



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3824

Introduced 2/22/2021, by Rep. Anthony DeLuca

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-185
35 ILCS 200/18-205
35 ILCS 200/18-213
35 ILCS 200/18-214
35 ILCS 200/18-242 new

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that, for the 2022 and 2023 levy year, the term "taxing district" means all taxing districts in the State, including home rule units, but does not include a taxing district with a population of less than 25,000, unless that taxing district was subject to the Property Tax Extension Limitation Law on the effective date of the amendatory Act or was made subject to the Law by referendum. Provides that, for the 2022 and 2023 levy year, the extension limitation is 0% or the rate of increase approved by the voters. Limits home rule powers. Effective immediately.

LRB102 10164 HLH 22462 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing
5 Sections 18-185, 18-205, 18-213, and 18-214 and by adding
6 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" means, for taxable levy years other
15 than levy years 2022 and 2023, (a) the lesser of 5% or the
16 percentage increase in the Consumer Price Index during the
17 12-month calendar year preceding the levy year or (b) the rate
18 of increase approved by voters under Section 18-205. For levy
19 years 2022 and 2023, except with respect to a taxing district
20 with a population of less than 25,000, "extension limitation"
21 means 0% or the rate of increase approved by the voters under
22 Section 18-205. In the case of a taxing district with a
23 population of less than 25,000, "extension limitation" means

1 (a) the lesser of 5% or the percentage increase in the Consumer
2 Price Index during the 12-month calendar year preceding the
3 levy year or (b) the rate of increase approved by voters under
4 Section 18-205.

5 "Affected county" means a county of 3,000,000 or more
6 inhabitants or a county contiguous to a county of 3,000,000 or
7 more inhabitants.

8 "Taxing district" has the same meaning provided in Section
9 1-150, except as otherwise provided in this Section. For the
10 1991 through 1994 levy years only, "taxing district" includes
11 only each non-home rule taxing district having the majority of
12 its 1990 equalized assessed value within any county or
13 counties contiguous to a county with 3,000,000 or more
14 inhabitants. Beginning with the 1995 levy year, "taxing
15 district" includes only each non-home rule taxing district
16 subject to this Law before the 1995 levy year and each non-home
17 rule taxing district not subject to this Law before the 1995
18 levy year having the majority of its 1994 equalized assessed
19 value in an affected county or counties. Beginning with the
20 levy year in which this Law becomes applicable to a taxing
21 district as provided in Section 18-213, "taxing district" also
22 includes those taxing districts made subject to this Law as
23 provided in Section 18-213. For the 2022 and 2023 levy years,
24 "taxing district" has the same meaning provided in Section
25 1-150 and includes home rule units, but does not include a
26 taxing district with a population of less than 25,000, unless

1 that taxing district was subject to this Law on the effective
2 date of this amendatory Act of the 102nd General Assembly or
3 was made subject to this Law under Section 18-213.

4 "Aggregate extension" for taxing districts to which this
5 Law applied before the 1995 levy year 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 October 1, 1991; (c)
13 made for any taxing district to pay interest or principal on
14 bonds issued to refund or continue to refund those bonds
15 issued before October 1, 1991; (d) made for any taxing
16 district to pay interest or principal on bonds issued to
17 refund or continue to refund bonds issued after October 1,
18 1991 that were approved by referendum; (e) made for any taxing
19 district to pay interest or principal on revenue bonds issued
20 before October 1, 1991 for payment of which a property tax levy
21 or the full faith and credit of the unit of local government is
22 pledged; however, a tax for the payment of interest or
23 principal on those bonds shall be made only after the
24 governing body of the unit of local government finds that all
25 other sources for payment are insufficient to make those
26 payments; (f) made for payments under a building commission

1 lease when the lease payments are for the retirement of bonds
2 issued by the commission before October 1, 1991, to pay for the
3 building project; (g) made for payments due under installment
4 contracts entered into before October 1, 1991; (h) made for
5 payments of principal and interest on bonds issued under the
6 Metropolitan Water Reclamation District Act to finance
7 construction projects initiated before October 1, 1991; (i)
8 made for payments of principal and interest on limited bonds,
9 as defined in Section 3 of the Local Government Debt Reform
10 Act, in an amount not to exceed the debt service extension base
11 less the amount in items (b), (c), (e), and (h) of this
12 definition for non-referendum obligations, except obligations
13 initially issued pursuant to referendum; (j) made for payments
14 of principal and interest on bonds issued under Section 15 of
15 the Local Government Debt Reform Act; (k) made by a school
16 district that participates in the Special Education District
17 of Lake County, created by special education joint agreement
18 under Section 10-22.31 of the School Code, for payment of the
19 school district's share of the amounts required to be
20 contributed by the Special Education District of Lake County
21 to the Illinois Municipal Retirement Fund under Article 7 of
22 the Illinois Pension Code; the amount of any extension under
23 this item (k) shall be certified by the school district to the
24 county clerk; (l) made to fund expenses of providing joint
25 recreational programs for persons with disabilities under
26 Section 5-8 of the Park District Code or Section 11-95-14 of

1 the Illinois Municipal Code; (m) made for temporary relocation
2 loan repayment purposes pursuant to Sections 2-3.77 and
3 17-2.2d of the School Code; (n) made for payment of principal
4 and interest on any bonds issued under the authority of
5 Section 17-2.2d of the School Code; (o) made for contributions
6 to a firefighter's pension fund created under Article 4 of the
7 Illinois Pension Code, to the extent of the amount certified
8 under item (5) of Section 4-134 of the Illinois Pension Code;
9 and (p) made for road purposes in the first year after a
10 township assumes the rights, powers, duties, assets, property,
11 liabilities, obligations, and responsibilities of a road
12 district abolished under the provisions of Section 6-133 of
13 the Illinois Highway Code.

14 "Aggregate extension" for the taxing districts to which
15 this Law did not apply before the 1995 levy year (except taxing
16 districts subject to this Law in accordance with Section
17 18-213) means the annual corporate extension for the taxing
18 district and those special purpose extensions that are made
19 annually for the taxing district, excluding special purpose
20 extensions: (a) made for the taxing district to pay interest
21 or principal on general obligation bonds that were approved by
22 referendum; (b) made for any taxing district to pay interest
23 or principal on general obligation bonds issued before March
24 1, 1995; (c) made for any taxing district to pay interest or
25 principal on bonds issued to refund or continue to refund
26 those bonds issued before March 1, 1995; (d) made for any

1 taxing district to pay interest or principal on bonds issued
2 to refund or continue to refund bonds issued after March 1,
3 1995 that were approved by referendum; (e) made for any taxing
4 district to pay interest or principal on revenue bonds issued
5 before March 1, 1995 for payment of which a property tax levy
6 or the full faith and credit of the unit of local government is
7 pledged; however, a tax for the payment of interest or
8 principal on those bonds shall be made only after the
9 governing body of the unit of local government finds that all
10 other sources for payment are insufficient to make those
11 payments; (f) made for payments under a building commission
12 lease when the lease payments are for the retirement of bonds
13 issued by the commission before March 1, 1995 to pay for the
14 building project; (g) made for payments due under installment
15 contracts entered into before March 1, 1995; (h) made for
16 payments of principal and interest on bonds issued under the
17 Metropolitan Water Reclamation District Act to finance
18 construction projects initiated before October 1, 1991; (h-4)
19 made for stormwater management purposes by the Metropolitan
20 Water Reclamation District of Greater Chicago under Section 12
21 of the Metropolitan Water Reclamation District Act; (i) made
22 for payments of principal and interest on limited bonds, as
23 defined in Section 3 of the Local Government Debt Reform Act,
24 in an amount not to exceed the debt service extension base less
25 the amount in items (b), (c), and (e) of this definition for
26 non-referendum obligations, except obligations initially

1 issued pursuant to referendum and bonds described in
2 subsection (h) of this definition; (j) made for payments of
3 principal and interest on bonds issued under Section 15 of the
4 Local Government Debt Reform Act; (k) made for payments of
5 principal and interest on bonds authorized by Public Act
6 88-503 and issued under Section 20a of the Chicago Park
7 District Act for aquarium or museum projects; (l) made for
8 payments of principal and interest on bonds authorized by
9 Public Act 87-1191 or 93-601 and (i) issued pursuant to
10 Section 21.2 of the Cook County Forest Preserve District Act,
11 (ii) issued under Section 42 of the Cook County Forest
12 Preserve District Act for zoological park projects, or (iii)
13 issued under Section 44.1 of the Cook County Forest Preserve
14 District Act for botanical gardens projects; (m) made pursuant
15 to Section 34-53.5 of the School Code, whether levied annually
16 or not; (n) 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; (o) made by the Chicago Park
20 District for recreational programs for persons with
21 disabilities under subsection (c) of Section 7.06 of the
22 Chicago Park District Act; (p) made for contributions to a
23 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 (q) made by Ford Heights School District 169 under Section

1 17-9.02 of the School Code; and (r) made for the purpose of
2 making employer contributions to the Public School Teachers'
3 Pension and Retirement Fund of Chicago under Section 34-53 of
4 the School Code.

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

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

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

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

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

1 the amount in items (b), (c), and (e) of this definition for
2 non-referendum obligations, except obligations initially
3 issued pursuant to referendum; (i) made for payments of
4 principal and interest on bonds issued under Section 15 of the
5 Local Government Debt Reform Act; (j) made for a qualified
6 airport authority to pay interest or principal on general
7 obligation bonds issued for the purpose of paying obligations
8 due under, or financing airport facilities required to be
9 acquired, constructed, installed or equipped pursuant to,
10 contracts entered into before March 1, 1996 (but not including
11 any amendments to such a contract taking effect on or after
12 that date); (k) 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; and (l) made for contributions to
16 a firefighter's pension fund created under Article 4 of the
17 Illinois Pension Code, to the extent of the amount certified
18 under item (5) of Section 4-134 of the Illinois Pension Code.

19 "Aggregate extension" means, for taxing districts that
20 became subject to this Law as a result of this amendatory Act
21 of the 102nd General Assembly, the annual corporate extension
22 for the taxing district and those special purpose extensions
23 that are made annually for the taxing district, excluding
24 special purpose extensions made for debt service or for
25 contributions to a pension fund.

26 "Debt service extension base" means an amount equal to

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

1 18-212, shall be increased each year commencing with the later
2 of (i) the 2009 levy year or (ii) the first levy year in which
3 this Law becomes applicable to the taxing district, by the
4 lesser of 5% or the percentage increase in the Consumer Price
5 Index during the 12-month calendar year preceding the levy
6 year. The debt service extension base may be established or
7 increased as provided under Section 18-212. "Excluded
8 non-referendum bonds" means (i) bonds authorized by Public Act
9 88-503 and issued under Section 20a of the Chicago Park
10 District Act for aquarium and museum projects; (ii) bonds
11 issued under Section 15 of the Local Government Debt Reform
12 Act; or (iii) refunding obligations issued to refund or to
13 continue to refund obligations initially issued pursuant to
14 referendum.

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

23 "Aggregate extension base" means the taxing district's
24 last preceding aggregate extension as adjusted under Sections
25 18-135, 18-215, 18-230, and 18-206. An adjustment under
26 Section 18-135 shall be made for the 2007 levy year and all

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

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

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

21 "New property" means (i) the assessed value, after final
22 board of review or board of appeals action, of new
23 improvements or additions to existing improvements on any
24 parcel of real property that increase the assessed value of
25 that real property during the levy year multiplied by the
26 equalization factor issued by the Department under Section

1 17-30, (ii) the assessed value, after final board of review or
2 board of appeals action, of real property not exempt from real
3 estate taxation, which real property was exempt from real
4 estate taxation for any portion of the immediately preceding
5 levy year, multiplied by the equalization factor issued by the
6 Department under Section 17-30, including the assessed value,
7 upon final stabilization of occupancy after new construction
8 is complete, of any real property located within the
9 boundaries of an otherwise or previously exempt military
10 reservation that is intended for residential use and owned by
11 or leased to a private corporation or other entity, (iii) in
12 counties that classify in accordance with Section 4 of Article
13 IX of the Illinois Constitution, an incentive property's
14 additional assessed value resulting from a scheduled increase
15 in the level of assessment as applied to the first year final
16 board of review market value, and (iv) any increase in
17 assessed value due to oil or gas production from an oil or gas
18 well required to be permitted under the Hydraulic Fracturing
19 Regulatory Act that was not produced in or accounted for
20 during the previous levy year. In addition, the county clerk
21 in a county containing a population of 3,000,000 or more shall
22 include in the 1997 recovered tax increment value for any
23 school district, any recovered tax increment value that was
24 applicable to the 1995 tax year calculations.

25 "Qualified airport authority" means an airport authority
26 organized under the Airport Authorities Act and located in a

1 county bordering on the State of Wisconsin and having a
2 population in excess of 200,000 and not greater than 500,000.

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

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

19 Except as otherwise provided in this Section, "limiting
20 rate" means a fraction the numerator of which is the last
21 preceding aggregate extension base times an amount equal to
22 one plus the extension limitation defined in this Section and
23 the denominator of which is the current year's equalized
24 assessed value of all real property in the territory under the
25 jurisdiction of the taxing district during the prior levy
26 year. For those taxing districts that reduced their aggregate

1 extension for the last preceding levy year, except for school
2 districts that reduced their extension for educational
3 purposes pursuant to Section 18-206, the highest aggregate
4 extension in any of the last 3 preceding levy years shall be
5 used for the purpose of computing the limiting rate. The
6 denominator shall not include new property or the recovered
7 tax increment value. If a new rate, a rate decrease, or a
8 limiting rate increase has been approved at an election held
9 after March 21, 2006, then (i) the otherwise applicable
10 limiting rate shall be increased by the amount of the new rate
11 or shall be reduced by the amount of the rate decrease, as the
12 case may be, or (ii) in the case of a limiting rate increase,
13 the limiting rate shall be equal to the rate set forth in the
14 proposition approved by the voters for each of the years
15 specified in the proposition, after which the limiting rate of
16 the taxing district shall be calculated as otherwise provided.
17 In the case of a taxing district that obtained referendum
18 approval for an increased limiting rate on March 20, 2012, the
19 limiting rate for tax year 2012 shall be the rate that
20 generates the approximate total amount of taxes extendable for
21 that tax year, as set forth in the proposition approved by the
22 voters; this rate shall be the final rate applied by the county
23 clerk for the aggregate of all capped funds of the district for
24 tax year 2012.

25 (Source: P.A. 99-143, eff. 7-27-15; 99-521, eff. 6-1-17;
26 100-465, eff. 8-31-17; revised 8-12-19.)

1 (35 ILCS 200/18-205)

2 Sec. 18-205. Referendum to increase the extension
3 limitation.

4 (a) A taxing district is limited to an extension
5 limitation as defined in Section 18-185 ~~of 5% or the~~
6 ~~percentage increase in the Consumer Price Index during the~~
7 ~~12 month calendar year preceding the levy year, whichever is~~
8 ~~less~~. A taxing district may increase its extension limitation
9 for one or more levy years if that taxing district holds a
10 referendum before the levy date for the first levy year at
11 which a majority of voters voting on the issue approves
12 adoption of a higher extension limitation. Referenda shall be
13 conducted at a regularly scheduled election in accordance with
14 the Election Code.

15 (b) The question shall be presented in substantially the
16 following manner ~~for all elections held after March 21, 2006:~~

17 Shall the extension limitation under the Property Tax
18 Extension Limitation Law for (insert the legal name,
19 number, if any, and county or counties of the taxing
20 district and geographic or other common name by which a
21 school or community college district is known and referred
22 to), Illinois, be increased from (applicable extension
23 limitation set forth in Section 18-185) ~~the lesser of 5%~~
24 ~~or the percentage increase in the Consumer Price Index~~
25 ~~over the prior levy year~~ to (insert the percentage of the

1 proposed increase)% per year for (insert each levy year
2 for which the increased extension limitation will apply)?

3 (c) The votes must be recorded as "Yes" or "No".

4 If a majority of voters voting on the issue approves the
5 adoption of the increase, the increase shall be applicable for
6 each levy year specified.

7 (d) The ballot for any question submitted pursuant to this
8 Section shall have printed thereon, but not as a part of the
9 question submitted, only the following supplemental
10 information (which shall be supplied to the election authority
11 by the taxing district) in substantially the following form:

12 (1) For the (insert the first levy year for which the
13 increased extension limitation will be applicable) levy
14 year the approximate amount of the additional tax
15 extendable against property containing a single family
16 residence and having a fair market value at the time of the
17 referendum of \$100,000 is estimated to be \$....

18 (2) Based upon an average annual percentage increase
19 (or decrease) in the market value of such property of ...%
20 (insert percentage equal to the average annual percentage
21 increase or decrease for the prior 3 levy years, at the
22 time the submission of the question is initiated by the
23 taxing district, in the amount of (A) the equalized
24 assessed value of the taxable property in the taxing
25 district less (B) the new property included in the
26 equalized assessed value), the approximate amount of the

1 additional tax extendable against such property for the
2 ... levy year is estimated to be \$... and for the ... levy
3 year is estimated to be \$....

4 Paragraph (2) shall be included only if the increased
5 extension limitation will be applicable for more than one year
6 and shall list each levy year for which the increased
7 extension limitation will be applicable. The additional tax
8 shown for each levy year shall be the approximate dollar
9 amount of the increase over the amount of the most recently
10 completed extension at the time the submission of the question
11 is initiated by the taxing district. The approximate amount of
12 the additional tax extendable shown in paragraphs (1) and (2)
13 shall be calculated by multiplying \$100,000 (the fair market
14 value of the property without regard to any property tax
15 exemptions) by (i) the percentage level of assessment
16 prescribed for that property by statute, or by ordinance of
17 the county board in counties that classify property for
18 purposes of taxation in accordance with Section 4 of Article
19 IX of the Illinois Constitution; (ii) the most recent final
20 equalization factor certified to the county clerk by the
21 Department of Revenue at the time the taxing district
22 initiates the submission of the proposition to the electors;
23 (iii) the last known aggregate extension base of the taxing
24 district at the time the submission of the question is
25 initiated by the taxing district; and (iv) the difference
26 between the percentage increase proposed in the question and

1 the otherwise applicable extension limitation under Section
2 18-185 ~~the lesser of 5% or the percentage increase in the~~
3 ~~Consumer Price Index for the prior levy year (or an estimate of~~
4 ~~the percentage increase for the prior levy year if the~~
5 ~~increase is unavailable at the time the submission of the~~
6 ~~question is initiated by the taxing district);~~ and dividing
7 the result by the last known equalized assessed value of the
8 taxing district at the time the submission of the question is
9 initiated by the taxing district. This amendatory Act of the
10 97th General Assembly is intended to clarify the existing
11 requirements of this Section, and shall not be construed to
12 validate any prior non-compliant referendum language. Any
13 notice required to be published in connection with the
14 submission of the question shall also contain this
15 supplemental information and shall not contain any other
16 supplemental information. Any error, miscalculation, or
17 inaccuracy in computing any amount set forth on the ballot or
18 in the notice that is not deliberate shall not invalidate or
19 affect the validity of any proposition approved. Notice of the
20 referendum shall be published and posted as otherwise required
21 by law, and the submission of the question shall be initiated
22 as provided by law.

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

24 (35 ILCS 200/18-213)

25 Sec. 18-213. Referenda on applicability of the Property

1 Tax Extension Limitation Law.

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

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

15 For purposes of this Section only:

16 "Taxing district" has the same meaning provided in Section
17 1-150.

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

21 (c) The ordinance or resolution shall request the
22 submission of the proposition at any election, except a
23 consolidated primary election, for the purpose of voting for
24 or against making the Property Tax Extension Limitation Law
25 applicable to all non-home rule taxing districts that have all
26 or a portion of their equalized assessed valuation situated in

1 the county.

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

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

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

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

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

25 (2) With respect to taxing districts that meet all the
26 following conditions this Law shall become applicable to

1 the taxing district beginning on January 1, 1997. The
2 districts to which this paragraph (2) is applicable

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

5 (B) have equalized assessed valuation in an
6 affected county,

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

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

1 referendum.

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

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

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

24 (h) Notwithstanding any other provision of law, no
25 referenda may be held under this Section on or after January 1,
26 2022 and prior to January 1, 2024.

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

2 (35 ILCS 200/18-214)

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

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

13 (b) For purposes of this Section only:

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

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

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

1 their equalized assessed valuation situated in the county in
2 the manner set forth in this Section.

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

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

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

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

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

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

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

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

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

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

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

1 (i) Notwithstanding any other provision of law, no
2 referenda may be held under this Section on or after January 1,
3 2022 and prior to January 1, 2024.

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

5 (35 ILCS 200/18-242 new)

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

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.