



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3391

Introduced 2/22/2021, by Rep. Tom Weber

SYNOPSIS AS INTRODUCED:

See Index

Creates the Taxpayer Protection Act. Provides that, on and after the effective date of the Act, for bonds or incurred debt issued through a referendum by a unit of local government or school district, the bonds or incurred debt shall not be extended or reissued unless authorized by a referendum. Provides that a unit of local government or school district shall not submit the question concerning the extension or reissuance of a bond or incurring debt to voters in a referendum until at least one year has passed since the retirement of the bond or debt approved by a referendum. Provides that, on and after the effective date of the Act, a unit of local government or school district shall not submit a question concerning the issuance of a bond or incurring debt to the voters in a referendum until at least one year has passed since that unit or district last proposed a question or proposition concerning the issuance of bonds or incurring debt in a referendum. Limits home rule powers. Amends the Property Tax Code. Provides that there shall not be a service extension base annual increase unless increased by referendum. Amends the School Code. Provides that no later than 30 days before a school district submits to the voters of that district a question on whether to issue bonds or increase the school district's property tax rate, the school district must send informational material to each resident of voting age in the school district; defines "informational material". Specifies what must be included in the informational material Effective immediately.

LRB102 14638 HLH 19991 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 1. Short title. This Act may be cited as the
5 Taxpayer Protection Act.

6 Section 5. Purpose. The purpose of this Act is to address
7 the following items:

8 (1) To ensure that bonds or debts authorized by
9 referendums cannot be renewed.

10 (2) To require all governmental agencies to allow one
11 year between one referendum bond ending and one referendum
12 bond starting to allow taxpayers to see how bonds affect
13 their taxes and the savings they would incur if there was
14 not a bond.

15 Section 10. Definitions. As used in this Act:

16 "Bond" has the meaning given to that term in the Local
17 Government Debt Reform Act.

18 "Governmental unit" means a unit of local government or
19 school district.

20 Section 15. Issuance of bonds or incurring debt by
21 referendum; one-year wait.

1 (a) Notwithstanding any other provision of law, on and
2 after the effective date of this Act, for bonds or incurred
3 debt issued through a referendum by a governmental unit, the
4 bonds or incurred debt shall not be extended or reissued
5 unless authorized by a separate referendum. A government unit
6 shall not submit the question concerning the extension or
7 reissuance of a bond or incurring debt to voters in a
8 referendum until at least one year has passed since the
9 retirement of the bond or incurred debt approved by a
10 referendum.

11 (b) Notwithstanding any other provision of law, on and
12 after the effective date of this Act, a government unit shall
13 not submit a question concerning the issuance of a bond or
14 incurring debt to the voters in a referendum until at least one
15 year has passed since that government unit last proposed a
16 question or proposition concerning the issuance of bonds or
17 incurring debt in a referendum.

18 Section 20. Home rule. The regulation of issuing,
19 incurring, extending, or reissuing bonds and debt as contained
20 in this Act are exclusive powers and functions of the State. A
21 home rule unit may not regulate such matters. This Act is a
22 denial and limitation of home rule powers and functions under
23 subsection (h) of Section 6 of Article VII of the Illinois
24 Constitution.

1 Section 90. The Property Tax Code is amended by changing
2 Sections 18-185 and 18-212 as follows:

3 (35 ILCS 200/18-185)

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

7 "Consumer Price Index" means the Consumer Price Index for
8 All Urban Consumers for all items published by the United
9 States Department of Labor.

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

14 "Affected county" means a county of 3,000,000 or more
15 inhabitants or a county contiguous to a county of 3,000,000 or
16 more inhabitants.

17 "Taxing district" has the same meaning provided in Section
18 1-150, except as otherwise provided in this Section. For the
19 1991 through 1994 levy years only, "taxing district" includes
20 only each non-home rule taxing district having the majority of
21 its 1990 equalized assessed value within any county or
22 counties contiguous to a county with 3,000,000 or more
23 inhabitants. Beginning with the 1995 levy year, "taxing
24 district" includes only each non-home rule taxing district
25 subject to this Law before the 1995 levy year and each non-home

1 rule taxing district not subject to this Law before the 1995
2 levy year having the majority of its 1994 equalized assessed
3 value in an affected county or counties. Beginning with the
4 levy year in which this Law becomes applicable to a taxing
5 district as provided in Section 18-213, "taxing district" also
6 includes those taxing districts made subject to this Law as
7 provided in Section 18-213.

8 "Aggregate extension" for taxing districts to which this
9 Law applied before the 1995 levy year means the annual
10 corporate extension for the taxing district and those special
11 purpose extensions that are made annually for the taxing
12 district, excluding special purpose extensions: (a) made for
13 the taxing district to pay interest or principal on general
14 obligation bonds that were approved by referendum; (b) made
15 for any taxing district to pay interest or principal on
16 general obligation bonds issued before October 1, 1991; (c)
17 made for any taxing district to pay interest or principal on
18 bonds issued to refund or continue to refund those bonds
19 issued before October 1, 1991; (d) made for any taxing
20 district to pay interest or principal on bonds issued to
21 refund or continue to refund bonds issued after October 1,
22 1991 that were approved by referendum; (e) made for any taxing
23 district to pay interest or principal on revenue bonds issued
24 before October 1, 1991 for payment of which a property tax levy
25 or the full faith and credit of the unit of local government is
26 pledged; however, a tax for the payment of interest or

1 principal on those bonds shall be made only after the
2 governing body of the unit of local government finds that all
3 other sources for payment are insufficient to make those
4 payments; (f) made for payments under a building commission
5 lease when the lease payments are for the retirement of bonds
6 issued by the commission before October 1, 1991, to pay for the
7 building project; (g) made for payments due under installment
8 contracts entered into before October 1, 1991; (h) made for
9 payments of principal and interest on bonds issued under the
10 Metropolitan Water Reclamation District Act to finance
11 construction projects initiated before October 1, 1991; (i)
12 made for payments of principal and interest on limited bonds,
13 as defined in Section 3 of the Local Government Debt Reform
14 Act, in an amount not to exceed the debt service extension base
15 less the amount in items (b), (c), (e), and (h) of this
16 definition for non-referendum obligations, except obligations
17 initially issued pursuant to referendum; (j) made for payments
18 of principal and interest on bonds issued under Section 15 of
19 the Local Government Debt Reform Act; (k) made by a school
20 district that participates in the Special Education District
21 of Lake County, created by special education joint agreement
22 under Section 10-22.31 of the School Code, for payment of the
23 school district's share of the amounts required to be
24 contributed by the Special Education District of Lake County
25 to the Illinois Municipal Retirement Fund under Article 7 of
26 the Illinois Pension Code; the amount of any extension under

1 this item (k) shall be certified by the school district to the
2 county clerk; (l) made to fund expenses of providing joint
3 recreational programs for persons with disabilities under
4 Section 5-8 of the Park District Code or Section 11-95-14 of
5 the Illinois Municipal Code; (m) made for temporary relocation
6 loan repayment purposes pursuant to Sections 2-3.77 and
7 17-2.2d of the School Code; (n) made for payment of principal
8 and interest on any bonds issued under the authority of
9 Section 17-2.2d of the School Code; (o) made for contributions
10 to a firefighter's pension fund created under Article 4 of the
11 Illinois Pension Code, to the extent of the amount certified
12 under item (5) of Section 4-134 of the Illinois Pension Code;
13 and (p) made for road purposes in the first year after a
14 township assumes the rights, powers, duties, assets, property,
15 liabilities, obligations, and responsibilities of a road
16 district abolished under the provisions of Section 6-133 of
17 the Illinois Highway Code.

18 "Aggregate extension" for the taxing districts to which
19 this Law did not apply before the 1995 levy year (except taxing
20 districts subject to this Law in accordance with Section
21 18-213) means the annual corporate extension for the taxing
22 district and those special purpose extensions that are made
23 annually for the taxing district, excluding special purpose
24 extensions: (a) made for the taxing district to pay interest
25 or principal on general obligation bonds that were approved by
26 referendum; (b) made for any taxing district to pay interest

1 or principal on general obligation bonds issued before March
2 1, 1995; (c) made for any taxing district to pay interest or
3 principal on bonds issued to refund or continue to refund
4 those bonds issued before March 1, 1995; (d) made for any
5 taxing district to pay interest or principal on bonds issued
6 to refund or continue to refund bonds issued after March 1,
7 1995 that were approved by referendum; (e) made for any taxing
8 district to pay interest or principal on revenue bonds issued
9 before March 1, 1995 for payment of which a property tax levy
10 or the full faith and credit of the unit of local government is
11 pledged; however, a tax for the payment of interest or
12 principal on those bonds shall be made only after the
13 governing body of the unit of local government finds that all
14 other sources for payment are insufficient to make those
15 payments; (f) made for payments under a building commission
16 lease when the lease payments are for the retirement of bonds
17 issued by the commission before March 1, 1995 to pay for the
18 building project; (g) made for payments due under installment
19 contracts entered into before March 1, 1995; (h) made for
20 payments of principal and interest on bonds issued under the
21 Metropolitan Water Reclamation District Act to finance
22 construction projects initiated before October 1, 1991; (h-4)
23 made for stormwater management purposes by the Metropolitan
24 Water Reclamation District of Greater Chicago under Section 12
25 of the Metropolitan Water Reclamation District Act; (i) made
26 for payments of principal and interest on limited bonds, as

1 defined in Section 3 of the Local Government Debt Reform Act,
2 in an amount not to exceed the debt service extension base less
3 the amount in items (b), (c), and (e) of this definition for
4 non-referendum obligations, except obligations initially
5 issued pursuant to referendum and bonds described in
6 subsection (h) of this definition; (j) made for payments of
7 principal and interest on bonds issued under Section 15 of the
8 Local Government Debt Reform Act; (k) made for payments of
9 principal and interest on bonds authorized by Public Act
10 88-503 and issued under Section 20a of the Chicago Park
11 District Act for aquarium or museum projects; (l) made for
12 payments of principal and interest on bonds authorized by
13 Public Act 87-1191 or 93-601 and (i) issued pursuant to
14 Section 21.2 of the Cook County Forest Preserve District Act,
15 (ii) issued under Section 42 of the Cook County Forest
16 Preserve District Act for zoological park projects, or (iii)
17 issued under Section 44.1 of the Cook County Forest Preserve
18 District Act for botanical gardens projects; (m) made pursuant
19 to Section 34-53.5 of the School Code, whether levied annually
20 or not; (n) made to fund expenses of providing joint
21 recreational programs for persons with disabilities under
22 Section 5-8 of the Park District Code or Section 11-95-14 of
23 the Illinois Municipal Code; (o) made by the Chicago Park
24 District for recreational programs for persons with
25 disabilities under subsection (c) of Section 7.06 of the
26 Chicago Park District Act; (p) made for contributions to a

1 firefighter's pension fund created under Article 4 of the
2 Illinois Pension Code, to the extent of the amount certified
3 under item (5) of Section 4-134 of the Illinois Pension Code;
4 (q) made by Ford Heights School District 169 under Section
5 17-9.02 of the School Code; and (r) made for the purpose of
6 making employer contributions to the Public School Teachers'
7 Pension and Retirement Fund of Chicago under Section 34-53 of
8 the School Code.

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

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

1 bonds issued under Section 15 of the Local Government Debt
2 Reform Act; (j) made for a qualified airport authority to pay
3 interest or principal on general obligation bonds issued for
4 the purpose of paying obligations due under, or financing
5 airport facilities required to be acquired, constructed,
6 installed or equipped pursuant to, contracts entered into
7 before March 1, 1996 (but not including any amendments to such
8 a contract taking effect on or after that date); (k) made to
9 fund expenses of providing joint recreational programs for
10 persons with disabilities under Section 5-8 of the Park
11 District Code or Section 11-95-14 of the Illinois Municipal
12 Code; (l) made for contributions to a firefighter's pension
13 fund created under Article 4 of the Illinois Pension Code, to
14 the extent of the amount certified under item (5) of Section
15 4-134 of the Illinois Pension Code; and (m) made for the taxing
16 district to pay interest or principal on general obligation
17 bonds issued pursuant to Section 19-3.10 of the School Code.

18 "Aggregate extension" for all taxing districts to which
19 this Law applies in accordance with paragraph (2) of
20 subsection (e) of Section 18-213 means the annual corporate
21 extension for the taxing district and those special purpose
22 extensions that are made annually for the taxing district,
23 excluding special purpose extensions: (a) made for the taxing
24 district to pay interest or principal on general obligation
25 bonds that were approved by referendum; (b) made for any
26 taxing district to pay interest or principal on general

1 obligation bonds issued before March 7, 1997 (the effective
2 date of Public Act 89-718) ~~this amendatory Act of 1997~~; (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 March 7, 1997 (the effective date of Public Act
6 89-718) ~~this amendatory Act of 1997~~; (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 March 7, 1997
9 ~~(the effective date of Public Act 89-718) ~~this amendatory Act~~~~
10 ~~of 1997~~ if the bonds were approved by referendum after March 7,
11 1997 (the effective date of Public Act 89-718) ~~this amendatory~~
12 ~~Act of 1997~~; (e) made for any taxing district to pay interest
13 or principal on revenue bonds issued before March 7, 1997 (the
14 effective date of Public Act 89-718) ~~this amendatory Act of~~
15 ~~1997~~ for payment of which a property tax levy or the full faith
16 and credit of the unit of local government is pledged;
17 however, a tax for the payment of interest or principal on
18 those bonds shall be made only after the governing body of the
19 unit of local government finds that all other sources for
20 payment are insufficient to make those payments; (f) made for
21 payments under a building commission lease when the lease
22 payments are for the retirement of bonds issued by the
23 commission before March 7, 1997 (the effective date of Public
24 Act 89-718) ~~this amendatory Act of 1997~~ to pay for the building
25 project; (g) made for payments due under installment contracts
26 entered into before March 7, 1997 (the effective date of

1 Public Act 89-718) ~~this amendatory Act of 1997~~; (h) made for
2 payments of principal and interest on limited bonds, as
3 defined in Section 3 of the Local Government Debt Reform Act,
4 in an amount not to exceed the debt service extension base less
5 the amount in items (b), (c), and (e) of this definition for
6 non-referendum obligations, except obligations initially
7 issued pursuant to referendum; (i) made for payments of
8 principal and interest on bonds issued under Section 15 of the
9 Local Government Debt Reform Act; (j) made for a qualified
10 airport authority to pay interest or principal on general
11 obligation bonds issued for the purpose of paying obligations
12 due under, or financing airport facilities required to be
13 acquired, constructed, installed or equipped pursuant to,
14 contracts entered into before March 1, 1996 (but not including
15 any amendments to such a contract taking effect on or after
16 that date); (k) made to fund expenses of providing joint
17 recreational programs for persons with disabilities under
18 Section 5-8 of the Park District Code or Section 11-95-14 of
19 the Illinois Municipal Code; and (l) made for contributions to
20 a firefighter's pension fund created under Article 4 of the
21 Illinois Pension Code, to the extent of the amount certified
22 under item (5) of Section 4-134 of the Illinois Pension Code.

23 "Debt service extension base" means an amount equal to
24 that portion of the extension for a taxing district ~~for the~~
25 ~~1994 levy year, or for those taxing districts subject to this~~
26 ~~Law in accordance with Section 18-213, except for those~~

1 ~~subject to paragraph (2) of subsection (c) of Section 18-213,~~
2 ~~for the levy year in which the referendum making this Law~~
3 ~~applicable to the taxing district is held, or for those taxing~~
4 ~~districts subject to this Law in accordance with paragraph (2)~~
5 ~~of subsection (c) of Section 18-213 for the 1996 levy year,~~
6 constituting an extension for payment of principal and
7 interest on bonds issued by the taxing district without
8 referendum, but not including excluded non-referendum bonds.
9 For park districts (i) that were first subject to this Law in
10 1991 or 1995 and (ii) whose extension for the 1994 levy year
11 for the payment of principal and interest on bonds issued by
12 the park district without referendum (but not including
13 excluded non-referendum bonds) was less than 51% of the amount
14 for the 1991 levy year constituting an extension for payment
15 of principal and interest on bonds issued by the park district
16 without referendum (but not including excluded non-referendum
17 bonds), "debt service extension base" means an amount equal to
18 that portion of the extension for the 1991 levy year
19 constituting an extension for payment of principal and
20 interest on bonds issued by the park district without
21 referendum (but not including excluded non-referendum bonds).
22 A debt service extension base established or increased at any
23 time pursuant to any provision of this Law, except Section
24 18-212, shall be increased each year commencing with the later
25 of: (i) the 2009 levy year; or (ii) the first levy year in
26 which this Law becomes applicable to the taxing district, by

1 (A) prior to the effective date of this amendatory Act of the
2 102nd General Assembly, the lesser of 5% or the percentage
3 increase in the Consumer Price Index during the 12-month
4 calendar year preceding the levy year, and (B) on and after the
5 effective date of this amendatory Act of the 102nd General
6 Assembly, 0% or the rate of increase approved by the voters
7 under Section 18-212. The debt service extension base may be
8 established or increased as provided under Section 18-212.
9 "Excluded non-referendum bonds" means (i) bonds authorized by
10 Public Act 88-503 and issued under Section 20a of the Chicago
11 Park District Act for aquarium and museum projects; (ii) bonds
12 issued under Section 15 of the Local Government Debt Reform
13 Act; or (iii) refunding obligations issued to refund or to
14 continue to refund obligations initially issued pursuant to
15 referendum.

16 "Special purpose extensions" include, but are not limited
17 to, extensions for levies made on an annual basis for
18 unemployment and workers' compensation, self-insurance,
19 contributions to pension plans, and extensions made pursuant
20 to Section 6-601 of the Illinois Highway Code for a road
21 district's permanent road fund whether levied annually or not.
22 The extension for a special service area is not included in the
23 aggregate extension.

24 "Aggregate extension base" means the taxing district's
25 last preceding aggregate extension as adjusted under Sections
26 18-135, 18-215, 18-230, and 18-206. An adjustment under

1 Section 18-135 shall be made for the 2007 levy year and all
2 subsequent levy years whenever one or more counties within
3 which a taxing district is located (i) used estimated
4 valuations or rates when extending taxes in the taxing
5 district for the last preceding levy year that resulted in the
6 over or under extension of taxes, or (ii) increased or
7 decreased the tax extension for the last preceding levy year
8 as required by Section 18-135(c). Whenever an adjustment is
9 required under Section 18-135, the aggregate extension base of
10 the taxing district shall be equal to the amount that the
11 aggregate extension of the taxing district would have been for
12 the last preceding levy year if either or both (i) actual,
13 rather than estimated, valuations or rates had been used to
14 calculate the extension of taxes for the last levy year, or
15 (ii) the tax extension for the last preceding levy year had not
16 been adjusted as required by subsection (c) of Section 18-135.

17 Notwithstanding any other provision of law, for levy year
18 2012, the aggregate extension base for West Northfield School
19 District No. 31 in Cook County shall be \$12,654,592.

20 "Levy year" has the same meaning as "year" under Section
21 1-155.

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

1 previously established under the Industrial Jobs Recovery Law
2 in the Illinois Municipal Code, or previously established
3 under the Economic Development Area Tax Increment Allocation
4 Act, by an amount equal to the 1994 equalized assessed value of
5 each taxable lot, block, tract, or parcel of real property in
6 the 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 ~~Development~~ Act in the Illinois
12 Municipal Code, the Industrial Jobs Recovery Law in the
13 Illinois Municipal Code, or the Economic Development Area Tax
14 Increment Allocation Act, "recovered tax increment value"
15 means the amount of the current year's equalized assessed
16 value of each taxable lot, block, tract, or parcel of real
17 property removed from the redevelopment project area over and
18 above the initial equalized assessed value of that real
19 property before removal 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. 99-143, eff. 7-27-15; 99-521, eff. 6-1-17;

1 100-465, eff. 8-31-17; revised 8-12-19.)

2 (35 ILCS 200/18-212)

3 Sec. 18-212. Referendum on debt service extension base. A
4 taxing district may establish or increase its debt service
5 extension base if (i) that taxing district holds a referendum
6 before the date on which the levy must be filed with the county
7 clerk of the county or counties in which the taxing district is
8 situated and (ii) a majority of voters voting on the issue
9 approves the establishment of or increase in the debt service
10 extension base. A debt service extension base established or
11 increased by a referendum held pursuant to this Section after
12 February 2, 2010 and prior to the effective date of this
13 amendatory Act of the 102nd General Assembly, shall be
14 increased each year, commencing with the first levy year
15 beginning after the date of the referendum, by the lesser of 5%
16 or the percentage increase in the Consumer Price Index during
17 the 12-month calendar year preceding the levy year if the
18 optional language concerning the annual increase is included
19 in the question submitted to the electors of the taxing
20 district. On and after the effective date of this amendatory
21 Act of the 102nd General Assembly, the debt service extension
22 base annual increase amount shall be 0% or the rate of increase
23 approved by the voters under this Section. Referenda under
24 this Section shall be conducted at a regularly scheduled
25 election in accordance with the Election Code. The governing

1 body of the taxing district shall certify the question to the
2 proper election authorities who shall submit the question to
3 the electors of the taxing district in substantially the
4 following form:

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

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

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

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

22 Section 95. The School Code is amended by adding Sections
23 17-3.4a and 34-52.5 as follows:

24 (105 ILCS 5/17-3.4a new)

1 Sec. 17-3.4a. Tax increase; informational material.

2 (a) In this Section, "informational material" means a
3 one-page fact sheet distributed via U.S. mail to all residents
4 of a school district. A school district may determine the form
5 of the fact sheet.

6 (b) No later than 30 days before a school district submits
7 to the voters of that district a question on whether to issue
8 bonds or increase the school district's property tax rate, the
9 school district must send informational material to each
10 resident of voting age in the school district. The
11 informational material must include all of the following, if
12 applicable:

13 (1) A description of the project for which the bonds
14 will be issued.

15 (2) A description of the estimated expenditures
16 associated with the increase in the property tax rate.

17 (3) An estimate of the number of years during which
18 the bonds will be outstanding.

19 (4) An estimate of the total debt service to be paid on
20 the bonds, including principal, interest, and the costs of
21 issuing the bonds.

22 (5) All potential outcomes related to the property
23 taxes of a median-priced house in the district for both if
24 the referendum passes and if the referendum fails.

25 (105 ILCS 5/34-52.5 new)

1 Sec. 34-52.5. Tax increase; informational material.

2 (a) In this Section, "informational material" means a
3 one-page fact sheet distributed via U.S. mail to all residents
4 of the school district. The school district may determine the
5 form of the fact sheet.

6 (b) No later than 30 days before the school district
7 submits to the voters of the district a question on whether to
8 issue bonds or increase the school district's property tax
9 rate, the school district must send informational material to
10 each resident of voting age in the school district. The
11 informational material must include all of the following, if
12 applicable:

13 (1) A description of the project for which the bonds
14 will be issued.

15 (2) A description of the estimated expenditures
16 associated with the increase in the property tax rate.

17 (3) An estimate of the number of years during which
18 the bonds will be outstanding.

19 (4) An estimate of the total debt service to be paid on
20 the bonds, including principal, interest, and the costs of
21 issuing the bonds.

22 (5) All potential outcomes related to the property
23 taxes of a median-priced house in the district for both if
24 the referendum passes and if the referendum fails.

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

1 INDEX

2 Statutes amended in order of appearance

3 New Act

4 35 ILCS 200/18-185

5 35 ILCS 200/18-212

6 105 ILCS 5/17-3.4a new

7 105 ILCS 5/34-52.5 new