

SB2099



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2099

Introduced 2/26/2021, by Sen. Robert F. Martwick

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-74.4-9

from Ch. 24, par. 11-74.4-9

Amends the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code. Provides that if a county clerk determines that any lot, block, tract, or parcel of real property within a redevelopment project area is not taxable or has an initial equalized assessed value of \$0, then the fair market value of the lot, block, tract, or parcel shall be instead determined by a written MAI-certified appraisal or by a written certified appraisal of a State-certified or State-licensed real estate appraiser. Provides that this reappraisal shall be the initial equalized assessed value of the lot, block, tract, or parcel and shall be added to the total initial equalized assessed value of the taxable real property within the redevelopment project area. Limits the provisions to tax increment allocation financing ordinances adopted after the effective date of the amendatory Act.

LRB102 17275 AWJ 22747 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-74.4-9 as follows:

6 (65 ILCS 5/11-74.4-9) (from Ch. 24, par. 11-74.4-9)

7 Sec. 11-74.4-9. Equalized assessed value of property.

8 (a) Except as provided in subsection (a-5), if ~~if~~ a
9 municipality by ordinance provides for tax increment
10 allocation financing pursuant to Section 11-74.4-8, the county
11 clerk immediately thereafter shall determine (1) the most
12 recently ascertained equalized assessed value of each lot,
13 block, tract or parcel of real property within such
14 redevelopment project area from which shall be deducted the
15 homestead exemptions under Article 15 of the Property Tax
16 Code, which value shall be the "initial equalized assessed
17 value" of each such piece of property, and (2) the total
18 equalized assessed value of all taxable real property within
19 such redevelopment project area by adding together the most
20 recently ascertained equalized assessed value of each taxable
21 lot, block, tract, or parcel of real property within such
22 project area, from which shall be deducted the homestead
23 exemptions provided by Sections 15-170, 15-175, and 15-176 of

1 the Property Tax Code, and shall certify such amount as the
2 "total initial equalized assessed value" of the taxable real
3 property within such project area.

4 (a-5) If the county clerk determines that any lot, block,
5 tract, or parcel of real property within a redevelopment
6 project area is not taxable or has an initial equalized
7 assessed value of \$0 as determined in subsection (a), then the
8 fair market value of the lot, block, tract, or parcel shall be
9 instead determined by a written MAI-certified appraisal or by
10 a written certified appraisal of a State-certified or
11 State-licensed real estate appraiser. The appraisal shall be
12 available for public inspection no later than 90 days after
13 the date that the ordinance for tax increment allocation
14 financing under Section 11-74.4-8 was adopted by the
15 municipality. The appraiser's conclusion of fair market value
16 shall be converted by the county clerk to an assessed value
17 using the appropriate level of assessment and then equalized
18 by using the most recent equalization factor. The county clerk
19 shall use the resulting figure as the initial equalized
20 assessed value of the lot, block, tract, or parcel and shall
21 add this initial equalized assessed value to the total initial
22 equalized assessed value of the taxable real property within
23 the redevelopment project area. For purposes of paragraphs (b)
24 and (c), the lot, block, tract, or parcel of real property
25 shall be considered taxable real property. This subsection
26 applies only to ordinances adopted on or after the effective

1 date of this amendatory Act of the 102nd General Assembly.

2 (b) In reference to any municipality which has adopted tax
3 increment financing after January 1, 1978, and in respect to
4 which the county clerk has certified the "total initial
5 equalized assessed value" of the property in the redevelopment
6 area, the municipality may thereafter request the clerk in
7 writing to adjust the initial equalized value of all taxable
8 real property within the redevelopment project area by
9 deducting therefrom the exemptions under Article 15 of the
10 Property Tax Code applicable to each lot, block, tract or
11 parcel of real property within such redevelopment project
12 area. The county clerk shall immediately after the written
13 request to adjust the total initial equalized value is
14 received determine the total homestead exemptions in the
15 redevelopment project area provided by Sections 15-170,
16 15-175, and 15-176 of the Property Tax Code by adding together
17 the homestead exemptions provided by said Sections on each
18 lot, block, tract or parcel of real property within such
19 redevelopment project area and then shall deduct the total of
20 said exemptions from the total initial equalized assessed
21 value. The county clerk shall then promptly certify such
22 amount as the "total initial equalized assessed value as
23 adjusted" of the taxable real property within such
24 redevelopment project area.

25 (c) After the county clerk has certified the "total
26 initial equalized assessed value" of the taxable real property

1 in such area, then in respect to every taxing district
2 containing a redevelopment project area, the county clerk or
3 any other official required by law to ascertain the amount of
4 the equalized assessed value of all taxable property within
5 such district for the purpose of computing the rate per cent of
6 tax to be extended upon taxable property within such district,
7 shall in every year that tax increment allocation financing is
8 in effect ascertain the amount of value of taxable property in
9 a redevelopment project area by including in such amount the
10 lower of the current equalized assessed value or the certified
11 "total initial equalized assessed value" of all taxable real
12 property in such area, except that after he has certified the
13 "total initial equalized assessed value as adjusted" he shall
14 in the year of said certification if tax rates have not been
15 extended and in every year thereafter that tax increment
16 allocation financing is in effect ascertain the amount of
17 value of taxable property in a redevelopment project area by
18 including in such amount the lower of the current equalized
19 assessed value or the certified "total initial equalized
20 assessed value as adjusted" of all taxable real property in
21 such area. The rate per cent of tax determined shall be
22 extended to the current equalized assessed value of all
23 property in the redevelopment project area in the same manner
24 as the rate per cent of tax is extended to all other taxable
25 property in the taxing district. The method of extending taxes
26 established under this Section shall terminate when the

1 municipality adopts an ordinance dissolving the special tax
2 allocation fund for the redevelopment project area. This
3 Division shall not be construed as relieving property owners
4 within a redevelopment project area from paying a uniform rate
5 of taxes upon the current equalized assessed value of their
6 taxable property as provided in the Property Tax Code.
7 (Source: P.A. 95-644, eff. 10-12-07.)