



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2872

Introduced 2/19/2021, by Rep. Mark Luft

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-185
35 ILCS 200/18-205
35 ILCS 200/18-212
35 ILCS 200/18-213
35 ILCS 200/18-214
35 ILCS 200/18-242 new
30 ILCS 805/8.45 new

Amends the Property Tax Code. Provides that, beginning with the 2021 levy year, the Property Tax Extension Limitation Law applies to all taxing districts, including home rule units. Provides that, beginning with the 2021 levy year, the extension limitation under the Property Tax Extension Limitation Law is 0% or the rate of increase approved by the voters. Preempts home rule. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB102 14641 HLH 19994 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 18-185, 18-205, 18-212, 18-213, and 18-214 and by
6 adding Section 18-242 as follows:

7 (35 ILCS 200/18-185)

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

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

14 "Extension limitation", for levy years prior to 2021,
15 means (a) the lesser of 5% or the percentage increase in the
16 Consumer Price Index during the 12-month calendar year
17 preceding the levy year or (b) the rate of increase approved by
18 voters under Section 18-205.

19 "Extension limitation", beginning in levy year 2021, means
20 0% or the rate of increase approved by the voters under Section
21 18-205.

22 "Affected county" means a county of 3,000,000 or more
23 inhabitants or a county contiguous to a county of 3,000,000 or

1 more inhabitants.

2 "Taxing district" has the same meaning provided in Section
3 1-150, except as otherwise provided in this Section. For the
4 1991 through 1994 levy years only, "taxing district" includes
5 only each non-home rule taxing district having the majority of
6 its 1990 equalized assessed value within any county or
7 counties contiguous to a county with 3,000,000 or more
8 inhabitants. Beginning with the 1995 levy year and through the
9 2020 levy year, "taxing district" includes only each non-home
10 rule taxing district subject to this Law before the 1995 levy
11 year and each non-home rule taxing district not subject to
12 this Law before the 1995 levy year having the majority of its
13 1994 equalized assessed value in an affected county or
14 counties. Beginning with the levy year in which this Law
15 becomes applicable to a taxing district as provided in Section
16 18-213, "taxing district" also includes those taxing districts
17 made subject to this Law as provided in Section 18-213.
18 Beginning with the 2021 levy year, "taxing district" has the
19 same meaning provided in Section 1-150 and includes home rule
20 units.

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

1 obligation bonds that were approved by referendum; (b) made
2 for any taxing district to pay interest or principal on
3 general obligation bonds issued before October 1, 1991; (c)
4 made for any taxing district to pay interest or principal on
5 bonds issued to refund or continue to refund those bonds
6 issued before October 1, 1991; (d) made for any taxing
7 district to pay interest or principal on bonds issued to
8 refund or continue to refund bonds issued after October 1,
9 1991 that were approved by referendum; (e) made for any taxing
10 district to pay interest or principal on revenue bonds issued
11 before October 1, 1991 for payment of which a property tax levy
12 or the full faith and credit of the unit of local government is
13 pledged; however, a tax for the payment of interest or
14 principal on those bonds shall be made only after the
15 governing body of the unit of local government finds that all
16 other sources for payment are insufficient to make those
17 payments; (f) made for payments under a building commission
18 lease when the lease payments are for the retirement of bonds
19 issued by the commission before October 1, 1991, to pay for the
20 building project; (g) made for payments due under installment
21 contracts entered into before October 1, 1991; (h) made for
22 payments of principal and interest on bonds issued under the
23 Metropolitan Water Reclamation District Act to finance
24 construction projects initiated before October 1, 1991; (i)
25 made for payments of principal and interest on limited bonds,
26 as defined in Section 3 of the Local Government Debt Reform

1 Act, in an amount not to exceed the debt service extension base
2 less the amount in items (b), (c), (e), and (h) of this
3 definition for non-referendum obligations, except obligations
4 initially issued pursuant to referendum; (j) made for payments
5 of principal and interest on bonds issued under Section 15 of
6 the Local Government Debt Reform Act; (k) made by a school
7 district that participates in the Special Education District
8 of Lake County, created by special education joint agreement
9 under Section 10-22.31 of the School Code, for payment of the
10 school district's share of the amounts required to be
11 contributed by the Special Education District of Lake County
12 to the Illinois Municipal Retirement Fund under Article 7 of
13 the Illinois Pension Code; the amount of any extension under
14 this item (k) shall be certified by the school district to the
15 county clerk; (l) made to fund expenses of providing joint
16 recreational programs for persons with disabilities under
17 Section 5-8 of the Park District Code or Section 11-95-14 of
18 the Illinois Municipal Code; (m) made for temporary relocation
19 loan repayment purposes pursuant to Sections 2-3.77 and
20 17-2.2d of the School Code; (n) made for payment of principal
21 and interest on any bonds issued under the authority of
22 Section 17-2.2d of the School Code; (o) made for contributions
23 to a firefighter's pension fund created under Article 4 of the
24 Illinois Pension Code, to the extent of the amount certified
25 under item (5) of Section 4-134 of the Illinois Pension Code;
26 and (p) made for road purposes in the first year after a

1 township assumes the rights, powers, duties, assets, property,
2 liabilities, obligations, and responsibilities of a road
3 district abolished under the provisions of Section 6-133 of
4 the Illinois Highway Code.

5 "Aggregate extension" for the taxing districts to which
6 this Law did not apply before the 1995 levy year (except taxing
7 districts subject to this Law in accordance with Section
8 18-213 or this amendatory Act of the 102nd General Assembly)
9 means the annual corporate extension for the taxing district
10 and those special purpose extensions that are made annually
11 for the taxing district, excluding special purpose extensions:
12 (a) made for the taxing district to pay interest or principal
13 on general obligation bonds that were approved by referendum;
14 (b) made for any taxing district to pay interest or principal
15 on general obligation bonds issued before March 1, 1995; (c)
16 made for any taxing district to pay interest or principal on
17 bonds issued to refund or continue to refund those bonds
18 issued before March 1, 1995; (d) made for any taxing district
19 to pay interest or principal on bonds issued to refund or
20 continue to refund bonds issued after March 1, 1995 that were
21 approved by referendum; (e) made for any taxing district to
22 pay interest or principal on revenue bonds issued before March
23 1, 1995 for payment of which a property tax levy or the full
24 faith and credit of the unit of local government is pledged;
25 however, a tax for the payment of interest or principal on
26 those bonds shall be made only after the governing body of the

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

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

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

1 for the taxing district and those special purpose extensions
2 that are made annually for the taxing district, excluding
3 special purpose extensions: (a) made for the taxing district
4 to pay interest or principal on general obligation bonds that
5 were approved by referendum; (b) made for any taxing district
6 to pay interest or principal on general obligation bonds
7 issued before the date on which the referendum making this Law
8 applicable to the taxing district is held; (c) made for any
9 taxing district to pay interest or principal on bonds issued
10 to refund or continue to refund those bonds issued before the
11 date on which the referendum making this Law applicable to the
12 taxing district is held; (d) made for any taxing district to
13 pay interest or principal on bonds issued to refund or
14 continue to refund bonds issued after the date on which the
15 referendum making this Law applicable to the taxing district
16 is held if the bonds were approved by referendum after the date
17 on which the referendum making this Law applicable to the
18 taxing district is held; (e) made for any taxing district to
19 pay interest or principal on revenue bonds issued before the
20 date on which the referendum making this Law applicable to the
21 taxing district is held for payment of which a property tax
22 levy or the full faith and credit of the unit of local
23 government is pledged; however, a tax for the payment of
24 interest or principal on those bonds shall be made only after
25 the governing body of the unit of local government finds that
26 all 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 the date on which the
4 referendum making this Law applicable to the taxing district
5 is held to pay for the building project; (g) made for payments
6 due under installment contracts entered into before the date
7 on which the referendum making this Law applicable to the
8 taxing district is held; (h) made for payments of principal
9 and interest on limited bonds, as defined in Section 3 of the
10 Local Government Debt Reform Act, in an amount not to exceed
11 the debt service extension base less the amount in items (b),
12 (c), and (e) of this definition for non-referendum
13 obligations, except obligations initially issued pursuant to
14 referendum; (i) made for payments of principal and interest on
15 bonds issued under Section 15 of the Local Government Debt
16 Reform Act; (j) made for a qualified airport authority to pay
17 interest or principal on general obligation bonds issued for
18 the purpose of paying obligations due under, or financing
19 airport facilities required to be acquired, constructed,
20 installed or equipped pursuant to, contracts entered into
21 before March 1, 1996 (but not including any amendments to such
22 a contract taking effect on or after that date); (k) made to
23 fund expenses of providing joint recreational programs for
24 persons with disabilities under Section 5-8 of the Park
25 District Code or Section 11-95-14 of the Illinois Municipal
26 Code; (l) made for contributions to a firefighter's pension

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

6 "Aggregate extension" for all taxing districts to which
7 this Law applies in accordance with paragraph (2) of
8 subsection (e) of Section 18-213 or this amendatory Act of the
9 102nd General Assembly means the annual corporate extension
10 for the taxing district and those special purpose extensions
11 that are made annually for the taxing district, excluding
12 special purpose extensions: (a) made for the taxing district
13 to pay interest or principal on general obligation bonds that
14 were approved by referendum; (b) made for any taxing district
15 to pay interest or principal on general obligation bonds
16 issued before March 7, 1997 (the effective date of Public Act
17 89-718) ~~this amendatory Act of 1997~~; (c) made for any taxing
18 district to pay interest or principal on bonds issued to
19 refund or continue to refund those bonds issued before March
20 7, 1997 (the effective date of Public Act 89-718) ~~this~~
21 ~~amendatory Act of 1997~~; (d) made for any taxing district to pay
22 interest or principal on bonds issued to refund or continue to
23 refund bonds issued after March 7, 1997 (the effective date of
24 Public Act 89-718) ~~this amendatory Act of 1997~~ if the bonds
25 were approved by referendum after March 7, 1997 (the effective
26 date of Public Act 89-718) ~~this amendatory Act of 1997~~; (e)

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

1 required to be acquired, constructed, installed or equipped
2 pursuant to, contracts entered into before March 1, 1996 (but
3 not including any amendments to such a contract taking effect
4 on or after that date); (k) made to fund expenses of providing
5 joint recreational programs for persons with disabilities
6 under Section 5-8 of the Park District Code or Section
7 11-95-14 of the Illinois Municipal Code; and (l) made for
8 contributions to a firefighter's pension fund created under
9 Article 4 of the Illinois Pension Code, to the extent of the
10 amount certified under item (5) of Section 4-134 of the
11 Illinois Pension Code.

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

1 the park district without referendum (but not including
2 excluded non-referendum bonds) was less than 51% of the amount
3 for the 1991 levy year constituting an extension for payment
4 of principal and interest on bonds issued by the park district
5 without referendum (but not including excluded non-referendum
6 bonds), "debt service extension base" means an amount equal to
7 that portion of the extension for the 1991 levy year
8 constituting an extension for payment of principal and
9 interest on bonds issued by the park district without
10 referendum (but not including excluded non-referendum bonds).
11 A debt service extension base established or increased at any
12 time pursuant to any provision of this Law, except Section
13 18-212, shall be increased each year commencing with the later
14 of (i) the 2009 levy year or (ii) the first levy year in which
15 this Law becomes applicable to the taxing district, by (A) for
16 levy years prior to the 2021 levy year, the lesser of 5% or the
17 percentage increase in the Consumer Price Index during the
18 12-month calendar year preceding the levy year or (B)
19 beginning with the 2021 levy year, 0%. The debt service
20 extension base may be established or increased as provided
21 under Section 18-212. "Excluded non-referendum bonds" means
22 (i) bonds authorized by Public Act 88-503 and issued under
23 Section 20a of the Chicago Park District Act for aquarium and
24 museum projects; (ii) bonds issued under Section 15 of the
25 Local Government Debt Reform Act; or (iii) refunding
26 obligations issued to refund or to continue to refund

1 obligations initially issued pursuant to referendum.

2 "Special purpose extensions" include, but are not limited
3 to, extensions for levies made on an annual basis for
4 unemployment and workers' compensation, self-insurance,
5 contributions to pension plans, and extensions made pursuant
6 to Section 6-601 of the Illinois Highway Code for a road
7 district's permanent road fund whether levied annually or not.
8 The extension for a special service area is not included in the
9 aggregate extension.

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

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

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

6 "Levy year" has the same meaning as "year" under Section
7 1-155.

8 "New property" means (i) the assessed value, after final
9 board of review or board of appeals action, of new
10 improvements or additions to existing improvements on any
11 parcel of real property that increase the assessed value of
12 that real property during the levy year multiplied by the
13 equalization factor issued by the Department under Section
14 17-30, (ii) the assessed value, after final board of review or
15 board of appeals action, of real property not exempt from real
16 estate taxation, which real property was exempt from real
17 estate taxation for any portion of the immediately preceding
18 levy year, multiplied by the equalization factor issued by the
19 Department under Section 17-30, including the assessed value,
20 upon final stabilization of occupancy after new construction
21 is complete, of any real property located within the
22 boundaries of an otherwise or previously exempt military
23 reservation that is intended for residential use and owned by
24 or leased to a private corporation or other entity, (iii) in
25 counties that classify in accordance with Section 4 of Article
26 IX of the Illinois Constitution, an incentive property's

1 additional assessed value resulting from a scheduled increase
2 in the level of assessment as applied to the first year final
3 board of review market value, and (iv) any increase in
4 assessed value due to oil or gas production from an oil or gas
5 well required to be permitted under the Hydraulic Fracturing
6 Regulatory Act that was not produced in or accounted for
7 during the previous levy year. In addition, the county clerk
8 in a county containing a population of 3,000,000 or more shall
9 include in the 1997 recovered tax increment value for any
10 school district, any recovered tax increment value that was
11 applicable to the 1995 tax year calculations.

12 "Qualified airport authority" means an airport authority
13 organized under the Airport Authorities Act and located in a
14 county bordering on the State of Wisconsin and having a
15 population in excess of 200,000 and not greater than 500,000.

16 "Recovered tax increment value" means, except as otherwise
17 provided in this paragraph, the amount of the current year's
18 equalized assessed value, in the first year after a
19 municipality terminates the designation of an area as a
20 redevelopment project area previously established under the
21 Tax Increment Allocation Redevelopment ~~Development~~ Act in the
22 Illinois Municipal Code, previously established under the
23 Industrial Jobs Recovery Law in the Illinois Municipal Code,
24 previously established under the Economic Development Project
25 Area Tax Increment Act of 1995, or previously established
26 under the Economic Development Area Tax Increment Allocation

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

1 means the amount of the current year's equalized assessed
2 value of each taxable lot, block, tract, or parcel of real
3 property removed from the redevelopment project area over and
4 above the initial equalized assessed value of that real
5 property before removal from the redevelopment project area.

6 Except as otherwise provided in this Section, "limiting
7 rate" means a fraction the numerator of which is the last
8 preceding aggregate extension base times an amount equal to
9 one plus the extension limitation defined in this Section and
10 the denominator of which is the current year's equalized
11 assessed value of all real property in the territory under the
12 jurisdiction of the taxing district during the prior levy
13 year. For those taxing districts that reduced their aggregate
14 extension for the last preceding levy year, except for school
15 districts that reduced their extension for educational
16 purposes pursuant to Section 18-206, the highest aggregate
17 extension in any of the last 3 preceding levy years shall be
18 used for the purpose of computing the limiting rate. The
19 denominator shall not include new property or the recovered
20 tax increment value. If a new rate, a rate decrease, or a
21 limiting rate increase has been approved at an election held
22 after March 21, 2006, then (i) the otherwise applicable
23 limiting rate shall be increased by the amount of the new rate
24 or shall be reduced by the amount of the rate decrease, as the
25 case may be, or (ii) in the case of a limiting rate increase,
26 the limiting rate shall be equal to the rate set forth in the

1 proposition approved by the voters for each of the years
2 specified in the proposition, after which the limiting rate of
3 the taxing district shall be calculated as otherwise provided.
4 In the case of a taxing district that obtained referendum
5 approval for an increased limiting rate on March 20, 2012, the
6 limiting rate for tax year 2012 shall be the rate that
7 generates the approximate total amount of taxes extendable for
8 that tax year, as set forth in the proposition approved by the
9 voters; this rate shall be the final rate applied by the county
10 clerk for the aggregate of all capped funds of the district for
11 tax year 2012.

12 (Source: P.A. 99-143, eff. 7-27-15; 99-521, eff. 6-1-17;
13 100-465, eff. 8-31-17; revised 8-12-19.)

14 (35 ILCS 200/18-205)

15 Sec. 18-205. Referendum to increase the extension
16 limitation. A taxing district is limited to an extension
17 limitation as defined in Section 18-185 ~~of 5% or the~~
18 ~~percentage increase in the Consumer Price Index during the~~
19 ~~12-month calendar year preceding the levy year, whichever is~~
20 ~~less~~. A taxing district may increase its extension limitation
21 for one or more levy years if that taxing district holds a
22 referendum before the levy date for the first levy year at
23 which a majority of voters voting on the issue approves
24 adoption of a higher extension limitation. Referenda shall be
25 conducted at a regularly scheduled election in accordance with

1 the Election Code. The question shall be presented in
2 substantially the following manner for all elections held
3 after March 21, 2006:

4 Shall the extension limitation under the Property Tax
5 Extension Limitation Law for (insert the legal name,
6 number, if any, and county or counties of the taxing
7 district and geographic or other common name by which a
8 school or community college district is known and referred
9 to), Illinois, be increased from extension limitation
10 under Section 18-185) ~~the lesser of 5% or the percentage~~
11 ~~increase in the Consumer Price Index over the prior levy~~
12 ~~year~~ to (insert the percentage of the proposed increase)%
13 per year for (insert each levy year for which the
14 increased extension limitation will apply)?

15 The votes must be recorded as "Yes" or "No".

16 If a majority of voters voting on the issue approves the
17 adoption of the increase, the increase shall be applicable for
18 each levy year specified.

19 The ballot for any question submitted pursuant to this
20 Section shall have printed thereon, but not as a part of the
21 question submitted, only the following supplemental
22 information (which shall be supplied to the election authority
23 by the taxing district) in substantially the following form:

24 (1) For the (insert the first levy year for which the
25 increased extension limitation will be applicable) levy
26 year the approximate amount of the additional tax

1 extendable against property containing a single family
2 residence and having a fair market value at the time of the
3 referendum of \$100,000 is estimated to be \$....

4 (2) Based upon an average annual percentage increase
5 (or decrease) in the market value of such property of ...%
6 (insert percentage equal to the average annual percentage
7 increase or decrease for the prior 3 levy years, at the
8 time the submission of the question is initiated by the
9 taxing district, in the amount of (A) the equalized
10 assessed value of the taxable property in the taxing
11 district less (B) the new property included in the
12 equalized assessed value), the approximate amount of the
13 additional tax extendable against such property for the
14 ... levy year is estimated to be \$... and for the ... levy
15 year is estimated to be \$....

16 Paragraph (2) shall be included only if the increased
17 extension limitation will be applicable for more than one year
18 and shall list each levy year for which the increased
19 extension limitation will be applicable. The additional tax
20 shown for each levy year shall be the approximate dollar
21 amount of the increase over the amount of the most recently
22 completed extension at the time the submission of the question
23 is initiated by the taxing district. The approximate amount of
24 the additional tax extendable shown in paragraphs (1) and (2)
25 shall be calculated by multiplying \$100,000 (the fair market
26 value of the property without regard to any property tax

1 exemptions) by (i) the percentage level of assessment
2 prescribed for that property by statute, or by ordinance of
3 the county board in counties that classify property for
4 purposes of taxation in accordance with Section 4 of Article
5 IX of the Illinois Constitution; (ii) the most recent final
6 equalization factor certified to the county clerk by the
7 Department of Revenue at the time the taxing district
8 initiates the submission of the proposition to the electors;
9 (iii) the last known aggregate extension base of the taxing
10 district at the time the submission of the question is
11 initiated by the taxing district; and (iv) the difference
12 between the percentage increase proposed in the question and
13 (A) the lesser of 5% or the percentage increase in the Consumer
14 Price Index for the prior levy year (or an estimate of the
15 percentage increase for the prior levy year if the increase is
16 unavailable at the time the submission of the question is
17 initiated by the taxing district) or (B) 0%, as applicable;
18 and dividing the result by the last known equalized assessed
19 value of the taxing district at the time the submission of the
20 question is initiated by the taxing district. This amendatory
21 Act of the 97th General Assembly is intended to clarify the
22 existing requirements of this Section, and shall not be
23 construed to validate any prior non-compliant referendum
24 language. Any notice required to be published in connection
25 with the submission of the question shall also contain this
26 supplemental information and shall not contain any other

1 supplemental information. Any error, miscalculation, or
2 inaccuracy in computing any amount set forth on the ballot or
3 in the notice that is not deliberate shall not invalidate or
4 affect the validity of any proposition approved. Notice of the
5 referendum shall be published and posted as otherwise required
6 by law, and the submission of the question shall be initiated
7 as provided by law.

8 (Source: P.A. 97-1087, eff. 8-24-12.)

9 (35 ILCS 200/18-212)

10 Sec. 18-212. Referendum on debt service extension base. A
11 taxing district may establish or increase its debt service
12 extension base if (i) that taxing district holds a referendum
13 before the date on which the levy must be filed with the county
14 clerk of the county or counties in which the taxing district is
15 situated and (ii) a majority of voters voting on the issue
16 approves the establishment of or increase in the debt service
17 extension base. A debt service extension base established or
18 increased by a referendum held pursuant to this Section after
19 February 2, 2010 and prior to the effective date of this
20 amendatory Act of the 102nd General Assembly, shall be
21 increased each year, commencing with the first levy year
22 beginning after the date of the referendum, by the lesser of 5%
23 or the percentage increase in the Consumer Price Index during
24 the 12-month calendar year preceding the levy year if the
25 optional language concerning the annual increase is included

1 in the question submitted to the electors of the taxing
2 district. Referenda under this Section shall be conducted at a
3 regularly scheduled election in accordance with the Election
4 Code. The governing body of the taxing district shall certify
5 the question to the proper election authorities who shall
6 submit the question to the electors of the taxing district in
7 substantially the following form:

8 "Shall the debt service extension base under the Property
9 Tax Extension Limitation Law for ... (taxing district
10 name) ... for payment of principal and interest on limited
11 bonds be ((established at \$) . (or) (increased
12 from \$ to \$)) .. for the levy year and all
13 subsequent levy years (optional language: , such debt
14 service extension base to be increased each year by the
15 lesser of 5% or the percentage increase in the Consumer
16 Price Index during the 12-month calendar year preceding
17 the levy year)?"

18 Votes on the question shall be recorded as "Yes" or "No".

19 If a majority of voters voting on the issue approves the
20 establishment of or increase in the debt service extension
21 base, the establishment of or increase in the debt service
22 extension base shall be applicable for the levy years
23 specified.

24 (Source: P.A. 96-1202, eff. 7-22-10.)

25 (35 ILCS 200/18-213)

1 Sec. 18-213. Referenda on applicability of the Property
2 Tax Extension Limitation Law.

3 (a) The provisions of this Section do not apply to a taxing
4 district subject to this Law because a majority of its 1990
5 equalized assessed value is in a county or counties contiguous
6 to a county of 3,000,000 or more inhabitants, or because a
7 majority of its 1994 equalized assessed value is in an
8 affected county and the taxing district was not subject to
9 this Law before the 1995 levy year.

10 (b) Prior to taxable year 2021, the ~~The~~ county board of a
11 county that is not subject to this Law may, by ordinance or
12 resolution, submit to the voters of the county the question of
13 whether to make all non-home rule taxing districts that have
14 all or a portion of their equalized assessed valuation
15 situated in the county subject to this Law in the manner set
16 forth in this Section.

17 For purposes of this Section only:

18 "Taxing district" has the same meaning provided in Section
19 1-150.

20 "Equalized assessed valuation" means the equalized
21 assessed valuation for a taxing district for the immediately
22 preceding levy year.

23 (c) The ordinance or resolution shall request the
24 submission of the proposition at any election, except a
25 consolidated primary election, for the purpose of voting for
26 or against making the Property Tax Extension Limitation Law

1 applicable to all non-home rule taxing districts that have all
2 or a portion of their equalized assessed valuation situated in
3 the county.

4 The question shall be placed on a separate ballot and
5 shall be in substantially the following form:

6 Shall the Property Tax Extension Limitation Law (35
7 ILCS 200/18-185 through 18-245), which limits annual
8 property tax extension increases, apply to non-home rule
9 taxing districts with all or a portion of their equalized
10 assessed valuation located in (name of county)?

11 Votes on the question shall be recorded as "yes" or "no".

12 (d) The county clerk shall order the proposition submitted
13 to the electors of the county at the election specified in the
14 ordinance or resolution. If part of the county is under the
15 jurisdiction of a board or boards of election commissioners,
16 the county clerk shall submit a certified copy of the
17 ordinance or resolution to each board of election
18 commissioners, which shall order the proposition submitted to
19 the electors of the taxing district within its jurisdiction at
20 the election specified in the ordinance or resolution.

21 (e) (1) With respect to taxing districts having all of
22 their equalized assessed valuation located in the county,
23 if a majority of the votes cast on the proposition are in
24 favor of the proposition, then this Law becomes applicable
25 to the taxing district beginning on January 1 of the year
26 following the date of the referendum.

1 (2) With respect to taxing districts that meet all the
2 following conditions this Law shall become applicable to
3 the taxing district beginning on January 1, 1997. The
4 districts to which this paragraph (2) is applicable

5 (A) do not have all of their equalized assessed
6 valuation located in a single county,

7 (B) have equalized assessed valuation in an
8 affected county,

9 (C) meet the condition that each county, other
10 than an affected county, in which any of the equalized
11 assessed valuation of the taxing district is located
12 has held a referendum under this Section at any
13 election, except a consolidated primary election, held
14 prior to the effective date of this amendatory Act of
15 1997, and

16 (D) have a majority of the district's equalized
17 assessed valuation located in one or more counties in
18 each of which the voters have approved a referendum
19 under this Section prior to the effective date of this
20 amendatory Act of 1997. For purposes of this Section,
21 in determining whether a majority of the equalized
22 assessed valuation of the taxing district is located
23 in one or more counties in which the voters have
24 approved a referendum under this Section, the
25 equalized assessed valuation of the taxing district in
26 any affected county shall be included with the

1 equalized assessed value of the taxing district in
2 counties in which the voters have approved the
3 referendum.

4 (3) With respect to taxing districts that do not have
5 all of their equalized assessed valuation located in a
6 single county and to which paragraph (2) of subsection (e)
7 is not applicable, if each county other than an affected
8 county in which any of the equalized assessed valuation of
9 the taxing district is located has held a referendum under
10 this Section at any election, except a consolidated
11 primary election, held in any year and if a majority of the
12 equalized assessed valuation of the taxing district is
13 located in one or more counties that have each approved a
14 referendum under this Section, then this Law shall become
15 applicable to the taxing district on January 1 of the year
16 following the year in which the last referendum in a
17 county in which the taxing district has any equalized
18 assessed valuation is held. For the purposes of this Law,
19 the last referendum shall be deemed to be the referendum
20 making this Law applicable to the taxing district. For
21 purposes of this Section, in determining whether a
22 majority of the equalized assessed valuation of the taxing
23 district is located in one or more counties that have
24 approved a referendum under this Section, the equalized
25 assessed valuation of the taxing district in any affected
26 county shall be included with the equalized assessed value

1 of the taxing district in counties that have approved the
2 referendum.

3 (f) Immediately after a referendum is held under this
4 Section, the county clerk of the county holding the referendum
5 shall give notice of the referendum having been held and its
6 results to all taxing districts that have all or a portion of
7 their equalized assessed valuation located in the county, the
8 county clerk of any other county in which any of the equalized
9 assessed valuation of any taxing district is located, and the
10 Department of Revenue. After the last referendum affecting a
11 multi-county taxing district is held, the Department of
12 Revenue shall determine whether the taxing district is subject
13 to this Law and, if so, shall notify the taxing district and
14 the county clerks of all of the counties in which a portion of
15 the equalized assessed valuation of the taxing district is
16 located that, beginning the following January 1, the taxing
17 district is subject to this Law. For each taxing district
18 subject to paragraph (2) of subsection (e) of this Section,
19 the Department of Revenue shall notify the taxing district and
20 the county clerks of all of the counties in which a portion of
21 the equalized assessed valuation of the taxing district is
22 located that, beginning January 1, 1997, the taxing district
23 is subject to this Law.

24 (g) Referenda held under this Section shall be conducted
25 in accordance with the Election Code.

26 (Source: P.A. 89-510, eff. 7-11-96; 89-718, eff. 3-7-97.)

1 (35 ILCS 200/18-214)

2 Sec. 18-214. Referenda on removal of the applicability of
3 the Property Tax Extension Limitation Law to non-home rule
4 taxing districts.

5 (a) The provisions of this Section do not apply to a taxing
6 district that is subject to this Law because a majority of its
7 1990 equalized assessed value is in a county or counties
8 contiguous to a county of 3,000,000 or more inhabitants, or
9 because a majority of its 1994 equalized assessed value is in
10 an affected county and the taxing district was not subject to
11 this Law before the 1995 levy year.

12 (b) For purposes of this Section only:

13 "Taxing district" means any non-home rule taxing district
14 that became subject to this Law under Section 18-213 of this
15 Law.

16 "Equalized assessed valuation" means the equalized
17 assessed valuation for a taxing district for the immediately
18 preceding levy year.

19 (c) The county board of a county that became subject to
20 this Law by a referendum approved by the voters of the county
21 under Section 18-213 may, by ordinance or resolution, in the
22 manner set forth in this Section, submit to the voters of the
23 county the question of whether this Law applies to all
24 non-home rule taxing districts that have all or a portion of
25 their equalized assessed valuation situated in the county in

1 the manner set forth in this Section.

2 (d) The ordinance or resolution shall request the
3 submission of the proposition at any election, except a
4 consolidated primary election, for the purpose of voting for
5 or against the continued application of the Property Tax
6 Extension Limitation Law to all non-home rule taxing districts
7 that have all or a portion of their equalized assessed
8 valuation situated in the county.

9 The question shall be placed on a separate ballot and
10 shall be in substantially the following form:

11 Shall the Property Tax Extension Limitation Law (35
12 ILCS 200/18-185 through 35 ILCS 200/18-245), which limits
13 annual property tax extension increases, apply to non-home
14 rule taxing districts with all or a portion of their
15 equalized assessed valuation located in (name of county)?

16 Votes on the question shall be recorded as "yes" or "no".

17 (e) The county clerk shall order the proposition submitted
18 to the electors of the county at the election specified in the
19 ordinance or resolution. If part of the county is under the
20 jurisdiction of a board or boards of election commissioners,
21 the county clerk shall submit a certified copy of the
22 ordinance or resolution to each board of election
23 commissioners, which shall order the proposition submitted to
24 the electors of the taxing district within its jurisdiction at
25 the election specified in the ordinance or resolution.

26 (f) With respect to taxing districts having all of their

1 equalized assessed valuation located in one county, if a
2 majority of the votes cast on the proposition are against the
3 proposition, then this Law shall not apply to the taxing
4 district beginning on January 1 of the year following the date
5 of the referendum.

6 (g) With respect to taxing districts that do not have all
7 of their equalized assessed valuation located in a single
8 county, if both of the following conditions are met, then this
9 Law shall no longer apply to the taxing district beginning on
10 January 1 of the year following the date of the referendum.

11 (1) Each county in which the district has any
12 equalized assessed valuation must either, (i) have held a
13 referendum under this Section, (ii) be an affected county,
14 or (iii) have held a referendum under Section 18-213 at
15 which the voters rejected the proposition at the most
16 recent election at which the question was on the ballot in
17 the county.

18 (2) The majority of the equalized assessed valuation
19 of the taxing district, other than any equalized assessed
20 valuation in an affected county, is in one or more
21 counties in which the voters rejected the proposition. For
22 purposes of this Section, in determining whether a
23 majority of the equalized assessed valuation of the taxing
24 district is located in one or more counties in which the
25 voters have rejected the proposition under this Section,
26 the equalized assessed valuation of any taxing district in

1 a county which has held a referendum under Section 18-213
2 at which the voters rejected that proposition, at the most
3 recent election at which the question was on the ballot in
4 the county, will be included with the equalized assessed
5 value of the taxing district in counties in which the
6 voters have rejected the referendum held under this
7 Section.

8 (h) Immediately after a referendum is held under this
9 Section, the county clerk of the county holding the referendum
10 shall give notice of the referendum having been held and its
11 results to all taxing districts that have all or a portion of
12 their equalized assessed valuation located in the county, the
13 county clerk of any other county in which any of the equalized
14 assessed valuation of any such taxing district is located, and
15 the Department of Revenue. After the last referendum affecting
16 a multi-county taxing district is held, the Department of
17 Revenue shall determine whether the taxing district is no
18 longer subject to this Law and, if the taxing district is no
19 longer subject to this Law, the Department of Revenue shall
20 notify the taxing district and the county clerks of all of the
21 counties in which a portion of the equalized assessed
22 valuation of the taxing district is located that, beginning on
23 January 1 of the year following the date of the last
24 referendum, the taxing district is no longer subject to this
25 Law.

26 (i) Notwithstanding any other provision of law, no

1 referendum may be submitted under this Section for taxable
2 year 2021 or thereafter.

3 (Source: P.A. 89-718, eff. 3-7-97.)

4 (35 ILCS 200/18-242 new)

5 Sec. 18-242. Home rule. This Division 5 is a limitation,
6 under subsection (g) of Section 6 of Article VII of the
7 Illinois Constitution, on the power of home rule units to tax.

8 Section 90. The State Mandates Act is amended by adding
9 Section 8.45 as follows:

10 (30 ILCS 805/8.45 new)

11 Sec. 8.45. Exempt mandate. Notwithstanding Sections 6 and
12 8 of this Act, no reimbursement by the State is required for
13 the implementation of any mandate created by this amendatory
14 Act of the 102nd General Assembly.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.