



Rep. Mark L. Walker

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10200HB0448ham001

LRB102 02872 HLH 36538 a

1 AMENDMENT TO HOUSE BILL 448

2 AMENDMENT NO. _____. Amend House Bill 448 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing
5 Section 18-185 as follows:

6 (35 ILCS 200/18-185)

7 Sec. 18-185. Short title; definitions. This Division 5
8 may be cited as the Property Tax Extension Limitation Law. As
9 used in this Division 5:

10 "Consumer Price Index" means the Consumer Price Index for
11 All Urban Consumers for all items published by the United
12 States Department of Labor.

13 "Extension limitation" means (a) the lesser of 5% or the
14 percentage increase in the Consumer Price Index during the
15 12-month calendar year preceding the levy year or (b) the rate
16 of increase approved by voters under Section 18-205.

1 "Affected county" means a county of 3,000,000 or more
2 inhabitants or a county contiguous to a county of 3,000,000 or
3 more inhabitants.

4 "Taxing district" has the same meaning provided in Section
5 1-150, except as otherwise provided in this Section. For the
6 1991 through 1994 levy years only, "taxing district" includes
7 only each non-home rule taxing district having the majority of
8 its 1990 equalized assessed value within any county or
9 counties contiguous to a county with 3,000,000 or more
10 inhabitants. Beginning with the 1995 levy year, "taxing
11 district" includes only each non-home rule taxing district
12 subject to this Law before the 1995 levy year and each non-home
13 rule taxing district not subject to this Law before the 1995
14 levy year having the majority of its 1994 equalized assessed
15 value in an affected county or counties. Beginning with the
16 levy year in which this Law becomes applicable to a taxing
17 district as provided in Section 18-213, "taxing district" also
18 includes those taxing districts made subject to this Law as
19 provided in Section 18-213.

20 "Aggregate extension" for taxing districts to which this
21 Law applied before the 1995 levy year means the annual
22 corporate extension for the taxing district and those special
23 purpose extensions that are made annually for the taxing
24 district, excluding special purpose extensions: (a) made for
25 the taxing district to pay interest or principal on general
26 obligation bonds that were approved by referendum; (b) made

1 for any taxing district to pay interest or principal on
2 general obligation bonds issued before October 1, 1991; (c)
3 made for any taxing district to pay interest or principal on
4 bonds issued to refund or continue to refund those bonds
5 issued before October 1, 1991; (d) made for any taxing
6 district to pay interest or principal on bonds issued to
7 refund or continue to refund bonds issued after October 1,
8 1991 that were approved by referendum; (e) made for any taxing
9 district to pay interest or principal on revenue bonds issued
10 before October 1, 1991 for payment of which a property tax levy
11 or the full faith and credit of the unit of local government is
12 pledged; however, a tax for the payment of interest or
13 principal on those bonds shall be made only after the
14 governing body of the unit of local government finds that all
15 other sources for payment are insufficient to make those
16 payments; (f) made for payments under a building commission
17 lease when the lease payments are for the retirement of bonds
18 issued by the commission before October 1, 1991, to pay for the
19 building project; (g) made for payments due under installment
20 contracts entered into before October 1, 1991; (h) made for
21 payments of principal and interest on bonds issued under the
22 Metropolitan Water Reclamation District Act to finance
23 construction projects initiated before October 1, 1991; (i)
24 made for payments of principal and interest on limited bonds,
25 as defined in Section 3 of the Local Government Debt Reform
26 Act, in an amount not to exceed the debt service extension base

1 less the amount in items (b), (c), (e), and (h) of this
2 definition for non-referendum obligations, except obligations
3 initially issued pursuant to referendum; (j) made for payments
4 of principal and interest on bonds issued under Section 15 of
5 the Local Government Debt Reform Act; (k) made by a school
6 district that participates in the Special Education District
7 of Lake County, created by special education joint agreement
8 under Section 10-22.31 of the School Code, for payment of the
9 school district's share of the amounts required to be
10 contributed by the Special Education District of Lake County
11 to the Illinois Municipal Retirement Fund under Article 7 of
12 the Illinois Pension Code; the amount of any extension under
13 this item (k) shall be certified by the school district to the
14 county clerk; (l) made to fund expenses of providing joint
15 recreational programs for persons with disabilities under
16 Section 5-8 of the Park District Code or Section 11-95-14 of
17 the Illinois Municipal Code; (m) made for temporary relocation
18 loan repayment purposes pursuant to Sections 2-3.77 and
19 17-2.2d of the School Code; (n) made for payment of principal
20 and interest on any bonds issued under the authority of
21 Section 17-2.2d of the School Code; (o) made for contributions
22 to a firefighter's pension fund created under Article 4 of the
23 Illinois Pension Code, to the extent of the amount certified
24 under item (5) of Section 4-134 of the Illinois Pension Code;
25 and (p) made for road purposes in the first year after a
26 township assumes the rights, powers, duties, assets, property,

1 liabilities, obligations, and responsibilities of a road
2 district abolished under the provisions of Section 6-133 of
3 the Illinois Highway Code.

4 "Aggregate extension" for the taxing districts to which
5 this Law did not apply before the 1995 levy year (except taxing
6 districts subject to this Law in accordance with Section
7 18-213) means the annual corporate extension for the taxing
8 district and those special purpose extensions that are made
9 annually for the taxing district, excluding special purpose
10 extensions: (a) made for the taxing district to pay interest
11 or principal on general obligation bonds that were approved by
12 referendum; (b) made for any taxing district to pay interest
13 or principal on general obligation bonds issued before March
14 1, 1995; (c) made for any taxing district to pay interest or
15 principal on bonds issued to refund or continue to refund
16 those bonds issued before March 1, 1995; (d) made for any
17 taxing district to pay interest or principal on bonds issued
18 to refund or continue to refund bonds issued after March 1,
19 1995 that were approved by referendum; (e) made for any taxing
20 district to pay interest or principal on revenue bonds issued
21 before March 1, 1995 for payment of which a property tax levy
22 or the full faith and credit of the unit of local government is
23 pledged; however, a tax for the payment of interest or
24 principal on those bonds shall be made only after the
25 governing body of the unit of local government finds that all
26 other sources for payment are insufficient to make those

1 payments; (f) made for payments under a building commission
2 lease when the lease payments are for the retirement of bonds
3 issued by the commission before March 1, 1995 to pay for the
4 building project; (g) made for payments due under installment
5 contracts entered into before March 1, 1995; (h) made for
6 payments of principal and interest on bonds issued under the
7 Metropolitan Water Reclamation District Act to finance
8 construction projects initiated before October 1, 1991; (h-4)
9 made for stormwater management purposes by the Metropolitan
10 Water Reclamation District of Greater Chicago under Section 12
11 of the Metropolitan Water Reclamation District Act; (i) made
12 for payments of principal and interest on limited bonds, as
13 defined in Section 3 of the Local Government Debt Reform Act,
14 in an amount not to exceed the debt service extension base less
15 the amount in items (b), (c), and (e) of this definition for
16 non-referendum obligations, except obligations initially
17 issued pursuant to referendum and bonds described in
18 subsection (h) of this definition; (j) made for payments of
19 principal and interest on bonds issued under Section 15 of the
20 Local Government Debt Reform Act; (k) made for payments of
21 principal and interest on bonds authorized by Public Act
22 88-503 and issued under Section 20a of the Chicago Park
23 District Act for aquarium or museum projects and bonds issued
24 under Section 20a of the Chicago Park District Act for the
25 purpose of making contributions to the pension fund
26 established under Article 12 of the Illinois Pension Code; (l)

1 made for payments of principal and interest on bonds
2 authorized by Public Act 87-1191 or 93-601 and (i) issued
3 pursuant to Section 21.2 of the Cook County Forest Preserve
4 District Act, (ii) issued under Section 42 of the Cook County
5 Forest Preserve District Act for zoological park projects, or
6 (iii) issued under Section 44.1 of the Cook County Forest
7 Preserve District Act for botanical gardens projects; (m) made
8 pursuant to Section 34-53.5 of the School Code, whether levied
9 annually or not; (n) made to fund expenses of providing joint
10 recreational programs for persons with disabilities under
11 Section 5-8 of the Park District Code or Section 11-95-14 of
12 the Illinois Municipal Code; (o) made by the Chicago Park
13 District for recreational programs for persons with
14 disabilities under subsection (c) of Section 7.06 of the
15 Chicago Park District Act; (p) made for contributions to a
16 firefighter's pension fund created under Article 4 of the
17 Illinois Pension Code, to the extent of the amount certified
18 under item (5) of Section 4-134 of the Illinois Pension Code;
19 (q) made by Ford Heights School District 169 under Section
20 17-9.02 of the School Code; and (r) made for the purpose of
21 making employer contributions to the Public School Teachers'
22 Pension and Retirement Fund of Chicago under Section 34-53 of
23 the School Code.

24 "Aggregate extension" for all taxing districts to which
25 this Law applies in accordance with Section 18-213, except for
26 those taxing districts subject to paragraph (2) of subsection

1 (e) of Section 18-213, means the annual corporate extension
2 for the taxing district and those special purpose extensions
3 that are made annually for the taxing district, excluding
4 special purpose extensions: (a) made for the taxing district
5 to pay interest or principal on general obligation bonds that
6 were approved by referendum; (b) made for any taxing district
7 to pay interest or principal on general obligation bonds
8 issued before the date on which the referendum making this Law
9 applicable to the taxing district is held; (c) made for any
10 taxing district to pay interest or principal on bonds issued
11 to refund or continue to refund those bonds issued before the
12 date on which the referendum making this Law applicable to the
13 taxing district is held; (d) made for any taxing district to
14 pay interest or principal on bonds issued to refund or
15 continue to refund bonds issued after the date on which the
16 referendum making this Law applicable to the taxing district
17 is held if the bonds were approved by referendum after the date
18 on which the referendum making this Law applicable to the
19 taxing district is held; (e) made for any taxing district to
20 pay interest or principal on revenue bonds issued before the
21 date on which the referendum making this Law applicable to the
22 taxing district is held for payment of which a property tax
23 levy or the full faith and credit of the unit of local
24 government is pledged; however, a tax for the payment of
25 interest or principal on those bonds shall be made only after
26 the governing body of the unit of local government finds that

1 all other sources for payment are insufficient to make those
2 payments; (f) made for payments under a building commission
3 lease when the lease payments are for the retirement of bonds
4 issued by the commission before the date on which the
5 referendum making this Law applicable to the taxing district
6 is held to pay for the building project; (g) made for payments
7 due under installment contracts entered into before the date
8 on which the referendum making this Law applicable to the
9 taxing district is held; (h) made for payments of principal
10 and interest on limited bonds, as defined in Section 3 of the
11 Local Government Debt Reform Act, in an amount not to exceed
12 the debt service extension base less the amount in items (b),
13 (c), and (e) of this definition for non-referendum
14 obligations, except obligations initially issued pursuant to
15 referendum; (i) made for payments of principal and interest on
16 bonds issued under Section 15 of the Local Government Debt
17 Reform Act; (j) made for a qualified airport authority to pay
18 interest or principal on general obligation bonds issued for
19 the purpose of paying obligations due under, or financing
20 airport facilities required to be acquired, constructed,
21 installed or equipped pursuant to, contracts entered into
22 before March 1, 1996 (but not including any amendments to such
23 a contract taking effect on or after that date); (k) made to
24 fund expenses of providing joint recreational programs for
25 persons with disabilities under Section 5-8 of the Park
26 District Code or Section 11-95-14 of the Illinois Municipal

1 Code; (l) made for contributions to a firefighter's pension
2 fund created under Article 4 of the Illinois Pension Code, to
3 the extent of the amount certified under item (5) of Section
4 4-134 of the Illinois Pension Code; and (m) made for the taxing
5 district to pay interest or principal on general obligation
6 bonds issued pursuant to Section 19-3.10 of the School Code.

7 "Aggregate extension" for all taxing districts to which
8 this Law applies in accordance with paragraph (2) of
9 subsection (e) of Section 18-213 means the annual corporate
10 extension for the taxing district and those special purpose
11 extensions that are made annually for the taxing district,
12 excluding special purpose extensions: (a) made for the taxing
13 district to pay interest or principal on general obligation
14 bonds that were approved by referendum; (b) made for any
15 taxing district to pay interest or principal on general
16 obligation bonds issued before March 7, 1997 (the effective
17 date of Public Act 89-718); (c) made for any taxing district to
18 pay interest or principal on bonds issued to refund or
19 continue to refund those bonds issued before March 7, 1997
20 (the effective date of Public Act 89-718); (d) made for any
21 taxing district to pay interest or principal on bonds issued
22 to refund or continue to refund bonds issued after March 7,
23 1997 (the effective date of Public Act 89-718) if the bonds
24 were approved by referendum after March 7, 1997 (the effective
25 date of Public Act 89-718); (e) made for any taxing district to
26 pay interest or principal on revenue bonds issued before March

1 7, 1997 (the effective date of Public Act 89-718) for payment
2 of which a property tax levy or the full faith and credit of
3 the unit of local government is pledged; however, a tax for the
4 payment of interest or principal on those bonds shall be made
5 only after the governing body of the unit of local government
6 finds that all other sources for payment are insufficient to
7 make those payments; (f) made for payments under a building
8 commission lease when the lease payments are for the
9 retirement of bonds issued by the commission before March 7,
10 1997 (the effective date of Public Act 89-718) to pay for the
11 building project; (g) made for payments due under installment
12 contracts entered into before March 7, 1997 (the effective
13 date of Public Act 89-718); (h) made for payments of principal
14 and interest on limited bonds, as defined in Section 3 of the
15 Local Government Debt Reform Act, in an amount not to exceed
16 the debt service extension base less the amount in items (b),
17 (c), and (e) of this definition for non-referendum
18 obligations, except obligations initially issued pursuant to
19 referendum; (i) made for payments of principal and interest on
20 bonds issued under Section 15 of the Local Government Debt
21 Reform Act; (j) made for a qualified airport authority to pay
22 interest or principal on general obligation bonds issued for
23 the purpose of paying obligations due under, or financing
24 airport facilities required to be acquired, constructed,
25 installed or equipped pursuant to, contracts entered into
26 before March 1, 1996 (but not including any amendments to such

1 a contract taking effect on or after that date); (k) made to
2 fund expenses of providing joint recreational programs for
3 persons with disabilities under Section 5-8 of the Park
4 District Code or Section 11-95-14 of the Illinois Municipal
5 Code; and (l) made for contributions to a firefighter's
6 pension fund created under Article 4 of the Illinois Pension
7 Code, to the extent of the amount certified under item (5) of
8 Section 4-134 of the Illinois Pension Code.

9 "Debt service extension base" means an amount equal to
10 that portion of the extension for a taxing district for the
11 1994 levy year, or for those taxing districts subject to this
12 Law in accordance with Section 18-213, except for those
13 subject to paragraph (2) of subsection (e) of Section 18-213,
14 for the levy year in which the referendum making this Law
15 applicable to the taxing district is held, or for those taxing
16 districts subject to this Law in accordance with paragraph (2)
17 of subsection (e) of Section 18-213 for the 1996 levy year,
18 constituting an extension for payment of principal and
19 interest on bonds issued by the taxing district without
20 referendum, but not including excluded non-referendum bonds.
21 For park districts (i) that were first subject to this Law in
22 1991 or 1995 and (ii) whose extension for the 1994 levy year
23 for the payment of principal and interest on bonds issued by
24 the park district without referendum (but not including
25 excluded non-referendum bonds) was less than 51% of the amount
26 for the 1991 levy year constituting an extension for payment

1 of principal and interest on bonds issued by the park district
2 without referendum (but not including excluded non-referendum
3 bonds), "debt service extension base" means an amount equal to
4 that portion of the extension for the 1991 levy year
5 constituting an extension for payment of principal and
6 interest on bonds issued by the park district without
7 referendum (but not including excluded non-referendum bonds).
8 A debt service extension base established or increased at any
9 time pursuant to any provision of this Law, except Section
10 18-212, shall be increased each year commencing with the later
11 of (i) the 2009 levy year or (ii) the first levy year in which
12 this Law becomes applicable to the taxing district, by the
13 lesser of 5% or the percentage increase in the Consumer Price
14 Index during the 12-month calendar year preceding the levy
15 year. The debt service extension base may be established or
16 increased as provided under Section 18-212. "Excluded
17 non-referendum bonds" means (i) bonds authorized by Public Act
18 88-503 and issued under Section 20a of the Chicago Park
19 District Act for aquarium and museum projects; (ii) bonds
20 issued under Section 15 of the Local Government Debt Reform
21 Act; or (iii) refunding obligations issued to refund or to
22 continue to refund obligations initially issued pursuant to
23 referendum.

24 "Special purpose extensions" include, but are not limited
25 to, extensions for levies made on an annual basis for
26 unemployment and workers' compensation, self-insurance,

1 contributions to pension plans, and extensions made pursuant
2 to Section 6-601 of the Illinois Highway Code for a road
3 district's permanent road fund whether levied annually or not.
4 The extension for a special service area is not included in the
5 aggregate extension.

6 "Aggregate extension base" means the taxing district's
7 last preceding aggregate extension as adjusted under Sections
8 18-135, 18-215, 18-230, 18-206, and 18-233. Beginning with
9 levy year 2022, for school districts that are subject to this
10 Division 5, "aggregate extension base" means the greater of
11 (A) the school district's aggregate extension limit or (B) the
12 school district's last preceding aggregate extension, as
13 adjusted under Sections 18-135, 18-215, 18-230, 18-206, and
14 18-233. An adjustment under Section 18-135 shall be made for
15 the 2007 levy year and all subsequent levy years whenever one
16 or more counties within which a taxing district is located (i)
17 used estimated valuations or rates when extending taxes in the
18 taxing district for the last preceding levy year that resulted
19 in the over or under extension of taxes, or (ii) increased or
20 decreased the tax extension for the last preceding levy year
21 as required by Section 18-135(c). Whenever an adjustment is
22 required under Section 18-135, the aggregate extension base of
23 the taxing district shall be equal to the amount that the
24 aggregate extension of the taxing district would have been for
25 the last preceding levy year if either or both (i) actual,
26 rather than estimated, valuations or rates had been used to

1 calculate the extension of taxes for the last levy year, or
2 (ii) the tax extension for the last preceding levy year had not
3 been adjusted as required by subsection (c) of Section 18-135.

4 Notwithstanding any other provision of law, for levy year
5 2012, the aggregate extension base for West Northfield School
6 District No. 31 in Cook County shall be \$12,654,592.

7 Notwithstanding any other provision of law, for levy year
8 2022, the aggregate extension base of a home equity assurance
9 program that levied at least \$1,000,000 in property taxes in
10 levy year 2019 or 2020 under the Home Equity Assurance Act
11 shall be the amount that the program's aggregate extension
12 base for levy year 2021 would have been if the program had
13 levied a property tax for levy year 2021.

14 "Levy year" has the same meaning as "year" under Section
15 1-155.

16 "Aggregate extension limit" means the district's last
17 preceding aggregate extension if the school district had
18 utilized the maximum limiting rate permitted without
19 referendum for each of the 3 immediately preceding levy years,
20 as adjusted under Section 18-135, 18-215, 18-230, 18-206, and
21 18-233.

22 "New property" means (i) the assessed value, after final
23 board of review or board of appeals action, of new
24 improvements or additions to existing improvements on any
25 parcel of real property that increase the assessed value of
26 that real property during the levy year multiplied by the

1 equalization factor issued by the Department under Section
2 17-30, (ii) the assessed value, after final board of review or
3 board of appeals action, of real property not exempt from real
4 estate taxation, which real property was exempt from real
5 estate taxation for any portion of the immediately preceding
6 levy year, multiplied by the equalization factor issued by the
7 Department under Section 17-30, including the assessed value,
8 upon final stabilization of occupancy after new construction
9 is complete, of any real property located within the
10 boundaries of an otherwise or previously exempt military
11 reservation that is intended for residential use and owned by
12 or leased to a private corporation or other entity, (iii) in
13 counties that classify in accordance with Section 4 of Article
14 IX of the Illinois Constitution, an incentive property's
15 additional assessed value resulting from a scheduled increase
16 in the level of assessment as applied to the first year final
17 board of review market value, and (iv) any increase in
18 assessed value due to oil or gas production from an oil or gas
19 well required to be permitted under the Hydraulic Fracturing
20 Regulatory Act that was not produced in or accounted for
21 during the previous levy year. In addition, the county clerk
22 in a county containing a population of 3,000,000 or more shall
23 include in the 1997 recovered tax increment value for any
24 school district, any recovered tax increment value that was
25 applicable to the 1995 tax year calculations.

26 "Qualified airport authority" means an airport authority

1 organized under the Airport Authorities Act and located in a
2 county bordering on the State of Wisconsin and having a
3 population in excess of 200,000 and not greater than 500,000.

4 "Recovered tax increment value" means, except as otherwise
5 provided in this paragraph, the amount of the current year's
6 equalized assessed value, in the first year after a
7 municipality terminates the designation of an area as a
8 redevelopment project area previously established under the
9 Tax Increment Allocation Redevelopment Act in the Illinois
10 Municipal Code, previously established under the Industrial
11 Jobs Recovery Law in the Illinois Municipal Code, previously
12 established under the Economic Development Project Area Tax
13 Increment Act of 1995, or previously established under the
14 Economic Development Area Tax Increment Allocation Act, of
15 each taxable lot, block, tract, or parcel of real property in
16 the redevelopment project area over and above the initial
17 equalized assessed value of each property in the redevelopment
18 project area. For the taxes which are extended for the 1997
19 levy year, the recovered tax increment value for a non-home
20 rule taxing district that first became subject to this Law for
21 the 1995 levy year because a majority of its 1994 equalized
22 assessed value was in an affected county or counties shall be
23 increased if a municipality terminated the designation of an
24 area in 1993 as a redevelopment project area previously
25 established under the Tax Increment Allocation Redevelopment
26 Act in the Illinois Municipal Code, previously established

1 under the Industrial Jobs Recovery Law in the Illinois
2 Municipal Code, or previously established under the Economic
3 Development Area Tax Increment Allocation Act, by an amount
4 equal to the 1994 equalized assessed value of each taxable
5 lot, block, tract, or parcel of real property in the
6 redevelopment project area over and above the initial
7 equalized assessed value of each property in the redevelopment
8 project area. In the first year after a municipality removes a
9 taxable lot, block, tract, or parcel of real property from a
10 redevelopment project area established under the Tax Increment
11 Allocation Redevelopment Act in the Illinois Municipal Code,
12 the Industrial Jobs Recovery Law in the Illinois Municipal
13 Code, or the Economic Development Area Tax Increment
14 Allocation Act, "recovered tax increment value" means the
15 amount of the current year's equalized assessed value of each
16 taxable lot, block, tract, or parcel of real property removed
17 from the redevelopment project area over and above the initial
18 equalized assessed value of that real property before removal
19 from the redevelopment project area.

20 Except as otherwise provided in this Section, "limiting
21 rate" means a fraction the numerator of which is the last
22 preceding aggregate extension base times an amount equal to
23 one plus the extension limitation defined in this Section and
24 the denominator of which is the current year's equalized
25 assessed value of all real property in the territory under the
26 jurisdiction of the taxing district during the prior levy

1 year. For those taxing districts that reduced their aggregate
2 extension for the last preceding levy year, except for school
3 districts that reduced their extension for educational
4 purposes pursuant to Section 18-206, the highest aggregate
5 extension in any of the last 3 preceding levy years shall be
6 used for the purpose of computing the limiting rate. The
7 denominator shall not include new property or the recovered
8 tax increment value. If a new rate, a rate decrease, or a
9 limiting rate increase has been approved at an election held
10 after March 21, 2006, then (i) the otherwise applicable
11 limiting rate shall be increased by the amount of the new rate
12 or shall be reduced by the amount of the rate decrease, as the
13 case may be, or (ii) in the case of a limiting rate increase,
14 the limiting rate shall be equal to the rate set forth in the
15 proposition approved by the voters for each of the years
16 specified in the proposition, after which the limiting rate of
17 the taxing district shall be calculated as otherwise provided.
18 In the case of a taxing district that obtained referendum
19 approval for an increased limiting rate on March 20, 2012, the
20 limiting rate for tax year 2012 shall be the rate that
21 generates the approximate total amount of taxes extendable for
22 that tax year, as set forth in the proposition approved by the
23 voters; this rate shall be the final rate applied by the county
24 clerk for the aggregate of all capped funds of the district for
25 tax year 2012.

26 (Source: P.A. 102-263, eff. 8-6-21; 102-311, eff. 8-6-21;

1 102-519, eff. 8-20-21; 102-558, eff. 8-20-21; revised
2 10-5-21.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".