



Rep. Theresa Mah

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10200HB3181ham001

LRB102 11488 HLH 23773 a

1 AMENDMENT TO HOUSE BILL 3181

2 AMENDMENT NO. _____. Amend House Bill 3181 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing
5 Section 10-260 as follows:

6 (35 ILCS 200/10-260)

7 Sec. 10-260. Low-income housing. In determining the fair
8 cash value of property receiving benefits from the Low-Income
9 Housing Tax Credit authorized by Section 42 of the Internal
10 Revenue Code, 26 U.S.C. 42, emphasis shall be given to the
11 income approach, ~~except in those circumstances where another~~
12 ~~method is clearly more appropriate.~~

13 In counties with more than 3,000,000 inhabitants, to
14 determine the fair cash value of any low-income housing
15 project that qualifies for the Low-Income Housing Tax Credit
16 under Section 42 of the Internal Revenue Code: (i) in

1 assessing any building with 7 or more units, the assessment
2 officer must consider the actual or projected net operating
3 income attributable to the property, capitalized at rates for
4 similarly encumbered Section 42 properties; and (ii) in
5 assessing any building with 6 units or less, the assessment
6 officer, after sending out an initial assessment on the
7 building, shall, without appeal, reassess the building
8 considering the actual or projected net operating income
9 attributable to the property, capitalized at rates for
10 similarly encumbered Section 42 properties. The capitalization
11 rate for items (i) and (ii) shall be one that reflects the
12 prevailing cost of capital for other types of similarly
13 encumbered Section 42 properties in the geographic market in
14 which the low-income housing project is located.

15 Beginning with the taxable year 2027, all low-income
16 housing projects that qualify for the Low Income Housing Tax
17 Credit under Section 42 of the Internal Revenue Code shall be
18 assessed as set forth in item (i) of the preceding paragraph
19 regardless of the number of units in the building.

20 All low-income housing projects that seek to be assessed
21 in accordance with this Section shall certify to the
22 appropriate local assessment officer that the owner or owners
23 qualify for the low-income housing tax credit under Section 42
24 of the Internal Revenue Code for the property in a form
25 prescribed by that assessment officer.

26 (Source: P.A. 91-502, eff. 8-13-99; 92-16, eff. 6-28-01.)".