

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing
5 Sections 15-170, 15-172, and 15-175 as follows:

6 (35 ILCS 200/15-170)

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

1 years 2004 through 2005, the maximum reduction shall be \$3,000
2 in all counties. For taxable years 2006 and 2007, the maximum
3 reduction shall be \$3,500. For taxable years 2008 through 2011,
4 the maximum reduction is \$4,000 in all counties. For taxable
5 year 2012, the maximum reduction is \$5,000 in counties with
6 3,000,000 or more inhabitants and \$4,000 in all other counties.
7 For taxable years 2013 through 2016 ~~and thereafter~~, the maximum
8 reduction is \$5,000 in all counties. For taxable years 2017 and
9 thereafter, the maximum reduction is \$8,000 in counties with
10 3,000,000 or more inhabitants and \$5,000 in all other counties.

11 For land improved with an apartment building owned and
12 operated as a cooperative, the maximum reduction from the value
13 of the property, as equalized by the Department, shall be
14 multiplied by the number of apartments or units occupied by a
15 person 65 years of age or older who is liable, by contract with
16 the owner or owners of record, for paying property taxes on the
17 property and is an owner of record of a legal or equitable
18 interest in the cooperative apartment building, other than a
19 leasehold interest. For land improved with a life care
20 facility, the maximum reduction from the value of the property,
21 as equalized by the Department, shall be multiplied by the
22 number of apartments or units occupied by persons 65 years of
23 age or older, irrespective of any legal, equitable, or
24 leasehold interest in the facility, who are liable, under a
25 contract with the owner or owners of record of the facility,
26 for paying property taxes on the property. In a cooperative or

1 a life care facility where a homestead exemption has been
2 granted, the cooperative association or the management firm of
3 the cooperative or facility shall credit the savings resulting
4 from that exemption only to the apportioned tax liability of
5 the owner or resident who qualified for the exemption. Any
6 person who willfully refuses to so credit the savings shall be
7 guilty of a Class B misdemeanor. Under this Section and
8 Sections 15-175, 15-176, and 15-177, "life care facility" means
9 a facility, as defined in Section 2 of the Life Care Facilities
10 Act, with which the applicant for the homestead exemption has a
11 life care contract as defined in that Act.

12 When a homestead exemption has been granted under this
13 Section and the person qualifying subsequently becomes a
14 resident of a facility licensed under the Assisted Living and
15 Shared Housing Act, the Nursing Home Care Act, the Specialized
16 Mental Health Rehabilitation Act of 2013, the ID/DD Community
17 Care Act, or the MC/DD Act, the exemption shall continue so
18 long as the residence continues to be occupied by the
19 qualifying person's spouse if the spouse is 65 years of age or
20 older, or if the residence remains unoccupied but is still
21 owned by the person qualified for the homestead exemption.

22 A person who will be 65 years of age during the current
23 assessment year shall be eligible to apply for the homestead
24 exemption during that assessment year. Application shall be
25 made during the application period in effect for the county of
26 his residence.

1 Beginning with assessment year 2003, for taxes payable in
2 2004, property that is first occupied as a residence after
3 January 1 of any assessment year by a person who is eligible
4 for the senior citizens homestead exemption under this Section
5 must be granted a pro-rata exemption for the assessment year.
6 The amount of the pro-rata exemption is the exemption allowed
7 in the county under this Section divided by 365 and multiplied
8 by the number of days during the assessment year the property
9 is occupied as a residence by a person eligible for the
10 exemption under this Section. The chief county assessment
11 officer must adopt reasonable procedures to establish
12 eligibility for this pro-rata exemption.

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

22 The chief county assessment officer of each county with
23 less than 3,000,000 inhabitants shall provide to each person
24 allowed a homestead exemption under this Section a form to
25 designate any other person to receive a duplicate of any notice
26 of delinquency in the payment of taxes assessed and levied

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

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

21 In counties with 3,000,000 or more inhabitants, beginning
22 in taxable year 2010, each taxpayer who has been granted an
23 exemption under this Section must reapply on an annual basis.
24 The chief county assessment officer shall mail the application
25 to the taxpayer. In counties with less than 3,000,000
26 inhabitants, the county board may by resolution provide that if

1 a person has been granted a homestead exemption under this
2 Section, the person qualifying need not reapply for the
3 exemption.

4 In counties with less than 3,000,000 inhabitants, if the
5 assessor or chief county assessment officer requires annual
6 application for verification of eligibility for an exemption
7 once granted under this Section, the application shall be
8 mailed to the taxpayer.

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

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

21 (Source: P.A. 98-7, eff. 4-23-13; 98-104, eff. 7-22-13; 98-756,
22 eff. 7-16-14; 99-180, eff. 7-29-15.)

23 (35 ILCS 200/15-172)

24 Sec. 15-172. Senior Citizens Assessment Freeze Homestead
25 Exemption.

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

3 (b) As used in this Section:

4 "Applicant" means an individual who has filed an
5 application under this Section.

6 "Base amount" means the base year equalized assessed value
7 of the residence plus the first year's equalized assessed value
8 of any added improvements which increased the assessed value of
9 the residence after the base year.

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

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

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

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

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

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

26 "Income" has the same meaning as provided in Section 3.07

1 of the Senior Citizens and Persons with Disabilities Property
2 Tax Relief Act, except that, beginning in assessment year 2001,
3 "income" does not include veteran's 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 "Maximum income limitation" means:

- 12 (1) \$35,000 prior to taxable year 1999;
13 (2) \$40,000 in taxable years 1999 through 2003;
14 (3) \$45,000 in taxable years 2004 through 2005;
15 (4) \$50,000 in taxable years 2006 and 2007; ~~and~~
16 (5) \$55,000 in taxable years 2008 through 2016; and
17 ~~year 2008 and thereafter.~~
18 (6) \$65,000 in taxable years 2017 and thereafter.

19 "Residence" means the principal dwelling place and
20 appurtenant structures used for residential purposes in this
21 State occupied on January 1 of the taxable year by a household
22 and so much of the surrounding land, constituting the parcel
23 upon which the dwelling place is situated, as is used for
24 residential purposes. If the Chief County Assessment Officer
25 has established a specific legal description for a portion of
26 property constituting the residence, then that portion of

1 property shall be deemed the residence for the purposes of this
2 Section.

3 "Taxable year" means the calendar year during which ad
4 valorem property taxes payable in the next succeeding year are
5 levied.

6 (c) Beginning in taxable year 1994, a senior citizens
7 assessment freeze homestead exemption is granted for real
8 property that is improved with a permanent structure that is
9 occupied as a residence by an applicant who (i) is 65 years of
10 age or older during the taxable year, (ii) has a household
11 income that does not exceed the maximum income limitation,
12 (iii) is liable for paying real property taxes on the property,
13 and (iv) is an owner of record of the property or has a legal or
14 equitable interest in the property as evidenced by a written
15 instrument. This homestead exemption shall also apply to a
16 leasehold interest in a parcel of property improved with a
17 permanent structure that is a single family residence that is
18 occupied as a residence by a person who (i) is 65 years of age
19 or older during the taxable year, (ii) has a household income
20 that does not exceed the maximum income limitation, (iii) has a
21 legal or equitable ownership interest in the property as
22 lessee, and (iv) is liable for the payment of real property
23 taxes on that property.

24 In counties of 3,000,000 or more inhabitants, the amount of
25 the exemption for all taxable years is the equalized assessed
26 value of the residence in the taxable year for which

1 application is made minus the base amount. In all other
2 counties, the amount of the exemption is as follows: (i)
3 through taxable year 2005 and for taxable year 2007 and
4 thereafter, the amount of this exemption shall be the equalized
5 assessed value of the residence in the taxable year for which
6 application is made minus the base amount; and (ii) for taxable
7 year 2006, the amount of the exemption is as follows:

8 (1) For an applicant who has a household income of
9 \$45,000 or less, the amount of the exemption is the
10 equalized assessed value of the residence in the taxable
11 year for which application is made minus the base amount.

12 (2) For an applicant who has a household income
13 exceeding \$45,000 but not exceeding \$46,250, the amount of
14 the exemption is (i) the equalized assessed value of the
15 residence in the taxable year for which application is made
16 minus the base amount (ii) multiplied by 0.8.

17 (3) For an applicant who has a household income
18 exceeding \$46,250 but not exceeding \$47,500, the amount of
19 the exemption is (i) the equalized assessed value of the
20 residence in the taxable year for which application is made
21 minus the base amount (ii) multiplied by 0.6.

22 (4) For an applicant who has a household income
23 exceeding \$47,500 but not exceeding \$48,750, the amount of
24 the exemption is (i) the equalized assessed value of the
25 residence in the taxable year for which application is made
26 minus the base amount (ii) multiplied by 0.4.

1 (5) For an applicant who has a household income
2 exceeding \$48,750 but not exceeding \$50,000, the amount of
3 the exemption is (i) the equalized assessed value of the
4 residence in the taxable year for which application is made
5 minus the base amount (ii) multiplied by 0.2.

6 When the applicant is a surviving spouse of an applicant
7 for a prior year for the same residence for which an exemption
8 under this Section has been granted, the base year and base
9 amount for that residence are the same as for the applicant for
10 the prior year.

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

17 In the case of land improved with an apartment building
18 owned and operated as a cooperative or a building that is a
19 life care facility that qualifies as a cooperative, the maximum
20 reduction from the equalized assessed value of the property is
21 limited to the sum of the reductions calculated for each unit
22 occupied as a residence by a person or persons (i) 65 years of
23 age or older, (ii) with a household income that does not exceed
24 the maximum income limitation, (iii) who is liable, by contract
25 with the owner or owners of record, for paying real property
26 taxes on the property, and (iv) who is an owner of record of a

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

10 When a homestead exemption has been granted under this
11 Section and an applicant then becomes a resident of a facility
12 licensed under the Assisted Living and Shared Housing Act, the
13 Nursing Home Care Act, the Specialized Mental Health
14 Rehabilitation Act of 2013, the ID/DD Community Care Act, or
15 the MC/DD Act, the exemption shall be granted in subsequent
16 years so long as the residence (i) continues to be occupied by
17 the qualified applicant's spouse or (ii) if remaining
18 unoccupied, is still owned by the qualified applicant for the
19 homestead exemption.

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

1 qualifications for the granting of this exemption for those
2 years.

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

6 For taxable year 1994 only, in counties having less than
7 3,000,000 inhabitants, to receive the exemption, a person shall
8 submit an application by February 15, 1995 to the Chief County
9 Assessment Officer of the county in which the property is
10 located. In counties having 3,000,000 or more inhabitants, for
11 taxable year 1994 and all subsequent taxable years, to receive
12 the exemption, a person may submit an application to the Chief
13 County Assessment Officer of the county in which the property
14 is located during such period as may be specified by the Chief
15 County Assessment Officer. The Chief County Assessment Officer
16 in counties of 3,000,000 or more inhabitants shall annually
17 give notice of the application period by mail or by
18 publication. In counties having less than 3,000,000
19 inhabitants, beginning with taxable year 1995 and thereafter,
20 to receive the exemption, a person shall submit an application
21 by July 1 of each taxable year to the Chief County Assessment
22 Officer of the county in which the property is located. A
23 county may, by ordinance, establish a date for submission of
24 applications that is different than July 1. The applicant shall
25 submit with the application an affidavit of the applicant's
26 total household income, age, marital status (and if married the

1 name and address of the applicant's spouse, if known), and
2 principal dwelling place of members of the household on January
3 1 of the taxable year. The Department shall establish, by rule,
4 a method for verifying the accuracy of affidavits filed by
5 applicants under this Section, and the Chief County Assessment
6 Officer may conduct audits of any taxpayer claiming an
7 exemption under this Section to verify that the taxpayer is
8 eligible to receive the exemption. Each application shall
9 contain or be verified by a written declaration that it is made
10 under the penalties of perjury. A taxpayer's signing a
11 fraudulent application under this Act is perjury, as defined in
12 Section 32-2 of the Criminal Code of 2012. The applications
13 shall be clearly marked as applications for the Senior Citizens
14 Assessment Freeze Homestead Exemption and must contain a notice
15 that any taxpayer who receives the exemption is subject to an
16 audit by the Chief County Assessment Officer.

17 Notwithstanding any other provision to the contrary, in
18 counties having fewer than 3,000,000 inhabitants, if an
19 applicant fails to file the application required by this
20 Section in a timely manner and this failure to file is due to a
21 mental or physical condition sufficiently severe so as to
22 render the applicant incapable of filing the application in a
23 timely manner, the Chief County Assessment Officer may extend
24 the filing deadline for a period of 30 days after the applicant
25 regains the capability to file the application, but in no case
26 may the filing deadline be extended beyond 3 months of the

1 original filing deadline. In order to receive the extension
2 provided in this paragraph, the applicant shall provide the
3 Chief County Assessment Officer with a signed statement from
4 the applicant's physician, advanced practice nurse, or
5 physician assistant stating the nature and extent of the
6 condition, that, in the physician's, advanced practice
7 nurse's, or physician assistant's opinion, the condition was so
8 severe that it rendered the applicant incapable of filing the
9 application in a timely manner, and the date on which the
10 applicant regained the capability to file the application.

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

1 timely manner.

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

16 For purposes of this Section, a person who will be 65 years
17 of age during the current taxable year shall be eligible to
18 apply for the homestead exemption during that taxable year.
19 Application shall be made during the application period in
20 effect for the county of his or her residence.

21 The Chief County Assessment Officer may determine the
22 eligibility of a life care facility that qualifies as a
23 cooperative to receive the benefits provided by this Section by
24 use of an affidavit, application, visual inspection,
25 questionnaire, or other reasonable method in order to insure
26 that the tax savings resulting from the exemption are credited

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

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

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

23 Notwithstanding any other provision of law, for taxable
24 year 2017 and thereafter, in counties of 3,000,000 or more
25 inhabitants, the amount of the exemption shall be the greater
26 of (i) the amount of the exemption otherwise calculated under

1 this Section or (ii) \$2,000.

2 (d) Each Chief County Assessment Officer shall annually
3 publish a notice of availability of the exemption provided
4 under this Section. The notice shall be published at least 60
5 days but no more than 75 days prior to the date on which the
6 application must be submitted to the Chief County Assessment
7 Officer of the county in which the property is located. The
8 notice shall appear in a newspaper of general circulation in
9 the county.

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

13 (Source: P.A. 98-104, eff. 7-22-13; 99-143, eff. 7-27-15;
14 99-180, eff. 7-29-15; 99-581, eff. 1-1-17; 99-642, eff.
15 7-28-16.)

16 (35 ILCS 200/15-175)

17 Sec. 15-175. General homestead exemption.

18 (a) Except as provided in Sections 15-176 and 15-177,
19 homestead property is entitled to an annual homestead exemption
20 limited, except as described here with relation to
21 cooperatives, to a reduction in the equalized assessed value of
22 homestead property equal to the increase in equalized assessed
23 value for the current assessment year above the equalized
24 assessed value of the property for 1977, up to the maximum
25 reduction set forth below. If however, the 1977 equalized

1 assessed value upon which taxes were paid is subsequently
2 determined by local assessing officials, the Property Tax
3 Appeal Board, or a court to have been excessive, the equalized
4 assessed value which should have been placed on the property
5 for 1977 shall be used to determine the amount of the
6 exemption.

7 (b) Except as provided in Section 15-176, the maximum
8 reduction before taxable year 2004 shall be \$4,500 in counties
9 with 3,000,000 or more inhabitants and \$3,500 in all other
10 counties. Except as provided in Sections 15-176 and 15-177, for
11 taxable years 2004 through 2007, the maximum reduction shall be
12 \$5,000, for taxable year 2008, the maximum reduction is \$5,500,
13 and, for taxable years 2009 through 2011, the maximum reduction
14 is \$6,000 in all counties. For taxable years 2012 through 2016
15 ~~and thereafter~~, the maximum reduction is \$7,000 in counties
16 with 3,000,000 or more inhabitants and \$6,000 in all other
17 counties. For taxable years 2017 and thereafter, the maximum
18 reduction is \$10,000 in counties with 3,000,000 or more
19 inhabitants and \$6,000 in all other counties. If a county has
20 elected to subject itself to the provisions of Section 15-176
21 as provided in subsection (k) of that Section, then, for the
22 first taxable year only after the provisions of Section 15-176
23 no longer apply, for owners who, for the taxable year, have not
24 been granted a senior citizens assessment freeze homestead
25 exemption under Section 15-172 or a long-time occupant
26 homestead exemption under Section 15-177, there shall be an

1 additional exemption of \$5,000 for owners with a household
2 income of \$30,000 or less.

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

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

24 (d-1) In counties with 3,000,000 or more inhabitants, where
25 the chief county assessment officer provides a notice of
26 discovery, if a property is not occupied by its owner as a

1 principal residence as of January 1 of the current tax year,
2 then the property owner shall notify the chief county
3 assessment officer of that fact on a form prescribed by the
4 chief county assessment officer. That notice must be received
5 by the chief county assessment officer on or before March 1 of
6 the collection year. If mailed, the form shall be sent by
7 certified mail, return receipt requested. If the form is
8 provided in person, the chief county assessment officer shall
9 provide a date stamped copy of the notice. Failure to provide
10 timely notice pursuant to this subsection (d-1) shall result in
11 the exemption being treated as an erroneous exemption. Upon
12 timely receipt of the notice for the current tax year, no
13 exemption shall be applied to the property for the current tax
14 year. If the exemption is not removed upon timely receipt of
15 the notice by the chief assessment officer, then the error is
16 considered granted as a result of a clerical error or omission
17 on the part of the chief county assessment officer as described
18 in subsection (h) of Section 9-275, and the property owner
19 shall not be liable for the payment of interest and penalties
20 due to the erroneous exemption for the current tax year for
21 which the notice was filed after the date that notice was
22 timely received pursuant to this subsection. Notice provided
23 under this subsection shall not constitute a defense or amnesty
24 for prior year erroneous exemptions.

25 For the purposes of this subsection (d-1):

26 "Collection year" means the year in which the first and

1 second installment of the current tax year is billed.

2 "Current tax year" means the year prior to the collection
3 year.

4 (e) The chief county assessment officer may, when
5 considering whether to grant a leasehold exemption under this
6 Section, require the following conditions to be met:

7 (1) that a notarized application for the exemption,
8 signed by both the owner and the lessee of the property,
9 must be submitted each year during the application period
10 in effect for the county in which the property is located;

11 (2) that a copy of the lease must be filed with the
12 chief county assessment officer by the owner of the
13 property at the time the notarized application is
14 submitted;

15 (3) that the lease must expressly state that the lessee
16 is liable for the payment of property taxes; and

17 (4) that the lease must include the following language
18 in substantially the following form:

19 "Lessee shall be liable for the payment of real
20 estate taxes with respect to the residence in
21 accordance with the terms and conditions of Section
22 15-175 of the Property Tax Code (35 ILCS 200/15-175).
23 The permanent real estate index number for the premises
24 is (insert number), and, according to the most recent
25 property tax bill, the current amount of real estate
26 taxes associated with the premises is (insert amount)

1 per year. The parties agree that the monthly rent set
2 forth above shall be increased or decreased pro rata
3 (effective January 1 of each calendar year) to reflect
4 any increase or decrease in real estate taxes. Lessee
5 shall be deemed to be satisfying Lessee's liability for
6 the above mentioned real estate taxes with the monthly
7 rent payments as set forth above (or increased or
8 decreased as set forth herein).".

9 In addition, if there is a change in lessee, or if the
10 lessee vacates the property, then the chief county assessment
11 officer may require the owner of the property to notify the
12 chief county assessment officer of that change.

13 This subsection (e) does not apply to leasehold interests
14 in property owned by a municipality.

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

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

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

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

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

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

26 (h) Where married persons maintain and reside in separate

1 residences qualifying as homestead property, each residence
2 shall receive 50% of the total reduction in equalized assessed
3 valuation provided by this Section.

4 (i) In all counties, the assessor or chief county
5 assessment officer may determine the eligibility of
6 residential property to receive the homestead exemption and the
7 amount of the exemption by application, visual inspection,
8 questionnaire or other reasonable methods. The determination
9 shall be made in accordance with guidelines established by the
10 Department, provided that the taxpayer applying for an
11 additional general exemption under this Section shall submit to
12 the chief county assessment officer an application with an
13 affidavit of the applicant's total household income, age,
14 marital status (and, if married, the name and address of the
15 applicant's spouse, if known), and principal dwelling place of
16 members of the household on January 1 of the taxable year. The
17 Department shall issue guidelines establishing a method for
18 verifying the accuracy of the affidavits filed by applicants
19 under this paragraph. The applications shall be clearly marked
20 as applications for the Additional General Homestead
21 Exemption.

22 (i-5) This subsection (i-5) applies to counties with
23 3,000,000 or more inhabitants. In the event of a sale of
24 homestead property, the homestead exemption shall remain in
25 effect for the remainder of the assessment year of the sale.
26 Upon receipt of a transfer declaration transmitted by the

1 recorder pursuant to Section 31-30 of the Real Estate Transfer
2 Tax Law for property receiving an exemption under this Section,
3 the assessor shall mail a notice and forms to the new owner of
4 the property providing information pertaining to the rules and
5 applicable filing periods for applying or reapplying for
6 homestead exemptions under this Code for which the property may
7 be eligible. If the new owner fails to apply or reapply for a
8 homestead exemption during the applicable filing period or the
9 property no longer qualifies for an existing homestead
10 exemption, the assessor shall cancel such exemption for any
11 ensuing assessment year.

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

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

22 (Source: P.A. 98-7, eff. 4-23-13; 98-463, eff. 8-16-13; 99-143,
23 eff. 7-27-15; 99-164, eff. 7-28-15; 99-642, eff. 7-28-16;
24 99-851, eff. 8-19-16.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.