



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3177

Introduced 2/17/2023, by Rep. Tom Weber

SYNOPSIS AS INTRODUCED:

New Act

35 ILCS 200/18-185

35 ILCS 200/18-212

105 ILCS 5/17-3.4a new

105 ILCS 5/34-52.5 new

Creates the Taxpayer Protection Act. Provides that, on and after the effective date of the Act, for bonds or incurred debt issued through a referendum by a unit of local government or school district, the bonds or incurred debt shall not be extended or reissued unless authorized by a referendum. Provides that a unit of local government or school district shall not submit the question concerning the extension or reissuance of a bond or incurring debt to voters in a referendum until at least one year has passed since the retirement of the bond or debt approved by a referendum. Provides that, on and after the effective date of the Act, a unit of local government or school district shall not submit a question concerning the issuance of a bond or incurring debt to the voters in a referendum until at least one year has passed since that unit or district last proposed a question or proposition concerning the issuance of bonds or incurring debt in a referendum. Limits home rule powers. Amends the Property Tax Code. Provides that there shall not be a service extension base annual increase unless increased by referendum. Amends the School Code. Provides that no later than 30 days before a school district submits to the voters of that district a question on whether to issue bonds or increase the school district's property tax rate, the school district must send informational material to each resident of voting age in the school district; defines "informational material". Specifies what must be included in the informational material Effective immediately.

LRB103 29944 HLH 56359 b

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 1. Short title. This Act may be cited as the
5 Taxpayer Protection Act.

6 Section 5. Purpose. The purpose of this Act is to address
7 the following items:

8 (1) To ensure that bonds or debts authorized by
9 referendums cannot be renewed.

10 (2) To require all governmental agencies to allow one
11 year between one referendum bond ending and one referendum
12 bond starting to allow taxpayers to see how bonds affect
13 their taxes and the savings they would incur if there was
14 not a bond.

15 Section 10. Definitions. As used in this Act:

16 "Bond" has the meaning given to that term in the Local
17 Government Debt Reform Act.

18 "Governmental unit" means a unit of local government or
19 school district.

20 Section 15. Issuance of bonds or incurring debt by
21 referendum; one-year wait.

1 (a) Notwithstanding any other provision of law, on and
2 after the effective date of this Act, for bonds or incurred
3 debt issued through a referendum by a governmental unit, the
4 bonds or incurred debt shall not be extended or reissued
5 unless authorized by a separate referendum. A government unit
6 shall not submit the question concerning the extension or
7 reissuance of a bond or incurring debt to voters in a
8 referendum until at least one year has passed since the
9 retirement of the bond or incurred debt approved by a
10 referendum.

11 (b) Notwithstanding any other provision of law, on and
12 after the effective date of this Act, a government unit shall
13 not submit a question concerning the issuance of a bond or
14 incurring debt to the voters in a referendum until at least one
15 year has passed since that government unit last proposed a
16 question or proposition concerning the issuance of bonds or
17 incurring debt in a referendum.

18 Section 20. Home rule. The regulation of issuing,
19 incurring, extending, or reissuing bonds and debt as contained
20 in this Act are exclusive powers and functions of the State. A
21 home rule unit may not regulate such matters. This Act is a
22 denial and limitation of home rule powers and functions under
23 subsection (h) of Section 6 of Article VII of the Illinois
24 Constitution.

1 Section 90. The Property Tax Code is amended by changing
2 Sections 18-185 and 18-212 as follows:

3 (35 ILCS 200/18-185)

4 Sec. 18-185. Short title; definitions. This Division 5
5 may be cited as the Property Tax Extension Limitation Law. As
6 used in this Division 5:

7 "Consumer Price Index" means the Consumer Price Index for
8 All Urban Consumers for all items published by the United
9 States Department of Labor.

10 "Extension limitation" means (a) the lesser of 5% or the
11 percentage increase in the Consumer Price Index during the
12 12-month calendar year preceding the levy year or (b) the rate
13 of increase approved by voters under Section 18-205.

14 "Affected county" means a county of 3,000,000 or more
15 inhabitants or a county contiguous to a county of 3,000,000 or
16 more inhabitants.

17 "Taxing district" has the same meaning provided in Section
18 1-150, except as otherwise provided in this Section. For the
19 1991 through 1994 levy years only, "taxing district" includes
20 only each non-home rule taxing district having the majority of
21 its 1990 equalized assessed value within any county or
22 counties contiguous to a county with 3,000,000 or more
23 inhabitants. Beginning with the 1995 levy year, "taxing
24 district" includes only each non-home rule taxing district
25 subject to this Law before the 1995 levy year and each non-home

1 rule taxing district not subject to this Law before the 1995
2 levy year having the majority of its 1994 equalized assessed
3 value in an affected county or counties. Beginning with the
4 levy year in which this Law becomes applicable to a taxing
5 district as provided in Section 18-213, "taxing district" also
6 includes those taxing districts made subject to this Law as
7 provided in Section 18-213.

8 "Aggregate extension" for taxing districts to which this
9 Law applied before the 1995 levy year means the annual
10 corporate extension for the taxing district and those special
11 purpose extensions that are made annually for the taxing
12 district, excluding special purpose extensions: (a) made for
13 the taxing district to pay interest or principal on general
14 obligation bonds that were approved by referendum; (b) made
15 for any taxing district to pay interest or principal on
16 general obligation bonds issued before October 1, 1991; (c)
17 made for any taxing district to pay interest or principal on
18 bonds issued to refund or continue to refund those bonds
19 issued before October 1, 1991; (d) made for any taxing
20 district to pay interest or principal on bonds issued to
21 refund or continue to refund bonds issued after October 1,
22 1991 that were approved by referendum; (e) made for any taxing
23 district to pay interest or principal on revenue bonds issued
24 before October 1, 1991 for payment of which a property tax levy
25 or the full faith and credit of the unit of local government is
26 pledged; however, a tax for the payment of interest or

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

1 this item (k) shall be certified by the school district to the
2 county clerk; (l) made to fund expenses of providing joint
3 recreational programs for persons with disabilities under
4 Section 5-8 of the Park District Code or Section 11-95-14 of
5 the Illinois Municipal Code; (m) made for temporary relocation
6 loan repayment purposes pursuant to Sections 2-3.77 and
7 17-2.2d of the School Code; (n) made for payment of principal
8 and interest on any bonds issued under the authority of
9 Section 17-2.2d of the School Code; (o) made for contributions
10 to a firefighter's pension fund created under Article 4 of the
11 Illinois Pension Code, to the extent of the amount certified
12 under item (5) of Section 4-134 of the Illinois Pension Code;
13 and (p) made for road purposes in the first year after a
14 township assumes the rights, powers, duties, assets, property,
15 liabilities, obligations, and responsibilities of a road
16 district abolished under the provisions of Section 6-133 of
17 the Illinois Highway Code.

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

1 or principal on general obligation bonds issued before March
2 1, 1995; (c) made for any taxing district to pay interest or
3 principal on bonds issued to refund or continue to refund
4 those bonds issued before March 1, 1995; (d) made for any
5 taxing district to pay interest or principal on bonds issued
6 to refund or continue to refund bonds issued after March 1,
7 1995 that were approved by referendum; (e) made for any taxing
8 district to pay interest or principal on revenue bonds issued
9 before March 1, 1995 for payment of which a property tax levy
10 or the full faith and credit of the unit of local government is
11 pledged; however, a tax for the payment of interest or
12 principal on those bonds shall be made only after the
13 governing body of the unit of local government finds that all
14 other sources for payment are insufficient to make those
15 payments; (f) made for payments under a building commission
16 lease when the lease payments are for the retirement of bonds
17 issued by the commission before March 1, 1995 to pay for the
18 building project; (g) made for payments due under installment
19 contracts entered into before March 1, 1995; (h) made for
20 payments of principal and interest on bonds issued under the
21 Metropolitan Water Reclamation District Act to finance
22 construction projects initiated before October 1, 1991; (h-4)
23 made for stormwater management purposes by the Metropolitan
24 Water Reclamation District of Greater Chicago under Section 12
25 of the Metropolitan Water Reclamation District Act; (h-8) made
26 for payments of principal and interest on bonds issued under

1 Section 9.6a of the Metropolitan Water Reclamation District
2 Act to make contributions to the pension fund established
3 under Article 13 of the Illinois Pension Code; (i) made for
4 payments of principal and interest on limited bonds, as
5 defined in Section 3 of the Local Government Debt Reform Act,
6 in an amount not to exceed the debt service extension base less
7 the amount in items (b), (c), and (e) of this definition for
8 non-referendum obligations, except obligations initially
9 issued pursuant to referendum and bonds described in
10 subsections (h) and (h-8) of this definition; (j) made for
11 payments of principal and interest on bonds issued under
12 Section 15 of the Local Government Debt Reform Act; (k) made
13 for payments of principal and interest on bonds authorized by
14 Public Act 88-503 and issued under Section 20a of the Chicago
15 Park District Act for aquarium or museum projects and bonds
16 issued under Section 20a of the Chicago Park District Act for
17 the purpose of making contributions to the pension fund
18 established under Article 12 of the Illinois Pension Code; (l)
19 made for payments of principal and interest on bonds
20 authorized by Public Act 87-1191 or 93-601 and (i) issued
21 pursuant to Section 21.2 of the Cook County Forest Preserve
22 District Act, (ii) issued under Section 42 of the Cook County
23 Forest Preserve District Act for zoological park projects, or
24 (iii) issued under Section 44.1 of the Cook County Forest
25 Preserve District Act for botanical gardens projects; (m) made
26 pursuant to Section 34-53.5 of the School Code, whether levied

1 annually or not; (n) made to fund expenses of providing joint
2 recreational programs for persons with disabilities under
3 Section 5-8 of the Park District Code or Section 11-95-14 of
4 the Illinois Municipal Code; (o) made by the Chicago Park
5 District for recreational programs for persons with
6 disabilities under subsection (c) of Section 7.06 of the
7 Chicago Park District Act; (p) made for contributions to a
8 firefighter's pension fund created under Article 4 of the
9 Illinois Pension Code, to the extent of the amount certified
10 under item (5) of Section 4-134 of the Illinois Pension Code;
11 (q) made by Ford Heights School District 169 under Section
12 17-9.02 of the School Code; and (r) made for the purpose of
13 making employer contributions to the Public School Teachers'
14 Pension and Retirement Fund of Chicago under Section 34-53 of
15 the School Code.

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

1 applicable to the taxing district is held; (c) made for any
2 taxing district to pay interest or principal on bonds issued
3 to refund or continue to refund those bonds issued before the
4 date on which the referendum making this Law applicable to the
5 taxing district is held; (d) made for any taxing district to
6 pay interest or principal on bonds issued to refund or
7 continue to refund bonds issued after the date on which the
8 referendum making this Law applicable to the taxing district
9 is held if the bonds were approved by referendum after the date
10 on which the referendum making this Law applicable to the
11 taxing district is held; (e) made for any taxing district to
12 pay interest or principal on revenue bonds issued before the
13 date on which the referendum making this Law applicable to the
14 taxing district is held for payment of which a property tax
15 levy or the full faith and credit of the unit of local
16 government is pledged; however, a tax for the payment of
17 interest or principal on those bonds shall be made only after
18 the governing body of the unit of local government finds that
19 all other sources for payment are insufficient to make those
20 payments; (f) made for payments under a building commission
21 lease when the lease payments are for the retirement of bonds
22 issued by the commission before the date on which the
23 referendum making this Law applicable to the taxing district
24 is held to pay for the building project; (g) made for payments
25 due under installment contracts entered into before the date
26 on which the referendum making this Law applicable to the

1 taxing district is held; (h) made for payments of principal
2 and interest on limited bonds, as defined in Section 3 of the
3 Local Government Debt Reform Act, in an amount not to exceed
4 the debt service extension base less the amount in items (b),
5 (c), and (e) of this definition for non-referendum
6 obligations, except obligations initially issued pursuant to
7 referendum; (i) made for payments of principal and interest on
8 bonds issued under Section 15 of the Local Government Debt
9 Reform Act; (j) made for a qualified airport authority to pay
10 interest or principal on general obligation bonds issued for
11 the purpose of paying obligations due under, or financing
12 airport facilities required to be acquired, constructed,
13 installed or equipped pursuant to, contracts entered into
14 before March 1, 1996 (but not including any amendments to such
15 a contract taking effect on or after that date); (k) made to
16 fund expenses of providing joint recreational programs for
17 persons with disabilities under Section 5-8 of the Park
18 District Code or Section 11-95-14 of the Illinois Municipal
19 Code; (l) made for contributions to a firefighter's pension
20 fund created under Article 4 of the Illinois Pension Code, to
21 the extent of the amount certified under item (5) of Section
22 4-134 of the Illinois Pension Code; and (m) made for the taxing
23 district to pay interest or principal on general obligation
24 bonds issued pursuant to Section 19-3.10 of the School Code.

25 "Aggregate extension" for all taxing districts to which
26 this Law applies in accordance with paragraph (2) of

1 subsection (e) of Section 18-213 means the annual corporate
2 extension for the taxing district and those special purpose
3 extensions that are made annually for the taxing district,
4 excluding special purpose extensions: (a) made for the taxing
5 district to pay interest or principal on general obligation
6 bonds that were approved by referendum; (b) made for any
7 taxing district to pay interest or principal on general
8 obligation bonds issued before March 7, 1997 (the effective
9 date of Public Act 89-718); (c) made for any taxing district to
10 pay interest or principal on bonds issued to refund or
11 continue to refund those bonds issued before March 7, 1997
12 (the effective date of Public Act 89-718); (d) made for any
13 taxing district to pay interest or principal on bonds issued
14 to refund or continue to refund bonds issued after March 7,
15 1997 (the effective date of Public Act 89-718) if the bonds
16 were approved by referendum after March 7, 1997 (the effective
17 date of Public Act 89-718); (e) made for any taxing district to
18 pay interest or principal on revenue bonds issued before March
19 7, 1997 (the effective date of Public Act 89-718) for payment
20 of which a property tax levy or the full faith and credit of
21 the unit of local government is pledged; however, a tax for the
22 payment of interest or principal on those bonds shall be made
23 only after the governing body of the unit of local government
24 finds that all other sources for payment are insufficient to
25 make those payments; (f) made for payments under a building
26 commission lease when the lease payments are for the

1 retirement of bonds issued by the commission before March 7,
2 1997 (the effective date of Public Act 89-718) to pay for the
3 building project; (g) made for payments due under installment
4 contracts entered into before March 7, 1997 (the effective
5 date of Public Act 89-718); (h) made for payments of principal
6 and interest on limited bonds, as defined in Section 3 of the
7 Local Government Debt Reform Act, in an amount not to exceed
8 the debt service extension base less the amount in items (b),
9 (c), and (e) of this definition for non-referendum
10 obligations, except obligations initially issued pursuant to
11 referendum; (i) made for payments of principal and interest on
12 bonds issued under Section 15 of the Local Government Debt
13 Reform Act; (j) made for a qualified airport authority to pay
14 interest or principal on general obligation bonds issued for
15 the purpose of paying obligations due under, or financing
16 airport facilities required to be acquired, constructed,
17 installed or equipped pursuant to, contracts entered into
18 before March 1, 1996 (but not including any amendments to such
19 a contract taking effect on or after that date); (k) made to
20 fund expenses of providing joint recreational programs for
21 persons with disabilities under Section 5-8 of the Park
22 District Code or Section 11-95-14 of the Illinois Municipal
23 Code; and (l) made for contributions to a firefighter's
24 pension fund created under Article 4 of the Illinois Pension
25 Code, to the extent of the amount certified under item (5) of
26 Section 4-134 of the Illinois Pension Code.

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

1 time pursuant to any provision of this Law, except Section
2 18-212, shall be increased each year commencing with the later
3 of: (i) the 2009 levy year; or (ii) the first levy year in
4 which this Law becomes applicable to the taxing district, by
5 (A) prior to the effective date of this amendatory Act of the
6 103rd General Assembly, the lesser of 5% or the percentage
7 increase in the Consumer Price Index during the 12-month
8 calendar year preceding the levy year, and (B) on and after the
9 effective date of this amendatory Act of the 103rd General
10 Assembly, 0% or the rate of increase approved by the voters
11 under Section 18-212. The debt service extension base may be
12 established or increased as provided under Section 18-212.

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

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

1 aggregate extension.

2 "Aggregate extension base" means the taxing district's
3 last preceding aggregate extension as adjusted under Sections
4 18-135, 18-215, 18-230, 18-206, and 18-233. Beginning with
5 levy year 2022, for taxing districts that are specified in
6 Section 18-190.7, the taxing district's aggregate extension
7 base shall be calculated as provided in Section 18-190.7. An
8 adjustment under Section 18-135 shall be made for the 2007
9 levy year and all subsequent levy years whenever one or more
10 counties within which a taxing district is located (i) used
11 estimated valuations or rates when extending taxes in the
12 taxing district for the last preceding levy year that resulted
13 in the over or under extension of taxes, or (ii) increased or
14 decreased the tax extension for the last preceding levy year
15 as required by Section 18-135(c). Whenever an adjustment is
16 required under Section 18-135, the aggregate extension base of
17 the taxing district shall be equal to the amount that the
18 aggregate extension of the taxing district would have been for
19 the last preceding levy year if either or both (i) actual,
20 rather than estimated, valuations or rates had been used to
21 calculate the extension of taxes for the last levy year, or
22 (ii) the tax extension for the last preceding levy year had not
23 been adjusted as required by subsection (c) of Section 18-135.

24 Notwithstanding any other provision of law, for levy year
25 2012, the aggregate extension base for West Northfield School
26 District No. 31 in Cook County shall be \$12,654,592.

1 Notwithstanding any other provision of law, for levy year
2 2022, the aggregate extension base of a home equity assurance
3 program that levied at least \$1,000,000 in property taxes in
4 levy year 2019 or 2020 under the Home Equity Assurance Act
5 shall be the amount that the program's aggregate extension
6 base for levy year 2021 would have been if the program had
7 levied a property tax for levy year 2021.

8 "Levy year" has the same meaning as "year" under Section
9 1-155.

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

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

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

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

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

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

8 Except as otherwise provided in this Section, "limiting
9 rate" means a fraction the numerator of which is the last
10 preceding aggregate extension base times an amount equal to
11 one plus the extension limitation defined in this Section and
12 the denominator of which is the current year's equalized
13 assessed value of all real property in the territory under the
14 jurisdiction of the taxing district during the prior levy
15 year. For those taxing districts that reduced their aggregate
16 extension for the last preceding levy year, except for school
17 districts that reduced their extension for educational
18 purposes pursuant to Section 18-206, the highest aggregate
19 extension in any of the last 3 preceding levy years shall be
20 used for the purpose of computing the limiting rate. The
21 denominator shall not include new property or the recovered
22 tax increment value. If a new rate, a rate decrease, or a
23 limiting rate increase has been approved at an election held
24 after March 21, 2006, then (i) the otherwise applicable
25 limiting rate shall be increased by the amount of the new rate
26 or shall be reduced by the amount of the rate decrease, as the

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

14 (Source: P.A. 102-263, eff. 8-6-21; 102-311, eff. 8-6-21;
15 102-519, eff. 8-20-21; 102-558, eff. 8-20-21; 102-707, eff.
16 4-22-22; 102-813, eff. 5-13-22; 102-895, eff. 5-23-22; revised
17 8-29-22.)

18 (35 ILCS 200/18-212)

19 Sec. 18-212. Referendum on debt service extension base. A
20 taxing district may establish or increase its debt service
21 extension base if (i) that taxing district holds a referendum
22 before the date on which the levy must be filed with the county
23 clerk of the county or counties in which the taxing district is
24 situated and (ii) a majority of voters voting on the issue
25 approves the establishment of or increase in the debt service

1 extension base. A debt service extension base established or
2 increased by a referendum held pursuant to this Section after
3 February 2, 2010 and prior to the effective date of this
4 amendatory Act of the 103rd General Assembly, shall be
5 increased each year, commencing with the first levy year
6 beginning after the date of the referendum, by the lesser of 5%
7 or the percentage increase in the Consumer Price Index during
8 the 12-month calendar year preceding the levy year if the
9 optional language concerning the annual increase is included
10 in the question submitted to the electors of the taxing
11 district. On and after the effective date of this amendatory
12 Act of the 103rd General Assembly, the date service extension
13 base annual increase amount shall be 0% or the rate of increase
14 approved by the voters under this Section. Referenda under
15 this Section shall be conducted at a regularly scheduled
16 election in accordance with the Election Code. The governing
17 body of the taxing district shall certify the question to the
18 proper election authorities who shall submit the question to
19 the electors of the taxing district in substantially the
20 following form:

21 "Shall the debt service extension base under the Property
22 Tax Extension Limitation Law for ~~---~~ (taxing district
23 name) ~~---~~ for payment of principal and interest on limited
24 bonds be ~~----~~ ((established at \$) ~~-~~ (or) (increased
25 from \$ to \$)) ~~---~~ for the levy year and all
26 subsequent levy years ~~(optional language: , such debt~~

1 ~~service extension base to be increased each year by the~~
2 ~~lesser of 5% or the percentage increase in the Consumer~~
3 ~~Price Index during the 12-month calendar year preceding~~
4 ~~the levy year)?"~~

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

6 If a majority of voters voting on the issue approves the
7 establishment of or increase in the debt service extension
8 base, the establishment of or increase in the debt service
9 extension base shall be applicable for the levy years
10 specified.

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

12 Section 95. The School Code is amended by adding Sections
13 17-3.4a and 34-52.5 as follows:

14 (105 ILCS 5/17-3.4a new)

15 Sec. 17-3.4a. Tax increase; informational material.

16 (a) In this Section, "informational material" means a
17 one-page fact sheet distributed via U.S. mail to all residents
18 of a school district. A school district may determine the form
19 of the fact sheet.

20 (b) No later than 30 days before a school district submits
21 to the voters of that district a question on whether to issue
22 bonds or increase the school district's property tax rate, the
23 school district must send informational material to each
24 resident of voting age in the school district. The

1 informational material must include all of the following, if
2 applicable:

3 (1) A description of the project for which the bonds
4 will be issued.

5 (2) A description of the estimated expenditures
6 associated with the increase in the property tax rate.

7 (3) An estimate of the number of years during which
8 the bonds will be outstanding.

9 (4) An estimate of the total debt service to be paid on
10 the bonds, including principal, interest, and the costs of
11 issuing the bonds.

12 (5) All potential outcomes related to the property
13 taxes of a median-priced house in the district for both if
14 the referendum passes and if the referendum fails.

15 (105 ILCS 5/34-52.5 new)

16 Sec. 34-52.5. Tax increase; informational material.

17 (a) In this Section, "informational material" means a
18 one-page fact sheet distributed via U.S. mail to all residents
19 of the school district. The school district may determine the
20 form of the fact sheet.

21 (b) No later than 30 days before the school district
22 submits to the voters of the district a question on whether to
23 issue bonds or increase the school district's property tax
24 rate, the school district must send informational material to
25 each resident of voting age in the school district. The

1 informational material must include all of the following, if
2 applicable:

3 (1) A description of the project for which the bonds
4 will be issued.

5 (2) A description of the estimated expenditures
6 associated with the increase in the property tax rate.

7 (3) An estimate of the number of years during which
8 the bonds will be outstanding.

9 (4) An estimate of the total debt service to be paid on
10 the bonds, including principal, interest, and the costs of
11 issuing the bonds.

12 (5) All potential outcomes related to the property
13 taxes of a median-priced house in the district for both if
14 the referendum passes and if the referendum fails.

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