



Rep. William Davis

Filed: 5/30/2017

10000HB1126ham002

LRB100 03832 AXK 27373 a

1 AMENDMENT TO HOUSE BILL 1126

2 AMENDMENT NO. _____. Amend House Bill 1126, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Property Tax Code is amended by adding
6 Division 5.2 to Article 18 as follows:

7 (35 ILCS 200/Art. 18 Div. 5.2 heading new)

8 Division 5.2. School District Property Tax Freeze

9 (35 ILCS 200/18-249.6 new)

10 Sec. 18-249.6. School districts.

11 (a) Notwithstanding any other provision of law, the
12 corporate authorities of a school district that meets the
13 criteria set forth in this Division may, by resolution, submit
14 to the voters of the school district the question of whether or
15 not to apply a property tax freeze for a period of 3 years to

1 the school district. In addition, if a written petition calling
2 for a referendum on that question signed by a number of voters
3 of a school district that meets the criteria set forth in this
4 Division equal to at least 5% of the total votes cast for
5 candidates for Governor in the preceding gubernatorial
6 election by the registered voters of the school district is
7 submitted to the corporate authorities of the school district,
8 then the corporate authorities shall adopt a resolution for the
9 submission of that proposition at the next regular election
10 held in that school district. In either case, the corporate
11 authorities shall certify the resolution and the proposition to
12 the proper election officials, who shall submit the proposition
13 at the election in accordance with the general election law.

14 (b) The question shall be substantially in the following
15 form:

16 Shall (name of school district) apply a property tax freeze
17 for a period of 3 years? This would mean that (school district)
18 may not increase its annual corporate extension or certain
19 special purpose extensions without referendum approval.

20 Votes shall be recorded as a "yes" or "no".

21 If a majority of the votes cast on the proposition are in
22 favor of the proposition, then, for that 3-year period, the
23 school district may not increase its aggregate extension to an
24 amount that exceeds its aggregate extension for the base year.

25 (c) As used in this Division:

26 "Aggregate extension" means the school district's annual

1 corporate extension and those special purpose extensions that
2 are made annually for the district, excluding those special
3 purpose extensions made for the payment of bonds or other
4 evidences of indebtedness issued by the school district.

5 "Base year" means the levy year prior to the levy year in
6 which the property tax freeze will take effect.

7 (d) If a school district fails to obtain approval for the
8 proposition, the school district shall not submit another
9 petition calling for a referendum under this Section for a
10 period of at least 10 years.

11 (e) This Section shall apply only to a school district with
12 (1) a Final Percent of Adequacy of over 125%, as defined under
13 Section 18-8.15 of the School Code; and (2) a Unit Equivalent
14 Operating Tax Rate, as defined under Section 2-3.170 of the
15 School Code, that is greater than 4%.

16 (f) If the school district would otherwise be subject to
17 the provisions of the Property Tax Extension Limitation Law
18 during the 3-year freeze period, then this Division shall
19 supersede the Property Tax Extension Limitation Law during that
20 3-year period.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law, but this Act does not take effect at all unless
23 Senate Bill 1 of the 100th General Assembly becomes law."