



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB1963

Introduced 2/17/2021, by Rep. Jeff Keicher

SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-169

Amends the Property Tax Code. In provisions granting a homestead exemption for veterans with disabilities, provides that, if the veteran has a service connected, permanent disability of at least 60%, as certified by the United States Department of Veterans Affairs, then the property is exempt from taxation. Effective immediately.

LRB102 10982 HLH 16314 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

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.

9 (a) Beginning with taxable year 2007, an annual homestead
10 exemption, limited to the amounts set forth in subsections
11 (b), ~~and~~ (b-3), and (b-4) is granted for property that is used
12 as a qualified 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
17 years 2007 through 2009 and (ii) 70% for exemptions
18 granted in taxable year 2010 and each taxable year
19 thereafter, as certified by the United States Department
20 of Veterans 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%

1 for exemptions granted in taxable year 2010 and each
2 taxable 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 through 2020 ~~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
17 exempt from taxation under this Code.

18 (b-4) For taxable years 2021 and thereafter:

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

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

1 (3) if the veteran has: (i) a service connected
2 disability of 70% or more, as certified by the United
3 States Department of Veterans Affairs; or (ii) a service
4 connected, permanent disability of at least 60%, as
5 certified by the United States Department of Veterans
6 Affairs, then the property is exempt from taxation under
7 this Code.

8 (b-5) If a homestead exemption is granted under this
9 Section and the person awarded the exemption subsequently
10 becomes a resident of a facility licensed under the Nursing
11 Home Care Act or a facility operated by the United States
12 Department of Veterans Affairs, then the exemption shall
13 continue (i) so long as the residence continues to be occupied
14 by the qualifying person's spouse or (ii) if the residence
15 remains unoccupied but is still owned by the person who
16 qualified for the homestead exemption.

17 (c) The tax exemption under this Section carries over to
18 the benefit of the veteran's surviving spouse as long as the
19 spouse holds the legal or beneficial title to the homestead,
20 permanently resides thereon, and does not remarry. If the
21 surviving spouse sells the property, an exemption not to
22 exceed the amount granted from the most recent ad valorem tax
23 roll may be transferred to his or her new residence as long as
24 it is used as his or her primary residence and he or she does
25 not remarry.

26 (c-1) Beginning with taxable year 2015, nothing in this

1 Section shall require the veteran to have qualified for or
2 obtained the exemption before death if the veteran was killed
3 in the line of duty.

4 (d) The exemption under this Section applies for taxable
5 year 2007 and thereafter. A taxpayer who claims an exemption
6 under Section 15-165 or 15-168 may not claim an exemption
7 under this Section.

8 (e) Each taxpayer who has been granted an exemption under
9 this Section must reapply on an annual basis. Application must
10 be made during the application period in effect for the county
11 of his or her residence. The assessor or chief county
12 assessment officer may determine the eligibility of
13 residential property to receive the homestead exemption
14 provided by this Section by application, visual inspection,
15 questionnaire, or other reasonable methods. The determination
16 must be made in accordance with guidelines established by the
17 Department.

18 (e-1) If the person qualifying for the exemption does not
19 occupy the qualified residence as of January 1 of the taxable
20 year, the exemption granted under this Section shall be
21 prorated on a monthly basis. The prorated exemption shall
22 apply beginning with the first complete month in which the
23 person occupies the qualified residence.

24 (e-5) Notwithstanding any other provision of law, each
25 chief county assessment officer may approve this exemption for
26 the 2020 taxable year, without application, for any property

1 that was approved for this exemption for the 2019 taxable
2 year, provided that:

3 (1) the county board has declared a local disaster as
4 provided in the Illinois Emergency Management Agency Act
5 related to the COVID-19 public health emergency;

6 (2) the owner of record of the property as of January
7 1, 2020 is the same as the owner of record of the property
8 as of January 1, 2019;

9 (3) the exemption for the 2019 taxable year has not
10 been determined to be an erroneous exemption as defined by
11 this Code; and

12 (4) the applicant for the 2019 taxable year has not
13 asked for the exemption to be removed for the 2019 or 2020
14 taxable years.

15 Nothing in this subsection shall preclude a veteran whose
16 service connected disability rating has changed since the 2019
17 exemption was granted from applying for the exemption based on
18 the subsequent service connected disability rating.

19 (f) For the purposes of this Section:

20 "Qualified residence" means real property, but less any
21 portion of that property that is used for commercial purposes,
22 with an equalized assessed value of less than \$250,000 that is
23 the primary residence of a veteran with a disability. Property
24 rented for more than 6 months is presumed to be used for
25 commercial purposes.

26 "Veteran" means an Illinois resident who has served as a

1 member of the United States Armed Forces on active duty or
2 State active duty, a member of the Illinois National Guard, or
3 a member of the United States Reserve Forces and who has
4 received an honorable discharge.

5 (Source: P.A. 100-869, eff. 8-14-18; 101-635, eff. 6-5-20.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.