



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4446

Introduced 1/21/2022, by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-169

Amends the Property Tax Code. In provisions concerning the homestead exemption for veterans with disabilities, provides that, if the veteran has a service connected disability of 10% or more but less than 30%, as certified by the United States Department of Veterans Affairs, then the annual exemption is \$1,500 (currently, there is no exemption if the veteran has a service connected disability of less than 30%). Effective immediately.

LRB102 19442 HLH 28209 b

FISCAL 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 Section 15-169 as follows:

6 (35 ILCS 200/15-169)

7 Sec. 15-169. Homestead exemption for veterans with
8 disabilities.

9 (a) Beginning with taxable year 2007, an annual homestead
10 exemption, limited to the amounts set forth in subsections
11 (b), ~~and~~ (b-3), and (b-4) is granted for property that is used
12 as a qualified residence by a veteran with a disability.

13 (b) For taxable years prior to 2015, the amount of the
14 exemption under this Section is as follows:

15 (1) for veterans with a service-connected disability
16 of at least (i) 75% for exemptions granted in taxable
17 years 2007 through 2009 and (ii) 70% for exemptions
18 granted in taxable year 2010 and each taxable year
19 thereafter, as certified by the United States Department
20 of Veterans Affairs, the annual exemption is \$5,000; and

21 (2) for veterans with a service-connected disability
22 of at least 50%, but less than (i) 75% for exemptions
23 granted in taxable years 2007 through 2009 and (ii) 70%

1 for exemptions granted in taxable year 2010 and each
2 taxable year thereafter, as certified by the United States
3 Department of Veterans Affairs, the annual exemption is
4 \$2,500.

5 (b-3) For taxable years 2015 through 2021 ~~and thereafter~~:

6 (1) if the veteran has a service connected disability
7 of 30% or more but less than 50%, as certified by the
8 United States Department of Veterans Affairs, then the
9 annual exemption is \$2,500;

10 (2) if the veteran has a service connected disability
11 of 50% or more but less than 70%, as certified by the
12 United States Department of Veterans Affairs, then the
13 annual exemption is \$5,000; and

14 (3) if the veteran has a service connected disability
15 of 70% or more, as certified by the United States
16 Department of Veterans Affairs, then the property is
17 exempt from taxation under this Code.

18 (b-4) For taxable years 2022 and thereafter:

19 (1) if the veteran has a service connected disability
20 of 10% or more but less than 30%, as certified by the
21 United States Department of Veterans Affairs, then the
22 annual exemption is \$1,500;

23 (2) if the veteran has a service connected disability
24 of 30% or more but less than 50%, as certified by the
25 United States Department of Veterans Affairs, then the
26 annual exemption is \$2,500;

1 (3) if the veteran has a service connected disability
2 of 50% or more but less than 70%, as certified by the
3 United States Department of Veterans Affairs, then the
4 annual exemption is \$5,000; and

5 (4) if the veteran has a service connected disability
6 of 70% or more, as certified by the United States
7 Department of Veterans Affairs, then the property is
8 exempt from taxation under this Code.

9 (b-5) If a homestead exemption is granted under this
10 Section and the person awarded the exemption subsequently
11 becomes a resident of a facility licensed under the Nursing
12 Home Care Act or a facility operated by the United States
13 Department of Veterans Affairs, then the exemption shall
14 continue (i) so long as the residence continues to be occupied
15 by the qualifying person's spouse or (ii) if the residence
16 remains unoccupied but is still owned by the person who
17 qualified for the homestead exemption.

18 (c) The tax exemption under this Section carries over to
19 the benefit of the veteran's surviving spouse as long as the
20 spouse holds the legal or beneficial title to the homestead,
21 permanently resides thereon, and does not remarry. If the
22 surviving spouse sells the property, an exemption not to
23 exceed the amount granted from the most recent ad valorem tax
24 roll may be transferred to his or her new residence as long as
25 it is used as his or her primary residence and he or she does
26 not remarry.

1 (c-1) Beginning with taxable year 2015, nothing in this
2 Section shall require the veteran to have qualified for or
3 obtained the exemption before death if the veteran was killed
4 in the line of duty.

5 (d) The exemption under this Section applies for taxable
6 year 2007 and thereafter. A taxpayer who claims an exemption
7 under Section 15-165 or 15-168 may not claim an exemption
8 under this Section.

9 (e) Each taxpayer who has been granted an exemption under
10 this Section must reapply on an annual basis. Application must
11 be made during the application period in effect for the county
12 of his or her residence. The assessor or chief county
13 assessment officer may determine the eligibility of
14 residential property to receive the homestead exemption
15 provided by this Section by application, visual inspection,
16 questionnaire, or other reasonable methods. The determination
17 must be made in accordance with guidelines established by the
18 Department.

19 (e-1) If the person qualifying for the exemption does not
20 occupy the qualified residence as of January 1 of the taxable
21 year, the exemption granted under this Section shall be
22 prorated on a monthly basis. The prorated exemption shall
23 apply beginning with the first complete month in which the
24 person occupies the qualified residence.

25 (e-5) Notwithstanding any other provision of law, each
26 chief county assessment officer may approve this exemption for

1 the 2020 taxable year, without application, for any property
2 that was approved for this exemption for the 2019 taxable
3 year, provided that:

4 (1) the county board has declared a local disaster as
5 provided in the Illinois Emergency Management Agency Act
6 related to the COVID-19 public health emergency;

7 (2) the owner of record of the property as of January
8 1, 2020 is the same as the owner of record of the property
9 as of January 1, 2019;

10 (3) the exemption for the 2019 taxable year has not
11 been determined to be an erroneous exemption as defined by
12 this Code; and

13 (4) the applicant for the 2019 taxable year has not
14 asked for the exemption to be removed for the 2019 or 2020
15 taxable years.

16 Nothing in this subsection shall preclude a veteran whose
17 service connected disability rating has changed since the 2019
18 exemption was granted from applying for the exemption based on
19 the subsequent service connected disability rating.

20 (e-10) Notwithstanding any other provision of law, each
21 chief county assessment officer may approve this exemption for
22 the 2021 taxable year, without application, for any property
23 that was approved for this exemption for the 2020 taxable
24 year, if:

25 (1) the county board has declared a local disaster as
26 provided in the Illinois Emergency Management Agency Act

1 related to the COVID-19 public health emergency;

2 (2) the owner of record of the property as of January
3 1, 2021 is the same as the owner of record of the property
4 as of January 1, 2020;

5 (3) the exemption for the 2020 taxable year has not
6 been determined to be an erroneous exemption as defined by
7 this Code; and

8 (4) the taxpayer for the 2020 taxable year has not
9 asked for the exemption to be removed for the 2020 or 2021
10 taxable years.

11 Nothing in this subsection shall preclude a veteran whose
12 service connected disability rating has changed since the 2020
13 exemption was granted from applying for the exemption based on
14 the subsequent service connected disability rating.

15 (f) For the purposes of this Section:

16 "Qualified residence" means real property, but less any
17 portion of that property that is used for commercial purposes,
18 with an equalized assessed value of less than \$250,000 that is
19 the primary residence of a veteran with a disability. Property
20 rented for more than 6 months is presumed to be used for
21 commercial purposes.

22 "Veteran" means an Illinois resident who has served as a
23 member of the United States Armed Forces on active duty or
24 State active duty, a member of the Illinois National Guard, or
25 a member of the United States Reserve Forces and who has
26 received an honorable discharge.

1 (Source: P.A. 101-635, eff. 6-5-20; 102-136, eff. 7-23-21.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.