



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB4160

Introduced 2/9/2022, by Sen. Dan McConchie

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-185  
35 ILCS 200/18-205  
35 ILCS 200/18-207 new  
35 ILCS 200/18-212

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that a taxing district shall reduce its aggregate extension base for the purpose of lowering its limiting rate for future years upon referendum approval initiated by the submission of a petition by the voters of the district. Provides that the extension limitation shall be: (a) the lesser of 5% or the average percentage increase in the Consumer Price Index for the 10 years immediately preceding the levy year for which the extension limitation is being calculated; or (b) the rate of increase approved by the voters. Effective immediately.

LRB102 26260 HLH 36140 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 Sections 18-185, 18-205, and 18-212 and by adding Section  
6 18-207 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 years prior to  
15 2023: (a) the lesser of 5% or the percentage increase in the  
16 Consumer Price Index during the 12-month calendar year  
17 preceding the levy year; or (b) the rate of increase approved  
18 by voters under Section 18-205.

19 "Extension limitation" means, for taxable year 2023 and  
20 thereafter: (a) the lesser of 5% or the average percentage  
21 increase in the Consumer Price Index for the 10 years  
22 immediately preceding the levy year for which the extension  
23 limitation is being calculated; or (b) the rate of increase

1 approved by voters under Section 18-205.

2 "Affected county" means a county of 3,000,000 or more  
3 inhabitants or a county contiguous to a county of 3,000,000 or  
4 more inhabitants.

5 "Taxing district" has the same meaning provided in Section  
6 1-150, except as otherwise provided in this Section. For the  
7 1991 through 1994 levy years only, "taxing district" includes  
8 only each non-home rule taxing district having the majority of  
9 its 1990 equalized assessed value within any county or  
10 counties contiguous to a county with 3,000,000 or more  
11 inhabitants. Beginning with the 1995 levy year, "taxing  
12 district" includes only each non-home rule taxing district  
13 subject to this Law before the 1995 levy year and each non-home  
14 rule taxing district not subject to this Law before the 1995  
15 levy year having the majority of its 1994 equalized assessed  
16 value in an affected county or counties. Beginning with the  
17 levy year in which this Law becomes applicable to a taxing  
18 district as provided in Section 18-213, "taxing district" also  
19 includes those taxing districts made subject to this Law as  
20 provided in Section 18-213.

21 "Aggregate extension" for taxing districts to which this  
22 Law applied before the 1995 levy year means the annual  
23 corporate extension for the taxing district and those special  
24 purpose extensions that are made annually for the taxing  
25 district, excluding special purpose extensions: (a) made for  
26 the taxing district to pay interest or principal on general

1 obligation bonds that were approved by referendum; (b) made  
2 for any taxing district to pay interest or principal on  
3 general obligation bonds issued before October 1, 1991; (c)  
4 made for any taxing district to pay interest or principal on  
5 bonds issued to refund or continue to refund those bonds  
6 issued before October 1, 1991; (d) made for any taxing  
7 district to pay interest or principal on bonds issued to  
8 refund or continue to refund bonds issued after October 1,  
9 1991 that were approved by referendum; (e) made for any taxing  
10 district to pay interest or principal on revenue bonds issued  
11 before October 1, 1991 for payment of which a property tax levy  
12 or the full faith and credit of the unit of local government is  
13 pledged; however, a tax for the payment of interest or  
14 principal on those bonds shall be made only after the  
15 governing body of the unit of local government finds that all  
16 other sources for payment are insufficient to make those  
17 payments; (f) made for payments under a building commission  
18 lease when the lease payments are for the retirement of bonds  
19 issued by the commission before October 1, 1991, to pay for the  
20 building project; (g) made for payments due under installment  
21 contracts entered into before October 1, 1991; (h) made for  
22 payments of principal and interest on bonds issued under the  
23 Metropolitan Water Reclamation District Act to finance  
24 construction projects initiated before October 1, 1991; (i)  
25 made for payments of principal and interest on limited bonds,  
26 as defined in Section 3 of the Local Government Debt Reform

1 Act, in an amount not to exceed the debt service extension base  
2 less the amount in items (b), (c), (e), and (h) of this  
3 definition for non-referendum obligations, except obligations  
4 initially issued pursuant to referendum; (j) made for payments  
5 of principal and interest on bonds issued under Section 15 of  
6 the Local Government Debt Reform Act; (k) made by a school  
7 district that participates in the Special Education District  
8 of Lake County, created by special education joint agreement  
9 under Section 10-22.31 of the School Code, for payment of the  
10 school district's share of the amounts required to be  
11 contributed by the Special Education District of Lake County  
12 to the Illinois Municipal Retirement Fund under Article 7 of  
13 the Illinois Pension Code; the amount of any extension under  
14 this item (k) shall be certified by the school district to the  
15 county clerk; (l) made to fund expenses of providing joint  
16 recreational programs for persons with disabilities under  
17 Section 5-8 of the Park District Code or Section 11-95-14 of  
18 the Illinois Municipal Code; (m) made for temporary relocation  
19 loan repayment purposes pursuant to Sections 2-3.77 and  
20 17-2.2d of the School Code; (n) made for payment of principal  
21 and interest on any bonds issued under the authority of  
22 Section 17-2.2d of the School Code; (o) made for contributions  
23 to a 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 and (p) made for road purposes in the first year after a

1 township assumes the rights, powers, duties, assets, property,  
2 liabilities, obligations, and responsibilities of a road  
3 district abolished under the provisions of Section 6-133 of  
4 the Illinois Highway Code.

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

1 other sources for payment are insufficient to make those  
2 payments; (f) made for payments under a building commission  
3 lease when the lease payments are for the retirement of bonds  
4 issued by the commission before March 1, 1995 to pay for the  
5 building project; (g) made for payments due under installment  
6 contracts entered into before March 1, 1995; (h) made for  
7 payments of principal and interest on bonds issued under the  
8 Metropolitan Water Reclamation District Act to finance  
9 construction projects initiated before October 1, 1991; (h-4)  
10 made for stormwater management purposes by the Metropolitan  
11 Water Reclamation District of Greater Chicago under Section 12  
12 of the Metropolitan Water Reclamation District Act; (i) made  
13 for payments of principal and interest on limited bonds, as  
14 defined in Section 3 of the Local Government Debt Reform Act,  
15 in an amount not to exceed the debt service extension base less  
16 the amount in items (b), (c), and (e) of this definition for  
17 non-referendum obligations, except obligations initially  
18 issued pursuant to referendum and bonds described in  
19 subsection (h) of this definition; (j) made for payments of  
20 principal and interest on bonds issued under Section 15 of the  
21 Local Government Debt Reform Act; (k) made for payments of  
22 principal and interest on bonds authorized by Public Act  
23 88-503 and issued under Section 20a of the Chicago Park  
24 District Act for aquarium or museum projects and bonds issued  
25 under Section 20a of the Chicago Park District Act for the  
26 purpose of making contributions to the pension fund

1 established under Article 12 of the Illinois Pension Code; (l)  
2 made for payments of principal and interest on bonds  
3 authorized by Public Act 87-1191 or 93-601 and (i) issued  
4 pursuant to Section 21.2 of the Cook County Forest Preserve  
5 District Act, (ii) issued under Section 42 of the Cook County  
6 Forest Preserve District Act for zoological park projects, or  
7 (iii) issued under Section 44.1 of the Cook County Forest  
8 Preserve District Act for botanical gardens projects; (m) made  
9 pursuant to Section 34-53.5 of the School Code, whether levied  
10 annually or not; (n) made to fund expenses of providing joint  
11 recreational programs for persons with disabilities under  
12 Section 5-8 of the Park District Code or Section 11-95-14 of  
13 the Illinois Municipal Code; (o) made by the Chicago Park  
14 District for recreational programs for persons with  
15 disabilities under subsection (c) of Section 7.06 of the  
16 Chicago Park District Act; (p) made for contributions to a  
17 firefighter's pension fund created under Article 4 of the  
18 Illinois Pension Code, to the extent of the amount certified  
19 under item (5) of Section 4-134 of the Illinois Pension Code;  
20 (q) made by Ford Heights School District 169 under Section  
21 17-9.02 of the School Code; and (r) made for the purpose of  
22 making employer contributions to the Public School Teachers'  
23 Pension and Retirement Fund of Chicago under Section 34-53 of  
24 the School Code.

25 "Aggregate extension" for all taxing districts to which  
26 this Law applies in accordance with Section 18-213, except for



1 those taxing districts subject to paragraph (2) of subsection  
2 (e) of Section 18-213, means the annual corporate extension  
3 for the taxing district and those special purpose extensions  
4 that are made annually for the taxing district, excluding  
5 special purpose extensions: (a) made for the taxing district  
6 to pay interest or principal on general obligation bonds that  
7 were approved by referendum; (b) made for any taxing district  
8 to pay interest or principal on general obligation bonds  
9 issued before the date on which the referendum making this Law  
10 applicable to the taxing district is held; (c) made for any  
11 taxing district to pay interest or principal on bonds issued  
12 to refund or continue to refund those bonds issued before the  
13 date on which the referendum making this Law applicable to the  
14 taxing district is held; (d) made for any taxing district to  
15 pay interest or principal on bonds issued to refund or  
16 continue to refund bonds issued after the date on which the  
17 referendum making this Law applicable to the taxing district  
18 is held if the bonds were approved by referendum after the date  
19 on which the referendum making this Law applicable to the  
20 taxing district is held; (e) made for any taxing district to  
21 pay interest or principal on revenue bonds issued before the  
22 date on which the referendum making this Law applicable to the  
23 taxing district is held for payment of which a property tax  
24 levy or the full faith and credit of the unit of local  
25 government is pledged; however, a tax for the payment of  
26 interest or principal on those bonds shall be made only after

1 the governing body of the unit of local government finds that  
2 all other sources for payment are insufficient to make those  
3 payments; (f) made for payments under a building commission  
4 lease when the lease payments are for the retirement of bonds  
5 issued by the commission before the date on which the  
6 referendum making this Law applicable to the taxing district  
7 is held to pay for the building project; (g) made for payments  
8 due under installment contracts entered into before the date  
9 on which the referendum making this Law applicable to the  
10 taxing district is held; (h) made for payments of principal  
11 and interest on limited bonds, as defined in Section 3 of the  
12 Local Government Debt Reform Act, in an amount not to exceed  
13 the debt service extension base less the amount in items (b),  
14 (c), and (e) of this definition for non-referendum  
15 obligations, except obligations initially issued pursuant to  
16 referendum; (i) made for payments of principal and interest on  
17 bonds issued under Section 15 of the Local Government Debt  
18 Reform Act; (j) made for a qualified airport authority to pay  
19 interest or principal on general obligation bonds issued for  
20 the purpose of paying obligations due under, or financing  
21 airport facilities required to be acquired, constructed,  
22 installed or equipped pursuant to, contracts entered into  
23 before March 1, 1996 (but not including any amendments to such  
24 a contract taking effect on or after that date); (k) made to  
25 fund expenses of providing joint recreational programs for  
26 persons with disabilities under Section 5-8 of the Park

1 District Code or Section 11-95-14 of the Illinois Municipal  
2 Code; (l) made for contributions to a firefighter's pension  
3 fund created under Article 4 of the Illinois Pension Code, to  
4 the extent of the amount certified under item (5) of Section  
5 4-134 of the Illinois Pension Code; and (m) made for the taxing  
6 district to pay interest or principal on general obligation  
7 bonds issued pursuant to Section 19-3.10 of the School Code.

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

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

1 before March 1, 1996 (but not including any amendments to such  
2 a contract taking effect on or after that date); (k) made to  
3 fund expenses of providing joint recreational programs for  
4 persons with disabilities under Section 5-8 of the Park  
5 District Code or Section 11-95-14 of the Illinois Municipal  
6 Code; and (l) made for contributions to a firefighter's  
7 pension fund created under Article 4 of the Illinois Pension  
8 Code, to the extent of the amount certified under item (5) of  
9 Section 4-134 of the Illinois Pension Code.

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

1 for the 1991 levy year constituting an extension for payment  
2 of principal and interest on bonds issued by the park district  
3 without referendum (but not including excluded non-referendum  
4 bonds), "debt service extension base" means an amount equal to  
5 that portion of the extension for the 1991 levy year  
6 constituting an extension for payment of principal and  
7 interest on bonds issued by the park district without  
8 referendum (but not including excluded non-referendum bonds).

9 A debt service extension base established or increased at any  
10 time pursuant to any provision of this Law, except Section  
11 18-212, shall be increased each year commencing with the later  
12 of (i) the 2009 levy year or (ii) the first levy year in which  
13 this Law becomes applicable to the taxing district, by the  
14 extension limitation ~~lesser of 5% or the percentage increase~~  
15 ~~in the Consumer Price Index during the 12-month calendar year~~  
16 ~~preceding the levy year~~. The debt service extension base may  
17 be established or increased as provided under Section 18-212.

18 "Excluded non-referendum bonds" means (i) bonds authorized by  
19 Public Act 88-503 and issued under Section 20a of the Chicago  
20 Park District Act for aquarium and museum projects; (ii) bonds  
21 issued under Section 15 of the Local Government Debt Reform  
22 Act; or (iii) refunding obligations issued to refund or to  
23 continue to refund obligations initially issued pursuant to  
24 referendum.

25 "Special purpose extensions" include, but are not limited  
26 to, extensions for levies made on an annual basis for

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

7 "Aggregate extension base" means the taxing district's  
8 last preceding aggregate extension as adjusted under Sections  
9 18-135, 18-215, 18-230, 18-206, and 18-233. An adjustment  
10 under Section 18-135 shall be made for the 2007 levy year and  
11 all subsequent levy years whenever one or more counties within  
12 which a taxing district is located (i) used estimated  
13 valuations or rates when extending taxes in the taxing  
14 district for the last preceding levy year that resulted in the  
15 over or under extension of taxes, or (ii) increased or  
16 decreased the tax extension for the last preceding levy year  
17 as required by Section 18-135(c). Whenever an adjustment is  
18 required under Section 18-135, the aggregate extension base of  
19 the taxing district shall be equal to the amount that the  
20 aggregate extension of the taxing district would have been for  
21 the last preceding levy year if either or both (i) actual,  
22 rather than estimated, valuations or rates had been used to  
23 calculate the extension of taxes for the last levy year, or  
24 (ii) the tax extension for the last preceding levy year had not  
25 been adjusted as required by subsection (c) of Section 18-135.

26 Notwithstanding any other provision of law, for levy year

1 2012, the aggregate extension base for West Northfield School  
2 District No. 31 in Cook County shall be \$12,654,592.

3 Notwithstanding any other provision of law, for levy year  
4 2022, the aggregate extension base of a home equity assurance  
5 program that levied at least \$1,000,000 in property taxes in  
6 levy year 2019 or 2020 under the Home Equity Assurance Act  
7 shall be the amount that the program's aggregate extension  
8 base for levy year 2021 would have been if the program had  
9 levied a property tax for levy year 2021.

10 "Levy year" has the same meaning as "year" under Section  
11 1-155.

12 "New property" means (i) the assessed value, after final  
13 board of review or board of appeals action, of new  
14 improvements or additions to existing improvements on any  
15 parcel of real property that increase the assessed value of  
16 that real property during the levy year multiplied by the  
17 equalization factor issued by the Department under Section  
18 17-30, (ii) the assessed value, after final board of review or  
19 board of appeals action, of real property not exempt from real  
20 estate taxation, which real property was exempt from real  
21 estate taxation for any portion of the immediately preceding  
22 levy year, multiplied by the equalization factor issued by the  
23 Department under Section 17-30, including the assessed value,  
24 upon final stabilization of occupancy after new construction  
25 is complete, of any real property located within the  
26 boundaries of an otherwise or previously exempt military



1 reservation that is intended for residential use and owned by  
2 or leased to a private corporation or other entity, (iii) in  
3 counties that classify in accordance with Section 4 of Article  
4 IX of the Illinois Constitution, an incentive property's  
5 additional assessed value resulting from a scheduled increase  
6 in the level of assessment as applied to the first year final  
7 board of review market value, and (iv) any increase in  
8 assessed value due to oil or gas production from an oil or gas  
9 well required to be permitted under the Hydraulic Fracturing  
10 Regulatory Act that was not produced in or accounted for  
11 during the previous levy year. In addition, the county clerk  
12 in a county containing a population of 3,000,000 or more shall  
13 include in the 1997 recovered tax increment value for any  
14 school district, any recovered tax increment value that was  
15 applicable to the 1995 tax year calculations.

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

20 "Recovered tax increment value" means, except as otherwise  
21 provided in this paragraph, the amount of the current year's  
22 equalized assessed value, in the first year after a  
23 municipality terminates the designation of an area as a  
24 redevelopment project area previously established under the  
25 Tax Increment Allocation Redevelopment Act in the Illinois  
26 Municipal Code, previously established under the Industrial

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

1 Allocation Redevelopment Act in the Illinois Municipal Code,  
2 the Industrial Jobs Recovery Law in the Illinois Municipal  
3 Code, or the Economic Development Area Tax Increment  
4 Allocation Act, "recovered tax increment value" means the  
5 amount of the current year's equalized assessed value of each  
6 taxable lot, block, tract, or parcel of real property removed  
7 from the redevelopment project area over and above the initial  
8 equalized assessed value of that real property before removal  
9 from the redevelopment project area.

10 Except as otherwise provided in this Section, "limiting  
11 rate" means a fraction the numerator of which is the last  
12 preceding aggregate extension base (as reduced by Section  
13 18-207, if applicable) times an amount equal to one plus the  
14 extension limitation defined in this Section and the  
15 denominator of which is the current year's equalized assessed  
16 value of all real property in the territory under the  
17 jurisdiction of the taxing district during the prior levy  
18 year. For those taxing districts that reduced their aggregate  
19 extension for the last preceding levy year, except for school  
20 districts that reduced their extension for educational  
21 purposes pursuant to Section 18-206 and taxing districts that  
22 reduced their aggregate extension pursuant to Section 18-207,  
23 the highest aggregate extension in any of the last 3 preceding  
24 levy years shall be used for the purpose of computing the  
25 limiting rate. The denominator shall not include new property  
26 or the recovered tax increment value. If a new rate, a rate

1 decrease, or a limiting rate increase has been approved at an  
2 election held after March 21, 2006, then (i) the otherwise  
3 applicable limiting rate shall be increased by the amount of  
4 the new rate or shall be reduced by the amount of the rate  
5 decrease, as the case may be, or (ii) in the case of a limiting  
6 rate increase, the limiting rate shall be equal to the rate set  
7 forth in the proposition approved by the voters for each of the  
8 years specified in the proposition, after which the limiting  
9 rate of the taxing district shall be calculated as otherwise  
10 provided. In the case of a taxing district that obtained  
11 referendum approval for an increased limiting rate on March  
12 20, 2012, the limiting rate for tax year 2012 shall be the rate  
13 that generates the approximate total amount of taxes  
14 extendable for that tax year, as set forth in the proposition  
15 approved by the voters; this rate shall be the final rate  
16 applied by the county clerk for the aggregate of all capped  
17 funds of the district for tax year 2012.

18 (Source: P.A. 102-263, eff. 8-6-21; 102-311, eff. 8-6-21;  
19 102-519, eff. 8-20-21; 102-558, eff. 8-20-21; revised  
20 10-5-21.)

21 (35 ILCS 200/18-205)

22 Sec. 18-205. Referendum to increase the extension  
23 limitation. A taxing district is limited to an extension  
24 limitation as defined in Section 18-185 ~~of 5% or the~~  
25 ~~percentage increase in the Consumer Price Index during the~~

1 ~~12-month calendar year preceding the levy year, whichever is~~  
2 ~~less.~~ A taxing district may increase its extension limitation  
3 for one or more levy years if that taxing district holds a  
4 referendum before the levy date for the first levy year at  
5 which a majority of voters voting on the issue approves  
6 adoption of a higher extension limitation. Referenda shall be  
7 conducted at a regularly scheduled election in accordance with  
8 the Election Code. The question shall be presented in  
9 substantially the following manner for all elections held  
10 after March 21, 2006:

11           Shall the extension limitation under the Property Tax  
12           Extension Limitation Law for (insert the legal name,  
13           number, if any, and county or counties of the taxing  
14           district and geographic or other common name by which a  
15           school or community college district is known and referred  
16           to), Illinois, be increased from (the extension limitation  
17           under item (a) of the definition of extension limitation  
18           in Section 18-185) ~~the lesser of 5% or the percentage~~  
19           ~~increase in the Consumer Price Index over the prior levy~~  
20           ~~year~~ to (insert the percentage of the proposed increase)%  
21           per year for (insert each levy year for which the  
22           increased extension limitation will apply)?

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

24           If a majority of voters voting on the issue approves the  
25           adoption of the increase, the increase shall be applicable for  
26           each levy year specified.

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

6           (1) For the (insert the first levy year for which the  
7 increased extension limitation will be applicable) levy  
8 year the approximate amount of the additional tax  
9 extendable against property containing a single family  
10 residence and having a fair market value at the time of the  
11 referendum of \$100,000 is estimated to be \$....

12           (2) Based upon an average annual percentage increase  
13 (or decrease) in the market value of such property of ...%  
14 (insert percentage equal to the average annual percentage  
15 increase or decrease for the prior 3 levy years, at the  
16 time the submission of the question is initiated by the  
17 taxing district, in the amount of (A) the equalized  
18 assessed value of the taxable property in the taxing  
19 district less (B) the new property included in the  
20 equalized assessed value), the approximate amount of the  
21 additional tax extendable against such property for the  
22 ... levy year is estimated to be \$... and for the ... levy  
23 year is estimated to be \$....

24           Paragraph (2) shall be included only if the increased  
25 extension limitation will be applicable for more than one year  
26 and shall list each levy year for which the increased

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

1 assessed value of the taxing district at the time the  
2 submission of the question is initiated by the taxing  
3 district. This amendatory Act of the 97th General Assembly is  
4 intended to clarify the existing requirements of this Section,  
5 and shall not be construed to validate any prior non-compliant  
6 referendum language. Any notice required to be published in  
7 connection with the submission of the question shall also  
8 contain this supplemental information and shall not contain  
9 any other supplemental information. Any error, miscalculation,  
10 or inaccuracy in computing any amount set forth on the ballot  
11 or in the notice that is not deliberate shall not invalidate or  
12 affect the validity of any proposition approved. Notice of the  
13 referendum shall be published and posted as otherwise required  
14 by law, and the submission of the question shall be initiated  
15 as provided by law.

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

17 (35 ILCS 200/18-207 new)

18 Sec. 18-207. Reduced aggregate extension base.

19 (a) Upon submission of a petition signed by a number of  
20 voters of the taxing district that is not less than 10% of the  
21 votes cast in the taxing district at the immediately preceding  
22 gubernatorial election, the question of whether a taxing  
23 district shall reduce its aggregate extension base for the  
24 purpose of lowering its limiting rate for future years shall  
25 be submitted to the voters of the taxing district at the next



1 general or consolidated election. The petition shall set forth  
2 the amount of the reduction and the levy years for which the  
3 reduction shall be applicable.

4 (b) The petition shall be filed with the applicable  
5 election authority, as defined in Section 1-3 of the Election  
6 Code, or, in the case of multiple election authorities, with  
7 the State Board of Elections, not more than 10 months nor less  
8 than 6 months prior to the election at which the question is to  
9 be submitted to the voters, and its validity shall be  
10 determined as provided by Article 28 of the Election Code and  
11 general election law. The election authority or Board, as  
12 applicable, shall certify the question and the proper election  
13 authority or authorities shall submit the question to the  
14 voters. Except as otherwise provided in this Section, this  
15 referendum shall be subject to all other general election law  
16 requirements.

17 (c) The proposition seeking to reduce the aggregate  
18 extension base shall be in substantially the following form:

19 Shall the aggregate extension base used to calculate  
20 the limiting rate for (taxing district) under the Property  
21 Tax Extension Limitation Law be reduced by (amount of  
22 money expressed in U.S. dollars) for (levy year or years)?  
23 Votes shall be recorded as "Yes" or "No".

24 If a majority of all votes cast on the proposition are in  
25 favor of the proposition, then the aggregate extension base  
26 shall be reduced as provided in the referendum.

1 (35 ILCS 200/18-212)

2 Sec. 18-212. Referendum on debt service extension base. A  
3 taxing district may establish or increase its debt service  
4 extension base if (i) that taxing district holds a referendum  
5 before the date on which the levy must be filed with the county  
6 clerk of the county or counties in which the taxing district is  
7 situated and (ii) a majority of voters voting on the issue  
8 approves the establishment of or increase in the debt service  
9 extension base. A debt service extension base established or  
10 increased by a referendum held pursuant to this Section after  
11 February 2, 2010, shall be increased each year, commencing  
12 with the first levy year beginning after the date of the  
13 referendum, by the extension limitation ~~lesser of 5% or the~~  
14 ~~percentage increase in the Consumer Price Index during the~~  
15 ~~12 month calendar year preceding the levy year~~ if the optional  
16 language concerning the annual increase is included in the  
17 question submitted to the electors of the taxing district.  
18 Referenda under this Section shall be conducted at a regularly  
19 scheduled election in accordance with the Election Code. The  
20 governing body of the taxing district shall certify the  
21 question to the proper election authorities who shall submit  
22 the question to the electors of the taxing district in  
23 substantially the following form:

24 "Shall the debt service extension base under the Property  
25 Tax Extension Limitation Law for ... (taxing district

1 name) ... for payment of principal and interest on limited  
2 bonds be .... ((established at \$ ....) . (or) (increased  
3 from \$ .... to \$ ....)) .. for the ..... levy year and all  
4 subsequent levy years (optional language: , such debt  
5 service extension base to be increased each year by  
6 (extension limitation amount) ~~the lesser of 5% or the~~  
7 ~~percentage increase in the Consumer Price Index during the~~  
8 ~~12 month calendar year preceding the levy year)?"~~

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

10 If a majority of voters voting on the issue approves the  
11 establishment of or increase in the debt service extension  
12 base, the establishment of or increase in the debt service  
13 extension base shall be applicable for the levy years  
14 specified.

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

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law.