

SB2873



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2873

Introduced 2/14/2018, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-169

Amends the Property Tax Code. Provides that, if a veteran (i) was a member of the United States Armed Forces, (ii) is 70 years of age or older during the taxable year, and (iii) has a household income of less than \$65,000, then property that is used as a qualified residence by the veteran is exempt from taxation under the Code. Effective immediately.

LRB100 18500 HLH 33718 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing
5 Section 15-169 as follows:

6 (35 ILCS 200/15-169)

7 Sec. 15-169. Homestead exemption for veterans with
8 disabilities and other qualified veterans.

9 (a) Beginning with taxable year 2007, an annual homestead
10 exemption, limited to the amounts set forth in subsections (b)
11 and (b-3), is granted for property that is used as a qualified
12 residence by a veteran with a disability.

13 (b) For taxable years prior to 2015, the amount of the
14 exemption under this Section is as follows:

15 (1) for veterans with a service-connected disability
16 of at least (i) 75% for exemptions granted in taxable years
17 2007 through 2009 and (ii) 70% for exemptions granted in
18 taxable year 2010 and each taxable year thereafter, as
19 certified by the United States Department of Veterans
20 Affairs, the annual exemption is \$5,000; and

21 (2) for veterans with a service-connected disability
22 of at least 50%, but less than (i) 75% for exemptions
23 granted in taxable years 2007 through 2009 and (ii) 70% for

1 exemptions granted in taxable year 2010 and each taxable
2 year thereafter, as certified by the United States
3 Department of Veterans Affairs, the annual exemption is
4 \$2,500.

5 (b-3) For taxable years 2015 and thereafter:

6 (1) if the veteran has a service connected disability
7 of 30% or more but less than 50%, as certified by the
8 United States Department of Veterans Affairs, then the
9 annual exemption is \$2,500;

10 (2) if the veteran has a service connected disability
11 of 50% or more but less than 70%, as certified by the
12 United States Department of Veterans Affairs, then the
13 annual exemption is \$5,000; ~~and~~

14 (3) if the veteran has a service connected disability
15 of 70% or more, as certified by the United States
16 Department of Veterans Affairs, then the property is exempt
17 from taxation under this Code; and -

18 (4) in addition to the exemptions under paragraphs (1)
19 through (3) of this subsection, beginning in taxable year
20 2018, if the veteran (i) was a member of the United States
21 Armed Forces, (ii) is 70 years of age or older during the
22 taxable year, and (iii) has a household income of less than
23 \$65,000, then the property is exempt from taxation under
24 this Code regardless of the veteran's level of disability.

25 (b-5) If a homestead exemption is granted under this
26 Section and the person awarded the exemption subsequently

1 becomes a resident of a facility licensed under the Nursing
2 Home Care Act or a facility operated by the United States
3 Department of Veterans Affairs, then the exemption shall
4 continue (i) so long as the residence continues to be occupied
5 by the qualifying person's spouse or (ii) if the residence
6 remains unoccupied but is still owned by the person who
7 qualified for the homestead exemption.

8 (c) The tax exemption under this Section carries over to
9 the benefit of the veteran's surviving spouse as long as the
10 spouse holds the legal or beneficial title to the homestead,
11 permanently resides thereon, and does not remarry. If the
12 surviving spouse sells the property, an exemption not to exceed
13 the amount granted from the most recent ad valorem tax roll may
14 be transferred to his or her new residence as long as it is
15 used as his or her primary residence and he or she does not
16 remarry.

17 (c-1) Beginning with taxable year 2015, nothing in this
18 Section shall require the veteran to have qualified for or
19 obtained the exemption before death if the veteran was killed
20 in the line of duty.

21 (d) The exemption under this Section applies for taxable
22 year 2007 and thereafter. A taxpayer who claims an exemption
23 under Section 15-165 or 15-168 may not claim an exemption under
24 this Section.

25 (e) Each taxpayer who has been granted an exemption under
26 this Section must reapply on an annual basis. Application must

1 be made during the application period in effect for the county
2 of his or her residence. The assessor or chief county
3 assessment officer may determine the eligibility of
4 residential property to receive the homestead exemption
5 provided by this Section by application, visual inspection,
6 questionnaire, or other reasonable methods. The determination
7 must be made in accordance with guidelines established by the
8 Department.

9 (f) For the purposes of this Section:

10 "Household income" has the meaning given to that term in
11 Section 15-172.

12 "Qualified residence" means real property, but less any
13 portion of that property that is used for commercial purposes,
14 with an equalized assessed value of less than \$250,000 that is
15 the primary residence of a veteran with a disability. Property
16 rented for more than 6 months is presumed to be used for
17 commercial purposes.

18 "Veteran" means an Illinois resident who has served as a
19 member of the United States Armed Forces on active duty or
20 State active duty, a member of the Illinois National Guard, or
21 a member of the United States Reserve Forces and who has
22 received an honorable discharge.

23 (Source: P.A. 98-1145, eff. 12-30-14; 99-143, eff. 7-27-15;
24 99-375, eff. 8-17-15; 99-642, eff. 7-28-16.)

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