments, who shall then file the executed
13 designation with the county collector. Notwithstanding any
14 other provision of this Code to the contrary, the filing of
15 such an executed designation requires the county collector to
16 provide duplicate notices as indicated by the designation. A
17 designation may be rescinded by the person who executed such
18 designation at any time, in the manner and form required by the
19 chief county assessment officer.

20 The assessor or chief county assessment officer may
21 determine the eligibility of residential property to receive
22 the homestead exemption provided by this Section by
23 application, visual inspection, questionnaire or other
24 reasonable methods. The determination shall be made in
25 accordance with guidelines established by the Department.

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

30 In counties with 3,000,000 or more inhabitants, if a
31 property has been granted a homestead exemption under this
32 Section, the person qualifying need not reapply for the
33 exemption.

34 In counties with less than 3,000,000 inhabitants, if the
35 assessor or chief county assessment officer requires annual
36 application for verification of eligibility for an exemption

1 once granted under this Section, the application shall be
2 mailed to the taxpayer.

3 The assessor or chief county assessment officer shall
4 notify each person who qualifies for an exemption under this
5 Section that the person may also qualify for deferral of real
6 estate taxes under the Senior Citizens Real Estate Tax Deferral
7 Act. The notice shall set forth the qualifications needed for
8 deferral of real estate taxes, the address and telephone number
9 of county collector, and a statement that applications for
10 deferral of real estate taxes may be obtained from the county
11 collector.

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

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

16 (35 ILCS 200/15-172)

17 Sec. 15-172. Senior Citizens Assessment Freeze Homestead
18 Exemption.

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

21 (b) As used in this Section:

22 "Applicant" means an individual who has filed an
23 application under this Section.

24 "Base amount" means the base year equalized assessed value
25 of the residence plus the first year's equalized assessed value
26 of any added improvements which increased the assessed value of
27 the residence after the base year.

28 "Base year" means the taxable year prior to the taxable
29 year for which the applicant first qualifies and applies for
30 the exemption provided that in the prior taxable year the
31 property was improved with a permanent structure that was
32 occupied as a residence by the applicant who was liable for
33 paying real property taxes on the property and who was either
34 (i) an owner of record of the property or had legal or
35 equitable interest in the property as evidenced by a written

1 instrument or (ii) had a legal or equitable interest as a
2 lessee in the parcel of property that was single family
3 residence. If in any subsequent taxable year for which the
4 applicant applies and qualifies for the exemption the equalized
5 assessed value of the residence is less than the equalized
6 assessed value in the existing base year (provided that such
7 equalized assessed value is not based on an assessed value that
8 results from a temporary irregularity in the property that
9 reduces the assessed value for one or more taxable years), then
10 that subsequent taxable year shall become the base year until a
11 new base year is established under the terms of this paragraph.
12 For taxable year 1999 only, the Chief County Assessment Officer
13 shall review (i) all taxable years for which the applicant
14 applied and qualified for the exemption and (ii) the existing
15 base year. The assessment officer shall select as the new base
16 year the year with the lowest equalized assessed value. An
17 equalized assessed value that is based on an assessed value
18 that results from a temporary irregularity in the property that
19 reduces the assessed value for one or more taxable years shall
20 not be considered the lowest equalized assessed value. The
21 selected year shall be the base year for taxable year 1999 and
22 thereafter until a new base year is established under the terms
23 of this paragraph.

24 "Chief County Assessment Officer" means the County
25 Assessor or Supervisor of Assessments of the county in which
26 the property is located.

27 "Equalized assessed value" means the assessed value as
28 equalized by the Illinois Department of Revenue.

29 "Household" means the applicant, the spouse of the
30 applicant, and all persons using the residence of the applicant
31 as their principal place of residence.

32 "Household income" means the combined income of the members
33 of a household for the calendar year preceding the taxable
34 year.

35 "Income" has the same meaning as provided in Section 3.07
36 of the Senior Citizens and Disabled Persons Property Tax Relief

1 and Pharmaceutical Assistance Act, except that, beginning in
2 assessment year 2001, "income" does not include veteran's
3 benefits.

4 "Internal Revenue Code of 1986" means the United States
5 Internal Revenue Code of 1986 or any successor law or laws
6 relating to federal income taxes in effect for the year
7 preceding the taxable year.

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

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

21 "Taxable year" means the calendar year during which ad
22 valorem property taxes payable in the next succeeding year are
23 levied.

24 (c) Beginning in taxable year 1994, a senior citizens
25 assessment freeze homestead exemption is granted for real
26 property that is improved with a permanent structure that is
27 occupied as a residence by an applicant who (i) is 65 years of
28 age or older during the taxable year, (ii) has a household
29 income of \$35,000 or less prior to taxable year 1999, ~~or~~
30 \$40,000 or less in taxable years ~~year~~ 1999 through 2002, or
31 \$45,000 or less in taxable year 2003 and thereafter, (iii) is
32 liable for paying real property taxes on the property, and (iv)
33 is an owner of record of the property or has a legal or
34 equitable interest in the property as evidenced by a written
35 instrument. This homestead exemption shall also apply to a
36 leasehold interest in a parcel of property improved with a

1 permanent structure that is a single family residence that is
2 occupied as a residence by a person who (i) is 65 years of age
3 or older during the taxable year, (ii) has a household income
4 of \$35,000 or less prior to taxable year 1999, ~~or~~ \$40,000 or
5 less in taxable years ~~year~~ 1999 through 2002, or \$45,000 or
6 less in taxable year 2003 and thereafter, (iii) has a legal or
7 equitable ownership interest in the property as lessee, and
8 (iv) is liable for the payment of real property taxes on that
9 property.

10 The amount of this exemption shall be the equalized
11 assessed value of the residence in the taxable year for which
12 application is made minus the base amount.

13 When the applicant is a surviving spouse of an applicant
14 for a prior year for the same residence for which an exemption
15 under this Section has been granted, the base year and base
16 amount for that residence are the same as for the applicant for
17 the prior year.

18 Each year at the time the assessment books are certified to
19 the County Clerk, the Board of Review or Board of Appeals shall
20 give to the County Clerk a list of the assessed values of
21 improvements on each parcel qualifying for this exemption that
22 were added after the base year for this parcel and that
23 increased the assessed value of the property.

24 In the case of land improved with an apartment building
25 owned and operated as a cooperative or a building that is a
26 life care facility that qualifies as a cooperative, the maximum
27 reduction from the equalized assessed value of the property is
28 limited to the sum of the reductions calculated for each unit
29 occupied as a residence by a person ~~or persons~~ (i) 65 years of
30 age or older, (ii) with a household income of \$35,000 or less
31 prior to taxable year 1999, ~~or~~ \$40,000 or less in taxable years
32 year 1999 through 2002, or \$45,000 or less in taxable year 2003
33 and thereafter, (iii) who is liable, by contract with the owner
34 or owners of record, for paying real property taxes on the
35 property, and (iv) who is an owner of record of a legal or
36 equitable interest in the cooperative apartment building,

1 other than a leasehold interest. In the instance of a
2 cooperative where a homestead exemption has been granted under
3 this Section, the cooperative association or its management
4 firm shall credit the savings resulting from that exemption
5 only to the apportioned tax liability of the owner who
6 qualified for the exemption. Any person who willfully refuses
7 to credit that savings to an owner who qualifies for the
8 exemption is guilty of a Class B misdemeanor.

9 When a homestead exemption has been granted under this
10 Section and an applicant then becomes a resident of a facility
11 licensed under the Nursing Home Care Act, the exemption shall
12 be granted in subsequent years so long as the residence (i)
13 continues to be occupied by the qualified applicant's spouse or
14 (ii) if remaining unoccupied, is still owned by the qualified
15 applicant for the homestead exemption.

16 Beginning January 1, 1997, when an individual dies who
17 would have qualified for an exemption under this Section, and
18 the surviving spouse does not independently qualify for this
19 exemption because of age, the exemption under this Section
20 shall be granted to the surviving spouse for the taxable year
21 preceding and the taxable year of the death, provided that,
22 except for age, the surviving spouse meets all other
23 qualifications for the granting of this exemption for those
24 years.

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

28 For taxable year 1994 only, in counties having less than
29 3,000,000 inhabitants, to receive the exemption, a person shall
30 submit an application by February 15, 1995 to the Chief County
31 Assessment Officer of the county in which the property is
32 located. In counties having 3,000,000 or more inhabitants, for
33 taxable year 1994 and all subsequent taxable years, to receive
34 the exemption, a person may submit an application to the Chief
35 County Assessment Officer of the county in which the property
36 is located during such period as may be specified by the Chief

1 County Assessment Officer. The Chief County Assessment Officer
2 in counties of 3,000,000 or more inhabitants shall annually
3 give notice of the application period by mail or by
4 publication. In counties having less than 3,000,000
5 inhabitants, beginning with taxable year 1995 and thereafter,
6 to receive the exemption, a person shall submit an application
7 by July 1 of each taxable year to the Chief County Assessment
8 Officer of the county in which the property is located. A
9 county may, by ordinance, establish a date for submission of
10 applications that is different than July 1. The applicant shall
11 submit with the application an affidavit of the applicant's
12 total household income, age, marital status (and if married the
13 name and address of the applicant's spouse, if known), and
14 principal dwelling place of members of the household on January
15 1 of the taxable year. The Department shall establish, by rule,
16 a method for verifying the accuracy of affidavits filed by
17 applicants under this Section. The applications shall be
18 clearly marked as applications for the Senior Citizens
19 Assessment Freeze Homestead Exemption.

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

1 applicant regained the capability to file the application.

2 Beginning January 1, 1998, notwithstanding any other
3 provision to the contrary, in counties having fewer than
4 3,000,000 inhabitants, if an applicant fails to file the
5 application required by this Section in a timely manner and
6 this failure to file is due to a mental or physical condition
7 sufficiently severe so as to render the applicant incapable of
8 filing the application in a timely manner, the Chief County
9 Assessment Officer may extend the filing deadline for a period
10 of 3 months. In order to receive the extension provided in this
11 paragraph, the applicant shall provide the Chief County
12 Assessment Officer with a signed statement from the applicant's
13 physician stating the nature and extent of the condition, and
14 that, in the physician's opinion, the condition was so severe
15 that it rendered the applicant incapable of filing the
16 application in a timely manner.

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

31 For purposes of this Section, a person who will be 65 years
32 of age during the current taxable year shall be eligible to
33 apply for the homestead exemption during that taxable year.
34 Application shall be made during the application period in
35 effect for the county of his or her residence.

36 The Chief County Assessment Officer may determine the

1 eligibility of a life care facility that qualifies as a
2 cooperative to receive the benefits provided by this Section by
3 use of an affidavit, application, visual inspection,
4 questionnaire, or other reasonable method in order to insure
5 that the tax savings resulting from the exemption are credited
6 by the management firm to the apportioned tax liability of each
7 qualifying resident. The Chief County Assessment Officer may
8 request reasonable proof that the management firm has so
9 credited that exemption.

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

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

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

36 (e) Notwithstanding Sections 6 and 8 of the State Mandates

1 Act, no reimbursement by the State is required for the
2 implementation of any mandate created by this Section.

3 (Source: P.A. 90-14, eff. 7-1-97; 90-204, eff. 7-25-97; 90-523,
4 eff. 11-13-97; 90-524, eff. 1-1-98; 90-531, eff. 1-1-98;
5 90-655, eff. 7-30-98; 91-45, eff. 6-30-99; 91-56, eff. 6-30-99;
6 91-819, eff. 6-13-00.)

7 (35 ILCS 200/15-175)

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

22 Except as provided in Section 15-176, the maximum reduction
23 shall be \$4,500 in counties with 3,000,000 or more inhabitants
24 and \$3,500 in all other counties.

25 In counties with fewer than 3,000,000 inhabitants, if,
26 based on the most recent assessment, the equalized assessed
27 value of the homestead property for the current assessment year
28 is greater than the equalized assessed value of the property
29 for 1977, the owner of the property shall automatically receive
30 the exemption granted under this Section in an amount equal to
31 the increase over the 1977 assessment up to the maximum
32 reduction set forth in this Section.

33 If in any assessment year beginning with the 2000
34 assessment year, homestead property has a pro-rata valuation
35 under Section 9-180 resulting in an increase in the assessed

1 valuation, a reduction in equalized assessed valuation equal to
2 the increase in equalized assessed value of the property for
3 the year of the pro-rata valuation above the equalized assessed
4 value of the property for 1977 shall be applied to the property
5 on a proportionate basis for the period the property qualified
6 as homestead property during the assessment year. The maximum
7 proportionate homestead exemption shall not exceed the maximum
8 homestead exemption allowed in the county under this Section
9 divided by 365 and multiplied by the number of days the
10 property qualified as homestead property.

11 "Homestead property" under this Section includes
12 residential property that is occupied by its owner or owners as
13 his or their principal dwelling place, or that is a leasehold
14 interest on which a single family residence is situated, which
15 is occupied as a residence by a person who has an ownership
16 interest therein, legal or equitable or as a lessee, and on
17 which the person is liable for the payment of property taxes.
18 For land improved with an apartment building owned and operated
19 as a cooperative or a building which is a life care facility as
20 defined in Section 15-170 and considered to be a cooperative
21 under Section 15-170, the maximum reduction from the equalized
22 assessed value shall be limited to the increase in the value
23 above the equalized assessed value of the property for 1977, up
24 to the maximum reduction set forth above, multiplied by the
25 number of apartments or units occupied by a person or persons
26 who is liable, by contract with the owner or owners of record,
27 for paying property taxes on the property and is an owner of
28 record of a legal or equitable interest in the cooperative
29 apartment building, other than a leasehold interest. For
30 purposes of this Section, the term "life care facility" has the
31 meaning stated in Section 15-170.

32 In a cooperative where a homestead exemption has been
33 granted, the cooperative association or its management firm
34 shall credit the savings resulting from that exemption only to
35 the apportioned tax liability of the owner who qualified for
36 the exemption. Any person who willfully refuses to so credit

1 the savings shall be guilty of a Class B misdemeanor.

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

6 In counties with more than 3,000,000 inhabitants, the
7 assessor or chief county assessment officer may determine the
8 eligibility of residential property to receive the homestead
9 exemption by application, visual inspection, questionnaire or
10 other reasonable methods. The determination shall be made in
11 accordance with guidelines established by the Department.

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

18 (Source: P.A. 90-368, eff. 1-1-98; 90-552, eff. 12-12-97;
19 90-655, eff. 7-30-98; 91-346, eff. 7-29-99.)

20 (35 ILCS 200/15-176 new)

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

22 (a) In counties with 3,000,000 or more inhabitants and
23 counties contiguous to a county with 3,000,000 or more
24 inhabitants, beginning with assessments made for the tax year
25 2003 and for subsequent tax years, homestead property is
26 entitled to an annual homestead exemption equal to a reduction
27 in the property's equalized assessed value calculated as
28 provided in this Section.

29 (b) As used in this Section:

30 (1) "Assessor" means the elected county assessor.

31 (2) "Adjusted homestead value" means the lesser of the
32 following values:

33 (A) The property's base homestead value increased
34 by 7% for each tax year after 2002 through and
35 including the current tax year.

1 (B) The property's equalized assessed value for
2 the current tax year minus \$4,500 in counties with
3 3,000,000 or more inhabitants and minus \$3,500 in
4 counties contiguous to a county with 3,000,000 or more
5 inhabitants.

6 (3) "Base homestead value" means:

7 (A) The equalized assessed value of the property
8 for tax year 2002 prior to exemptions, minus \$4,500 in
9 counties with 3,000,000 or more inhabitants and minus
10 \$3,500 in counties contiguous to a county with
11 3,000,000 or more inhabitants, provided that it was
12 assessed for that year 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 for that year.

19 (B) If the property did not have a residential
20 equalized assessed value for tax year 2002 as provided
21 in subdivision (b)(3)(A) of this Section, then the
22 "base homestead value" means the base homestead value
23 established by the assessor under subsection (c).

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

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

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

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

1 payment of property taxes. Residential units in an
2 apartment building owned and operated as a
3 cooperative, or as a life care facility, which are
4 occupied by persons who hold a legal or equitable
5 interest in the cooperative apartment building or life
6 care facility as owners or lessees, and who are liable
7 by contract for the payment of property taxes, shall be
8 included within this definition of homestead property.
9 Residential property containing 6 or fewer dwelling
10 units shall also be included in this definition of
11 homestead property provided that at least one such unit
12 is occupied by the property's owner or owners as his,
13 her, or their principal dwelling place.

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

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

24 (c) If the property did not have a residential equalized
25 assessed value for tax year 2002 as provided in subdivision
26 (b)(3)(A) of this Section, then the assessor shall first
27 determine an initial value for the property by comparison with
28 assessed values for tax year 2002 of other properties having
29 physical and economic characteristics similar to those of the
30 subject property, so that the initial value is uniform in
31 relation to assessed values of those other properties for tax
32 year 2002. The product of the initial value multiplied by
33 2.4689, less \$4,500, is the base homestead value for properties
34 in counties with 3,000,000 or more inhabitants. The product of
35 the initial value multiplied by the 2002 equalization factor
36 for homestead properties in that county, less \$3,500, is the

1 base homestead value for properties in a county contiguous to a
2 county with 3,000,000 or more inhabitants.

3 For any tax year for which the assessor determines or
4 adjusts an initial value and hence a base homestead value under
5 this subsection (c), the initial value shall be subject to
6 review by the same procedures applicable to assessed values
7 established under this Code for that tax year.

8 (d) The base homestead value shall remain constant, except
9 that the assessor may revise it under the following
10 circumstances:

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

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

24 (e) The amount of the exemption under this Section is the
25 equalized assessed value of the homestead property for the
26 current tax year, minus the adjusted homestead value. Provided,
27 however, that in the case of homestead property that also
28 qualifies for the exemption under Section 15-172, the property
29 is also entitled to the exemption under this Section, limited
30 to the amount of \$4,500 in counties with 3,000,000 or more
31 inhabitants and \$3,500 in counties contiguous to a county with
32 3,000,000 or more inhabitants.

33 (f) In the case of an apartment building owned and operated
34 as a cooperative, or as a life care facility, that contains
35 residential units that qualify as homestead property under this
36 Section, the maximum cumulative exemption amount attributed to

1 the entire building or facility shall not exceed the sum of the
2 exemptions calculated for each qualified residential unit. The
3 cooperative association, management firm, or other person or
4 entity that manages or controls the cooperative apartment
5 building or life care facility shall credit the exemption
6 attributable to each residential unit only to the apportioned
7 tax liability of the owner or other person responsible for
8 payment of taxes as to that unit. Any person who willfully
9 refuses to so credit the exemption is guilty of a Class B
10 misdemeanor.

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

14 (h) In the event of a sale of the homestead property, the
15 exemption under this Section shall remain in effect for the
16 remainder of the tax year in which the sale occurs. The
17 assessor may require the new owner of the property to apply for
18 the exemption in the following year.

19 (i) The assessor may determine whether property qualifies
20 as a homestead under this Section by application, visual
21 inspection, questionnaire, or other reasonable methods. Each
22 year, at the time the assessment books are certified to the
23 county clerk by the board of review, the assessor shall furnish
24 to the county clerk a list of the properties qualified for the
25 homestead exemption under this Section. The list shall note the
26 base homestead value of each property to be used in the
27 calculation of the exemption for the current tax year.

28 (j) The provisions of this Section apply as follows:

29 (1) If the general assessment year for the property is
30 2003, this Section applies for assessment years 2003, 2004,
31 2005, 2006, 2007, 2008, 2009, and 2010. Thereafter, the
32 provisions of Section 15-175 apply.

33 (2) If the general assessment year for the property is
34 2004, this Section applies for assessment years 2004, 2005,
35 2006, 2007, 2008, 2009, and 2010. Thereafter, the
36 provisions of Section 15-175 apply.

1 (3) If the general assessment year for the property is
2 2005, this Section applies for assessment years 2005, 2006,
3 2007, 2008, 2009, and 2010. Thereafter, the provisions of
4 Section 15-175 apply.

5 (4) If the general assessment year for the property is
6 2006, this Section applies for assessment years 2006, 2007,
7 2008, 2009, and 2010. Thereafter, the provisions of Section
8 15-175 apply.

9 (k) Notwithstanding Sections 6 and 8 of the State Mandates
10 Act, no reimbursement by the State is required for the
11 implementation of any mandate created by this Section.

12 (35 ILCS 200/15-180)

13 Sec. 15-180. Homestead improvements. Homestead properties
14 that have been improved and residential structures on homestead
15 property that have been rebuilt following a catastrophic event
16 are entitled to a homestead improvement exemption, limited to
17 \$30,000 per year through December 31, 1997, ~~and~~ \$45,000
18 beginning January 1, 1998 and through December 31, 2003, and
19 \$75,000 per year for that homestead property beginning January
20 1, 2004 and thereafter, in fair cash value, when that property
21 is owned and used exclusively for a residential purpose and
22 upon demonstration that a proposed increase in assessed value
23 is attributable solely to a new improvement of an existing
24 structure or the rebuilding of a residential structure
25 following a catastrophic event. To be eligible for an exemption
26 under this Section after a catastrophic event, the residential
27 structure must be rebuilt within 2 years after the catastrophic
28 event. The exemption for rebuilt structures under this Section
29 applies to the increase in value of the rebuilt structure over
30 the value of the structure before the catastrophic event. The
31 amount of the exemption shall be limited to the fair cash value
32 added by the new improvement or rebuilding and shall continue
33 for 4 years from the date the improvement or rebuilding is
34 completed and occupied, or until the next following general
35 assessment of that property, whichever is later.

1 A proclamation of disaster by the President of the United
2 States or Governor of the State of Illinois is not a
3 prerequisite to the classification of an occurrence as a
4 catastrophic event under this Section. A "catastrophic event"
5 may include an occurrence of widespread or severe damage or
6 loss of property resulting from any catastrophic cause
7 including but not limited to fire, including arson (provided
8 the fire was not caused by the willful action of an owner or
9 resident of the property), flood, earthquake, wind, storm,
10 explosion, or extended periods of severe inclement weather. In
11 the case of a residential structure affected by flooding, the
12 structure shall not be eligible for this homestead improvement
13 exemption unless it is located within a local jurisdiction
14 which is participating in the National Flood Insurance Program.

15 In counties of less than 3,000,000 inhabitants, in addition
16 to the notice requirement under Section 12-30, a supervisor of
17 assessments, county assessor, or township or multi-township
18 assessor responsible for adding an assessable improvement to a
19 residential property's assessment shall either notify a
20 taxpayer whose assessment has been changed since the last
21 preceding assessment that he or she may be eligible for the
22 exemption provided under this Section or shall grant the
23 exemption automatically.

24 Beginning January 1, 1999, in counties of 3,000,000 or more
25 inhabitants, an application for a homestead improvement
26 exemption for a residential structure that has been rebuilt
27 following a catastrophic event must be submitted to the Chief
28 County Assessment Officer with a valuation complaint and a copy
29 of the building permit to rebuild the structure. The Chief
30 County Assessment Officer may require additional documentation
31 which must be provided by the applicant.

32 (Source: P.A. 89-595, eff. 1-1-97; 89-690, eff. 6-1-97; 90-14,
33 eff. 7-1-97; 90-186, eff. 7-24-97; 90-655, eff. 7-30-98;
34 90-704, eff. 8-7-98.)

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
33 authorizing property tax allocation financing for an economic
34 development project area with the county clerk, and the county

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

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

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

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

12 Section 20. The County Economic Development Project Area
13 Tax Increment Allocation Act of 1991 is amended by changing
14 Section 45 as follows:

15 (55 ILCS 90/45) (from Ch. 34, par. 8045)

16 Sec. 45. Filing with county clerk; certification of initial
17 equalized assessed value.

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

1 from which shall be deducted the homestead exemptions provided
2 by Sections 15-170 and 15-175 of the Property Tax Code, and
3 shall certify that amount as the "total initial equalized
4 assessed value" of the taxable real property within the
5 economic development project area.

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

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

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

1 (65 ILCS 5/11-74.4-8) (from Ch. 24, par. 11-74.4-8)

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

22 (a) That portion of taxes levied upon each taxable lot,
23 block, tract or parcel of real property which is attributable
24 to the lower of the current equalized assessed value or the
25 initial equalized assessed value of each such taxable lot,
26 block, tract or parcel of real property in the redevelopment
27 project area shall be allocated to and when collected shall be
28 paid by the county collector to the respective affected taxing
29 districts in the manner required by law in the absence of the
30 adoption of tax increment allocation financing.

31 (b) Except from a tax levied by a township to retire bonds
32 issued to satisfy court-ordered damages, that portion, if any,
33 of such taxes which is attributable to the increase in the
34 current equalized assessed valuation of each taxable lot,
35 block, tract or parcel of real property in the redevelopment

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

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

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

33 (3) The municipal clerk has certified to the county
34 clerk that the municipality has issued its obligations to
35 which there has been pledged the incremental property taxes
36 of the redevelopment project area or taxes levied and

1 collected on any or all property in the municipality or the
2 full faith and credit of the municipality to pay or secure
3 payment for all or a portion of the redevelopment project
4 costs. The certification shall be filed annually no later
5 than September 1 for the estimated taxes to be distributed
6 in the following year; however, for the year 1992 the
7 certification shall be made at any time on or before March
8 31, 1992.

9 (4) The municipality has not requested that the total
10 initial equalized assessed value of real property be
11 adjusted as provided in subsection (b) of Section
12 11-74.4-9.

13 The conditions of paragraphs (1) through (4) do not apply
14 after December 31, 1999 to payments to a municipal treasurer
15 made by a county with 3,000,000 or more inhabitants that has
16 adopted an estimated billing procedure for collecting taxes. If
17 a county that has adopted the estimated billing procedure makes
18 an erroneous overpayment of tax revenue to the municipal
19 treasurer, then the county may seek a refund of that
20 overpayment. The county shall send the municipal treasurer a
21 notice of liability for the overpayment on or before the
22 mailing date of the next real estate tax bill within the
23 county. The refund shall be limited to the amount of the
24 overpayment.

25 It is the intent of this Division that after the effective
26 date of this amendatory Act of 1988 a municipality's own ad
27 valorem tax arising from levies on taxable real property be
28 included in the determination of incremental revenue in the
29 manner provided in paragraph (c) of Section 11-74.4-9. If the
30 municipality does not extend such a tax, it shall annually
31 deposit in the municipality's Special Tax Increment Fund an
32 amount equal to 10% of the total contributions to the fund from
33 all other taxing districts in that year. The annual 10% deposit
34 required by this paragraph shall be limited to the actual
35 amount of municipally produced incremental tax revenues
36 available to the municipality from taxpayers located in the

1 redevelopment project area in that year if: (a) the plan for
2 the area restricts the use of the property primarily to
3 industrial purposes, (b) the municipality establishing the
4 redevelopment project area is a home-rule community with a 1990
5 population of between 25,000 and 50,000, (c) the municipality
6 is wholly located within a county with a 1990 population of
7 over 750,000 and (d) the redevelopment project area was
8 established by the municipality prior to June 1, 1990. This
9 payment shall be in lieu of a contribution of ad valorem taxes
10 on real property. If no such payment is made, any redevelopment
11 project area of the municipality shall be dissolved.

12 If a municipality has adopted tax increment allocation
13 financing by ordinance and the County Clerk thereafter
14 certifies the "total initial equalized assessed value as
15 adjusted" of the taxable real property within such
16 redevelopment project area in the manner provided in paragraph
17 (b) of Section 11-74.4-9, each year after the date of the
18 certification of the total initial equalized assessed value as
19 adjusted until redevelopment project costs and all municipal
20 obligations financing redevelopment project costs have been
21 paid the ad valorem taxes, if any, arising from the levies upon
22 the taxable real property in such redevelopment project area by
23 taxing districts and tax rates determined in the manner
24 provided in paragraph (c) of Section 11-74.4-9 shall be divided
25 as follows:

26 (1) That portion of the taxes levied upon each taxable
27 lot, block, tract or parcel of real property which is
28 attributable to the lower of the current equalized assessed
29 value or "current equalized assessed value as adjusted" or
30 the initial equalized assessed value of each such taxable
31 lot, block, tract, or parcel of real property existing at
32 the time tax increment financing was adopted, minus the
33 total current homestead exemptions provided by Sections
34 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax Code in
35 the redevelopment project area shall be allocated to and
36 when collected shall be paid by the county collector to the

1 respective affected taxing districts in the manner
2 required by law in the absence of the adoption of tax
3 increment allocation financing.

4 (2) That portion, if any, of such taxes which is
5 attributable to the increase in the current equalized
6 assessed valuation of each taxable lot, block, tract, or
7 parcel of real property in the redevelopment project area,
8 over and above the initial equalized assessed value of each
9 property existing at the time tax increment financing was
10 adopted, minus the total current homestead exemptions
11 pertaining to each piece of property provided by Sections
12 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax Code in
13 the redevelopment project area, shall be allocated to and
14 when collected shall be paid to the municipal Treasurer,
15 who shall deposit said taxes into a special fund called the
16 special tax allocation fund of the municipality for the
17 purpose of paying redevelopment project costs and
18 obligations incurred in the payment thereof.

19 The municipality may pledge in the ordinance the funds in
20 and to be deposited in the special tax allocation fund for the
21 payment of such costs and obligations. No part of the current
22 equalized assessed valuation of each property in the
23 redevelopment project area attributable to any increase above
24 the total initial equalized assessed value, or the total
25 initial equalized assessed value as adjusted, of such
26 properties shall be used in calculating the general State
27 school aid formula, provided for in Section 18-8 of the School
28 Code, until such time as all redevelopment project costs have
29 been paid as provided for in this Section.

30 Whenever a municipality issues bonds for the purpose of
31 financing redevelopment project costs, such municipality may
32 provide by ordinance for the appointment of a trustee, which
33 may be any trust company within the State, and for the
34 establishment of such funds or accounts to be maintained by
35 such trustee as the municipality shall deem necessary to
36 provide for the security and payment of the bonds. If such

1 municipality provides for the appointment of a trustee, such
2 trustee shall be considered the assignee of any payments
3 assigned by the municipality pursuant to such ordinance and
4 this Section. Any amounts paid to such trustee as assignee
5 shall be deposited in the funds or accounts established
6 pursuant to such trust agreement, and shall be held by such
7 trustee in trust for the benefit of the holders of the bonds,
8 and such holders shall have a lien on and a security interest
9 in such funds or accounts so long as the bonds remain
10 outstanding and unpaid. Upon retirement of the bonds, the
11 trustee shall pay over any excess amounts held to the
12 municipality for deposit in the special tax allocation fund.

13 When such redevelopment projects costs, including without
14 limitation all municipal obligations financing redevelopment
15 project costs incurred under this Division, have been paid, all
16 surplus funds then remaining in the special tax allocation fund
17 shall be distributed by being paid by the municipal treasurer
18 to the Department of Revenue, the municipality and the county
19 collector; first to the Department of Revenue and the
20 municipality in direct proportion to the tax incremental
21 revenue received from the State and the municipality, but not
22 to exceed the total incremental revenue received from the State
23 or the municipality less any annual surplus distribution of
24 incremental revenue previously made; with any remaining funds
25 to be paid to the County Collector who shall immediately
26 thereafter pay said funds to the taxing districts in the
27 redevelopment project area in the same manner and proportion as
28 the most recent distribution by the county collector to the
29 affected districts of real property taxes from real property in
30 the redevelopment project area.

31 Upon the payment of all redevelopment project costs, the
32 retirement of obligations, the distribution of any excess
33 monies pursuant to this Section, and final closing of the books
34 and records of the redevelopment project area, the municipality
35 shall adopt an ordinance dissolving the special tax allocation
36 fund for the redevelopment project area and terminating the

1 designation of the redevelopment project area as a
2 redevelopment project area. Title to real or personal property
3 and public improvements acquired by or for the municipality as
4 a result of the redevelopment project and plan shall vest in
5 the municipality when acquired and shall continue to be held by
6 the municipality after the redevelopment project area has been
7 terminated. Municipalities shall notify affected taxing
8 districts prior to November 1 if the redevelopment project area
9 is to be terminated by December 31 of that same year. If a
10 municipality extends estimated dates of completion of a
11 redevelopment project and retirement of obligations to finance
12 a redevelopment project, as allowed by this amendatory Act of
13 1993, that extension shall not extend the property tax
14 increment allocation financing authorized by this Section.
15 Thereafter the rates of the taxing districts shall be extended
16 and taxes levied, collected and distributed in the manner
17 applicable in the absence of the adoption of tax increment
18 allocation financing.

19 Nothing in this Section shall be construed as relieving
20 property in such redevelopment project areas from being
21 assessed as provided in the Property Tax Code or as relieving
22 owners of such property from paying a uniform rate of taxes, as
23 required by Section 4 of Article 9 of the Illinois
24 Constitution.

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

26 (65 ILCS 5/11-74.4-9) (from Ch. 24, par. 11-74.4-9)

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

28 (a) If a municipality by ordinance provides for tax
29 increment allocation financing pursuant to Section 11-74.4-8,
30 the county clerk immediately thereafter shall determine (1) the
31 most recently ascertained equalized assessed value of each lot,
32 block, tract or parcel of real property within such
33 redevelopment project area from which shall be deducted the
34 homestead exemptions provided by Sections 15-170, ~~and~~ 15-175,
35 and 15-176 of the Property Tax Code, which value shall be the

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

11 (b) In reference to any municipality which has adopted tax
12 increment financing after January 1, 1978, and in respect to
13 which the county clerk has certified the "total initial
14 equalized assessed value" of the property in the redevelopment
15 area, the municipality may thereafter request the clerk in
16 writing to adjust the initial equalized value of all taxable
17 real property within the redevelopment project area by
18 deducting therefrom the exemptions provided for by Sections
19 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax Code
20 applicable to each lot, block, tract or parcel of real property
21 within such redevelopment project area. The county clerk shall
22 immediately after the written request to adjust the total
23 initial equalized value is received determine the total
24 homestead exemptions in the redevelopment project area
25 provided by Sections 15-170, ~~and~~ 15-175, and 15-176 of the
26 Property Tax Code by adding together the homestead exemptions
27 provided by said Sections on each lot, block, tract or parcel
28 of real property within such redevelopment project area and
29 then shall deduct the total of said exemptions from the total
30 initial equalized assessed value. The county clerk shall then
31 promptly certify such amount as the "total initial equalized
32 assessed value as adjusted" of the taxable real property within
33 such redevelopment project area.

34 (c) After the county clerk has certified the "total initial
35 equalized assessed value" of the taxable real property in such
36 area, then in respect to every taxing district containing a

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

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

33 (65 ILCS 5/11-74.6-40)

34 Sec. 11-74.6-40. Equalized assessed value determination;
35 property tax extension.

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

4 (1) shall determine the initial equalized assessed
5 value of each parcel of real property in the redevelopment
6 project area, which is the most recently established
7 equalized assessed value of each lot, block, tract or
8 parcel of taxable real property within the redevelopment
9 project area, minus the homestead exemptions provided by
10 Sections 15-170, ~~and 15-175,~~ and 15-176 of the Property Tax
11 Code; and

12 (2) shall certify to the municipality the total initial
13 equalized assessed value of all taxable real property
14 within the redevelopment project area.

15 (b) Any municipality that has established a vacant
16 industrial buildings conservation area may, by ordinance
17 passed after the adoption of tax increment allocation
18 financing, provide that the county clerk immediately
19 thereafter shall again determine:

20 (1) the updated initial equalized assessed value of
21 each lot, block, tract or parcel of real property, which is
22 the most recently ascertained equalized assessed value of
23 each lot, block, tract or parcel of real property within
24 the vacant industrial buildings conservation area; and

25 (2) the total updated initial equalized assessed value
26 of all taxable real property within the redevelopment
27 project area, which is the total of the updated initial
28 equalized assessed value of all taxable real property
29 within the vacant industrial buildings conservation area.

30 The county clerk shall certify to the municipality the
31 total updated initial equalized assessed value of all taxable
32 real property within the industrial buildings conservation
33 area.

34 (c) After the county clerk has certified the total initial
35 equalized assessed value or the total updated initial equalized
36 assessed value of the taxable real property in the area, for

1 each taxing district in which a redevelopment project area is
2 situated, the county clerk or any other official required by
3 law to determine the amount of the equalized assessed value of
4 all taxable property within the district for the purpose of
5 computing the percentage rate of tax to be extended upon
6 taxable property within the district, shall in every year that
7 tax increment allocation financing is in effect determine the
8 total equalized assessed value of taxable property in a
9 redevelopment project area by including in that amount the
10 lower of the current equalized assessed value or the certified
11 total initial equalized assessed value or, if the total of
12 updated equalized assessed value has been certified, the total
13 updated initial equalized assessed value of all taxable real
14 property in the redevelopment project area. After he has
15 certified the total initial equalized assessed value he shall
16 in the year of that certification, if tax rates have not been
17 extended, and in every subsequent year that tax increment
18 allocation financing is in effect, determine the amount of
19 equalized assessed value of taxable property in a redevelopment
20 project area by including in that amount the lower of the
21 current total equalized assessed value or the certified total
22 initial equalized assessed value or, if the total of updated
23 initial equalized assessed values have been certified, the
24 total updated initial equalized assessed value of all taxable
25 real property in the redevelopment project area.

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

1 Property Tax Code.

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

3 Section 30. The Economic Development Project Area Tax
4 Increment Allocation Act of 1995 is amended by changing Section
5 45 as follows:

6 (65 ILCS 110/45)

7 Sec. 45. Filing with county clerk; certification of initial
8 equalized assessed value.

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

31 (b) After the county clerk has certified the "total initial
32 equalized assessed value" of the taxable real property in the
33 economic development project area, then in respect to every
34 taxing district containing an economic development project

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

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

25 Section 35. The School Code is amended by changing Section
26 18-8.05 as follows:

27 (105 ILCS 5/18-8.05)

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

31 (A) General Provisions.

32 (1) The provisions of this Section apply to the 1998-1999
33 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
35 attendance center or centers bear to the Average Daily
36 Attendance in the school district. A "recognized school"

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

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

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

15 (d) (Blank).

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

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

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

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

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

33 (c) "Corporate Personal Property Replacement Taxes":
34 Funds paid to local school districts pursuant to "An Act in
35 relation to the abolition of ad valorem personal property
36 tax and the replacement of revenues lost thereby, and

1 amending and repealing certain Acts and parts of Acts in
2 connection therewith", certified August 14, 1979, as
3 amended (Public Act 81-1st S.S.-1).

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

6 (e) "Operating Tax Rate": All school district property
7 taxes extended for all purposes, except Bond and Interest,
8 Summer School, Rent, Capital Improvement, and Vocational
9 Education Building purposes.

10 (B) Foundation Level.

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

21 (2) For the 1998-1999 school year, the Foundation Level of
22 support is \$4,225. For the 1999-2000 school year, the
23 Foundation Level of support is \$4,325. For the 2000-2001 school
24 year, the Foundation Level of support is \$4,425.

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

27 (4) For the 2003-2004 school year and each school year
28 thereafter, the Foundation Level of support is \$4,810 or such
29 greater amount as may be established by law by the General
30 Assembly.

31 (C) Average Daily Attendance.

32 (1) For purposes of calculating general State aid pursuant
33 to subsection (E), an Average Daily Attendance figure shall be
34 utilized. The Average Daily Attendance figure for formula

1 calculation purposes shall be the monthly average of the actual
2 number of pupils in attendance of each school district, as
3 further averaged for the best 3 months of pupil attendance for
4 each school district. In compiling the figures for the number
5 of pupils in attendance, school districts and the State Board
6 of Education shall, for purposes of general State aid funding,
7 conform attendance figures to the requirements of subsection
8 (F).

9 (2) The Average Daily Attendance figures utilized in
10 subsection (E) shall be the requisite attendance data for the
11 school year immediately preceding the school year for which
12 general State aid is being calculated or the average of the
13 attendance data for the 3 preceding school years, whichever is
14 greater. The Average Daily Attendance figures utilized in
15 subsection (H) 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.

18 (D) Available Local Resources.

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

27 (2) In determining a school district's revenue from local
28 property taxes, the State Board of Education shall utilize the
29 equalized assessed valuation of all taxable property of each
30 school district as of September 30 of the previous year. The
31 equalized assessed valuation utilized shall be obtained and
32 determined as provided in subsection (G).

33 (3) For school districts maintaining grades kindergarten
34 through 12, local property tax revenues per pupil shall be
35 calculated as the product of the applicable equalized assessed

1 valuation for the district multiplied by 3.00%, and divided by
2 the district's Average Daily Attendance figure. For school
3 districts maintaining grades kindergarten through 8, local
4 property tax revenues per pupil shall be calculated as the
5 product of the applicable equalized assessed valuation for the
6 district multiplied by 2.30%, and divided by the district's
7 Average Daily Attendance figure. For school districts
8 maintaining grades 9 through 12, local property tax revenues
9 per pupil shall be the applicable equalized assessed valuation
10 of the district multiplied by 1.05%, and divided by the
11 district's Average Daily Attendance figure.

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

22 (E) Computation of General State Aid.

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

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

32 (3) For any school district for which Available Local
33 Resources per pupil is equal to or greater than the product of
34 0.93 times the Foundation Level and less than the product of
35 1.75 times the Foundation Level, the general State aid per

1 pupil shall be a decimal proportion of the Foundation Level
2 derived using a linear algorithm. Under this linear algorithm,
3 the calculated general State aid per pupil shall decline in
4 direct linear fashion from 0.07 times the Foundation Level for
5 a school district with Available Local Resources equal to the
6 product of 0.93 times the Foundation Level, to 0.05 times the
7 Foundation Level for a school district with Available Local
8 Resources equal to the product of 1.75 times the Foundation
9 Level. The allocation of general State aid for school districts
10 subject to this paragraph 3 shall be the calculated general
11 State aid per pupil figure multiplied by the Average Daily
12 Attendance of the school district.

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

18 (5) The amount of general State aid allocated to a school
19 district for the 1999-2000 school year meeting the requirements
20 set forth in paragraph (4) of subsection (G) shall be increased
21 by an amount equal to the general State aid that would have
22 been received by the district for the 1998-1999 school year by
23 utilizing the Extension Limitation Equalized Assessed
24 Valuation as calculated in paragraph (4) of subsection (G) less
25 the general State aid allotted for the 1998-1999 school year.
26 This amount shall be deemed a one time increase, and shall not
27 affect any future general State aid allocations.

28 (F) Compilation of Average Daily Attendance.

29 (1) Each school district shall, by July 1 of each year,
30 submit to the State Board of Education, on forms prescribed by
31 the State Board of Education, attendance figures for the school
32 year that began in the preceding calendar year. The attendance
33 information so transmitted shall identify the average daily
34 attendance figures for each month of the school year. Beginning
35 with the general State aid claim form for the 2002-2003 school

1 year, districts shall calculate Average Daily Attendance as
2 provided in subdivisions (a), (b), and (c) of this paragraph
3 (1).

4 (a) In districts that do not hold year-round classes,
5 days of attendance in August shall be added to the month of
6 September and any days of attendance in June shall be added
7 to the month of May.

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

12 (c) In districts in which some buildings, but not all,
13 hold year-round classes, for the non-year-round buildings,
14 days of attendance in August shall be added to the month of
15 September and any days of attendance in June shall be added
16 to the month of May. The average daily attendance for the
17 year-round buildings shall be computed as provided in
18 subdivision (b) of this paragraph (1). To calculate the
19 Average Daily Attendance for the district, the average
20 daily attendance for the year-round buildings shall be
21 multiplied by the days in session for the non-year-round
22 buildings for each month and added to the monthly
23 attendance of the non-year-round buildings.

24 Except as otherwise provided in this Section, days of
25 attendance by pupils shall be counted only for sessions of not
26 less than 5 clock hours of school work per day under direct
27 supervision of: (i) teachers, or (ii) non-teaching personnel or
28 volunteer personnel when engaging in non-teaching duties and
29 supervising in those instances specified in subsection (a) of
30 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
31 of legal school age and in kindergarten and grades 1 through
32 12.

33 Days of attendance by tuition pupils shall be accredited
34 only to the districts that pay the tuition to a recognized
35 school.

36 (2) Days of attendance by pupils of less than 5 clock hours

1 of school shall be subject to the following provisions in the
2 compilation of Average Daily Attendance.

3 (a) Pupils regularly enrolled in a public school for
4 only a part of the school day may be counted on the basis
5 of 1/6 day for every class hour of instruction of 40
6 minutes or more attended pursuant to such enrollment,
7 unless a pupil is enrolled in a block-schedule format of 80
8 minutes or more of instruction, in which case the pupil may
9 be counted on the basis of the proportion of minutes of
10 school work completed each day to the minimum number of
11 minutes that school work is required to be held that day.

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

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

21 (d) A session of 3 or more clock hours may be counted
22 as a day of attendance (1) when the remainder of the school
23 day or at least 2 hours in the evening of that day is
24 utilized for an in-service training program for teachers,
25 up to a maximum of 5 days per school year of which a
26 maximum of 4 days of such 5 days may be used for
27 parent-teacher conferences, provided a district conducts
28 an in-service training program for teachers which has been
29 approved by the State Superintendent of Education; or, in
30 lieu of 4 such days, 2 full days may be used, in which
31 event each such day may be counted as a day of attendance;
32 and (2) when days in addition to those provided in item (1)
33 are scheduled by a school pursuant to its school
34 improvement plan adopted under Article 34 or its revised or
35 amended school improvement plan adopted under Article 2,
36 provided that (i) such sessions of 3 or more clock hours

1 are scheduled to occur at regular intervals, (ii) the
2 remainder of the school days in which such sessions occur
3 are utilized for in-service training programs or other
4 staff development activities for teachers, and (iii) a
5 sufficient number of minutes of school work under the
6 direct supervision of teachers are added to the school days
7 between such regularly scheduled sessions to accumulate
8 not less than the number of minutes by which such sessions
9 of 3 or more clock hours fall short of 5 clock hours. Any
10 full days used for the purposes of this paragraph shall not
11 be considered for computing average daily attendance. Days
12 scheduled for in-service training programs, staff
13 development activities, or parent-teacher conferences may
14 be scheduled separately for different grade levels and
15 different attendance centers of the district.

16 (e) A session of not less than one clock hour of
17 teaching hospitalized or homebound pupils on-site or by
18 telephone to the classroom may be counted as 1/2 day of
19 attendance, however these pupils must receive 4 or more
20 clock hours of instruction to be counted for a full day of
21 attendance.

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

27 (g) For children with disabilities who are below the
28 age of 6 years and who cannot attend 2 or more clock hours
29 because of their disability or immaturity, a session of not
30 less than one clock hour may be counted as 1/2 day of
31 attendance; however for such children whose educational
32 needs so require a session of 4 or more clock hours may be
33 counted as a full day of attendance.

34 (h) A recognized kindergarten which provides for only
35 1/2 day of attendance by each pupil shall not have more
36 than 1/2 day of attendance counted in any one day. However,

1 kindergartens may count 2 1/2 days of attendance in any 5
2 consecutive school days. When a pupil attends such a
3 kindergarten for 2 half days on any one school day, the
4 pupil shall have the following day as a day absent from
5 school, unless the school district obtains permission in
6 writing from the State Superintendent of Education.
7 Attendance at kindergartens which provide for a full day of
8 attendance by each pupil shall be counted the same as
9 attendance by first grade pupils. Only the first year of
10 attendance in one kindergarten shall be counted, except in
11 case of children who entered the kindergarten in their
12 fifth year whose educational development requires a second
13 year of kindergarten as determined under the rules and
14 regulations of the State Board of Education.

15 (G) Equalized Assessed Valuation Data.

16 (1) For purposes of the calculation of Available Local
17 Resources required pursuant to subsection (D), the State Board
18 of Education shall secure from the Department of Revenue the
19 value as equalized or assessed by the Department of Revenue of
20 all taxable property of every school district, together with
21 (i) the applicable tax rate used in extending taxes for the
22 funds of the district as of September 30 of the previous year
23 and (ii) the limiting rate for all school districts subject to
24 property tax extension limitations as imposed under the
25 Property Tax Extension Limitation Law. The Department of
26 Revenue shall add to the equalized assessed value of all
27 taxable property of each school district situated entirely or
28 partially within a county with 3,000,000 or more inhabitants an
29 amount equal to the total amount by which the homestead
30 exemption allowed under Section 15-176 of the Property Tax Code
31 for real property situated in that school district exceeds the
32 total amount that would have been allowed in that school
33 district if the maximum reduction under Section 15-176 was
34 \$4,500 in Cook County and \$3,500 in any other county. The
35 Department of Revenue shall add to the equalized assessed value

1 of all taxable property of each school district situated
2 entirely or partially within a county contiguous to a county
3 with 3,000,000 or more inhabitants an amount equal to the total
4 amount by which the homestead exemption allowed under Section
5 15-176 of the Property Tax Code for real property situated in
6 that school district exceeds the total amount that would have
7 been allowed in that school district if the maximum reduction
8 under Section 15-176 was \$3,500 in any county other than Cook
9 County and \$4,500 in Cook County. The county clerk of any
10 county with 3,000,000 or more inhabitants and any county
11 contiguous to a county with 3,000,000 or more inhabitants shall
12 annually calculate and certify to the Department of Revenue for
13 each school district all homestead exemption amounts under
14 Section 15-176.

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

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

20 (a) For the purposes of calculating State aid under
21 this Section, with respect to any part of a school district
22 within a redevelopment project area in respect to which a
23 municipality has adopted tax increment allocation
24 financing pursuant to the Tax Increment Allocation
25 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11
26 of the Illinois Municipal Code or the Industrial Jobs
27 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
28 Illinois Municipal Code, no part of the current equalized
29 assessed valuation of real property located in any such
30 project area which is attributable to an increase above the
31 total initial equalized assessed valuation of such
32 property shall be used as part of the equalized assessed
33 valuation of the district, until such time as all
34 redevelopment project costs have been paid, as provided in
35 Section 11-74.4-8 of the Tax Increment Allocation
36 Redevelopment Act or in Section 11-74.6-35 of the

1 Industrial Jobs Recovery Law. For the purpose of the
2 equalized assessed valuation of the district, the total
3 initial equalized assessed valuation or the current
4 equalized assessed valuation, whichever is lower, shall be
5 used until such time as all redevelopment project costs
6 have been paid.

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

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

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

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

31 "Base Tax Year": The property tax levy year used to
32 calculate the Budget Year allocation of general State aid.

33 "Preceding Tax Year": The property tax levy year
34 immediately preceding the Base Tax Year.

35 "Base Tax Year's Tax Extension": The product of the
36 equalized assessed valuation utilized by the County Clerk

1 in the Base Tax Year multiplied by the limiting rate as
2 calculated by the County Clerk and defined in the Property
3 Tax Extension Limitation Law.

4 "Preceding Tax Year's Tax Extension": The product of
5 the equalized assessed valuation utilized by the County
6 Clerk in the Preceding Tax Year multiplied by the Operating
7 Tax Rate as defined in subsection (A).

8 "Extension Limitation Ratio": A numerical ratio,
9 certified by the County Clerk, in which the numerator is
10 the Base Tax Year's Tax Extension and the denominator is
11 the Preceding Tax Year's Tax Extension.

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

14 If a school district is subject to property tax extension
15 limitations as imposed under the Property Tax Extension
16 Limitation Law, the State Board of Education shall calculate
17 the Extension Limitation Equalized Assessed Valuation of that
18 district. For the 1999-2000 school year, the Extension
19 Limitation Equalized Assessed Valuation of a school district as
20 calculated by the State Board of Education shall be equal to
21 the product of the district's 1996 Equalized Assessed Valuation
22 and the district's Extension Limitation Ratio. For the
23 2000-2001 school year and each school year thereafter, the
24 Extension Limitation Equalized Assessed Valuation of a school
25 district as calculated by the State Board of Education shall be
26 equal to the product of the Equalized Assessed Valuation last
27 used in the calculation of general State aid and the district's
28 Extension Limitation Ratio. If the Extension Limitation
29 Equalized Assessed Valuation of a school district as calculated
30 under this subsection (G)(3) is less than the district's
31 equalized assessed valuation as calculated pursuant to
32 subsections (G)(1) and (G)(2), then for purposes of calculating
33 the district's general State aid for the Budget Year pursuant
34 to subsection (E), that Extension Limitation Equalized
35 Assessed Valuation shall be utilized to calculate the
36 district's Available Local Resources under subsection (D).

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

21 (5) For school districts having a majority of their
22 equalized assessed valuation in any county except Cook, DuPage,
23 Kane, Lake, McHenry, or Will, if the amount of general State
24 aid allocated to the school district for the 1999-2000 school
25 year under the provisions of subsection (E), (H), and (J) of
26 this Section is less than the amount of general State aid
27 allocated to the district for the 1998-1999 school year under
28 these subsections, then the general State aid of the district
29 for the 1999-2000 school year only shall be increased by the
30 difference between these amounts. The total payments made under
31 this paragraph (5) shall not exceed \$14,000,000. Claims shall
32 be prorated if they exceed \$14,000,000.

33 (H) Supplemental General State Aid.

34 (1) In addition to the general State aid a school district
35 is allotted pursuant to subsection (E), qualifying school

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

19 (1.5) This paragraph (1.5) applies only to those school
20 years preceding the 2003-2004 school year. For purposes of this
21 subsection (H), the term "Low-Income Concentration Level"
22 shall be the low-income eligible pupil count from the most
23 recently available federal census divided by the Average Daily
24 Attendance of the school district. If, however, (i) the
25 percentage decrease from the 2 most recent federal censuses in
26 the low-income eligible pupil count of a high school district
27 with fewer than 400 students exceeds by 75% or more the
28 percentage change in the total low-income eligible pupil count
29 of contiguous elementary school districts, whose boundaries
30 are coterminous with the high school district, or (ii) a high
31 school district within 2 counties and serving 5 elementary
32 school districts, whose boundaries are coterminous with the
33 high school district, has a percentage decrease from the 2 most
34 recent federal censuses in the low-income eligible pupil count
35 and there is a percentage increase in the total low-income
36 eligible pupil count of a majority of the elementary school

1 districts in excess of 50% from the 2 most recent federal
2 censuses, then the high school district's low-income eligible
3 pupil count from the earlier federal census shall be the number
4 used as the low-income eligible pupil count for the high school
5 district, for purposes of this subsection (H). The changes made
6 to this paragraph (1) by Public Act 92-28 shall apply to
7 supplemental general State aid grants for school years
8 preceding the 2003-2004 school year that are paid in fiscal
9 year 1999 or thereafter and to any State aid payments made in
10 fiscal year 1994 through fiscal year 1998 pursuant to
11 subsection 1(n) of Section 18-8 of this Code (which was
12 repealed on July 1, 1998), and any high school district that is
13 affected by Public Act 92-28 is entitled to a recomputation of
14 its supplemental general State aid grant or State aid paid in
15 any of those fiscal years. This recomputation shall not be
16 affected by any other funding.

17 (1.10) This paragraph (1.10) applies to the 2003-2004
18 school year and each school year thereafter. For purposes of
19 this subsection (H), the term "Low-Income Concentration Level"
20 shall, for each fiscal year, be the low-income eligible pupil
21 count as of July 1 of the immediately preceding fiscal year (as
22 determined by the Department of Human Services based on the
23 number of pupils who are eligible for at least one of the
24 following low income programs: Medicaid, KidCare, TANF, or Food
25 Stamps, excluding pupils who are eligible for services provided
26 by the Department of Children and Family Services, averaged
27 over the 2 immediately preceding fiscal years for fiscal year
28 2004 and over the 3 immediately preceding fiscal years for each
29 fiscal year thereafter) divided by the Average Daily Attendance
30 of the school district.

31 (2) Supplemental general State aid pursuant to this
32 subsection (H) shall be provided as follows for the 1998-1999,
33 1999-2000, and 2000-2001 school years only:

34 (a) For any school district with a Low Income
35 Concentration Level of at least 20% and less than 35%, the
36 grant for any school year shall be \$800 multiplied by the

1 low income eligible pupil count.

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

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

10 (d) For any school district with a Low Income
11 Concentration Level of 60% or more, the grant for the
12 1998-99 school year shall be \$1,900 multiplied by the low
13 income eligible pupil count.

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

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

22 (2.5) Supplemental general State aid pursuant to this
23 subsection (H) shall be provided as follows for the 2002-2003
24 school year:

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

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

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

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

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

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

13 (2.10) Except as otherwise provided, supplemental general
14 State aid pursuant to this subsection (H) shall be provided as
15 follows for the 2003-2004 school year and each school year
16 thereafter:

17 (a) For any school district with a Low Income
18 Concentration Level of 15% or less, the grant for each
19 school year shall be \$355 multiplied by the low income
20 eligible pupil count.

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

26 For the 2003-2004 school year only, the grant shall be no
27 less than the grant for the 2002-2003 school year. For the
28 2004-2005 school year only, the grant shall be no less than the
29 grant for the 2002-2003 school year multiplied by 0.66. For the
30 2005-2006 school year only, the grant shall be no less than the
31 grant for the 2002-2003 school year multiplied by 0.33.

32 For the 2003-2004 school year only, the grant shall be no
33 greater than the grant received during the 2002-2003 school
34 year added to the product of 0.25 multiplied by the difference
35 between the grant amount calculated under subsection (a) or (b)
36 of this paragraph (2.10), whichever is applicable, and the

1 grant received during the 2002-2003 school year. For the
2 2004-2005 school year only, the grant shall be no greater than
3 the grant received during the 2002-2003 school year added to
4 the product of 0.50 multiplied by the difference between the
5 grant amount calculated under subsection (a) or (b) of this
6 paragraph (2.10), whichever is applicable, and the grant
7 received during the 2002-2003 school year. For the 2005-2006
8 school year only, the grant shall be no greater than the grant
9 received during the 2002-2003 school year added to the product
10 of 0.75 multiplied by the difference between the grant amount
11 calculated under subsection (a) or (b) of this paragraph
12 (2.10), whichever is applicable, and the grant received during
13 the 2002-2003 school year.

14 (3) School districts with an Average Daily Attendance of
15 more than 1,000 and less than 50,000 that qualify for
16 supplemental general State aid pursuant to this subsection
17 shall submit a plan to the State Board of Education prior to
18 October 30 of each year for the use of the funds resulting from
19 this grant of supplemental general State aid for the
20 improvement of instruction in which priority is given to
21 meeting the education needs of disadvantaged children. Such
22 plan shall be submitted in accordance with rules and
23 regulations promulgated by the State Board of Education.

24 (4) School districts with an Average Daily Attendance of
25 50,000 or more that qualify for supplemental general State aid
26 pursuant to this subsection shall be required to distribute
27 from funds available pursuant to this Section, no less than
28 \$261,000,000 in accordance with the following requirements:

29 (a) The required amounts shall be distributed to the
30 attendance centers within the district in proportion to the
31 number of pupils enrolled at each attendance center who are
32 eligible to receive free or reduced-price lunches or
33 breakfasts under the federal Child Nutrition Act of 1966
34 and under the National School Lunch Act during the
35 immediately preceding school year.

36 (b) The distribution of these portions of supplemental

1 and general State aid among attendance centers according to
2 these requirements shall not be compensated for or
3 contravened by adjustments of the total of other funds
4 appropriated to any attendance centers, and the Board of
5 Education shall utilize funding from one or several sources
6 in order to fully implement this provision annually prior
7 to the opening of school.

8 (c) Each attendance center shall be provided by the
9 school district a distribution of noncategorical funds and
10 other categorical funds to which an attendance center is
11 entitled under law in order that the general State aid and
12 supplemental general State aid provided by application of
13 this subsection supplements rather than supplants the
14 noncategorical funds and other categorical funds provided
15 by the school district to the attendance centers.

16 (d) Any funds made available under this subsection that
17 by reason of the provisions of this subsection are not
18 required to be allocated and provided to attendance centers
19 may be used and appropriated by the board of the district
20 for any lawful school purpose.

21 (e) Funds received by an attendance center pursuant to
22 this subsection shall be used by the attendance center at
23 the discretion of the principal and local school council
24 for programs to improve educational opportunities at
25 qualifying schools through the following programs and
26 services: early childhood education, reduced class size or
27 improved adult to student classroom ratio, enrichment
28 programs, remedial assistance, attendance improvement, and
29 other educationally beneficial expenditures which
30 supplement the regular and basic programs as determined by
31 the State Board of Education. Funds provided shall not be
32 expended for any political or lobbying purposes as defined
33 by board rule.

34 (f) Each district subject to the provisions of this
35 subdivision (H) (4) shall submit an acceptable plan to meet
36 the educational needs of disadvantaged children, in

1 compliance with the requirements of this paragraph, to the
2 State Board of Education prior to July 15 of each year.
3 This plan shall be consistent with the decisions of local
4 school councils concerning the school expenditure plans
5 developed in accordance with part 4 of Section 34-2.3. The
6 State Board shall approve or reject the plan within 60 days
7 after its submission. If the plan is rejected, the district
8 shall give written notice of intent to modify the plan
9 within 15 days of the notification of rejection and then
10 submit a modified plan within 30 days after the date of the
11 written notice of intent to modify. Districts may amend
12 approved plans pursuant to rules promulgated by the State
13 Board of Education.

14 Upon notification by the State Board of Education that
15 the district has not submitted a plan prior to July 15 or a
16 modified plan within the time period specified herein, the
17 State aid funds affected by that plan or modified plan
18 shall be withheld by the State Board of Education until a
19 plan or modified plan is submitted.

20 If the district fails to distribute State aid to
21 attendance centers in accordance with an approved plan, the
22 plan for the following year shall allocate funds, in
23 addition to the funds otherwise required by this
24 subsection, to those attendance centers which were
25 underfunded during the previous year in amounts equal to
26 such underfunding.

27 For purposes of determining compliance with this
28 subsection in relation to the requirements of attendance
29 center funding, each district subject to the provisions of
30 this subsection shall submit as a separate document by
31 December 1 of each year a report of expenditure data for
32 the prior year in addition to any modification of its
33 current plan. If it is determined that there has been a
34 failure to comply with the expenditure provisions of this
35 subsection regarding contravention or supplanting, the
36 State Superintendent of Education shall, within 60 days of

1 receipt of the report, notify the district and any affected
2 local school council. The district shall within 45 days of
3 receipt of that notification inform the State
4 Superintendent of Education of the remedial or corrective
5 action to be taken, whether by amendment of the current
6 plan, if feasible, or by adjustment in the plan for the
7 following year. Failure to provide the expenditure report
8 or the notification of remedial or corrective action in a
9 timely manner shall result in a withholding of the affected
10 funds.

11 The State Board of Education shall promulgate rules and
12 regulations to implement the provisions of this
13 subsection. No funds shall be released under this
14 subdivision (H) (4) to any district that has not submitted a
15 plan that has been approved by the State Board of
16 Education.

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

18 (1) For a new school district formed by combining property
19 included totally within 2 or more previously existing school
20 districts, for its first year of existence the general State
21 aid and supplemental general State aid calculated under this
22 Section shall be computed for the new district and for the
23 previously existing districts for which property is totally
24 included within the new district. If the computation on the
25 basis of the previously existing districts is greater, a
26 supplementary payment equal to the difference shall be made for
27 the first 4 years of existence of the new district.

28 (2) For a school district which annexes all of the
29 territory of one or more entire other school districts, for the
30 first year during which the change of boundaries attributable
31 to such annexation becomes effective for all purposes as
32 determined under Section 7-9 or 7A-8, the general State aid and
33 supplemental general State aid calculated under this Section
34 shall be computed for the annexing district as constituted
35 after the annexation and for the annexing and each annexed

1 district as constituted prior to the annexation; and if the
2 computation on the basis of the annexing and annexed districts
3 as constituted prior to the annexation is greater, a
4 supplementary payment equal to the difference shall be made for
5 the first 4 years of existence of the annexing school district
6 as constituted upon such annexation.

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

1 included in each such annexing or resulting district bears to
2 the total pupil enrollment from the entire annexed or divided
3 district or districts, as such pupil enrollment is determined
4 for the school year last ending prior to the date when the
5 change of boundaries attributable to the annexation or division
6 becomes effective for all purposes. The amount of the total
7 difference payment and the amount thereof to be allocated to
8 the annexing or resulting districts shall be computed by the
9 State Board of Education on the basis of pupil enrollment and
10 other data which shall be certified to the State Board of
11 Education, on forms which it shall provide for that purpose, by
12 the regional superintendent of schools for each educational
13 service region in which the annexing and annexed districts, or
14 resulting and divided districts are located.

15 (3.5) Claims for financial assistance under this
16 subsection (I) shall not be recomputed except as expressly
17 provided under this Section.

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

21 (J) Supplementary Grants in Aid.

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

1 of the aggregate general State aid entitlement that was
2 received by the district under Section 18-8 (exclusive of
3 amounts received under subsections 5(p) and 5(p-5) of that
4 Section) for the 1997-1998 school year, pursuant to the
5 provisions of that Section as it was then in effect.

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

17 (3) (Blank).

18 (K) Grants to Laboratory and Alternative Schools.

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

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

1 disabilities in a special education program.

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

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

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

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

1 remainder of general State school aid for any such district
2 shall be paid in accordance with Article 34A when that Article
3 provides for a disposition other than that provided by this
4 Article.

5 (2) (Blank).

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

8 (M) Education Funding Advisory Board.

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

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

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

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

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

35 (N) (Blank).

1 (O) References.

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

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

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

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

15 (720 ILCS 5/17A-1) (from Ch. 38, par. 17A-1)

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

27 (a) The homestead exemptions ~~exemption~~ and homestead
28 improvement exemption under Sections 15-170, 15-175, 15-176,
29 and 15-180 of the Property Tax Code.

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

32 (c) The double income tax exemption conferred upon persons
33 65 years of age or older by Section 204 of the Illinois Income

1 Tax Act.

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

3 (e) Reductions in vehicle registration fees under Section
4 3-806.3 of the Illinois Vehicle Code.

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

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

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

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

11 Section 90. The State Mandates Act is amended by adding
12 Section 8.28 as follows:

13 (30 ILCS 805/8.28 new)

14 Sec. 8.28. Exempt mandate. Notwithstanding Sections 6 and 8
15 of this Act, no reimbursement by the State is required for the
16 implementation of any mandate created by (i) the General
17 Homestead Exemption under Section 15-176 of the Property Tax
18 Code or (ii) the Senior Citizens Assessment Freeze Homestead
19 Exemption under Section 15-172 of the Property Tax Code.

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

1		INDEX
2		Statutes amended in order of appearance
3	20 ILCS 620/6	from Ch. 67 1/2, par. 1006
4	35 ILCS 200/14-15	
5	35 ILCS 200/15-10	
6	35 ILCS 200/15-170	
7	35 ILCS 200/15-172	
8	35 ILCS 200/15-175	
9	35 ILCS 200/15-176 new	
10	35 ILCS 200/15-180	
11	35 ILCS 200/20-178	
12	55 ILCS 85/6	from Ch. 34, par. 7006
13	55 ILCS 90/45	from Ch. 34, par. 8045
14	65 ILCS 5/11-74.4-8	from Ch. 24, par. 11-74.4-8
15	65 ILCS 5/11-74.4-9	from Ch. 24, par. 11-74.4-9
16	65 ILCS 5/11-74.6-40	
17	65 ILCS 110/45	
18	105 ILCS 5/18-8.05	
19	720 ILCS 5/17A-1	from Ch. 38, par. 17A-1
20	30 ILCS 805/8.28 new	