

# HB3603



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3603

Introduced 2/22/2021, by Rep. Mark Batinick

### SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-185  
35 ILCS 200/18-205  
35 ILCS 200/18-212

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that the extension limitation is 3.5% (currently, 5%) or the percentage increase in the Consumer Price Index. Provides that the Property Tax Extension Limitation Law applies to all taxing districts, including home rule units.

LRB102 14064 HLH 19416 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 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, and 18-212 as follows:

6 (35 ILCS 200/18-185)

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

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

13 "Extension limitation" means (a) the lesser of 3.5% ~~5%~~ or  
14 the percentage increase in the Consumer Price Index during the  
15 12-month calendar year preceding the levy year or (b) the rate  
16 of increase approved by voters under Section 18-205.

17 "Affected county" means a county of 3,000,000 or more  
18 inhabitants or a county contiguous to a county of 3,000,000 or  
19 more inhabitants.

20 "Taxing district" has the same meaning provided in Section  
21 1-150, except as otherwise provided in this Section. For the  
22 1991 through 1994 levy years only, "taxing district" includes  
23 only each non-home rule taxing district having the majority of

1 its 1990 equalized assessed value within any county or  
2 counties contiguous to a county with 3,000,000 or more  
3 inhabitants. Beginning with the 1995 levy year, "taxing  
4 district" includes only each non-home rule taxing district  
5 subject to this Law before the 1995 levy year and each non-home  
6 rule taxing district not subject to this Law before the 1995  
7 levy year having the majority of its 1994 equalized assessed  
8 value in an affected county or counties. Beginning with the  
9 levy year in which this Law becomes applicable to a taxing  
10 district as provided in Section 18-213, "taxing district" also  
11 includes those taxing districts made subject to this Law as  
12 provided in Section 18-213. Beginning in levy year 2022,  
13 "taxing district" means all taxing districts, as defined in  
14 Section 1-150, including, but not limited to, home rule units.  
15 This Section is a limitation of the power of home rule units to  
16 tax in accordance with subsection (g) of Section 6 of Article  
17 VII of the Illinois Constitution.

18 "Aggregate extension" for taxing districts to which this  
19 Law applied before the 1995 levy year means the annual  
20 corporate extension for the taxing district and those special  
21 purpose extensions that are made annually for the taxing  
22 district, excluding special purpose extensions: (a) made for  
23 the taxing district to pay interest or principal on general  
24 obligation bonds that were approved by referendum; (b) made  
25 for any taxing district to pay interest or principal on  
26 general obligation bonds issued before October 1, 1991; (c)

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

1 initially issued pursuant to referendum; (j) made for payments  
2 of principal and interest on bonds issued under Section 15 of  
3 the Local Government Debt Reform Act; (k) made by a school  
4 district that participates in the Special Education District  
5 of Lake County, created by special education joint agreement  
6 under Section 10-22.31 of the School Code, for payment of the  
7 school district's share of the amounts required to be  
8 contributed by the Special Education District of Lake County  
9 to the Illinois Municipal Retirement Fund under Article 7 of  
10 the Illinois Pension Code; the amount of any extension under  
11 this item (k) shall be certified by the school district to the  
12 county clerk; (l) made to fund expenses of providing joint  
13 recreational programs for persons with disabilities under  
14 Section 5-8 of the Park District Code or Section 11-95-14 of  
15 the Illinois Municipal Code; (m) made for temporary relocation  
16 loan repayment purposes pursuant to Sections 2-3.77 and  
17 17-2.2d of the School Code; (n) made for payment of principal  
18 and interest on any bonds issued under the authority of  
19 Section 17-2.2d of the School Code; (o) made for contributions  
20 to 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 and (p) made for road purposes in the first year after a  
24 township assumes the rights, powers, duties, assets, property,  
25 liabilities, obligations, and responsibilities of a road  
26 district abolished under the provisions of Section 6-133 of

1 the Illinois Highway Code.

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

1 issued by the commission before March 1, 1995 to pay for the  
2 building project; (g) made for payments due under installment  
3 contracts entered into before March 1, 1995; (h) made for  
4 payments of principal and interest on bonds issued under the  
5 Metropolitan Water Reclamation District Act to finance  
6 construction projects initiated before October 1, 1991; (h-4)  
7 made for stormwater management purposes by the Metropolitan  
8 Water Reclamation District of Greater Chicago under Section 12  
9 of the Metropolitan Water Reclamation District Act; (i) made  
10 for payments of principal and interest on limited bonds, as  
11 defined in Section 3 of the Local Government Debt Reform Act,  
12 in an amount not to exceed the debt service extension base less  
13 the amount in items (b), (c), and (e) of this definition for  
14 non-referendum obligations, except obligations initially  
15 issued pursuant to referendum and bonds described in  
16 subsection (h) of this definition; (j) made for payments of  
17 principal and interest on bonds issued under Section 15 of the  
18 Local Government Debt Reform Act; (k) made for payments of  
19 principal and interest on bonds authorized by Public Act  
20 88-503 and issued under Section 20a of the Chicago Park  
21 District Act for aquarium or museum projects; (l) made for  
22 payments of principal and interest on bonds authorized by  
23 Public Act 87-1191 or 93-601 and (i) issued pursuant to  
24 Section 21.2 of the Cook County Forest Preserve District Act,  
25 (ii) issued under Section 42 of the Cook County Forest  
26 Preserve District Act for zoological park projects, or (iii)

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

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



1 were approved by referendum; (b) made for any taxing district  
2 to pay interest or principal on general obligation bonds  
3 issued before the date on which the referendum making this Law  
4 applicable to the taxing district is held; (c) made for any  
5 taxing district to pay interest or principal on bonds issued  
6 to refund or continue to refund those bonds issued before the  
7 date on which the referendum making this Law applicable to the  
8 taxing district is held; (d) made for any taxing district to  
9 pay interest or principal on bonds issued to refund or  
10 continue to refund bonds issued after the date on which the  
11 referendum making this Law applicable to the taxing district  
12 is held if the bonds were approved by referendum after the date  
13 on which the referendum making this Law applicable to the  
14 taxing district is held; (e) made for any taxing district to  
15 pay interest or principal on revenue bonds issued before the  
16 date on which the referendum making this Law applicable to the  
17 taxing district is held for payment of which a property tax  
18 levy or the full faith and credit of the unit of local  
19 government is pledged; however, a tax for the payment of  
20 interest or principal on those bonds shall be made only after  
21 the governing body of the unit of local government finds that  
22 all other sources for payment are insufficient to make those  
23 payments; (f) made for payments under a building commission  
24 lease when the lease payments are for the retirement of bonds  
25 issued by the commission before the date on which the  
26 referendum making this Law applicable to the taxing district

1 is held to pay for the building project; (g) made for payments  
2 due under installment contracts entered into before the date  
3 on which the referendum making this Law applicable to the  
4 taxing district is held; (h) made for payments of principal  
5 and interest on limited bonds, as defined in Section 3 of the  
6 Local Government Debt Reform Act, in an amount not to exceed  
7 the debt service extension base less the amount in items (b),  
8 (c), and (e) of this definition for non-referendum  
9 obligations, except obligations initially issued pursuant to  
10 referendum; (i) made for payments of principal and interest on  
11 bonds issued under Section 15 of the Local Government Debt  
12 Reform Act; (j) made for a qualified airport authority to pay  
13 interest or principal on general obligation bonds issued for  
14 the purpose of paying obligations due under, or financing  
15 airport facilities required to be acquired, constructed,  
16 installed or equipped pursuant to, contracts entered into  
17 before March 1, 1996 (but not including any amendments to such  
18 a contract taking effect on or after that date); (k) made to  
19 fund expenses of providing joint recreational programs for  
20 persons with disabilities under Section 5-8 of the Park  
21 District Code or Section 11-95-14 of the Illinois Municipal  
22 Code; (l) made for contributions to a firefighter's pension  
23 fund created under Article 4 of the Illinois Pension Code, to  
24 the extent of the amount certified under item (5) of Section  
25 4-134 of the Illinois Pension Code; and (m) made for the taxing  
26 district to pay interest or principal on general obligation

1 bonds issued pursuant to Section 19-3.10 of the School Code.

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

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

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

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

1 of principal and interest on bonds issued by the park district  
2 without referendum (but not including excluded non-referendum  
3 bonds), "debt service extension base" means an amount equal to  
4 that portion of the extension for the 1991 levy year  
5 constituting an extension for payment of principal and  
6 interest on bonds issued by the park district without  
7 referendum (but not including excluded non-referendum bonds).  
8 A debt service extension base established or increased at any  
9 time pursuant to any provision of this Law, except Section  
10 18-212, shall be increased each year commencing with the later  
11 of (i) the 2009 levy year or (ii) the first levy year in which  
12 this Law becomes applicable to the taxing district, by the  
13 lesser of 3.5% ~~5%~~ or the percentage increase in the Consumer  
14 Price Index during the 12-month calendar year preceding the  
15 levy year. The debt service extension base may be established  
16 or increased as provided under Section 18-212. "Excluded  
17 non-referendum bonds" means (i) bonds authorized by Public Act  
18 88-503 and issued under Section 20a of the Chicago Park  
19 District Act for aquarium and museum projects; (ii) bonds  
20 issued under Section 15 of the Local Government Debt Reform  
21 Act; or (iii) refunding obligations issued to refund or to  
22 continue to refund obligations initially issued pursuant to  
23 referendum.

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

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

6 "Aggregate extension base" means the taxing district's  
7 last preceding aggregate extension as adjusted under Sections  
8 18-135, 18-215, 18-230, and 18-206. An adjustment under  
9 Section 18-135 shall be made for the 2007 levy year and all  
10 subsequent levy years whenever one or more counties within  
11 which a taxing district is located (i) used estimated  
12 valuations or rates when extending taxes in the taxing  
13 district for the last preceding levy year that resulted in the  
14 over or under extension of taxes, or (ii) increased or  
15 decreased the tax extension for the last preceding levy year  
16 as required by Section 18-135(c). Whenever an adjustment is  
17 required under Section 18-135, the aggregate extension base of  
18 the taxing district shall be equal to the amount that the  
19 aggregate extension of the taxing district would have been for  
20 the last preceding levy year if either or both (i) actual,  
21 rather than estimated, valuations or rates had been used to  
22 calculate the extension of taxes for the last levy year, or  
23 (ii) the tax extension for the last preceding levy year had not  
24 been adjusted as required by subsection (c) of Section 18-135.

25 Notwithstanding any other provision of law, for levy year  
26 2012, the aggregate extension base for West Northfield School

1 District No. 31 in Cook County shall be \$12,654,592.

2 "Levy year" has the same meaning as "year" under Section  
3 1-155.

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



1 well required to be permitted under the Hydraulic Fracturing  
2 Regulatory Act that was not produced in or accounted for  
3 during the previous levy year. In addition, the county clerk  
4 in a county containing a population of 3,000,000 or more shall  
5 include in the 1997 recovered tax increment value for any  
6 school district, any recovered tax increment value that was  
7 applicable to the 1995 tax year calculations.

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

12 "Recovered tax increment value" means, except as otherwise  
13 provided in this paragraph, the amount of the current year's  
14 equalized assessed value, in the first year after a  
15 municipality terminates the designation of an area as a  
16 redevelopment project area previously established under the  
17 Tax Increment Allocation Redevelopment ~~Development~~ Act in the  
18 Illinois Municipal Code, previously established under the  
19 Industrial Jobs Recovery Law in the Illinois Municipal Code,  
20 previously established under the Economic Development Project  
21 Area Tax Increment Act of 1995, or previously established  
22 under the Economic Development Area Tax Increment Allocation  
23 Act, of each taxable lot, block, tract, or parcel of real  
24 property in the redevelopment project area over and above the  
25 initial equalized assessed value of each property in the  
26 redevelopment project area. For the taxes which are extended

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

1 property before removal from the redevelopment project area.

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

1 approval for an increased limiting rate on March 20, 2012, the  
2 limiting rate for tax year 2012 shall be the rate that  
3 generates the approximate total amount of taxes extendable for  
4 that tax year, as set forth in the proposition approved by the  
5 voters; this rate shall be the final rate applied by the county  
6 clerk for the aggregate of all capped funds of the district for  
7 tax year 2012.

8 The changes made to this Section by this amendatory Act of  
9 the 102nd General Assembly apply beginning with levy year  
10 2022.

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

13 (35 ILCS 200/18-205)

14 Sec. 18-205. Referendum to increase the extension  
15 limitation. A taxing district is limited to an extension  
16 limitation of 3.5% ~~5%~~ or the percentage increase in the  
17 Consumer Price Index during the 12-month calendar year  
18 preceding the levy year, whichever is less. A taxing district  
19 may increase its extension limitation for one or more levy  
20 years if that taxing district holds a referendum before the  
21 levy date for the first levy year at which a majority of voters  
22 voting on the issue approves adoption of a higher extension  
23 limitation. Referenda shall be conducted at a regularly  
24 scheduled election in accordance with the Election Code. The  
25 question shall be presented in substantially the following

1 manner for all elections held after March 21, 2006:

2           Shall the extension limitation under the Property Tax  
3           Extension Limitation Law for (insert the legal name,  
4           number, if any, and county or counties of the taxing  
5           district and geographic or other common name by which a  
6           school or community college district is known and referred  
7           to), Illinois, be increased from the lesser of 3.5% ~~5%~~ or  
8           the percentage increase in the Consumer Price Index over  
9           the prior levy year to (insert the percentage of the  
10          proposed increase)% per year for (insert each levy year  
11          for which the increased extension limitation will apply)?

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

13 If a majority of voters voting on the issue approves the  
14 adoption of the increase, the increase shall be applicable for  
15 each levy year specified.

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

21           (1) For the (insert the first levy year for which the  
22           increased extension limitation will be applicable) levy  
23           year the approximate amount of the additional tax  
24           extendable against property containing a single family  
25           residence and having a fair market value at the time of the  
26           referendum of \$100,000 is estimated to be \$....

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

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

1 purposes of taxation in accordance with Section 4 of Article  
2 IX of the Illinois Constitution; (ii) the most recent final  
3 equalization factor certified to the county clerk by the  
4 Department of Revenue at the time the taxing district  
5 initiates the submission of the proposition to the electors;  
6 (iii) the last known aggregate extension base of the taxing  
7 district at the time the submission of the question is  
8 initiated by the taxing district; and (iv) the difference  
9 between the percentage increase proposed in the question and  
10 the lesser of 3.5% ~~5%~~ or the percentage increase in the  
11 Consumer Price Index for the prior levy year (or an estimate of  
12 the percentage increase for the prior levy year if the  
13 increase is unavailable at the time the submission of the  
14 question is initiated by the taxing district); and dividing  
15 the result by the last known equalized assessed value of the  
16 taxing district at the time the submission of the question is  
17 initiated by the taxing district. This amendatory Act of the  
18 97th General Assembly is intended to clarify the existing  
19 requirements of this Section, and shall not be construed to  
20 validate any prior non-compliant referendum language. Any  
21 notice required to be published in connection with the  
22 submission of the question shall also contain this  
23 supplemental information and shall not contain any other  
24 supplemental information. Any error, miscalculation, or  
25 inaccuracy in computing any amount set forth on the ballot or  
26 in the notice that is not deliberate shall not invalidate or

1 affect the validity of any proposition approved. Notice of the  
2 referendum shall be published and posted as otherwise required  
3 by law, and the submission of the question shall be initiated  
4 as provided by law.

5 The changes made to this Section by this amendatory Act of  
6 the 102nd General Assembly apply beginning with levy year  
7 2022.

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, shall be increased each year, commencing  
20 with the first levy year beginning after the date of the  
21 referendum, by the lesser of 3.5% ~~5%~~ or the percentage  
22 increase in the Consumer Price Index during the 12-month  
23 calendar year preceding the levy year if the optional language  
24 concerning the annual increase is included in the question  
25 submitted to the electors of the taxing district. Referenda



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

7 "Shall the debt service extension base under the Property  
8 Tax Extension Limitation Law for ... (taxing district  
9 name) ... for payment of principal and interest on limited  
10 bonds be .... ((established at \$ ....) . (or) (increased  
11 from \$ .... to \$ ....)) .. for the ..... levy year and all  
12 subsequent levy years (optional language: , such debt  
13 service extension base to be increased each year by the  
14 lesser of 3.5% ~~5%~~ or the percentage increase in the  
15 Consumer Price Index during the 12-month calendar year  
16 preceding the levy year)?"

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

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

23 The changes made to this Section by this amendatory Act of  
24 the 102nd General Assembly apply beginning with levy year  
25 2022.

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