



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4817

Introduced 1/27/2022, by Rep. Deanne M. Mazzochi

SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-169

Amends the Property Tax Code. Provides that, if a veteran has a service connected disability of 100% and the property is located in a compliant county, the taxpayer who has been granted a homestead exemption for veterans with disabilities shall no longer be required to reapply for the exemption on an annual basis, and the exemption shall be in effect for as long as the exemption would otherwise be permitted. Provides that "compliant county" means that the Department of Revenue has determined that the chief county assessment officer of the county is actively enforcing the provisions of the exemption that distinguish between property with an equalized assessed value of less than \$250,000 and property with an equalized assessed value of \$250,000 or more. Makes conforming changes. Effective immediately.

LRB102 24734 HLH 33974 b

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 (b)
11 and (b-3), is granted for property that is used as a qualified
12 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 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-5) If a homestead exemption is granted under this
19 Section and the person awarded the exemption subsequently
20 becomes a resident of a facility licensed under the Nursing
21 Home Care Act or a facility operated by the United States
22 Department of Veterans Affairs, then the exemption shall
23 continue (i) so long as the residence continues to be occupied
24 by the qualifying person's spouse or (ii) if the residence
25 remains unoccupied but is still owned by the person who
26 qualified for the homestead exemption.

1 (c) The tax exemption under this Section carries over to
2 the benefit of the veteran's surviving spouse as long as the
3 spouse holds the legal or beneficial title to the homestead,
4 permanently resides thereon, and does not remarry. If the
5 surviving spouse sells the property, an exemption not to
6 exceed the amount granted from the most recent ad valorem tax
7 roll may be transferred to his or her new residence as long as
8 it is used as his or her primary residence and he or she does
9 not remarry.

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

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

18 (e) Except as otherwise provided in this subsection (e),
19 each ~~Each~~ taxpayer who has been granted an exemption under
20 this Section must reapply on an annual basis. Application must
21 be made during the application period in effect for the county
22 of his or her residence. The assessor or chief county
23 assessment officer may determine the eligibility of
24 residential property to receive the homestead exemption
25 provided by this Section by application, visual inspection,
26 questionnaire, or other reasonable methods. The determination

1 must be made in accordance with guidelines established by the
2 Department.

3 On and after the effective date of this amendatory Act of
4 the 102nd General Assembly, if a veteran has a service
5 connected disability of 100%, as certified by the United
6 States Department of Veterans Affairs, and if the property is
7 located in a compliant county, the taxpayer who has been
8 granted an exemption under this Section shall no longer be
9 required to reapply for the exemption on an annual basis, and
10 the exemption shall be in effect for as long as the exemption
11 would otherwise be permitted under this Section.

12 (e-1) If the person qualifying for the exemption does not
13 occupy the qualified residence as of January 1 of the taxable
14 year, the exemption granted under this Section shall be
15 prorated on a monthly basis. The prorated exemption shall
16 apply beginning with the first complete month in which the
17 person occupies the qualified residence.

18 (e-5) Notwithstanding any other provision of law, each
19 chief county assessment officer may approve this exemption for
20 the 2020 taxable year, without application, for any property
21 that was approved for this exemption for the 2019 taxable
22 year, provided that:

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

26 (2) the owner of record of the property as of January

1 1, 2020 is the same as the owner of record of the property
2 as of January 1, 2019;

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

6 (4) the applicant for the 2019 taxable year has not
7 asked for the exemption to be removed for the 2019 or 2020
8 taxable years.

9 Nothing in this subsection shall preclude a veteran whose
10 service connected disability rating has changed since the 2019
11 exemption was granted from applying for the exemption based on
12 the subsequent service connected disability rating.

13 (e-10) Notwithstanding any other provision of law, each
14 chief county assessment officer may approve this exemption for
15 the 2021 taxable year, without application, for any property
16 that was approved for this exemption for the 2020 taxable
17 year, if:

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

21 (2) the owner of record of the property as of January
22 1, 2021 is the same as the owner of record of the property
23 as of January 1, 2020;

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

1 (4) the taxpayer for the 2020 taxable year has not
2 asked for the exemption to be removed for the 2020 or 2021
3 taxable years.

4 Nothing in this subsection shall preclude a veteran whose
5 service connected disability rating has changed since the 2020
6 exemption was granted from applying for the exemption based on
7 the subsequent service connected disability rating.

8 (f) For the purposes of this Section:

9 "Compliant county" means that the Department of Revenue
10 has determined that the chief county assessment officer of the
11 county is actively enforcing the provisions of this Section
12 that distinguish between property with an equalized assessed
13 value of less than \$250,000 and property with an equalized
14 assessed value of \$250,000 or more. The Department shall
15 provide, by rule, for the reporting of this active enforcement
16 and compliance.

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

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

1 received an honorable discharge.

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

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