



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB0196

Introduced 1/31/2023, 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.

LRB103 25042 HLH 51376 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 2024: (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 2024 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; (h-8) made
13 for payments of principal and interest on bonds issued under
14 Section 9.6a of the Metropolitan Water Reclamation District
15 Act to make contributions to the pension fund established
16 under Article 13 of the Illinois Pension Code; (i) made for
17 payments of principal and interest on limited bonds, as
18 defined in Section 3 of the Local Government Debt Reform Act,
19 in an amount not to exceed the debt service extension base less
20 the amount in items (b), (c), and (e) of this definition for
21 non-referendum obligations, except obligations initially
22 issued pursuant to referendum and bonds described in
23 subsections (h) and (h-8) of this definition; (j) made for
24 payments of principal and interest on bonds issued under
25 Section 15 of the Local Government Debt Reform Act; (k) made
26 for payments of principal and interest on bonds authorized by

1 Public Act 88-503 and issued under Section 20a of the Chicago
2 Park District Act for aquarium or museum projects and bonds
3 issued under Section 20a of the Chicago Park District Act for
4 the purpose of making contributions to the pension fund
5 established under Article 12 of the Illinois Pension Code; (l)
6 made for payments of principal and interest on bonds
7 authorized by Public Act 87-1191 or 93-601 and (i) issued
8 pursuant to Section 21.2 of the Cook County Forest Preserve
9 District Act, (ii) issued under Section 42 of the Cook County
10 Forest Preserve District Act for zoological park projects, or
11 (iii) issued under Section 44.1 of the Cook County Forest
12 Preserve District Act for botanical gardens projects; (m) made
13 pursuant to Section 34-53.5 of the School Code, whether levied
14 annually or not; (n) made to fund expenses of providing joint
15 recreational programs for persons with disabilities under
16 Section 5-8 of the Park District Code or Section 11-95-14 of
17 the Illinois Municipal Code; (o) made by the Chicago Park
18 District for recreational programs for persons with
19 disabilities under subsection (c) of Section 7.06 of the
20 Chicago Park District Act; (p) made for contributions to a
21 firefighter's pension fund created under Article 4 of the
22 Illinois Pension Code, to the extent of the amount certified
23 under item (5) of Section 4-134 of the Illinois Pension Code;
24 (q) made by Ford Heights School District 169 under Section
25 17-9.02 of the School Code; and (r) made for the purpose of
26 making employer contributions to the Public School Teachers'

1 Pension and Retirement Fund of Chicago under Section 34-53 of
2 the School Code.

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

1 taxing district is held for payment of which a property tax
2 levy or the full faith and credit of the unit of local
3 government is pledged; however, a tax for the payment of
4 interest or principal on those bonds shall be made only after
5 the governing body of the unit of local government finds that
6 all other sources for payment are insufficient to make those
7 payments; (f) made for payments under a building commission
8 lease when the lease payments are for the retirement of bonds
9 issued by the commission before the date on which the
10 referendum making this Law applicable to the taxing district
11 is held to pay for the building project; (g) made for payments
12 due under installment contracts entered into before the date
13 on which the referendum making this Law applicable to the
14 taxing district is held; (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; (l) made for contributions to a firefighter's pension
7 fund created under Article 4 of the Illinois Pension Code, to
8 the extent of the amount certified under item (5) of Section
9 4-134 of the Illinois Pension Code; and (m) made for the taxing
10 district to pay interest or principal on general obligation
11 bonds issued pursuant to Section 19-3.10 of the School Code.

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

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

1 interest or principal on general obligation bonds issued for
2 the purpose of paying obligations due under, or financing
3 airport facilities required to be acquired, constructed,
4 installed or equipped pursuant to, contracts entered into
5 before March 1, 1996 (but not including any amendments to such
6 a contract taking effect on or after that date); (k) made to
7 fund expenses of providing joint recreational programs for
8 persons with disabilities under Section 5-8 of the Park
9 District Code or Section 11-95-14 of the Illinois Municipal
10 Code; and (l) made for contributions to a firefighter's
11 pension fund created under Article 4 of the Illinois Pension
12 Code, to the extent of the amount certified under item (5) of
13 Section 4-134 of the Illinois Pension Code.

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

1 1991 or 1995 and (ii) whose extension for the 1994 levy year
2 for the payment of principal and interest on bonds issued by
3 the park district without referendum (but not including
4 excluded non-referendum bonds) was less than 51% of the amount
5 for the 1991 levy year constituting an extension for payment
6 of principal and interest on bonds issued by the park district
7 without referendum (but not including excluded non-referendum
8 bonds), "debt service extension base" means an amount equal to
9 that portion of the extension for the 1991 levy year
10 constituting an extension for payment of principal and
11 interest on bonds issued by the park district without
12 referendum (but not including excluded non-referendum bonds).
13 A debt service extension base established or increased at any
14 time pursuant to any provision of this Law, except Section
15 18-212, shall be increased each year commencing with the later
16 of (i) the 2009 levy year or (ii) the first levy year in which
17 this Law becomes applicable to the taxing district, by the
18 extension limitation ~~lesser of 5% or the percentage increase~~
19 ~~in the Consumer Price Index during the 12 month calendar year~~
20 ~~preceding the levy year~~. The debt service extension base may
21 be established or increased as provided under Section 18-212.
22 "Excluded non-referendum bonds" means (i) bonds authorized by
23 Public Act 88-503 and issued under Section 20a of the Chicago
24 Park District Act for aquarium and museum projects; (ii) bonds
25 issued under Section 15 of the Local Government Debt Reform
26 Act; or (iii) refunding obligations issued to refund or to

1 continue to refund obligations initially issued pursuant to
2 referendum.

3 "Special purpose extensions" include, but are not limited
4 to, extensions for levies made on an annual basis for
5 unemployment and workers' compensation, self-insurance,
6 contributions to pension plans, and extensions made pursuant
7 to Section 6-601 of the Illinois Highway Code for a road
8 district's permanent road fund whether levied annually or not.
9 The extension for a special service area is not included in the
10 aggregate extension.

11 "Aggregate extension base" means the taxing district's
12 last preceding aggregate extension as adjusted under Sections
13 18-135, 18-215, 18-230, 18-206, and 18-233. Beginning with
14 levy year 2022, for taxing districts that are specified in
15 Section 18-190.7, the taxing district's aggregate extension
16 base shall be calculated as provided in Section 18-190.7. An
17 adjustment under Section 18-135 shall be made for the 2007
18 levy year and all subsequent levy years whenever one or more
19 counties within which a taxing district is located (i) used
20 estimated valuations or rates when extending taxes in the
21 taxing district for the last preceding levy year that resulted
22 in the over or under extension of taxes, or (ii) increased or
23 decreased the tax extension for the last preceding levy year
24 as required by Section 18-135(c). Whenever an adjustment is
25 required under Section 18-135, the aggregate extension base of
26 the taxing district shall be equal to the amount that the

1 aggregate extension of the taxing district would have been for
2 the last preceding levy year if either or both (i) actual,
3 rather than estimated, valuations or rates had been used to
4 calculate the extension of taxes for the last levy year, or
5 (ii) the tax extension for the last preceding levy year had not
6 been adjusted as required by subsection (c) of Section 18-135.

7 Notwithstanding any other provision of law, for levy year
8 2012, the aggregate extension base for West Northfield School
9 District No. 31 in Cook County shall be \$12,654,592.

10 Notwithstanding any other provision of law, for levy year
11 2022, the aggregate extension base of a home equity assurance
12 program that levied at least \$1,000,000 in property taxes in
13 levy year 2019 or 2020 under the Home Equity Assurance Act
14 shall be the amount that the program's aggregate extension
15 base for levy year 2021 would have been if the program had
16 levied a property tax for levy year 2021.

17 "Levy year" has the same meaning as "year" under Section
18 1-155.

19 "New property" means (i) the assessed value, after final
20 board of review or board of appeals action, of new
21 improvements or additions to existing improvements on any
22 parcel of real property that increase the assessed value of
23 that real property during the levy year multiplied by the
24 equalization factor issued by the Department under Section
25 17-30, (ii) the assessed value, after final board of review or
26 board of appeals action, of real property not exempt from real

1 estate taxation, which real property was exempt from real
2 estate taxation for any portion of the immediately preceding
3 levy year, multiplied by the equalization factor issued by the
4 Department under Section 17-30, including the assessed value,
5 upon final stabilization of occupancy after new construction
6 is complete, of any real property located within the
7 boundaries of an otherwise or previously exempt military
8 reservation that is intended for residential use and owned by
9 or leased to a private corporation or other entity, (iii) in
10 counties that classify in accordance with Section 4 of Article
11 IX of the Illinois Constitution, an incentive property's
12 additional assessed value resulting from a scheduled increase
13 in the level of assessment as applied to the first year final
14 board of review market value, and (iv) any increase in
15 assessed value due to oil or gas production from an oil or gas
16 well required to be permitted under the Hydraulic Fracturing
17 Regulatory Act that was not produced in or accounted for
18 during the previous levy year. In addition, the county clerk
19 in a county containing a population of 3,000,000 or more shall
20 include in the 1997 recovered tax increment value for any
21 school district, any recovered tax increment value that was
22 applicable to the 1995 tax year calculations.

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

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

1 equal to the 1994 equalized assessed value of each taxable
2 lot, block, tract, or parcel of real property in the
3 redevelopment project area over and above the initial
4 equalized assessed value of each property in the redevelopment
5 project area. In the first year after a municipality removes a
6 taxable lot, block, tract, or parcel of real property from a
7 redevelopment project area established under the Tax Increment
8 Allocation Redevelopment Act in the Illinois Municipal Code,
9 the Industrial Jobs Recovery Law in the Illinois Municipal
10 Code, or the Economic Development Area Tax Increment
11 Allocation Act, "recovered tax increment value" means the
12 amount of the current year's equalized assessed value of each
13 taxable lot, block, tract, or parcel of real property removed
14 from the redevelopment project area over and above the initial
15 equalized assessed value of that real property before removal
16 from the redevelopment project area.

17 Except as otherwise provided in this Section, "limiting
18 rate" means a fraction the numerator of which is the last
19 preceding aggregate extension base (as reduced by Section
20 18-207, if applicable) times an amount equal to one plus the
21 extension limitation defined in this Section and the
22 denominator of which is the current year's equalized assessed
23 value of all real property in the territory under the
24 jurisdiction of the taxing district during the prior levy
25 year. For those taxing districts that reduced their aggregate
26 extension for the last preceding levy year, except for school

1 districts that reduced their extension for educational
2 purposes pursuant to Section 18-206 and taxing districts that
3 reduced their aggregate extension pursuant to Section 18-207,
4 the highest aggregate extension in any of the last 3 preceding
5 levy years shall be used for the purpose of computing the
6 limiting rate. The denominator shall not include new property
7 or the recovered tax increment value. If a new rate, a rate
8 decrease, or a limiting rate increase has been approved at an
9 election held after March 21, 2006, then (i) the otherwise
10 applicable limiting rate shall be increased by the amount of
11 the new rate or shall be reduced by the amount of the rate
12 decrease, as the case may be, or (ii) in the case of a limiting
13 rate increase, the limiting rate shall be equal to the rate set
14 forth in the proposition approved by the voters for each of the
15 years specified in the proposition, after which the limiting
16 rate of the taxing district shall be calculated as otherwise
17 provided. In the case of a taxing district that obtained
18 referendum approval for an increased limiting rate on March
19 20, 2012, the limiting rate for tax year 2012 shall be the rate
20 that generates the approximate total amount of taxes
21 extendable for that tax year, as set forth in the proposition
22 approved by the voters; this rate shall be the final rate
23 applied by the county clerk for the aggregate of all capped
24 funds of the district for tax year 2012.

25 (Source: P.A. 102-263, eff. 8-6-21; 102-311, eff. 8-6-21;
26 102-519, eff. 8-20-21; 102-558, eff. 8-20-21; 102-707, eff.

1 4-22-22; 102-813, eff. 5-13-22; 102-895, eff. 5-23-22; revised
2 8-29-22.)

3 (35 ILCS 200/18-205)

4 Sec. 18-205. Referendum to increase the extension
5 limitation. A taxing district is limited to an extension
6 limitation as defined in Section 18-185 ~~of 5% or the~~
7 ~~percentage increase in the Consumer Price Index during the~~
8 ~~12 month calendar year preceding the levy year, whichever is~~
9 ~~less~~. A taxing district may increase its extension limitation
10 for one or more levy years if that taxing district holds a
11 referendum before the levy date for the first levy year at
12 which a majority of voters voting on the issue approves
13 adoption of a higher extension limitation. Referenda shall be
14 conducted at a regularly scheduled election in accordance with
15 the Election Code. The question shall be presented in
16 substantially the following manner for all elections held
17 after March 21, 2006:

18 Shall the extension limitation under the Property Tax
19 Extension Limitation Law for (insert the legal name,
20 number, if any, and county or counties of the taxing
21 district and geographic or other common name by which a
22 school or community college district is known and referred
23 to), Illinois, be increased from (the extension limitation
24 under item (a) of the definition of extension limitation
25 in Section 18-185) ~~the lesser of 5% or the percentage~~

1 ~~increase in the Consumer Price Index over the prior levy~~
2 ~~year~~ to (insert the percentage of the proposed increase)%
3 per year for (insert each levy year for which the
4 increased extension limitation will apply)?

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

6 If a majority of voters voting on the issue approves the
7 adoption of the increase, the increase shall be applicable for
8 each levy year specified.

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

14 (1) For the (insert the first levy year for which the
15 increased extension limitation will be applicable) levy
16 year the approximate amount of the additional tax
17 extendable against property containing a single family
18 residence and having a fair market value at the time of the
19 referendum of \$100,000 is estimated to be \$....

20 (2) Based upon an average annual percentage increase
21 (or decrease) in the market value of such property of ...%
22 (insert percentage equal to the average annual percentage
23 increase or decrease for the prior 3 levy years, at the
24 time the submission of the question is initiated by the
25 taxing district, in the amount of (A) the equalized
26 assessed value of the taxable property in the taxing

1 district less (B) the new property included in the
2 equalized assessed value), the approximate amount of the
3 additional tax extendable against such property for the
4 ... levy year is estimated to be \$... and for the ... levy
5 year is estimated to be \$....

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

1 initiated by the taxing district; and (iv) the difference
2 between the percentage increase proposed in the question and
3 the otherwise applicable extension limitation ~~lesser of 5% or~~
4 ~~the percentage increase in the Consumer Price Index for the~~
5 ~~prior levy year (or an estimate of the percentage increase for~~
6 ~~the prior levy year if the increase is unavailable at the time~~
7 ~~the submission of the question is initiated by the taxing~~
8 ~~district);~~ and dividing the result by the last known equalized
9 assessed value of the taxing district at the time the
10 submission of the question is initiated by the taxing
11 district. This amendatory Act of the 97th General Assembly is
12 intended to clarify the existing requirements of this Section,
13 and shall not be construed to validate any prior non-compliant
14 referendum language. Any notice required to be published in
15 connection with the submission of the question shall also
16 contain this supplemental information and shall not contain
17 any other supplemental information. Any error, miscalculation,
18 or inaccuracy in computing any amount set forth on the ballot
19 or in the notice that is not deliberate shall not invalidate or
20 affect the validity of any proposition approved. Notice of the
21 referendum shall be published and posted as otherwise required
22 by law, and the submission of the question shall be initiated
23 as provided by law.

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

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

2 (a) Upon submission of a petition signed by a number of
3 voters of the taxing district that is not less than 10% of the
4 votes cast in the taxing district at the immediately preceding
5 gubernatorial election, the question of whether a taxing
6 district shall reduce its aggregate extension base for the
7 purpose of lowering its limiting rate for future years shall
8 be submitted to the voters of the taxing district at the next
9 general or consolidated election. The petition shall set forth
10 the amount of the reduction and the levy years for which the
11 reduction shall be applicable.

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

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

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

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

9 (35 ILCS 200/18-212)

10 Sec. 18-212. Referendum on debt service extension base. A
11 taxing district may establish or increase its debt service
12 extension base if (i) that taxing district holds a referendum
13 before the date on which the levy must be filed with the county
14 clerk of the county or counties in which the taxing district is
15 situated and (ii) a majority of voters voting on the issue
16 approves the establishment of or increase in the debt service
17 extension base. A debt service extension base established or
18 increased by a referendum held pursuant to this Section after
19 February 2, 2010, shall be increased each year, commencing
20 with the first levy year beginning after the date of the
21 referendum, by the extension limitation ~~lesser of 5% or the~~
22 ~~percentage increase in the Consumer Price Index during the~~
23 ~~12-month calendar year preceding the levy year~~ if the optional
24 language concerning the annual increase is included in the
25 question submitted to the electors of the taxing district.

1 Referenda under this Section shall be conducted at a regularly
2 scheduled election in accordance with the Election Code. The
3 governing body of the taxing district shall certify the
4 question to the proper election authorities who shall submit
5 the question to the electors of the taxing district in
6 substantially the following form:

7 "Shall the debt service extension base under the
8 Property Tax Extension Limitation Law for ... (taxing
9 district name) ... for payment of principal and interest
10 on limited bonds be ((established at \$) . (or)
11 (increased from \$ to \$)) .. for the levy
12 year and all subsequent levy years (optional language: ,
13 such debt service extension base to be increased each year
14 by (extension limitation amount) ~~the lesser of 5% or the~~
15 ~~percentage increase in the Consumer Price Index during the~~
16 ~~12 month calendar year preceding the levy year)?"~~

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

18 If a majority of voters voting on the issue approves the
19 establishment of or increase in the debt service extension
20 base, the establishment of or increase in the debt service
21 extension base shall be applicable for the levy years
22 specified.

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

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.