



02/04/04

09300SB1498ham006

LRB093 06568 SJM 41092 a

1 AMENDMENT TO SENATE BILL 1498

2 AMENDMENT NO. _____. Amend Senate Bill 1498, AS AMENDED,
3 by replacing the title with the following:

4 "AN ACT concerning taxes."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Economic Development Area Tax Increment
8 Allocation Act is amended by changing Section 6 as follows:

9 (20 ILCS 620/6) (from Ch. 67 1/2, par. 1006)

10 Sec. 6. Filing with county clerk; certification of initial
11 equalized assessed value.

12 (a) The municipality shall file a certified copy of any
13 ordinance authorizing tax increment allocation financing for
14 an economic development project area with the county clerk, and
15 the county clerk shall immediately thereafter determine (1) the
16 most recently ascertained equalized assessed value of each lot,
17 block, tract or parcel of real property within the economic
18 development project area from which shall be deducted the
19 homestead exemptions provided by Sections 15-170, ~~and~~ 15-175,
20 and 15-176 of the Property Tax Code, which value shall be the
21 "initial equalized assessed value" of each such piece of
22 property, and (2) the total equalized assessed value of all
23 taxable real property within the economic development project

1 area by adding together the most recently ascertained equalized
2 assessed value of each taxable lot, block, tract, or parcel of
3 real property within such economic development project area,
4 from which shall be deducted the homestead exemptions provided
5 by Sections 15-170, ~~and 15-175,~~ and 15-176 of the Property Tax
6 Code, and shall certify such amount as the "total initial
7 equalized assessed value" of the taxable real property within
8 the economic development project area.

9 (b) After the county clerk has certified the "total initial
10 equalized assessed value" of the taxable real property in the
11 economic development project area, then in respect to every
12 taxing district containing an economic development project
13 area, the county clerk or any other official required by law to
14 ascertain the amount of the equalized assessed value of all
15 taxable property within that taxing district for the purpose of
16 computing the rate per cent of tax to be extended upon taxable
17 property within that taxing district, shall in every year that
18 tax increment allocation financing is in effect ascertain the
19 amount of value of taxable property in an economic development
20 project area by including in that amount the lower of the
21 current equalized assessed value or the certified "total
22 initial equalized assessed value" of all taxable real property
23 in such area. The rate per cent of tax determined shall be
24 extended to the current equalized assessed value of all
25 property in the economic development project area in the same
26 manner as the rate per cent of tax is extended to all other
27 taxable property in the taxing district. The method of
28 allocating taxes established under this Section shall
29 terminate when the municipality adopts an ordinance dissolving
30 the special tax allocation fund for the economic development
31 project area, terminating the economic development project
32 area, and terminating the use of tax increment allocation
33 financing for the economic development project area. This Act
34 shall not be construed as relieving property owners within an

1 economic development project area from paying a uniform rate of
2 taxes upon the current equalized assessed value of their
3 taxable property as provided in the Property Tax Code.

4 (Source: P.A. 88-670, eff. 12-2-94.)

5 Section 10. The Property Tax Code is amended by changing
6 Sections 14-15, 15-10, 15-170, 15-172, 15-175, 15-180, and
7 20-178 and by adding Section 15-176 as follows:

8 (35 ILCS 200/14-15)

9 Sec. 14-15. Certificate of error; counties of 3,000,000 or
10 more.

11 (a) In counties with 3,000,000 or more inhabitants, if,
12 after the assessment is certified pursuant to Section 16-150,
13 but subject to the limitations of subsection (c) of this
14 Section, the county assessor discovers an error or mistake in
15 the assessment, the assessor shall execute a certificate
16 setting forth the nature and cause of the error. The
17 certificate when endorsed by the county assessor, or when
18 endorsed by the county assessor and board of appeals (until the
19 first Monday in December 1998 and the board of review beginning
20 the first Monday in December 1998 and thereafter) where the
21 certificate is executed for any assessment which was the
22 subject of a complaint filed in the board of appeals (until the
23 first Monday in December 1998 and the board of review beginning
24 the first Monday in December 1998 and thereafter) for the tax
25 year for which the certificate is issued, may, either be
26 certified according to the procedure authorized by this Section
27 or be presented and received in evidence in any court of
28 competent jurisdiction. Certification is authorized, at the
29 discretion of the county assessor, for: (1) certificates of
30 error allowing homestead exemptions pursuant to Sections
31 15-170, 15-172, ~~and~~ 15-175, and 15-176; (2) certificates of
32 error on residential property of 6 units or less; (3)

1 certificates of error allowing exemption of the property
2 pursuant to Section 14-25; and (4) other certificates of error
3 reducing assessed value by less than \$100,000. Any certificate
4 of error not certified shall be presented to the court. The
5 county assessor shall develop reasonable procedures for the
6 filing and processing of certificates of error. Prior to the
7 certification or presentation to the court, the county assessor
8 or his or her designee shall execute and include in the
9 certificate of error a statement attesting that all procedural
10 requirements pertaining to the issuance of the certificate of
11 error have been met and that in fact an error exists. When so
12 introduced in evidence such certificate shall become a part of
13 the court records, and shall not be removed from the files
14 except upon the order of the court.

15 Certificates of error that will be presented to the court
16 shall be filed as an objection in the application for judgment
17 and order of sale for the year in relation to which the
18 certificate is made or as an amendment to the objection under
19 subsection (b). Certificates of error that are to be certified
20 according to the procedure authorized by this Section need not
21 be presented to the court as an objection or an amendment under
22 subsection (b). The State's Attorney of the county in which the
23 property is situated shall mail a copy of any final judgment
24 entered by the court regarding any certificate of error to the
25 taxpayer of record for the year in question.

26 Any unpaid taxes after the entry of the final judgment by
27 the court or certification on certificates issued under this
28 Section may be included in a special tax sale, provided that an
29 advertisement is published and a notice is mailed to the person
30 in whose name the taxes were last assessed, in a form and
31 manner substantially similar to the advertisement and notice
32 required under Sections 21-110 and 21-135. The advertisement
33 and sale shall be subject to all provisions of law regulating
34 the annual advertisement and sale of delinquent property, to

1 the extent that those provisions may be made applicable.

2 A certificate of error certified under this Section shall
3 be given effect by the county treasurer, who shall mark the tax
4 books and, upon receipt of one of the following certificates
5 from the county assessor or the county assessor and the board
6 of review where the board of review is required to endorse the
7 certificate of error, shall issue refunds to the taxpayer
8 accordingly:

9 "CERTIFICATION

10 I,, county assessor, hereby certify
11 that the Certificates of Error set out on the attached list
12 have been duly issued to correct an error or mistake in the
13 assessment."

14 "CERTIFICATION

15 I,, county assessor, and we,
16,
17 members of the board of review, hereby certify that the
18 Certificates of Error set out on the attached list have
19 been duly issued to correct an error or mistake in the
20 assessment and that any certificates of error required to
21 be endorsed by the board of review have been so endorsed."

22 The county treasurer has the power to mark the tax books to
23 reflect the issuance of certificates of error certified
24 according to the procedure authorized in this Section for
25 certificates of error issued under Section 14-25 or
26 certificates of error issued to and including 3 years after the
27 date on which the annual judgment and order of sale for that
28 tax year was first entered. The county treasurer has the power
29 to issue refunds to the taxpayer as set forth above until all
30 refunds authorized by this Section have been completed.

31 To the extent that the certificate of error obviates the

1 liability for nonpayment of taxes, certification of a
2 certificate of error according to the procedure authorized in
3 this Section shall operate to vacate any judgment or forfeiture
4 as to that year's taxes, and the warrant books and judgment
5 books shall be marked to reflect that the judgment or
6 forfeiture has been vacated.

7 (b) Nothing in subsection (a) of this Section shall be
8 construed to prohibit the execution, endorsement, issuance,
9 and adjudication of a certificate of error if (i) the annual
10 judgment and order of sale for the tax year in question is
11 reopened for further proceedings upon consent of the county
12 collector and county assessor, represented by the State's
13 Attorney, and (ii) a new final judgment is subsequently entered
14 pursuant to the certificate. This subsection (b) shall be
15 construed as declarative of existing law and not as a new
16 enactment.

17 (c) No certificate of error, other than a certificate to
18 establish an exemption under Section 14-25, shall be executed
19 for any tax year more than 3 years after the date on which the
20 annual judgment and order of sale for that tax year was first
21 entered, except that during calendar years 1999 and 2000 a
22 certificate of error may be executed for any tax year, provided
23 that the error or mistake in the assessment was discovered no
24 more than 3 years after the date on which the annual judgment
25 and order of sale for that tax year was first entered.

26 (d) The time limitation of subsection (c) shall not apply
27 to a certificate of error correcting an assessment to \$1, under
28 Section 10-35, on a parcel that a subdivision or planned
29 development has acquired by adverse possession, if during the
30 tax year for which the certificate is executed the subdivision
31 or planned development used the parcel as common area, as
32 defined in Section 10-35, and if application for the
33 certificate of error is made prior to December 1, 1997.

34 (e) The changes made by this amendatory Act of the 91st

1 General Assembly apply to certificates of error issued before,
2 on, and after the effective date of this amendatory Act of the
3 91st General Assembly.

4 (Source: P.A. 90-4, eff. 3-7-97; 90-288, eff. 8-1-97; 90-655,
5 eff. 7-30-98; 91-393, eff. 7-30-99; 91-686, eff. 1-26-00.)

6 (35 ILCS 200/15-10)

7 Sec. 15-10. Exempt property; procedures for certification.
8 All property granted an exemption by the Department pursuant to
9 the requirements of Section 15-5 and described in the Sections
10 following Section 15-30 and preceding Section 16-5, to the
11 extent therein limited, is exempt from taxation. In order to
12 maintain that exempt status, the titleholder or the owner of
13 the beneficial interest of any property that is exempt must
14 file with the chief county assessment officer, on or before
15 January 31 of each year (May 31 in the case of property
16 exempted by Section 15-170), an affidavit stating whether there
17 has been any change in the ownership or use of the property or
18 the status of the owner-resident, or that a disabled veteran
19 who qualifies under Section 15-165 owned and used the property
20 as of January 1 of that year. The nature of any change shall be
21 stated in the affidavit. Failure to file an affidavit shall, in
22 the discretion of the assessment officer, constitute cause to
23 terminate the exemption of that property, notwithstanding any
24 other provision of this Code. Owners of 5 or more such exempt
25 parcels within a county may file a single annual affidavit in
26 lieu of an affidavit for each parcel. The assessment officer,
27 upon request, shall furnish an affidavit form to the owners, in
28 which the owner may state whether there has been any change in
29 the ownership or use of the property or status of the owner or
30 resident as of January 1 of that year. The owner of 5 or more
31 exempt parcels shall list all the properties giving the same
32 information for each parcel as required of owners who file
33 individual affidavits.

1 However, titleholders or owners of the beneficial interest
2 in any property exempted under any of the following provisions
3 are not required to submit an annual filing under this Section:

4 (1) Section 15-45 (burial grounds) in counties of less
5 than 3,000,000 inhabitants and owned by a not-for-profit
6 organization.

7 (2) Section 15-40.

8 (3) Section 15-50 (United States property).

9 If there is a change in use or ownership, however, notice
10 must be filed pursuant to Section 15-20.

11 An application for homestead exemptions shall be filed as
12 provided in Section 15-170 (senior citizens homestead
13 exemption), Section 15-172 (senior citizens assessment freeze
14 homestead exemption), and Sections ~~Section~~ 15-175 and 15-176
15 (general homestead exemption), respectively.

16 (Source: P.A. 92-333, eff. 8-10-01; 92-729, eff. 7-25-02.)

17 (35 ILCS 200/15-170)

18 Sec. 15-170. Senior Citizens Homestead Exemption. An
19 annual homestead exemption limited, except as described here
20 with relation to cooperatives or life care facilities, to a
21 maximum reduction set forth below from the property's value, as
22 equalized or assessed by the Department, is granted for
23 property that is occupied as a residence by a person 65 years
24 of age or older who is liable for paying real estate taxes on
25 the property and is an owner of record of the property or has a
26 legal or equitable interest therein as evidenced by a written
27 instrument, except for a leasehold interest, other than a
28 leasehold interest of land on which a single family residence
29 is located, which is occupied as a residence by a person 65
30 years or older who has an ownership interest therein, legal,
31 equitable or as a lessee, and on which he or she is liable for
32 the payment of property taxes. The maximum reduction shall be
33 \$2,500 in counties with 3,000,000 or more inhabitants and

1 \$2,000 in all other counties. For land improved with an
2 apartment building owned and operated as a cooperative, the
3 maximum reduction from the value of the property, as equalized
4 by the Department, shall be multiplied by the number of
5 apartments or units occupied by a person 65 years of age or
6 older who is liable, by contract with the owner or owners of
7 record, for paying property taxes on the property and is an
8 owner of record of a legal or equitable interest in the
9 cooperative apartment building, other than a leasehold
10 interest. For land improved with a life care facility, the
11 maximum reduction from the value of the property, as equalized
12 by the Department, shall be multiplied by the number of
13 apartments or units occupied by persons 65 years of age or
14 older, irrespective of any legal, equitable, or leasehold
15 interest in the facility, who are liable, under a contract with
16 the owner or owners of record of the facility, for paying
17 property taxes on the property. In a cooperative or a life care
18 facility where a homestead exemption has been granted, the
19 cooperative association or the management firm of the
20 cooperative or facility shall credit the savings resulting from
21 that exemption only to the apportioned tax liability of the
22 owner or resident who qualified for the exemption. Any person
23 who willfully refuses to so credit the savings shall be guilty
24 of a Class B misdemeanor. Under this Section and Section
25 15-175, "life care facility" means a facility as defined in
26 Section 2 of the Life Care Facilities Act, with which the
27 applicant for the homestead exemption has a life care contract
28 as defined in that Act.

29 When a homestead exemption has been granted under this
30 Section and the person qualifying subsequently becomes a
31 resident of a facility licensed under the Nursing Home Care
32 Act, the exemption shall continue so long as the residence
33 continues to be occupied by the qualifying person's spouse if
34 the spouse is 65 years of age or older, or if the residence

1 remains unoccupied but is still owned by the person qualified
2 for the homestead exemption.

3 A person who will be 65 years of age during the current
4 assessment year shall be eligible to apply for the homestead
5 exemption during that assessment year. Application shall be
6 made during the application period in effect for the county of
7 his residence.

8 Beginning with assessment year 2003, for taxes payable in
9 2004, property that is first occupied as a residence after
10 January 1 of any assessment year by a person who is eligible
11 for the senior citizens homestead exemption under this Section
12 must be granted a pro-rata exemption for the assessment year.
13 The amount of the pro-rata exemption is the exemption allowed
14 in the county under this Section divided by 365 and multiplied
15 by the number of days during the assessment year the property
16 is occupied as a residence by a person eligible for the
17 exemption under this Section. The chief county assessment
18 officer must adopt reasonable procedures to establish
19 eligibility for this pro-rata exemption.

20 The assessor or chief county assessment officer may
21 determine the eligibility of a life care facility to receive
22 the benefits provided by this Section, by affidavit,
23 application, visual inspection, questionnaire or other
24 reasonable methods in order to insure that the tax savings
25 resulting from the exemption are credited by the management
26 firm to the apportioned tax liability of each qualifying
27 resident. The assessor may request reasonable proof that the
28 management firm has so credited the exemption.

29 The chief county assessment officer of each county with
30 less than 3,000,000 inhabitants shall provide to each person
31 allowed a homestead exemption under this Section a form to
32 designate any other person to receive a duplicate of any notice
33 of delinquency in the payment of taxes assessed and levied
34 under this Code on the property of the person receiving the

1 exemption. The duplicate notice shall be in addition to the
2 notice required to be provided to the person receiving the
3 exemption, and shall be given in the manner required by this
4 Code. The person filing the request for the duplicate notice
5 shall pay a fee of \$5 to cover administrative costs to the
6 supervisor of assessments, who shall then file the executed
7 designation with the county collector. Notwithstanding any
8 other provision of this Code to the contrary, the filing of
9 such an executed designation requires the county collector to
10 provide duplicate notices as indicated by the designation. A
11 designation may be rescinded by the person who executed such
12 designation at any time, in the manner and form required by the
13 chief county assessment officer.

14 The assessor or chief county assessment officer may
15 determine the eligibility of residential property to receive
16 the homestead exemption provided by this Section by
17 application, visual inspection, questionnaire or other
18 reasonable methods. The determination shall be made in
19 accordance with guidelines established by the Department.

20 In counties with less than 3,000,000 inhabitants, the
21 county board may by resolution provide that if a person has
22 been granted a homestead exemption under this Section, the
23 person qualifying need not reapply for the exemption.

24 In counties with 3,000,000 or more inhabitants, if a
25 property has been granted a homestead exemption under this
26 Section, the person qualifying need not reapply for the
27 exemption.

28 In counties with less than 3,000,000 inhabitants, if the
29 assessor or chief county assessment officer requires annual
30 application for verification of eligibility for an exemption
31 once granted under this Section, the application shall be
32 mailed to the taxpayer.

33 The assessor or chief county assessment officer shall
34 notify each person who qualifies for an exemption under this

1 Section that the person may also qualify for deferral of real
2 estate taxes under the Senior Citizens Real Estate Tax Deferral
3 Act. The notice shall set forth the qualifications needed for
4 deferral of real estate taxes, the address and telephone number
5 of county collector, and a statement that applications for
6 deferral of real estate taxes may be obtained from the county
7 collector.

8 Notwithstanding Sections 6 and 8 of the State Mandates Act,
9 no reimbursement by the State is required for the
10 implementation of any mandate created by this Section.

11 (Source: P.A. 92-196, eff. 1-1-02; 93-511, eff. 8-11-03.)

12 (35 ILCS 200/15-172)

13 Sec. 15-172. Senior Citizens Assessment Freeze Homestead
14 Exemption.

15 (a) This Section may be cited as the Senior Citizens
16 Assessment Freeze Homestead Exemption.

17 (b) As used in this Section:

18 "Applicant" means an individual who has filed an
19 application under this Section.

20 "Base amount" means the base year equalized assessed value
21 of the residence plus the first year's equalized assessed value
22 of any added improvements which increased the assessed value of
23 the residence after the base year.

24 "Base year" means the taxable year prior to the taxable
25 year for which the applicant first qualifies and applies for
26 the exemption provided that in the prior taxable year the
27 property was improved with a permanent structure that was
28 occupied as a residence by the applicant who was liable for
29 paying real property taxes on the property and who was either
30 (i) an owner of record of the property or had legal or
31 equitable interest in the property as evidenced by a written
32 instrument or (ii) had a legal or equitable interest as a
33 lessee in the parcel of property that was single family

1 residence. If in any subsequent taxable year for which the
2 applicant applies and qualifies for the exemption the equalized
3 assessed value of the residence is less than the equalized
4 assessed value in the existing base year (provided that such
5 equalized assessed value is not based on an assessed value that
6 results from a temporary irregularity in the property that
7 reduces the assessed value for one or more taxable years), then
8 that subsequent taxable year shall become the base year until a
9 new base year is established under the terms of this paragraph.
10 For taxable year 1999 only, the Chief County Assessment Officer
11 shall review (i) all taxable years for which the applicant
12 applied and qualified for the exemption and (ii) the existing
13 base year. The assessment officer shall select as the new base
14 year the year with the lowest equalized assessed value. An
15 equalized assessed value that is based on an assessed value
16 that results from a temporary irregularity in the property that
17 reduces the assessed value for one or more taxable years shall
18 not be considered the lowest equalized assessed value. The
19 selected year shall be the base year for taxable year 1999 and
20 thereafter until a new base year is established under the terms
21 of this paragraph.

22 "Chief County Assessment Officer" means the County
23 Assessor or Supervisor of Assessments of the county in which
24 the property is located.

25 "Equalized assessed value" means the assessed value as
26 equalized by the Illinois Department of Revenue.

27 "Household" means the applicant, the spouse of the
28 applicant, and all persons using the residence of the applicant
29 as their principal place of residence.

30 "Household income" means the combined income of the members
31 of a household for the calendar year preceding the taxable
32 year.

33 "Income" has the same meaning as provided in Section 3.07
34 of the Senior Citizens and Disabled Persons Property Tax Relief

1 and Pharmaceutical Assistance Act, except that, beginning in
2 assessment year 2001, "income" does not include veteran's
3 benefits.

4 "Internal Revenue Code of 1986" means the United States
5 Internal Revenue Code of 1986 or any successor law or laws
6 relating to federal income taxes in effect for the year
7 preceding the taxable year.

8 "Life care facility that qualifies as a cooperative" means
9 a facility as defined in Section 2 of the Life Care Facilities
10 Act.

11 "Residence" means the principal dwelling place and
12 appurtenant structures used for residential purposes in this
13 State occupied on January 1 of the taxable year by a household
14 and so much of the surrounding land, constituting the parcel
15 upon which the dwelling place is situated, as is used for
16 residential purposes. If the Chief County Assessment Officer
17 has established a specific legal description for a portion of
18 property constituting the residence, then that portion of
19 property shall be deemed the residence for the purposes of this
20 Section.

21 "Taxable year" means the calendar year during which ad
22 valorem property taxes payable in the next succeeding year are
23 levied.

24 (c) Beginning in taxable year 1994, a senior citizens
25 assessment freeze homestead exemption is granted for real
26 property that is improved with a permanent structure that is
27 occupied as a residence by an applicant who (i) is 65 years of
28 age or older during the taxable year, (ii) has a household
29 income of \$35,000 or less prior to taxable year 1999, ~~or~~
30 \$40,000 or less in taxable years ~~year~~ 1999 through 2002, or
31 \$45,000 or less in taxable year 2003 and thereafter, (iii) is
32 liable for paying real property taxes on the property, and (iv)
33 is an owner of record of the property or has a legal or
34 equitable interest in the property as evidenced by a written

1 instrument. This homestead exemption shall also apply to a
2 leasehold interest in a parcel of property improved with a
3 permanent structure that is a single family residence that is
4 occupied as a residence by a person who (i) is 65 years of age
5 or older during the taxable year, (ii) has a household income
6 of \$35,000 or less prior to taxable year 1999, ~~or~~ \$40,000 or
7 less in taxable years year 1999 through 2002, or \$45,000 or
8 less in taxable year 2003 and thereafter, (iii) has a legal or
9 equitable ownership interest in the property as lessee, and
10 (iv) is liable for the payment of real property taxes on that
11 property.

12 The amount of this exemption shall be the equalized
13 assessed value of the residence in the taxable year for which
14 application is made minus the base amount.

15 When the applicant is a surviving spouse of an applicant
16 for a prior year for the same residence for which an exemption
17 under this Section has been granted, the base year and base
18 amount for that residence are the same as for the applicant for
19 the prior year.

20 Each year at the time the assessment books are certified to
21 the County Clerk, the Board of Review or Board of Appeals shall
22 give to the County Clerk a list of the assessed values of
23 improvements on each parcel qualifying for this exemption that
24 were added after the base year for this parcel and that
25 increased the assessed value of the property.

26 In the case of land improved with an apartment building
27 owned and operated as a cooperative or a building that is a
28 life care facility that qualifies as a cooperative, the maximum
29 reduction from the equalized assessed value of the property is
30 limited to the sum of the reductions calculated for each unit
31 occupied as a residence by a person ~~or persons~~ (i) 65 years of
32 age or older, (ii) with a household income of \$35,000 or less
33 prior to taxable year 1999, ~~or~~ \$40,000 or less in taxable years
34 year 1999 through 2002, or \$45,000 or less in taxable year 2003

1 and thereafter, (iii) who is liable, by contract with the owner
2 or owners of record, for paying real property taxes on the
3 property, and (iv) who is an owner of record of a legal or
4 equitable interest in the cooperative apartment building,
5 other than a leasehold interest. In the instance of a
6 cooperative where a homestead exemption has been granted under
7 this Section, the cooperative association or its management
8 firm shall credit the savings resulting from that exemption
9 only to the apportioned tax liability of the owner who
10 qualified for the exemption. Any person who willfully refuses
11 to credit that savings to an owner who qualifies for the
12 exemption is guilty of a Class B misdemeanor.

13 When a homestead exemption has been granted under this
14 Section and an applicant then becomes a resident of a facility
15 licensed under the Nursing Home Care Act, the exemption shall
16 be granted in subsequent years so long as the residence (i)
17 continues to be occupied by the qualified applicant's spouse or
18 (ii) if remaining unoccupied, is still owned by the qualified
19 applicant for the homestead exemption.

20 Beginning January 1, 1997, when an individual dies who
21 would have qualified for an exemption under this Section, and
22 the surviving spouse does not independently qualify for this
23 exemption because of age, the exemption under this Section
24 shall be granted to the surviving spouse for the taxable year
25 preceding and the taxable year of the death, provided that,
26 except for age, the surviving spouse meets all other
27 qualifications for the granting of this exemption for those
28 years.

29 When married persons maintain separate residences, the
30 exemption provided for in this Section may be claimed by only
31 one of such persons and for only one residence.

32 For taxable year 1994 only, in counties having less than
33 3,000,000 inhabitants, to receive the exemption, a person shall
34 submit an application by February 15, 1995 to the Chief County

1 Assessment Officer of the county in which the property is
2 located. In counties having 3,000,000 or more inhabitants, for
3 taxable year 1994 and all subsequent taxable years, to receive
4 the exemption, a person may submit an application to the Chief
5 County Assessment Officer of the county in which the property
6 is located during such period as may be specified by the Chief
7 County Assessment Officer. The Chief County Assessment Officer
8 in counties of 3,000,000 or more inhabitants shall annually
9 give notice of the application period by mail or by
10 publication. In counties having less than 3,000,000
11 inhabitants, beginning with taxable year 1995 and thereafter,
12 to receive the exemption, a person shall submit an application
13 by July 1 of each taxable year to the Chief County Assessment
14 Officer of the county in which the property is located. A
15 county may, by ordinance, establish a date for submission of
16 applications that is different than July 1. The applicant shall
17 submit with the application an affidavit of the applicant's
18 total household income, age, marital status (and if married the
19 name and address of the applicant's spouse, if known), and
20 principal dwelling place of members of the household on January
21 1 of the taxable year. The Department shall establish, by rule,
22 a method for verifying the accuracy of affidavits filed by
23 applicants under this Section. The applications shall be
24 clearly marked as applications for the Senior Citizens
25 Assessment Freeze Homestead Exemption.

26 Notwithstanding any other provision to the contrary, in
27 counties having fewer than 3,000,000 inhabitants, if an
28 applicant fails to file the application required by this
29 Section in a timely manner and this failure to file is due to a
30 mental or physical condition sufficiently severe so as to
31 render the applicant incapable of filing the application in a
32 timely manner, the Chief County Assessment Officer may extend
33 the filing deadline for a period of 30 days after the applicant
34 regains the capability to file the application, but in no case

1 may the filing deadline be extended beyond 3 months of the
2 original filing deadline. In order to receive the extension
3 provided in this paragraph, the applicant shall provide the
4 Chief County Assessment Officer with a signed statement from
5 the applicant's physician stating the nature and extent of the
6 condition, that, in the physician's opinion, the condition was
7 so severe that it rendered the applicant incapable of filing
8 the application in a timely manner, and the date on which the
9 applicant regained the capability to file the application.

10 Beginning January 1, 1998, notwithstanding any other
11 provision to the contrary, in counties having fewer than
12 3,000,000 inhabitants, if an applicant fails to file the
13 application required by this Section in a timely manner and
14 this failure to file is due to a mental or physical condition
15 sufficiently severe so as to render the applicant incapable of
16 filing the application in a timely manner, the Chief County
17 Assessment Officer may extend the filing deadline for a period
18 of 3 months. In order to receive the extension provided in this
19 paragraph, the applicant shall provide the Chief County
20 Assessment Officer with a signed statement from the applicant's
21 physician stating the nature and extent of the condition, and
22 that, in the physician's opinion, the condition was so severe
23 that it rendered the applicant incapable of filing the
24 application in a timely manner.

25 In counties having less than 3,000,000 inhabitants, if an
26 applicant was denied an exemption in taxable year 1994 and the
27 denial occurred due to an error on the part of an assessment
28 official, or his or her agent or employee, then beginning in
29 taxable year 1997 the applicant's base year, for purposes of
30 determining the amount of the exemption, shall be 1993 rather
31 than 1994. In addition, in taxable year 1997, the applicant's
32 exemption shall also include an amount equal to (i) the amount
33 of any exemption denied to the applicant in taxable year 1995
34 as a result of using 1994, rather than 1993, as the base year,

1 (ii) the amount of any exemption denied to the applicant in
2 taxable year 1996 as a result of using 1994, rather than 1993,
3 as the base year, and (iii) the amount of the exemption
4 erroneously denied for taxable year 1994.

5 For purposes of this Section, a person who will be 65 years
6 of age during the current taxable year shall be eligible to
7 apply for the homestead exemption during that taxable year.
8 Application shall be made during the application period in
9 effect for the county of his or her residence.

10 The Chief County Assessment Officer may determine the
11 eligibility of a life care facility that qualifies as a
12 cooperative to receive the benefits provided by this Section by
13 use of an affidavit, application, visual inspection,
14 questionnaire, or other reasonable method in order to insure
15 that the tax savings resulting from the exemption are credited
16 by the management firm to the apportioned tax liability of each
17 qualifying resident. The Chief County Assessment Officer may
18 request reasonable proof that the management firm has so
19 credited that exemption.

20 Except as provided in this Section, all information
21 received by the chief county assessment officer or the
22 Department from applications filed under this Section, or from
23 any investigation conducted under the provisions of this
24 Section, shall be confidential, except for official purposes or
25 pursuant to official procedures for collection of any State or
26 local tax or enforcement of any civil or criminal penalty or
27 sanction imposed by this Act or by any statute or ordinance
28 imposing a State or local tax. Any person who divulges any such
29 information in any manner, except in accordance with a proper
30 judicial order, is guilty of a Class A misdemeanor.

31 Nothing contained in this Section shall prevent the
32 Director or chief county assessment officer from publishing or
33 making available reasonable statistics concerning the
34 operation of the exemption contained in this Section in which

1 the contents of claims are grouped into aggregates in such a
2 way that information contained in any individual claim shall
3 not be disclosed.

4 (d) Each Chief County Assessment Officer shall annually
5 publish a notice of availability of the exemption provided
6 under this Section. The notice shall be published at least 60
7 days but no more than 75 days prior to the date on which the
8 application must be submitted to the Chief County Assessment
9 Officer of the county in which the property is located. The
10 notice shall appear in a newspaper of general circulation in
11 the county.

12 (e) Notwithstanding Sections 6 and 8 of the State Mandates
13 Act, no reimbursement by the State is required for the
14 implementation of any mandate created by this Section.

15 (Source: P.A. 90-14, eff. 7-1-97; 90-204, eff. 7-25-97; 90-523,
16 eff. 11-13-97; 90-524, eff. 1-1-98; 90-531, eff. 1-1-98;
17 90-655, eff. 7-30-98; 91-45, eff. 6-30-99; 91-56, eff. 6-30-99;
18 91-819, eff. 6-13-00.)

19 (35 ILCS 200/15-175)

20 Sec. 15-175. General homestead exemption. Except as
21 provided in Section 15-176, homestead property is entitled to
22 an annual homestead exemption limited, except as described here
23 with relation to cooperatives, to a reduction in the equalized
24 assessed value of homestead property equal to the increase in
25 equalized assessed value for the current assessment year above
26 the equalized assessed value of the property for 1977, up to
27 the maximum reduction set forth below. If however, the 1977
28 equalized assessed value upon which taxes were paid is
29 subsequently determined by local assessing officials, the
30 Property Tax Appeal Board, or a court to have been excessive,
31 the equalized assessed value which should have been placed on
32 the property for 1977 shall be used to determine the amount of
33 the exemption.

1 Except as provided in Section 15-176, the maximum reduction
2 shall be \$4,500 in counties with 3,000,000 or more inhabitants
3 and \$3,500 in all other counties.

4 In counties with fewer than 3,000,000 inhabitants, if,
5 based on the most recent assessment, the equalized assessed
6 value of the homestead property for the current assessment year
7 is greater than the equalized assessed value of the property
8 for 1977, the owner of the property shall automatically receive
9 the exemption granted under this Section in an amount equal to
10 the increase over the 1977 assessment up to the maximum
11 reduction set forth in this Section.

12 If in any assessment year beginning with the 2000
13 assessment year, homestead property has a pro-rata valuation
14 under Section 9-180 resulting in an increase in the assessed
15 valuation, a reduction in equalized assessed valuation equal to
16 the increase in equalized assessed value of the property for
17 the year of the pro-rata valuation above the equalized assessed
18 value of the property for 1977 shall be applied to the property
19 on a proportionate basis for the period the property qualified
20 as homestead property during the assessment year. The maximum
21 proportionate homestead exemption shall not exceed the maximum
22 homestead exemption allowed in the county under this Section
23 divided by 365 and multiplied by the number of days the
24 property qualified as homestead property.

25 "Homestead property" under this Section includes
26 residential property that is occupied by its owner or owners as
27 his or their principal dwelling place, or that is a leasehold
28 interest on which a single family residence is situated, which
29 is occupied as a residence by a person who has an ownership
30 interest therein, legal or equitable or as a lessee, and on
31 which the person is liable for the payment of property taxes.
32 For land improved with an apartment building owned and operated
33 as a cooperative or a building which is a life care facility as
34 defined in Section 15-170 and considered to be a cooperative

1 under Section 15-170, the maximum reduction from the equalized
2 assessed value shall be limited to the increase in the value
3 above the equalized assessed value of the property for 1977, up
4 to the maximum reduction set forth above, multiplied by the
5 number of apartments or units occupied by a person or persons
6 who is liable, by contract with the owner or owners of record,
7 for paying property taxes on the property and is an owner of
8 record of a legal or equitable interest in the cooperative
9 apartment building, other than a leasehold interest. For
10 purposes of this Section, the term "life care facility" has the
11 meaning stated in Section 15-170.

12 In a cooperative where a homestead exemption has been
13 granted, the cooperative association or its management firm
14 shall credit the savings resulting from that exemption only to
15 the apportioned tax liability of the owner who qualified for
16 the exemption. Any person who willfully refuses to so credit
17 the savings shall be guilty of a Class B misdemeanor.

18 Where married persons maintain and reside in separate
19 residences qualifying as homestead property, each residence
20 shall receive 50% of the total reduction in equalized assessed
21 valuation provided by this Section.

22 In counties with more than 3,000,000 inhabitants, the
23 assessor or chief county assessment officer may determine the
24 eligibility of residential property to receive the homestead
25 exemption by application, visual inspection, questionnaire or
26 other reasonable methods. The determination shall be made in
27 accordance with guidelines established by the Department.

28 In counties with fewer than 3,000,000 inhabitants, in the
29 event of a sale of homestead property the homestead exemption
30 shall remain in effect for the remainder of the assessment year
31 of the sale. The assessor or chief county assessment officer
32 may require the new owner of the property to apply for the
33 homestead exemption for the following assessment year.

34 (Source: P.A. 90-368, eff. 1-1-98; 90-552, eff. 12-12-97;

1 90-655, eff. 7-30-98; 91-346, eff. 7-29-99.)

2 (35 ILCS 200/15-176 new)

3 Sec. 15-176. Alternative general homestead exemption.

4 (a) In counties with 3,000,000 or more inhabitants and
5 counties contiguous to a county with 3,000,000 or more
6 inhabitants, beginning with assessments made for the tax year
7 2003 and for subsequent tax years, homestead property is
8 entitled to an annual homestead exemption equal to a reduction
9 in the property's equalized assessed value calculated as
10 provided in this Section.

11 (b) As used in this Section:

12 (1) "Assessor" means the elected county assessor.

13 (2) "Adjusted homestead value" means the lesser of the
14 following values:

15 (A) The property's base homestead value increased
16 by 7% for each tax year after 2002 through and
17 including the current tax year.

18 (B) The property's equalized assessed value for
19 the current tax year minus \$4,500 in counties with
20 3,000,000 or more inhabitants and minus \$3,500 in
21 counties contiguous to a county with 3,000,000 or more
22 inhabitants.

23 (3) "Base homestead value" means:

24 (A) The equalized assessed value of the property
25 for tax year 2002 prior to exemptions, minus \$4,500 in
26 counties with 3,000,000 or more inhabitants and minus
27 \$3,500 in counties contiguous to a county with
28 3,000,000 or more inhabitants, provided that it was
29 assessed for that year as residential property
30 qualified for any of the homestead exemptions under
31 Sections 15-170 through 15-175 of this Code, then in
32 force, and further provided that the property's
33 assessment was not based on a reduced assessed value

1 resulting from a temporary irregularity in the
2 property for that year.

3 (B) If the property did not have a residential
4 equalized assessed value for tax year 2002 as provided
5 in subdivision (b)(3)(A) of this Section, then the
6 "base homestead value" means the base homestead value
7 established by the assessor under subsection (c).

8 (4) "Current tax year" means the tax year for which the
9 exemption under this Section is being applied.

10 (5) "Equalized assessed value" means the property's
11 assessed value as equalized by the Department.

12 (6) "Homestead" or "homestead property" means:

13 (A) Residential property that as of January 1 of
14 the tax year is occupied by its owner or owners as his,
15 her, or their principal dwelling place, or that is a
16 leasehold interest on which a single family residence
17 is situated, that is occupied as a residence by a
18 person who has a legal or equitable interest therein
19 evidenced by a written instrument, as an owner or as a
20 lessee, and on which the person is liable for the
21 payment of property taxes. Residential units in an
22 apartment building owned and operated as a
23 cooperative, or as a life care facility, which are
24 occupied by persons who hold a legal or equitable
25 interest in the cooperative apartment building or life
26 care facility as owners or lessees, and who are liable
27 by contract for the payment of property taxes, shall be
28 included within this definition of homestead property.
29 Residential property containing 6 or fewer dwelling
30 units shall also be included in this definition of
31 homestead property provided that at least one such unit
32 is occupied by the property's owner or owners as his,
33 her, or their principal dwelling place.

34 (B) A homestead includes the dwelling place,

1 appurtenant structures, and so much of the surrounding
2 land constituting the parcel on which the dwelling
3 place is situated as is used for residential purposes.
4 If the assessor has established a specific legal
5 description for a portion of property constituting the
6 homestead, then the homestead shall be limited to the
7 property within that description.

8 (7) "Life care facility" means a facility as defined in
9 Section 2 of the Life Care Facilities Act.

10 (c) If the property did not have a residential equalized
11 assessed value for tax year 2002 as provided in subdivision
12 (b)(3)(A) of this Section, then the assessor shall first
13 determine an initial value for the property by comparison with
14 assessed values for tax year 2002 of other properties having
15 physical and economic characteristics similar to those of the
16 subject property, so that the initial value is uniform in
17 relation to assessed values of those other properties for tax
18 year 2002. The product of the initial value multiplied by
19 2.4689, less \$4,500, is the base homestead value for properties
20 in counties with 3,000,000 or more inhabitants. The product of
21 the initial value multiplied by the 2002 equalization factor
22 for homestead properties in that county, less \$3,500, is the
23 base homestead value for properties in a county contiguous to a
24 county with 3,000,000 or more inhabitants.

25 For any tax year for which the assessor determines or
26 adjusts an initial value and hence a base homestead value under
27 this subsection (c), the initial value shall be subject to
28 review by the same procedures applicable to assessed values
29 established under this Code for that tax year.

30 (d) The base homestead value shall remain constant, except
31 that the assessor may revise it under the following
32 circumstances:

33 (1) If the equalized assessed value of a homestead
34 property for the current tax year is less than the previous

1 base homestead value for that property, then the current
2 equalized assessed value (provided it is not based on a
3 reduced assessed value resulting from a temporary
4 irregularity in the property) shall become the base
5 homestead value in subsequent tax years.

6 (2) For any year in which new buildings, structures, or
7 other improvements are constructed on the homestead
8 property that would increase its assessed value, the
9 assessor shall adjust the base homestead value as provided
10 in subsection (c) of this Section with due regard to the
11 value added by the new improvements.

12 (e) The amount of the exemption under this Section is the
13 equalized assessed value of the homestead property for the
14 current tax year, minus the adjusted homestead value. Provided,
15 however, that in the case of homestead property that also
16 qualifies for the exemption under Section 15-172, the property
17 is also entitled to the exemption under this Section, limited
18 to the amount of \$4,500 in counties with 3,000,000 or more
19 inhabitants and \$3,500 in counties contiguous to a county with
20 3,000,000 or more inhabitants.

21 (f) In the case of an apartment building owned and operated
22 as a cooperative, or as a life care facility, that contains
23 residential units that qualify as homestead property under this
24 Section, the maximum cumulative exemption amount attributed to
25 the entire building or facility shall not exceed the sum of the
26 exemptions calculated for each qualified residential unit. The
27 cooperative association, management firm, or other person or
28 entity that manages or controls the cooperative apartment
29 building or life care facility shall credit the exemption
30 attributable to each residential unit only to the apportioned
31 tax liability of the owner or other person responsible for
32 payment of taxes as to that unit. Any person who willfully
33 refuses to so credit the exemption is guilty of a Class B
34 misdemeanor.

1 (g) When married persons maintain separate residences, the
2 exemption provided under this Section shall be claimed by only
3 one such person and for only one residence.

4 (h) In the event of a sale of the homestead property, the
5 exemption under this Section shall remain in effect for the
6 remainder of the tax year in which the sale occurs. The
7 assessor may require the new owner of the property to apply for
8 the exemption in the following year.

9 (i) The assessor may determine whether property qualifies
10 as a homestead under this Section by application, visual
11 inspection, questionnaire, or other reasonable methods. Each
12 year, at the time the assessment books are certified to the
13 county clerk by the board of review, the assessor shall furnish
14 to the county clerk a list of the properties qualified for the
15 homestead exemption under this Section. The list shall note the
16 base homestead value of each property to be used in the
17 calculation of the exemption for the current tax year.

18 (j) The provisions of this Section apply as follows:

19 (1) If the general assessment year for the property is
20 2003, this Section applies for assessment years 2003, 2004,
21 2005, 2006, 2007, 2008, 2009, and 2010. Thereafter, the
22 provisions of Section 15-175 apply.

23 (2) If the general assessment year for the property is
24 2004, this Section applies for assessment years 2004, 2005,
25 2006, 2007, 2008, 2009, and 2010. Thereafter, the
26 provisions of Section 15-175 apply.

27 (3) If the general assessment year for the property is
28 2005, this Section applies for assessment years 2005, 2006,
29 2007, 2008, 2009, and 2010. Thereafter, the provisions of
30 Section 15-175 apply.

31 (4) If the general assessment year for the property is
32 2006, this Section applies for assessment years 2006, 2007,
33 2008, 2009, and 2010. Thereafter, the provisions of Section
34 15-175 apply.

1 (k) Notwithstanding Sections 6 and 8 of the State Mandates
2 Act, no reimbursement by the State is required for the
3 implementation of any mandate created by this Section.

4 (35 ILCS 200/15-180)

5 Sec. 15-180. Homestead improvements. Homestead properties
6 that have been improved and residential structures on homestead
7 property that have been rebuilt following a catastrophic event
8 are entitled to a homestead improvement exemption, limited to
9 \$30,000 per year through December 31, 1997, ~~and~~ \$45,000
10 beginning January 1, 1998 and through December 31, 2003, and
11 \$75,000 per year for that homestead property beginning January
12 1, 2004 and thereafter, in fair cash value, when that property
13 is owned and used exclusively for a residential purpose and
14 upon demonstration that a proposed increase in assessed value
15 is attributable solely to a new improvement of an existing
16 structure or the rebuilding of a residential structure
17 following a catastrophic event. To be eligible for an exemption
18 under this Section after a catastrophic event, the residential
19 structure must be rebuilt within 2 years after the catastrophic
20 event. The exemption for rebuilt structures under this Section
21 applies to the increase in value of the rebuilt structure over
22 the value of the structure before the catastrophic event. The
23 amount of the exemption shall be limited to the fair cash value
24 added by the new improvement or rebuilding and shall continue
25 for 4 years from the date the improvement or rebuilding is
26 completed and occupied, or until the next following general
27 assessment of that property, whichever is later.

28 A proclamation of disaster by the President of the United
29 States or Governor of the State of Illinois is not a
30 prerequisite to the classification of an occurrence as a
31 catastrophic event under this Section. A "catastrophic event"
32 may include an occurrence of widespread or severe damage or
33 loss of property resulting from any catastrophic cause

1 including but not limited to fire, including arson (provided
2 the fire was not caused by the willful action of an owner or
3 resident of the property), flood, earthquake, wind, storm,
4 explosion, or extended periods of severe inclement weather. In
5 the case of a residential structure affected by flooding, the
6 structure shall not be eligible for this homestead improvement
7 exemption unless it is located within a local jurisdiction
8 which is participating in the National Flood Insurance Program.

9 In counties of less than 3,000,000 inhabitants, in addition
10 to the notice requirement under Section 12-30, a supervisor of
11 assessments, county assessor, or township or multi-township
12 assessor responsible for adding an assessable improvement to a
13 residential property's assessment shall either notify a
14 taxpayer whose assessment has been changed since the last
15 preceding assessment that he or she may be eligible for the
16 exemption provided under this Section or shall grant the
17 exemption automatically.

18 Beginning January 1, 1999, in counties of 3,000,000 or more
19 inhabitants, an application for a homestead improvement
20 exemption for a residential structure that has been rebuilt
21 following a catastrophic event must be submitted to the Chief
22 County Assessment Officer with a valuation complaint and a copy
23 of the building permit to rebuild the structure. The Chief
24 County Assessment Officer may require additional documentation
25 which must be provided by the applicant.

26 (Source: P.A. 89-595, eff. 1-1-97; 89-690, eff. 6-1-97; 90-14,
27 eff. 7-1-97; 90-186, eff. 7-24-97; 90-655, eff. 7-30-98;
28 90-704, eff. 8-7-98.)

29 (35 ILCS 200/20-178)

30 Sec. 20-178. Certificate of error; refund; interest. When
31 the county collector makes any refunds due on certificates of
32 error issued under Sections 14-15 through 14-25 that have been
33 either certified or adjudicated, the county collector shall pay

1 the taxpayer interest on the amount of the refund at the rate
2 of 0.5% per month.

3 No interest shall be due under this Section for any time
4 prior to 60 days after the effective date of this amendatory
5 Act of the 91st General Assembly. For certificates of error
6 issued prior to the effective date of this amendatory Act of
7 the 91st General Assembly, the county collector shall pay the
8 taxpayer interest from 60 days after the effective date of this
9 amendatory Act of the 91st General Assembly until the date the
10 refund is paid. For certificates of error issued on or after
11 the effective date of this amendatory Act of the 91st General
12 Assembly, interest shall be paid from 60 days after the
13 certificate of error is issued by the chief county assessment
14 officer to the date the refund is made. To cover the cost of
15 interest, the county collector shall proportionately reduce
16 the distribution of taxes collected for each taxing district in
17 which the property is situated.

18 This Section shall not apply to any certificate of error
19 granting a homestead exemption under Section 15-170, 15-172, ~~or~~
20 15-175, or 15-176.

21 (Source: P.A. 91-393, eff. 7-30-99.)

22 Section 15. The County Economic Development Project Area
23 Property Tax Allocation Act is amended by changing Section 6 as
24 follows:

25 (55 ILCS 85/6) (from Ch. 34, par. 7006)

26 Sec. 6. Filing with county clerk; certification of initial
27 equalized assessed value.

28 (a) The county shall file a certified copy of any ordinance
29 authorizing property tax allocation financing for an economic
30 development project area with the county clerk, and the county
31 clerk shall immediately thereafter determine (1) the most
32 recently ascertained equalized assessed value of each lot,

1 block, tract or parcel of real property within the economic
2 development project area from which shall be deducted the
3 homestead exemptions provided by Sections 15-170, ~~and~~ 15-175,
4 and 15-176 of the Property Tax Code, which value shall be the
5 "initial equalized assessed value" of each such piece of
6 property, and (2) the total equalized assessed value of all
7 taxable real property within the economic development project
8 area by adding together the most recently ascertained equalized
9 assessed value of each taxable lot, block, tract, or parcel of
10 real property within such economic development project area,
11 from which shall be deducted the homestead exemptions provided
12 by Sections 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax
13 Code. Upon receiving written notice from the Department of its
14 approval and certification of such economic development
15 project area, the county clerk shall immediately certify such
16 amount as the "total initial equalized assessed value" of the
17 taxable property within the economic development project area.

18 (b) After the county clerk has certified the "total initial
19 equalized assessed value" of the taxable real property in the
20 economic development project area, then in respect to every
21 taxing district containing an economic development project
22 area, the county clerk or any other official required by law to
23 ascertain the amount of the equalized assessed value of all
24 taxable property within that taxing district for the purpose of
25 computing the rate percent of tax to be extended upon taxable
26 property within the taxing district, shall in every year that
27 property tax allocation financing is in effect ascertain the
28 amount of value of taxable property in an economic development
29 project area by including in that amount the lower of the
30 current equalized assessed value or the certified "total
31 initial equalized assessed value" of all taxable real property
32 in such area. The rate percent of tax determined shall be
33 extended to the current equalized assessed value of all
34 property in the economic development project area in the same

1 manner as the rate percent of tax is extended to all other
2 taxable property in the taxing district. The method of
3 allocating taxes established under this Section shall
4 terminate when the county adopts an ordinance dissolving the
5 special tax allocation fund for the economic development
6 project area. This Act shall not be construed as relieving
7 property owners within an economic development project area
8 from paying a uniform rate of taxes upon the current equalized
9 assessed value of their taxable property as provided in the
10 Property Tax Code.

11 (Source: P.A. 88-670, eff. 12-2-94.)

12 Section 20. The County Economic Development Project Area
13 Tax Increment Allocation Act of 1991 is amended by changing
14 Section 45 as follows:

15 (55 ILCS 90/45) (from Ch. 34, par. 8045)

16 Sec. 45. Filing with county clerk; certification of initial
17 equalized assessed value.

18 (a) A county that has by ordinance approved an economic
19 development plan, established an economic development project
20 area, and adopted tax increment allocation financing for that
21 area shall file certified copies of the ordinance or ordinances
22 with the county clerk. Upon receiving the ordinance or
23 ordinances, the county clerk shall immediately determine (i)
24 the most recently ascertained equalized assessed value of each
25 lot, block, tract, or parcel of real property within the
26 economic development project area from which shall be deducted
27 the homestead exemptions provided by Sections 15-170, ~~and~~
28 15-175, and 15-176 of the Property Tax Code (that value being
29 the "initial equalized assessed value" of each such piece of
30 property) and (ii) the total equalized assessed value of all
31 taxable real property within the economic development project
32 area by adding together the most recently ascertained equalized

1 assessed value of each taxable lot, block, tract, or parcel of
2 real property within the economic development project area,
3 from which shall be deducted the homestead exemptions provided
4 by Sections 15-170 and 15-175 of the Property Tax Code, and
5 shall certify that amount as the "total initial equalized
6 assessed value" of the taxable real property within the
7 economic development project area.

8 (b) After the county clerk has certified the "total initial
9 equalized assessed value" of the taxable real property in the
10 economic development project area, then in respect to every
11 taxing district containing an economic development project
12 area, the county clerk or any other official required by law to
13 ascertain the amount of the equalized assessed value of all
14 taxable property within the taxing district for the purpose of
15 computing the rate per cent of tax to be extended upon taxable
16 property within the taxing district shall, in every year that
17 tax increment allocation financing is in effect, ascertain the
18 amount of value of taxable property in an economic development
19 project area by including in that amount the lower of the
20 current equalized assessed value or the certified "total
21 initial equalized assessed value" of all taxable real property
22 in the area. The rate per cent of tax determined shall be
23 extended to the current equalized assessed value of all
24 property in the economic development project area in the same
25 manner as the rate per cent of tax is extended to all other
26 taxable property in the taxing district. The method of
27 extending taxes established under this Section shall terminate
28 when the county adopts an ordinance dissolving the special tax
29 allocation fund for the economic development project area. This
30 Act shall not be construed as relieving property owners within
31 an economic development project area from paying a uniform rate
32 of taxes upon the current equalized assessed value of their
33 taxable property as provided in the Property Tax Code.

34 (Source: P.A. 87-1; 88-670, eff. 12-2-94.)

1 Section 25. The Illinois Municipal Code is amended by
2 changing Sections 11-74.4-8, 11-74.4-9, and 11-74.6-40 as
3 follows:

4 (65 ILCS 5/11-74.4-8) (from Ch. 24, par. 11-74.4-8)

5 Sec. 11-74.4-8. Tax increment allocation financing. A
6 municipality may not adopt tax increment financing in a
7 redevelopment project area after the effective date of this
8 amendatory Act of 1997 that will encompass an area that is
9 currently included in an enterprise zone created under the
10 Illinois Enterprise Zone Act unless that municipality,
11 pursuant to Section 5.4 of the Illinois Enterprise Zone Act,
12 amends the enterprise zone designating ordinance to limit the
13 eligibility for tax abatements as provided in Section 5.4.1 of
14 the Illinois Enterprise Zone Act. A municipality, at the time a
15 redevelopment project area is designated, may adopt tax
16 increment allocation financing by passing an ordinance
17 providing that the ad valorem taxes, if any, arising from the
18 levies upon taxable real property in such redevelopment project
19 area by taxing districts and tax rates determined in the manner
20 provided in paragraph (c) of Section 11-74.4-9 each year after
21 the effective date of the ordinance until redevelopment project
22 costs and all municipal obligations financing redevelopment
23 project costs incurred under this Division have been paid shall
24 be divided as follows:

25 (a) That portion of taxes levied upon each taxable lot,
26 block, tract or parcel of real property which is attributable
27 to the lower of the current equalized assessed value or the
28 initial equalized assessed value of each such taxable lot,
29 block, tract or parcel of real property in the redevelopment
30 project area shall be allocated to and when collected shall be
31 paid by the county collector to the respective affected taxing
32 districts in the manner required by law in the absence of the

1 adoption of tax increment allocation financing.

2 (b) Except from a tax levied by a township to retire bonds
3 issued to satisfy court-ordered damages, that portion, if any,
4 of such taxes which is attributable to the increase in the
5 current equalized assessed valuation of each taxable lot,
6 block, tract or parcel of real property in the redevelopment
7 project area over and above the initial equalized assessed
8 value of each property in the project area shall be allocated
9 to and when collected shall be paid to the municipal treasurer
10 who shall deposit said taxes into a special fund called the
11 special tax allocation fund of the municipality for the purpose
12 of paying redevelopment project costs and obligations incurred
13 in the payment thereof. In any county with a population of
14 3,000,000 or more that has adopted a procedure for collecting
15 taxes that provides for one or more of the installments of the
16 taxes to be billed and collected on an estimated basis, the
17 municipal treasurer shall be paid for deposit in the special
18 tax allocation fund of the municipality, from the taxes
19 collected from estimated bills issued for property in the
20 redevelopment project area, the difference between the amount
21 actually collected from each taxable lot, block, tract, or
22 parcel of real property within the redevelopment project area
23 and an amount determined by multiplying the rate at which taxes
24 were last extended against the taxable lot, block, track, or
25 parcel of real property in the manner provided in subsection
26 (c) of Section 11-74.4-9 by the initial equalized assessed
27 value of the property divided by the number of installments in
28 which real estate taxes are billed and collected within the
29 county; provided that the payments on or before December 31,
30 1999 to a municipal treasurer shall be made only if each of the
31 following conditions are met:

32 (1) The total equalized assessed value of the
33 redevelopment project area as last determined was not less
34 than 175% of the total initial equalized assessed value.

1 (2) Not more than 50% of the total equalized assessed
2 value of the redevelopment project area as last determined
3 is attributable to a piece of property assigned a single
4 real estate index number.

5 (3) The municipal clerk has certified to the county
6 clerk that the municipality has issued its obligations to
7 which there has been pledged the incremental property taxes
8 of the redevelopment project area or taxes levied and
9 collected on any or all property in the municipality or the
10 full faith and credit of the municipality to pay or secure
11 payment for all or a portion of the redevelopment project
12 costs. The certification shall be filed annually no later
13 than September 1 for the estimated taxes to be distributed
14 in the following year; however, for the year 1992 the
15 certification shall be made at any time on or before March
16 31, 1992.

17 (4) The municipality has not requested that the total
18 initial equalized assessed value of real property be
19 adjusted as provided in subsection (b) of Section
20 11-74.4-9.

21 The conditions of paragraphs (1) through (4) do not apply
22 after December 31, 1999 to payments to a municipal treasurer
23 made by a county with 3,000,000 or more inhabitants that has
24 adopted an estimated billing procedure for collecting taxes. If
25 a county that has adopted the estimated billing procedure makes
26 an erroneous overpayment of tax revenue to the municipal
27 treasurer, then the county may seek a refund of that
28 overpayment. The county shall send the municipal treasurer a
29 notice of liability for the overpayment on or before the
30 mailing date of the next real estate tax bill within the
31 county. The refund shall be limited to the amount of the
32 overpayment.

33 It is the intent of this Division that after the effective
34 date of this amendatory Act of 1988 a municipality's own ad

1 valorem tax arising from levies on taxable real property be
2 included in the determination of incremental revenue in the
3 manner provided in paragraph (c) of Section 11-74.4-9. If the
4 municipality does not extend such a tax, it shall annually
5 deposit in the municipality's Special Tax Increment Fund an
6 amount equal to 10% of the total contributions to the fund from
7 all other taxing districts in that year. The annual 10% deposit
8 required by this paragraph shall be limited to the actual
9 amount of municipally produced incremental tax revenues
10 available to the municipality from taxpayers located in the
11 redevelopment project area in that year if: (a) the plan for
12 the area restricts the use of the property primarily to
13 industrial purposes, (b) the municipality establishing the
14 redevelopment project area is a home-rule community with a 1990
15 population of between 25,000 and 50,000, (c) the municipality
16 is wholly located within a county with a 1990 population of
17 over 750,000 and (d) the redevelopment project area was
18 established by the municipality prior to June 1, 1990. This
19 payment shall be in lieu of a contribution of ad valorem taxes
20 on real property. If no such payment is made, any redevelopment
21 project area of the municipality shall be dissolved.

22 If a municipality has adopted tax increment allocation
23 financing by ordinance and the County Clerk thereafter
24 certifies the "total initial equalized assessed value as
25 adjusted" of the taxable real property within such
26 redevelopment project area in the manner provided in paragraph
27 (b) of Section 11-74.4-9, each year after the date of the
28 certification of the total initial equalized assessed value as
29 adjusted until redevelopment project costs and all municipal
30 obligations financing redevelopment project costs have been
31 paid the ad valorem taxes, if any, arising from the levies upon
32 the taxable real property in such redevelopment project area by
33 taxing districts and tax rates determined in the manner
34 provided in paragraph (c) of Section 11-74.4-9 shall be divided

1 as follows:

2 (1) That portion of the taxes levied upon each taxable
3 lot, block, tract or parcel of real property which is
4 attributable to the lower of the current equalized assessed
5 value or "current equalized assessed value as adjusted" or
6 the initial equalized assessed value of each such taxable
7 lot, block, tract, or parcel of real property existing at
8 the time tax increment financing was adopted, minus the
9 total current homestead exemptions provided by Sections
10 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax Code in
11 the redevelopment project area shall be allocated to and
12 when collected shall be paid by the county collector to the
13 respective affected taxing districts in the manner
14 required by law in the absence of the adoption of tax
15 increment allocation financing.

16 (2) That portion, if any, of such taxes which is
17 attributable to the increase in the current equalized
18 assessed valuation of each taxable lot, block, tract, or
19 parcel of real property in the redevelopment project area,
20 over and above the initial equalized assessed value of each
21 property existing at the time tax increment financing was
22 adopted, minus the total current homestead exemptions
23 pertaining to each piece of property provided by Sections
24 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax Code in
25 the redevelopment project area, shall be allocated to and
26 when collected shall be paid to the municipal Treasurer,
27 who shall deposit said taxes into a special fund called the
28 special tax allocation fund of the municipality for the
29 purpose of paying redevelopment project costs and
30 obligations incurred in the payment thereof.

31 The municipality may pledge in the ordinance the funds in
32 and to be deposited in the special tax allocation fund for the
33 payment of such costs and obligations. No part of the current
34 equalized assessed valuation of each property in the

1 redevelopment project area attributable to any increase above
2 the total initial equalized assessed value, or the total
3 initial equalized assessed value as adjusted, of such
4 properties shall be used in calculating the general State
5 school aid formula, provided for in Section 18-8 of the School
6 Code, until such time as all redevelopment project costs have
7 been paid as provided for in this Section.

8 Whenever a municipality issues bonds for the purpose of
9 financing redevelopment project costs, such municipality may
10 provide by ordinance for the appointment of a trustee, which
11 may be any trust company within the State, and for the
12 establishment of such funds or accounts to be maintained by
13 such trustee as the municipality shall deem necessary to
14 provide for the security and payment of the bonds. If such
15 municipality provides for the appointment of a trustee, such
16 trustee shall be considered the assignee of any payments
17 assigned by the municipality pursuant to such ordinance and
18 this Section. Any amounts paid to such trustee as assignee
19 shall be deposited in the funds or accounts established
20 pursuant to such trust agreement, and shall be held by such
21 trustee in trust for the benefit of the holders of the bonds,
22 and such holders shall have a lien on and a security interest
23 in such funds or accounts so long as the bonds remain
24 outstanding and unpaid. Upon retirement of the bonds, the
25 trustee shall pay over any excess amounts held to the
26 municipality for deposit in the special tax allocation fund.

27 When such redevelopment projects costs, including without
28 limitation all municipal obligations financing redevelopment
29 project costs incurred under this Division, have been paid, all
30 surplus funds then remaining in the special tax allocation fund
31 shall be distributed by being paid by the municipal treasurer
32 to the Department of Revenue, the municipality and the county
33 collector; first to the Department of Revenue and the
34 municipality in direct proportion to the tax incremental

1 revenue received from the State and the municipality, but not
2 to exceed the total incremental revenue received from the State
3 or the municipality less any annual surplus distribution of
4 incremental revenue previously made; with any remaining funds
5 to be paid to the County Collector who shall immediately
6 thereafter pay said funds to the taxing districts in the
7 redevelopment project area in the same manner and proportion as
8 the most recent distribution by the county collector to the
9 affected districts of real property taxes from real property in
10 the redevelopment project area.

11 Upon the payment of all redevelopment project costs, the
12 retirement of obligations, the distribution of any excess
13 monies pursuant to this Section, and final closing of the books
14 and records of the redevelopment project area, the municipality
15 shall adopt an ordinance dissolving the special tax allocation
16 fund for the redevelopment project area and terminating the
17 designation of the redevelopment project area as a
18 redevelopment project area. Title to real or personal property
19 and public improvements acquired by or for the municipality as
20 a result of the redevelopment project and plan shall vest in
21 the municipality when acquired and shall continue to be held by
22 the municipality after the redevelopment project area has been
23 terminated. Municipalities shall notify affected taxing
24 districts prior to November 1 if the redevelopment project area
25 is to be terminated by December 31 of that same year. If a
26 municipality extends estimated dates of completion of a
27 redevelopment project and retirement of obligations to finance
28 a redevelopment project, as allowed by this amendatory Act of
29 1993, that extension shall not extend the property tax
30 increment allocation financing authorized by this Section.
31 Thereafter the rates of the taxing districts shall be extended
32 and taxes levied, collected and distributed in the manner
33 applicable in the absence of the adoption of tax increment
34 allocation financing.

1 Nothing in this Section shall be construed as relieving
2 property in such redevelopment project areas from being
3 assessed as provided in the Property Tax Code or as relieving
4 owners of such property from paying a uniform rate of taxes, as
5 required by Section 4 of Article 9 of the Illinois
6 Constitution.

7 (Source: P.A. 92-16, eff. 6-28-01; 93-298, eff. 7-23-03.)

8 (65 ILCS 5/11-74.4-9) (from Ch. 24, par. 11-74.4-9)

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

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

28 (b) In reference to any municipality which has adopted tax
29 increment financing after January 1, 1978, and in respect to
30 which the county clerk has certified the "total initial
31 equalized assessed value" of the property in the redevelopment
32 area, the municipality may thereafter request the clerk in
33 writing to adjust the initial equalized value of all taxable

1 real property within the redevelopment project area by
2 deducting therefrom the exemptions provided for by Sections
3 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax Code
4 applicable to each lot, block, tract or parcel of real property
5 within such redevelopment project area. The county clerk shall
6 immediately after the written request to adjust the total
7 initial equalized value is received determine the total
8 homestead exemptions in the redevelopment project area
9 provided by Sections 15-170, ~~and~~ 15-175, and 15-176 of the
10 Property Tax Code by adding together the homestead exemptions
11 provided by said Sections on each lot, block, tract or parcel
12 of real property within such redevelopment project area and
13 then shall deduct the total of said exemptions from the total
14 initial equalized assessed value. The county clerk shall then
15 promptly certify such amount as the "total initial equalized
16 assessed value as adjusted" of the taxable real property within
17 such redevelopment project area.

18 (c) After the county clerk has certified the "total initial
19 equalized assessed value" of the taxable real property in such
20 area, then in respect to every taxing district containing a
21 redevelopment project area, the county clerk or any other
22 official required by law to ascertain the amount of the
23 equalized assessed value of all taxable property within such
24 district for the purpose of computing the rate per cent of tax
25 to be extended upon taxable property within such district,
26 shall in every year that tax increment allocation financing is
27 in effect ascertain the amount of value of taxable property in
28 a redevelopment project area by including in such amount the
29 lower of the current equalized assessed value or the certified
30 "total initial equalized assessed value" of all taxable real
31 property in such area, except that after he has certified the
32 "total initial equalized assessed value as adjusted" he shall
33 in the year of said certification if tax rates have not been
34 extended and in every year thereafter that tax increment

1 allocation financing is in effect ascertain the amount of value
2 of taxable property in a redevelopment project area by
3 including in such amount the lower of the current equalized
4 assessed value or the certified "total initial equalized
5 assessed value as adjusted" of all taxable real property in
6 such area. The rate per cent of tax determined shall be
7 extended to the current equalized assessed value of all
8 property in the redevelopment project area in the same manner
9 as the rate per cent of tax is extended to all other taxable
10 property in the taxing district. The method of extending taxes
11 established under this Section shall terminate when the
12 municipality adopts an ordinance dissolving the special tax
13 allocation fund for the redevelopment project area. This
14 Division shall not be construed as relieving property owners
15 within a redevelopment project area from paying a uniform rate
16 of taxes upon the current equalized assessed value of their
17 taxable property as provided in the Property Tax Code.

18 (Source: P.A. 88-670, eff. 12-2-94.)

19 (65 ILCS 5/11-74.6-40)

20 Sec. 11-74.6-40. Equalized assessed value determination;
21 property tax extension.

22 (a) If a municipality by ordinance provides for tax
23 increment allocation financing under Section 11-74.6-35, the
24 county clerk immediately thereafter:

25 (1) shall determine the initial equalized assessed
26 value of each parcel of real property in the redevelopment
27 project area, which is the most recently established
28 equalized assessed value of each lot, block, tract or
29 parcel of taxable real property within the redevelopment
30 project area, minus the homestead exemptions provided by
31 Sections 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax
32 Code; and

33 (2) shall certify to the municipality the total initial

1 equalized assessed value of all taxable real property
2 within the redevelopment project area.

3 (b) Any municipality that has established a vacant
4 industrial buildings conservation area may, by ordinance
5 passed after the adoption of tax increment allocation
6 financing, provide that the county clerk immediately
7 thereafter shall again determine:

8 (1) the updated initial equalized assessed value of
9 each lot, block, tract or parcel of real property, which is
10 the most recently ascertained equalized assessed value of
11 each lot, block, tract or parcel of real property within
12 the vacant industrial buildings conservation area; and

13 (2) the total updated initial equalized assessed value
14 of all taxable real property within the redevelopment
15 project area, which is the total of the updated initial
16 equalized assessed value of all taxable real property
17 within the vacant industrial buildings conservation area.

18 The county clerk shall certify to the municipality the
19 total updated initial equalized assessed value of all taxable
20 real property within the industrial buildings conservation
21 area.

22 (c) After the county clerk has certified the total initial
23 equalized assessed value or the total updated initial equalized
24 assessed value of the taxable real property in the area, for
25 each taxing district in which a redevelopment project area is
26 situated, the county clerk or any other official required by
27 law to determine the amount of the equalized assessed value of
28 all taxable property within the district for the purpose of
29 computing the percentage rate of tax to be extended upon
30 taxable property within the district, shall in every year that
31 tax increment allocation financing is in effect determine the
32 total equalized assessed value of taxable property in a
33 redevelopment project area by including in that amount the
34 lower of the current equalized assessed value or the certified

1 total initial equalized assessed value or, if the total of
2 updated equalized assessed value has been certified, the total
3 updated initial equalized assessed value of all taxable real
4 property in the redevelopment project area. After he has
5 certified the total initial equalized assessed value he shall
6 in the year of that certification, if tax rates have not been
7 extended, and in every subsequent year that tax increment
8 allocation financing is in effect, determine the amount of
9 equalized assessed value of taxable property in a redevelopment
10 project area by including in that amount the lower of the
11 current total equalized assessed value or the certified total
12 initial equalized assessed value or, if the total of updated
13 initial equalized assessed values have been certified, the
14 total updated initial equalized assessed value of all taxable
15 real property in the redevelopment project area.

16 (d) The percentage rate of tax determined shall be extended
17 on the current equalized assessed value of all property in the
18 redevelopment project area in the same manner as the rate per
19 cent of tax is extended to all other taxable property in the
20 taxing district. The method of extending taxes established
21 under this Section shall terminate when the municipality adopts
22 an ordinance dissolving the special tax allocation fund for the
23 redevelopment project area. This Law shall not be construed as
24 relieving property owners within a redevelopment project area
25 from paying a uniform rate of taxes upon the current equalized
26 assessed value of their taxable property as provided in the
27 Property Tax Code.

28 (Source: P.A. 88-537; 88-670, eff. 12-2-94.)

29 Section 30. The Economic Development Project Area Tax
30 Increment Allocation Act of 1995 is amended by changing Section
31 45 as follows:

32 (65 ILCS 110/45)

1 Sec. 45. Filing with county clerk; certification of initial
2 equalized assessed value.

3 (a) A municipality that has by ordinance approved an
4 economic development plan, established an economic development
5 project area, and adopted tax increment allocation financing
6 for that area shall file certified copies of the ordinance or
7 ordinances with the county clerk. Upon receiving the ordinance
8 or ordinances, the county clerk shall immediately determine (i)
9 the most recently ascertained equalized assessed value of each
10 lot, block, tract, or parcel of real property within the
11 economic development project area from which shall be deducted
12 the homestead exemptions provided by Sections 15-170, ~~and~~
13 15-175, and 15-176 of the Property Tax Code (that value being
14 the "initial equalized assessed value" of each such piece of
15 property) and (ii) the total equalized assessed value of all
16 taxable real property within the economic development project
17 area by adding together the most recently ascertained equalized
18 assessed value of each taxable lot, block, tract, or parcel of
19 real property within the economic development project area,
20 from which shall be deducted the homestead exemptions provided
21 by Sections 15-170, ~~and~~ 15-175, and 15-176 of the Property Tax
22 Code, and shall certify that amount as the "total initial
23 equalized assessed value" of the taxable real property within
24 the economic development project area.

25 (b) After the county clerk has certified the "total initial
26 equalized assessed value" of the taxable real property in the
27 economic development project area, then in respect to every
28 taxing district containing an economic development project
29 area, the county clerk or any other official required by law to
30 ascertain the amount of the equalized assessed value of all
31 taxable property within the taxing district for the purpose of
32 computing the rate per cent of tax to be extended upon taxable
33 property within the taxing district shall, in every year that
34 tax increment allocation financing is in effect, ascertain the

1 amount of value of taxable property in an economic development
2 project area by including in that amount the lower of the
3 current equalized assessed value or the certified "total
4 initial equalized assessed value" of all taxable real property
5 in the area. The rate per cent of tax determined shall be
6 extended to the current equalized assessed value of all
7 property in the economic development project area in the same
8 manner as the rate per cent of tax is extended to all other
9 taxable property in the taxing district. The method of
10 extending taxes established under this Section shall terminate
11 when the municipality adopts an ordinance dissolving the
12 special tax allocation fund for the economic development
13 project area. This Act shall not be construed as relieving
14 owners or lessees of property within an economic development
15 project area from paying a uniform rate of taxes upon the
16 current equalized assessed value of their taxable property as
17 provided in the Property Tax Code.

18 (Source: P.A. 89-176, eff. 1-1-96.)

19 Section 35. The School Code is amended by changing Section
20 18-8.05 as follows:

21 (105 ILCS 5/18-8.05)

22 Sec. 18-8.05. Basis for apportionment of general State
23 financial aid and supplemental general State aid to the common
24 schools for the 1998-1999 and subsequent school years.

25 (A) General Provisions.

26 (1) The provisions of this Section apply to the 1998-1999
27 and subsequent school years. The system of general State
28 financial aid provided for in this Section is designed to
29 assure that, through a combination of State financial aid and
30 required local resources, the financial support provided each
31 pupil in Average Daily Attendance equals or exceeds a

1 prescribed per pupil Foundation Level. This formula approach
2 imputes a level of per pupil Available Local Resources and
3 provides for the basis to calculate a per pupil level of
4 general State financial aid that, when added to Available Local
5 Resources, equals or exceeds the Foundation Level. The amount
6 of per pupil general State financial aid for school districts,
7 in general, varies in inverse relation to Available Local
8 Resources. Per pupil amounts are based upon each school
9 district's Average Daily Attendance as that term is defined in
10 this Section.

11 (2) In addition to general State financial aid, school
12 districts with specified levels or concentrations of pupils
13 from low income households are eligible to receive supplemental
14 general State financial aid grants as provided pursuant to
15 subsection (H). The supplemental State aid grants provided for
16 school districts under subsection (H) shall be appropriated for
17 distribution to school districts as part of the same line item
18 in which the general State financial aid of school districts is
19 appropriated under this Section.

20 (3) To receive financial assistance under this Section,
21 school districts are required to file claims with the State
22 Board of Education, subject to the following requirements:

23 (a) Any school district which fails for any given
24 school year to maintain school as required by law, or to
25 maintain a recognized school is not eligible to file for
26 such school year any claim upon the Common School Fund. In
27 case of nonrecognition of one or more attendance centers in
28 a school district otherwise operating recognized schools,
29 the claim of the district shall be reduced in the
30 proportion which the Average Daily Attendance in the
31 attendance center or centers bear to the Average Daily
32 Attendance in the school district. A "recognized school"
33 means any public school which meets the standards as
34 established for recognition by the State Board of

1 Education. A school district or attendance center not
2 having recognition status at the end of a school term is
3 entitled to receive State aid payments due upon a legal
4 claim which was filed while it was recognized.

5 (b) School district claims filed under this Section are
6 subject to Sections 18-9, 18-10, and 18-12, except as
7 otherwise provided in this Section.

8 (c) If a school district operates a full year school
9 under Section 10-19.1, the general State aid to the school
10 district shall be determined by the State Board of
11 Education in accordance with this Section as near as may be
12 applicable.

13 (d) (Blank).

14 (4) Except as provided in subsections (H) and (L), the
15 board of any district receiving any of the grants provided for
16 in this Section may apply those funds to any fund so received
17 for which that board is authorized to make expenditures by law.

18 School districts are not required to exert a minimum
19 Operating Tax Rate in order to qualify for assistance under
20 this Section.

21 (5) As used in this Section the following terms, when
22 capitalized, shall have the meaning ascribed herein:

23 (a) "Average Daily Attendance": A count of pupil
24 attendance in school, averaged as provided for in
25 subsection (C) and utilized in deriving per pupil financial
26 support levels.

27 (b) "Available Local Resources": A computation of
28 local financial support, calculated on the basis of Average
29 Daily Attendance and derived as provided pursuant to
30 subsection (D).

31 (c) "Corporate Personal Property Replacement Taxes":
32 Funds paid to local school districts pursuant to "An Act in
33 relation to the abolition of ad valorem personal property
34 tax and the replacement of revenues lost thereby, and

1 amending and repealing certain Acts and parts of Acts in
2 connection therewith", certified August 14, 1979, as
3 amended (Public Act 81-1st S.S.-1).

4 (d) "Foundation Level": A prescribed level of per pupil
5 financial support as provided for in subsection (B).

6 (e) "Operating Tax Rate": All school district property
7 taxes extended for all purposes, except Bond and Interest,
8 Summer School, Rent, Capital Improvement, and Vocational
9 Education Building purposes.

10 (B) Foundation Level.

11 (1) The Foundation Level is a figure established by the
12 State representing the minimum level of per pupil financial
13 support that should be available to provide for the basic
14 education of each pupil in Average Daily Attendance. As set
15 forth in this Section, each school district is assumed to exert
16 a sufficient local taxing effort such that, in combination with
17 the aggregate of general State financial aid provided the
18 district, an aggregate of State and local resources are
19 available to meet the basic education needs of pupils in the
20 district.

21 (2) For the 1998-1999 school year, the Foundation Level of
22 support is \$4,225. For the 1999-2000 school year, the
23 Foundation Level of support is \$4,325. For the 2000-2001 school
24 year, the Foundation Level of support is \$4,425.

25 (3) For the 2001-2002 school year and 2002-2003 school
26 year, the Foundation Level of support is \$4,560.

27 (4) For the 2003-2004 school year and each school year
28 thereafter, the Foundation Level of support is \$4,810 or such
29 greater amount as may be established by law by the General
30 Assembly.

31 (C) Average Daily Attendance.

32 (1) For purposes of calculating general State aid pursuant

1 to subsection (E), an Average Daily Attendance figure shall be
2 utilized. The Average Daily Attendance figure for formula
3 calculation purposes shall be the monthly average of the actual
4 number of pupils in attendance of each school district, as
5 further averaged for the best 3 months of pupil attendance for
6 each school district. In compiling the figures for the number
7 of pupils in attendance, school districts and the State Board
8 of Education shall, for purposes of general State aid funding,
9 conform attendance figures to the requirements of subsection
10 (F).

11 (2) The Average Daily Attendance figures utilized in
12 subsection (E) shall be the requisite attendance data for the
13 school year immediately preceding the school year for which
14 general State aid is being calculated or the average of the
15 attendance data for the 3 preceding school years, whichever is
16 greater. The Average Daily Attendance figures utilized in
17 subsection (H) shall be the requisite attendance data for the
18 school year immediately preceding the school year for which
19 general State aid is being calculated.

20 (D) Available Local Resources.

21 (1) For purposes of calculating general State aid pursuant
22 to subsection (E), a representation of Available Local
23 Resources per pupil, as that term is defined and determined in
24 this subsection, shall be utilized. Available Local Resources
25 per pupil shall include a calculated dollar amount representing
26 local school district revenues from local property taxes and
27 from Corporate Personal Property Replacement Taxes, expressed
28 on the basis of pupils in Average Daily Attendance.

29 (2) In determining a school district's revenue from local
30 property taxes, the State Board of Education shall utilize the
31 equalized assessed valuation of all taxable property of each
32 school district as of September 30 of the previous year. The
33 equalized assessed valuation utilized shall be obtained and

1 determined as provided in subsection (G).

2 (3) For school districts maintaining grades kindergarten
3 through 12, local property tax revenues per pupil shall be
4 calculated as the product of the applicable equalized assessed
5 valuation for the district multiplied by 3.00%, and divided by
6 the district's Average Daily Attendance figure. For school
7 districts maintaining grades kindergarten through 8, local
8 property tax revenues per pupil shall be calculated as the
9 product of the applicable equalized assessed valuation for the
10 district multiplied by 2.30%, and divided by the district's
11 Average Daily Attendance figure. For school districts
12 maintaining grades 9 through 12, local property tax revenues
13 per pupil shall be the applicable equalized assessed valuation
14 of the district multiplied by 1.05%, and divided by the
15 district's Average Daily Attendance figure.

16 (4) The Corporate Personal Property Replacement Taxes paid
17 to each school district during the calendar year 2 years before
18 the calendar year in which a school year begins, divided by the
19 Average Daily Attendance figure for that district, shall be
20 added to the local property tax revenues per pupil as derived
21 by the application of the immediately preceding paragraph (3).
22 The sum of these per pupil figures for each school district
23 shall constitute Available Local Resources as that term is
24 utilized in subsection (E) in the calculation of general State
25 aid.

26 (E) Computation of General State Aid.

27 (1) For each school year, the amount of general State aid
28 allotted to a school district shall be computed by the State
29 Board of Education as provided in this subsection.

30 (2) For any school district for which Available Local
31 Resources per pupil is less than the product of 0.93 times the
32 Foundation Level, general State aid for that district shall be
33 calculated as an amount equal to the Foundation Level minus

1 Available Local Resources, multiplied by the Average Daily
2 Attendance of the school district.

3 (3) For any school district for which Available Local
4 Resources per pupil is equal to or greater than the product of
5 0.93 times the Foundation Level and less than the product of
6 1.75 times the Foundation Level, the general State aid per
7 pupil shall be a decimal proportion of the Foundation Level
8 derived using a linear algorithm. Under this linear algorithm,
9 the calculated general State aid per pupil shall decline in
10 direct linear fashion from 0.07 times the Foundation Level for
11 a school district with Available Local Resources equal to the
12 product of 0.93 times the Foundation Level, to 0.05 times the
13 Foundation Level for a school district with Available Local
14 Resources equal to the product of 1.75 times the Foundation
15 Level. The allocation of general State aid for school districts
16 subject to this paragraph 3 shall be the calculated general
17 State aid per pupil figure multiplied by the Average Daily
18 Attendance of the school district.

19 (4) For any school district for which Available Local
20 Resources per pupil equals or exceeds the product of 1.75 times
21 the Foundation Level, the general State aid for the school
22 district shall be calculated as the product of \$218 multiplied
23 by the Average Daily Attendance of the school district.

24 (5) The amount of general State aid allocated to a school
25 district for the 1999-2000 school year meeting the requirements
26 set forth in paragraph (4) of subsection (G) shall be increased
27 by an amount equal to the general State aid that would have
28 been received by the district for the 1998-1999 school year by
29 utilizing the Extension Limitation Equalized Assessed
30 Valuation as calculated in paragraph (4) of subsection (G) less
31 the general State aid allotted for the 1998-1999 school year.
32 This amount shall be deemed a one time increase, and shall not
33 affect any future general State aid allocations.

1 (F) Compilation of Average Daily Attendance.

2 (1) Each school district shall, by July 1 of each year,
3 submit to the State Board of Education, on forms prescribed by
4 the State Board of Education, attendance figures for the school
5 year that began in the preceding calendar year. The attendance
6 information so transmitted shall identify the average daily
7 attendance figures for each month of the school year. Beginning
8 with the general State aid claim form for the 2002-2003 school
9 year, districts shall calculate Average Daily Attendance as
10 provided in subdivisions (a), (b), and (c) of this paragraph
11 (1).

12 (a) In districts that do not hold year-round classes,
13 days of attendance in August shall be added to the month of
14 September and any days of attendance in June shall be added
15 to the month of May.

16 (b) In districts in which all buildings hold year-round
17 classes, days of attendance in July and August shall be
18 added to the month of September and any days of attendance
19 in June shall be added to the month of May.

20 (c) In districts in which some buildings, but not all,
21 hold year-round classes, for the non-year-round buildings,
22 days of attendance in August shall be added to the month of
23 September and any days of attendance in June shall be added
24 to the month of May. The average daily attendance for the
25 year-round buildings shall be computed as provided in
26 subdivision (b) of this paragraph (1). To calculate the
27 Average Daily Attendance for the district, the average
28 daily attendance for the year-round buildings shall be
29 multiplied by the days in session for the non-year-round
30 buildings for each month and added to the monthly
31 attendance of the non-year-round buildings.

32 Except as otherwise provided in this Section, days of
33 attendance by pupils shall be counted only for sessions of not
34 less than 5 clock hours of school work per day under direct

1 supervision of: (i) teachers, or (ii) non-teaching personnel or
2 volunteer personnel when engaging in non-teaching duties and
3 supervising in those instances specified in subsection (a) of
4 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
5 of legal school age and in kindergarten and grades 1 through
6 12.

7 Days of attendance by tuition pupils shall be accredited
8 only to the districts that pay the tuition to a recognized
9 school.

10 (2) Days of attendance by pupils of less than 5 clock hours
11 of school shall be subject to the following provisions in the
12 compilation of Average Daily Attendance.

13 (a) Pupils regularly enrolled in a public school for
14 only a part of the school day may be counted on the basis
15 of 1/6 day for every class hour of instruction of 40
16 minutes or more attended pursuant to such enrollment,
17 unless a pupil is enrolled in a block-schedule format of 80
18 minutes or more of instruction, in which case the pupil may
19 be counted on the basis of the proportion of minutes of
20 school work completed each day to the minimum number of
21 minutes that school work is required to be held that day.

22 (b) Days of attendance may be less than 5 clock hours
23 on the opening and closing of the school term, and upon the
24 first day of pupil attendance, if preceded by a day or days
25 utilized as an institute or teachers' workshop.

26 (c) A session of 4 or more clock hours may be counted
27 as a day of attendance upon certification by the regional
28 superintendent, and approved by the State Superintendent
29 of Education to the extent that the district has been
30 forced to use daily multiple sessions.

31 (d) A session of 3 or more clock hours may be counted
32 as a day of attendance (1) when the remainder of the school
33 day or at least 2 hours in the evening of that day is
34 utilized for an in-service training program for teachers,

1 up to a maximum of 5 days per school year of which a
2 maximum of 4 days of such 5 days may be used for
3 parent-teacher conferences, provided a district conducts
4 an in-service training program for teachers which has been
5 approved by the State Superintendent of Education; or, in
6 lieu of 4 such days, 2 full days may be used, in which
7 event each such day may be counted as a day of attendance;
8 and (2) when days in addition to those provided in item (1)
9 are scheduled by a school pursuant to its school
10 improvement plan adopted under Article 34 or its revised or
11 amended school improvement plan adopted under Article 2,
12 provided that (i) such sessions of 3 or more clock hours
13 are scheduled to occur at regular intervals, (ii) the
14 remainder of the school days in which such sessions occur
15 are utilized for in-service training programs or other
16 staff development activities for teachers, and (iii) a
17 sufficient number of minutes of school work under the
18 direct supervision of teachers are added to the school days
19 between such regularly scheduled sessions to accumulate
20 not less than the number of minutes by which such sessions
21 of 3 or more clock hours fall short of 5 clock hours. Any
22 full days used for the purposes of this paragraph shall not
23 be considered for computing average daily attendance. Days
24 scheduled for in-service training programs, staff
25 development activities, or parent-teacher conferences may
26 be scheduled separately for different grade levels and
27 different attendance centers of the district.

28 (e) A session of not less than one clock hour of
29 teaching hospitalized or homebound pupils on-site or by
30 telephone to the classroom may be counted as 1/2 day of
31 attendance, however these pupils must receive 4 or more
32 clock hours of instruction to be counted for a full day of
33 attendance.

34 (f) A session of at least 4 clock hours may be counted

1 as a day of attendance for first grade pupils, and pupils
2 in full day kindergartens, and a session of 2 or more hours
3 may be counted as 1/2 day of attendance by pupils in
4 kindergartens which provide only 1/2 day of attendance.

5 (g) For children with disabilities who are below the
6 age of 6 years and who cannot attend 2 or more clock hours
7 because of their disability or immaturity, a session of not
8 less than one clock hour may be counted as 1/2 day of
9 attendance; however for such children whose educational
10 needs so require a session of 4 or more clock hours may be
11 counted as a full day of attendance.

12 (h) A recognized kindergarten which provides for only
13 1/2 day of attendance by each pupil shall not have more
14 than 1/2 day of attendance counted in any one day. However,
15 kindergartens may count 2 1/2 days of attendance in any 5
16 consecutive school days. When a pupil attends such a
17 kindergarten for 2 half days on any one school day, the
18 pupil shall have the following day as a day absent from
19 school, unless the school district obtains permission in
20 writing from the State Superintendent of Education.
21 Attendance at kindergartens which provide for a full day of
22 attendance by each pupil shall be counted the same as
23 attendance by first grade pupils. Only the first year of
24 attendance in one kindergarten shall be counted, except in
25 case of children who entered the kindergarten in their
26 fifth year whose educational development requires a second
27 year of kindergarten as determined under the rules and
28 regulations of the State Board of Education.

29 (G) Equalized Assessed Valuation Data.

30 (1) For purposes of the calculation of Available Local
31 Resources required pursuant to subsection (D), the State Board
32 of Education shall secure from the Department of Revenue the
33 value as equalized or assessed by the Department of Revenue of

1 all taxable property of every school district, together with
2 (i) the applicable tax rate used in extending taxes for the
3 funds of the district as of September 30 of the previous year
4 and (ii) the limiting rate for all school districts subject to
5 property tax extension limitations as imposed under the
6 Property Tax Extension Limitation Law. The Department of
7 Revenue shall add to the equalized assessed value of all
8 taxable property of each school district situated entirely or
9 partially within a county with 3,000,000 or more inhabitants an
10 amount equal to the total amount by which the homestead
11 exemption allowed under Section 15-176 of the Property Tax Code
12 for real property situated in that school district exceeds the
13 total amount that would have been allowed in that school
14 district if the maximum reduction under Section 15-176 was
15 \$4,500 in Cook County and \$3,500 in any other county. The
16 Department of Revenue shall add to the equalized assessed value
17 of all taxable property of each school district situated
18 entirely or partially within a county contiguous to a county
19 with 3,000,000 or more inhabitants an amount equal to the total
20 amount by which the homestead exemption allowed under Section
21 15-176 of the Property Tax Code for real property situated in
22 that school district exceeds the total amount that would have
23 been allowed in that school district if the maximum reduction
24 under Section 15-176 was \$3,500 in any county other than Cook
25 County and \$4,500 in Cook County. The county clerk of any
26 county with 3,000,000 or more inhabitants and any county
27 contiguous to a county with 3,000,000 or more inhabitants shall
28 annually calculate and certify to the Department of Revenue for
29 each school district all homestead exemption amounts under
30 Section 15-176.

31 This equalized assessed valuation, as adjusted further by
32 the requirements of this subsection, shall be utilized in the
33 calculation of Available Local Resources.

34 (2) The equalized assessed valuation in paragraph (1) shall

1 be adjusted, as applicable, in the following manner:

2 (a) For the purposes of calculating State aid under
3 this Section, with respect to any part of a school district
4 within a redevelopment project area in respect to which a
5 municipality has adopted tax increment allocation
6 financing pursuant to the Tax Increment Allocation
7 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11
8 of the Illinois Municipal Code or the Industrial Jobs
9 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
10 Illinois Municipal Code, no part of the current equalized
11 assessed valuation of real property located in any such
12 project area which is attributable to an increase above the
13 total initial equalized assessed valuation of such
14 property shall be used as part of the equalized assessed
15 valuation of the district, until such time as all
16 redevelopment project costs have been paid, as provided in
17 Section 11-74.4-8 of the Tax Increment Allocation
18 Redevelopment Act or in Section 11-74.6-35 of the
19 Industrial Jobs Recovery Law. For the purpose of the
20 equalized assessed valuation of the district, the total
21 initial equalized assessed valuation or the current
22 equalized assessed valuation, whichever is lower, shall be
23 used until such time as all redevelopment project costs
24 have been paid.

25 (b) The real property equalized assessed valuation for
26 a school district shall be adjusted by subtracting from the
27 real property value as equalized or assessed by the
28 Department of Revenue for the district an amount computed
29 by dividing the amount of any abatement of taxes under
30 Section 18-170 of the Property Tax Code by 3.00% for a
31 district maintaining grades kindergarten through 12, by
32 2.30% for a district maintaining grades kindergarten
33 through 8, or by 1.05% for a district maintaining grades 9
34 through 12 and adjusted by an amount computed by dividing

1 the amount of any abatement of taxes under subsection (a)
2 of Section 18-165 of the Property Tax Code by the same
3 percentage rates for district type as specified in this
4 subparagraph (b).

5 (3) For the 1999-2000 school year and each school year
6 thereafter, if a school district meets all of the criteria of
7 this subsection (G) (3), the school district's Available Local
8 Resources shall be calculated under subsection (D) using the
9 district's Extension Limitation Equalized Assessed Valuation
10 as calculated under this subsection (G) (3).

11 For purposes of this subsection (G) (3) the following terms
12 shall have the following meanings:

13 "Budget Year": The school year for which general State
14 aid is calculated and awarded under subsection (E).

15 "Base Tax Year": The property tax levy year used to
16 calculate the Budget Year allocation of general State aid.

17 "Preceding Tax Year": The property tax levy year
18 immediately preceding the Base Tax Year.

19 "Base Tax Year's Tax Extension": The product of the
20 equalized assessed valuation utilized by the County Clerk
21 in the Base Tax Year multiplied by the limiting rate as
22 calculated by the County Clerk and defined in the Property
23 Tax Extension Limitation Law.

24 "Preceding Tax Year's Tax Extension": The product of
25 the equalized assessed valuation utilized by the County
26 Clerk in the Preceding Tax Year multiplied by the Operating
27 Tax Rate as defined in subsection (A).

28 "Extension Limitation Ratio": A numerical ratio,
29 certified by the County Clerk, in which the numerator is
30 the Base Tax Year's Tax Extension and the denominator is
31 the Preceding Tax Year's Tax Extension.

32 "Operating Tax Rate": The operating tax rate as defined
33 in subsection (A).

34 If a school district is subject to property tax extension

1 limitations as imposed under the Property Tax Extension
2 Limitation Law, the State Board of Education shall calculate
3 the Extension Limitation Equalized Assessed Valuation of that
4 district. For the 1999-2000 school year, the Extension
5 Limitation Equalized Assessed Valuation of a school district as
6 calculated by the State Board of Education shall be equal to
7 the product of the district's 1996 Equalized Assessed Valuation
8 and the district's Extension Limitation Ratio. For the
9 2000-2001 school year and each school year thereafter, the
10 Extension Limitation Equalized Assessed Valuation of a school
11 district as calculated by the State Board of Education shall be
12 equal to the product of the Equalized Assessed Valuation last
13 used in the calculation of general State aid and the district's
14 Extension Limitation Ratio. If the Extension Limitation
15 Equalized Assessed Valuation of a school district as calculated
16 under this subsection (G)(3) is less than the district's
17 equalized assessed valuation as calculated pursuant to
18 subsections (G)(1) and (G)(2), then for purposes of calculating
19 the district's general State aid for the Budget Year pursuant
20 to subsection (E), that Extension Limitation Equalized
21 Assessed Valuation shall be utilized to calculate the
22 district's Available Local Resources under subsection (D).

23 (4) For the purposes of calculating general State aid for
24 the 1999-2000 school year only, if a school district
25 experienced a triennial reassessment on the equalized assessed
26 valuation used in calculating its general State financial aid
27 apportionment for the 1998-1999 school year, the State Board of
28 Education shall calculate the Extension Limitation Equalized
29 Assessed Valuation that would have been used to calculate the
30 district's 1998-1999 general State aid. This amount shall equal
31 the product of the equalized assessed valuation used to
32 calculate general State aid for the 1997-1998 school year and
33 the district's Extension Limitation Ratio. If the Extension
34 Limitation Equalized Assessed Valuation of the school district

1 as calculated under this paragraph (4) is less than the
2 district's equalized assessed valuation utilized in
3 calculating the district's 1998-1999 general State aid
4 allocation, then for purposes of calculating the district's
5 general State aid pursuant to paragraph (5) of subsection (E),
6 that Extension Limitation Equalized Assessed Valuation shall
7 be utilized to calculate the district's Available Local
8 Resources.

9 (5) For school districts having a majority of their
10 equalized assessed valuation in any county except Cook, DuPage,
11 Kane, Lake, McHenry, or Will, if the amount of general State
12 aid allocated to the school district for the 1999-2000 school
13 year under the provisions of subsection (E), (H), and (J) of
14 this Section is less than the amount of general State aid
15 allocated to the district for the 1998-1999 school year under
16 these subsections, then the general State aid of the district
17 for the 1999-2000 school year only shall be increased by the
18 difference between these amounts. The total payments made under
19 this paragraph (5) shall not exceed \$14,000,000. Claims shall
20 be prorated if they exceed \$14,000,000.

21 (H) Supplemental General State Aid.

22 (1) In addition to the general State aid a school district
23 is allotted pursuant to subsection (E), qualifying school
24 districts shall receive a grant, paid in conjunction with a
25 district's payments of general State aid, for supplemental
26 general State aid based upon the concentration level of
27 children from low-income households within the school
28 district. Supplemental State aid grants provided for school
29 districts under this subsection shall be appropriated for
30 distribution to school districts as part of the same line item
31 in which the general State financial aid of school districts is
32 appropriated under this Section. If the appropriation in any
33 fiscal year for general State aid and supplemental general

1 State aid is insufficient to pay the amounts required under the
2 general State aid and supplemental general State aid
3 calculations, then the State Board of Education shall ensure
4 that each school district receives the full amount due for
5 general State aid and the remainder of the appropriation shall
6 be used for supplemental general State aid, which the State
7 Board of Education shall calculate and pay to eligible
8 districts on a prorated basis.

9 (1.5) This paragraph (1.5) applies only to those school
10 years preceding the 2003-2004 school year. For purposes of this
11 subsection (H), the term "Low-Income Concentration Level"
12 shall be the low-income eligible pupil count from the most
13 recently available federal census divided by the Average Daily
14 Attendance of the school district. If, however, (i) the
15 percentage decrease from the 2 most recent federal censuses in
16 the low-income eligible pupil count of a high school district
17 with fewer than 400 students exceeds by 75% or more the
18 percentage change in the total low-income eligible pupil count
19 of contiguous elementary school districts, whose boundaries
20 are coterminous with the high school district, or (ii) a high
21 school district within 2 counties and serving 5 elementary
22 school districts, whose boundaries are coterminous with the
23 high school district, has a percentage decrease from the 2 most
24 recent federal censuses in the low-income eligible pupil count
25 and there is a percentage increase in the total low-income
26 eligible pupil count of a majority of the elementary school
27 districts in excess of 50% from the 2 most recent federal
28 censuses, then the high school district's low-income eligible
29 pupil count from the earlier federal census shall be the number
30 used as the low-income eligible pupil count for the high school
31 district, for purposes of this subsection (H). The changes made
32 to this paragraph (1) by Public Act 92-28 shall apply to
33 supplemental general State aid grants for school years
34 preceding the 2003-2004 school year that are paid in fiscal

1 year 1999 or thereafter and to any State aid payments made in
2 fiscal year 1994 through fiscal year 1998 pursuant to
3 subsection 1(n) of Section 18-8 of this Code (which was
4 repealed on July 1, 1998), and any high school district that is
5 affected by Public Act 92-28 is entitled to a recomputation of
6 its supplemental general State aid grant or State aid paid in
7 any of those fiscal years. This recomputation shall not be
8 affected by any other funding.

9 (1.10) This paragraph (1.10) applies to the 2003-2004
10 school year and each school year thereafter. For purposes of
11 this subsection (H), the term "Low-Income Concentration Level"
12 shall, for each fiscal year, be the low-income eligible pupil
13 count as of July 1 of the immediately preceding fiscal year (as
14 determined by the Department of Human Services based on the
15 number of pupils who are eligible for at least one of the
16 following low income programs: Medicaid, KidCare, TANF, or Food
17 Stamps, excluding pupils who are eligible for services provided
18 by the Department of Children and Family Services, averaged
19 over the 2 immediately preceding fiscal years for fiscal year
20 2004 and over the 3 immediately preceding fiscal years for each
21 fiscal year thereafter) divided by the Average Daily Attendance
22 of the school district.

23 (2) Supplemental general State aid pursuant to this
24 subsection (H) shall be provided as follows for the 1998-1999,
25 1999-2000, and 2000-2001 school years only:

26 (a) For any school district with a Low Income
27 Concentration Level of at least 20% and less than 35%, the
28 grant for any school year shall be \$800 multiplied by the
29 low income eligible pupil count.

30 (b) For any school district with a Low Income
31 Concentration Level of at least 35% and less than 50%, the
32 grant for the 1998-1999 school year shall be \$1,100
33 multiplied by the low income eligible pupil count.

34 (c) For any school district with a Low Income

1 Concentration Level of at least 50% and less than 60%, the
2 grant for the 1998-99 school year shall be \$1,500
3 multiplied by the low income eligible pupil count.

4 (d) For any school district with a Low Income
5 Concentration Level of 60% or more, the grant for the
6 1998-99 school year shall be \$1,900 multiplied by the low
7 income eligible pupil count.

8 (e) For the 1999-2000 school year, the per pupil amount
9 specified in subparagraphs (b), (c), and (d) immediately
10 above shall be increased to \$1,243, \$1,600, and \$2,000,
11 respectively.

12 (f) For the 2000-2001 school year, the per pupil
13 amounts specified in subparagraphs (b), (c), and (d)
14 immediately above shall be \$1,273, \$1,640, and \$2,050,
15 respectively.

16 (2.5) Supplemental general State aid pursuant to this
17 subsection (H) shall be provided as follows for the 2002-2003
18 school year:

19 (a) For any school district with a Low Income
20 Concentration Level of less than 10%, the grant for each
21 school year shall be \$355 multiplied by the low income
22 eligible pupil count.

23 (b) For any school district with a Low Income
24 Concentration Level of at least 10% and less than 20%, the
25 grant for each school year shall be \$675 multiplied by the
26 low income eligible pupil count.

27 (c) For any school district with a Low Income
28 Concentration Level of at least 20% and less than 35%, the
29 grant for each school year shall be \$1,330 multiplied by
30 the low income eligible pupil count.

31 (d) For any school district with a Low Income
32 Concentration Level of at least 35% and less than 50%, the
33 grant for each school year shall be \$1,362 multiplied by
34 the low income eligible pupil count.

1 (e) For any school district with a Low Income
2 Concentration Level of at least 50% and less than 60%, the
3 grant for each school year shall be \$1,680 multiplied by
4 the low income eligible pupil count.

5 (f) For any school district with a Low Income
6 Concentration Level of 60% or more, the grant for each
7 school year shall be \$2,080 multiplied by the low income
8 eligible pupil count.

9 (2.10) Except as otherwise provided, supplemental general
10 State aid pursuant to this subsection (H) shall be provided as
11 follows for the 2003-2004 school year and each school year
12 thereafter:

13 (a) For any school district with a Low Income
14 Concentration Level of 15% or less, the grant for each
15 school year shall be \$355 multiplied by the low income
16 eligible pupil count.

17 (b) For any school district with a Low Income
18 Concentration Level greater than 15%, the grant for each
19 school year shall be \$294.25 added to the product of \$2,700
20 and the square of the Low Income Concentration Level, all
21 multiplied by the low income eligible pupil count.

22 For the 2003-2004 school year only, the grant shall be no
23 less than the grant for the 2002-2003 school year. For the
24 2004-2005 school year only, the grant shall be no less than the
25 grant for the 2002-2003 school year multiplied by 0.66. For the
26 2005-2006 school year only, the grant shall be no less than the
27 grant for the 2002-2003 school year multiplied by 0.33.

28 For the 2003-2004 school year only, the grant shall be no
29 greater than the grant received during the 2002-2003 school
30 year added to the product of 0.25 multiplied by the difference
31 between the grant amount calculated under subsection (a) or (b)
32 of this paragraph (2.10), whichever is applicable, and the
33 grant received during the 2002-2003 school year. For the
34 2004-2005 school year only, the grant shall be no greater than

1 the grant received during the 2002-2003 school year added to
2 the product of 0.50 multiplied by the difference between the
3 grant amount calculated under subsection (a) or (b) of this
4 paragraph (2.10), whichever is applicable, and the grant
5 received during the 2002-2003 school year. For the 2005-2006
6 school year only, the grant shall be no greater than the grant
7 received during the 2002-2003 school year added to the product
8 of 0.75 multiplied by the difference between the grant amount
9 calculated under subsection (a) or (b) of this paragraph
10 (2.10), whichever is applicable, and the grant received during
11 the 2002-2003 school year.

12 (3) School districts with an Average Daily Attendance of
13 more than 1,000 and less than 50,000 that qualify for
14 supplemental general State aid pursuant to this subsection
15 shall submit a plan to the State Board of Education prior to
16 October 30 of each year for the use of the funds resulting from
17 this grant of supplemental general State aid for the
18 improvement of instruction in which priority is given to
19 meeting the education needs of disadvantaged children. Such
20 plan shall be submitted in accordance with rules and
21 regulations promulgated by the State Board of Education.

22 (4) School districts with an Average Daily Attendance of
23 50,000 or more that qualify for supplemental general State aid
24 pursuant to this subsection shall be required to distribute
25 from funds available pursuant to this Section, no less than
26 \$261,000,000 in accordance with the following requirements:

27 (a) The required amounts shall be distributed to the
28 attendance centers within the district in proportion to the
29 number of pupils enrolled at each attendance center who are
30 eligible to receive free or reduced-price lunches or
31 breakfasts under the federal Child Nutrition Act of 1966
32 and under the National School Lunch Act during the
33 immediately preceding school year.

34 (b) The distribution of these portions of supplemental

1 and general State aid among attendance centers according to
2 these requirements shall not be compensated for or
3 contravened by adjustments of the total of other funds
4 appropriated to any attendance centers, and the Board of
5 Education shall utilize funding from one or several sources
6 in order to fully implement this provision annually prior
7 to the opening of school.

8 (c) Each attendance center shall be provided by the
9 school district a distribution of noncategorical funds and
10 other categorical funds to which an attendance center is
11 entitled under law in order that the general State aid and
12 supplemental general State aid provided by application of
13 this subsection supplements rather than supplants the
14 noncategorical funds and other categorical funds provided
15 by the school district to the attendance centers.

16 (d) Any funds made available under this subsection that
17 by reason of the provisions of this subsection are not
18 required to be allocated and provided to attendance centers
19 may be used and appropriated by the board of the district
20 for any lawful school purpose.

21 (e) Funds received by an attendance center pursuant to
22 this subsection shall be used by the attendance center at
23 the discretion of the principal and local school council
24 for programs to improve educational opportunities at
25 qualifying schools through the following programs and
26 services: early childhood education, reduced class size or
27 improved adult to student classroom ratio, enrichment
28 programs, remedial assistance, attendance improvement, and
29 other educationally beneficial expenditures which
30 supplement the regular and basic programs as determined by
31 the State Board of Education. Funds provided shall not be
32 expended for any political or lobbying purposes as defined
33 by board rule.

34 (f) Each district subject to the provisions of this

1 subdivision (H) (4) shall submit an acceptable plan to meet
2 the educational needs of disadvantaged children, in
3 compliance with the requirements of this paragraph, to the
4 State Board of Education prior to July 15 of each year.
5 This plan shall be consistent with the decisions of local
6 school councils concerning the school expenditure plans
7 developed in accordance with part 4 of Section 34-2.3. The
8 State Board shall approve or reject the plan within 60 days
9 after its submission. If the plan is rejected, the district
10 shall give written notice of intent to modify the plan
11 within 15 days of the notification of rejection and then
12 submit a modified plan within 30 days after the date of the
13 written notice of intent to modify. Districts may amend
14 approved plans pursuant to rules promulgated by the State
15 Board of Education.

16 Upon notification by the State Board of Education that
17 the district has not submitted a plan prior to July 15 or a
18 modified plan within the time period specified herein, the
19 State aid funds affected by that plan or modified plan
20 shall be withheld by the State Board of Education until a
21 plan or modified plan is submitted.

22 If the district fails to distribute State aid to
23 attendance centers in accordance with an approved plan, the
24 plan for the following year shall allocate funds, in
25 addition to the funds otherwise required by this
26 subsection, to those attendance centers which were
27 underfunded during the previous year in amounts equal to
28 such underfunding.

29 For purposes of determining compliance with this
30 subsection in relation to the requirements of attendance
31 center funding, each district subject to the provisions of
32 this subsection shall submit as a separate document by
33 December 1 of each year a report of expenditure data for
34 the prior year in addition to any modification of its

1 current plan. If it is determined that there has been a
2 failure to comply with the expenditure provisions of this
3 subsection regarding contravention or supplanting, the
4 State Superintendent of Education shall, within 60 days of
5 receipt of the report, notify the district and any affected
6 local school council. The district shall within 45 days of
7 receipt of that notification inform the State
8 Superintendent of Education of the remedial or corrective
9 action to be taken, whether by amendment of the current
10 plan, if feasible, or by adjustment in the plan for the
11 following year. Failure to provide the expenditure report
12 or the notification of remedial or corrective action in a
13 timely manner shall result in a withholding of the affected
14 funds.

15 The State Board of Education shall promulgate rules and
16 regulations to implement the provisions of this
17 subsection. No funds shall be released under this
18 subdivision (H) (4) to any district that has not submitted a
19 plan that has been approved by the State Board of
20 Education.

21 (I) General State Aid for Newly Configured School Districts.

22 (1) For a new school district formed by combining property
23 included totally within 2 or more previously existing school
24 districts, for its first year of existence the general State
25 aid and supplemental general State aid calculated under this
26 Section shall be computed for the new district and for the
27 previously existing districts for which property is totally
28 included within the new district. If the computation on the
29 basis of the previously existing districts is greater, a
30 supplementary payment equal to the difference shall be made for
31 the first 4 years of existence of the new district.

32 (2) For a school district which annexes all of the
33 territory of one or more entire other school districts, for the

1 first year during which the change of boundaries attributable
2 to such annexation becomes effective for all purposes as
3 determined under Section 7-9 or 7A-8, the general State aid and
4 supplemental general State aid calculated under this Section
5 shall be computed for the annexing district as constituted
6 after the annexation and for the annexing and each annexed
7 district as constituted prior to the annexation; and if the
8 computation on the basis of the annexing and annexed districts
9 as constituted prior to the annexation is greater, a
10 supplementary payment equal to the difference shall be made for
11 the first 4 years of existence of the annexing school district
12 as constituted upon such annexation.

13 (3) For 2 or more school districts which annex all of the
14 territory of one or more entire other school districts, and for
15 2 or more community unit districts which result upon the
16 division (pursuant to petition under Section 11A-2) of one or
17 more other unit school districts into 2 or more parts and which
18 together include all of the parts into which such other unit
19 school district or districts are so divided, for the first year
20 during which the change of boundaries attributable to such
21 annexation or division becomes effective for all purposes as
22 determined under Section 7-9 or 11A-10, as the case may be, the
23 general State aid and supplemental general State aid calculated
24 under this Section shall be computed for each annexing or
25 resulting district as constituted after the annexation or
26 division and for each annexing and annexed district, or for
27 each resulting and divided district, as constituted prior to
28 the annexation or division; and if the aggregate of the general
29 State aid and supplemental general State aid as so computed for
30 the annexing or resulting districts as constituted after the
31 annexation or division is less than the aggregate of the
32 general State aid and supplemental general State aid as so
33 computed for the annexing and annexed districts, or for the
34 resulting and divided districts, as constituted prior to the

1 annexation or division, then a supplementary payment equal to
2 the difference shall be made and allocated between or among the
3 annexing or resulting districts, as constituted upon such
4 annexation or division, for the first 4 years of their
5 existence. The total difference payment shall be allocated
6 between or among the annexing or resulting districts in the
7 same ratio as the pupil enrollment from that portion of the
8 annexed or divided district or districts which is annexed to or
9 included in each such annexing or resulting district bears to
10 the total pupil enrollment from the entire annexed or divided
11 district or districts, as such pupil enrollment is determined
12 for the school year last ending prior to the date when the
13 change of boundaries attributable to the annexation or division
14 becomes effective for all purposes. The amount of the total
15 difference payment and the amount thereof to be allocated to
16 the annexing or resulting districts shall be computed by the
17 State Board of Education on the basis of pupil enrollment and
18 other data which shall be certified to the State Board of
19 Education, on forms which it shall provide for that purpose, by
20 the regional superintendent of schools for each educational
21 service region in which the annexing and annexed districts, or
22 resulting and divided districts are located.

23 (3.5) Claims for financial assistance under this
24 subsection (I) shall not be recomputed except as expressly
25 provided under this Section.

26 (4) Any supplementary payment made under this subsection
27 (I) shall be treated as separate from all other payments made
28 pursuant to this Section.

29 (J) Supplementary Grants in Aid.

30 (1) Notwithstanding any other provisions of this Section,
31 the amount of the aggregate general State aid in combination
32 with supplemental general State aid under this Section for
33 which each school district is eligible shall be no less than

1 the amount of the aggregate general State aid entitlement that
2 was received by the district under Section 18-8 (exclusive of
3 amounts received under subsections 5(p) and 5(p-5) of that
4 Section) for the 1997-98 school year, pursuant to the
5 provisions of that Section as it was then in effect. If a
6 school district qualifies to receive a supplementary payment
7 made under this subsection (J), the amount of the aggregate
8 general State aid in combination with supplemental general
9 State aid under this Section which that district is eligible to
10 receive for each school year shall be no less than the amount
11 of the aggregate general State aid entitlement that was
12 received by the district under Section 18-8 (exclusive of
13 amounts received under subsections 5(p) and 5(p-5) of that
14 Section) for the 1997-1998 school year, pursuant to the
15 provisions of that Section as it was then in effect.

16 (2) If, as provided in paragraph (1) of this subsection
17 (J), a school district is to receive aggregate general State
18 aid in combination with supplemental general State aid under
19 this Section for the 1998-99 school year and any subsequent
20 school year that in any such school year is less than the
21 amount of the aggregate general State aid entitlement that the
22 district received for the 1997-98 school year, the school
23 district shall also receive, from a separate appropriation made
24 for purposes of this subsection (J), a supplementary payment
25 that is equal to the amount of the difference in the aggregate
26 State aid figures as described in paragraph (1).

27 (3) (Blank).

28 (K) Grants to Laboratory and Alternative Schools.

29 In calculating the amount to be paid to the governing board
30 of a public university that operates a laboratory school under
31 this Section or to any alternative school that is operated by a
32 regional superintendent of schools, the State Board of
33 Education shall require by rule such reporting requirements as

1 it deems necessary.

2 As used in this Section, "laboratory school" means a public
3 school which is created and operated by a public university and
4 approved by the State Board of Education. The governing board
5 of a public university which receives funds from the State
6 Board under this subsection (K) may not increase the number of
7 students enrolled in its laboratory school from a single
8 district, if that district is already sending 50 or more
9 students, except under a mutual agreement between the school
10 board of a student's district of residence and the university
11 which operates the laboratory school. A laboratory school may
12 not have more than 1,000 students, excluding students with
13 disabilities in a special education program.

14 As used in this Section, "alternative school" means a
15 public school which is created and operated by a Regional
16 Superintendent of Schools and approved by the State Board of
17 Education. Such alternative schools may offer courses of
18 instruction for which credit is given in regular school
19 programs, courses to prepare students for the high school
20 equivalency testing program or vocational and occupational
21 training. A regional superintendent of schools may contract
22 with a school district or a public community college district
23 to operate an alternative school. An alternative school serving
24 more than one educational service region may be established by
25 the regional superintendents of schools of the affected
26 educational service regions. An alternative school serving
27 more than one educational service region may be operated under
28 such terms as the regional superintendents of schools of those
29 educational service regions may agree.

30 Each laboratory and alternative school shall file, on forms
31 provided by the State Superintendent of Education, an annual
32 State aid claim which states the Average Daily Attendance of
33 the school's students by month. The best 3 months' Average
34 Daily Attendance shall be computed for each school. The general

1 State aid entitlement shall be computed by multiplying the
2 applicable Average Daily Attendance by the Foundation Level as
3 determined under this Section.

4 (L) Payments, Additional Grants in Aid and Other Requirements.

5 (1) For a school district operating under the financial
6 supervision of an Authority created under Article 34A, the
7 general State aid otherwise payable to that district under this
8 Section, but not the supplemental general State aid, shall be
9 reduced by an amount equal to the budget for the operations of
10 the Authority as certified by the Authority to the State Board
11 of Education, and an amount equal to such reduction shall be
12 paid to the Authority created for such district for its
13 operating expenses in the manner provided in Section 18-11. The
14 remainder of general State school aid for any such district
15 shall be paid in accordance with Article 34A when that Article
16 provides for a disposition other than that provided by this
17 Article.

18 (2) (Blank).

19 (3) Summer school. Summer school payments shall be made as
20 provided in Section 18-4.3.

21 (M) Education Funding Advisory Board.

22 The Education Funding Advisory Board, hereinafter in this
23 subsection (M) referred to as the "Board", is hereby created.
24 The Board shall consist of 5 members who are appointed by the
25 Governor, by and with the advice and consent of the Senate. The
26 members appointed shall include representatives of education,
27 business, and the general public. One of the members so
28 appointed shall be designated by the Governor at the time the
29 appointment is made as the chairperson of the Board. The
30 initial members of the Board may be appointed any time after
31 the effective date of this amendatory Act of 1997. The regular
32 term of each member of the Board shall be for 4 years from the

1 third Monday of January of the year in which the term of the
2 member's appointment is to commence, except that of the 5
3 initial members appointed to serve on the Board, the member who
4 is appointed as the chairperson shall serve for a term that
5 commences on the date of his or her appointment and expires on
6 the third Monday of January, 2002, and the remaining 4 members,
7 by lots drawn at the first meeting of the Board that is held
8 after all 5 members are appointed, shall determine 2 of their
9 number to serve for terms that commence on the date of their
10 respective appointments and expire on the third Monday of
11 January, 2001, and 2 of their number to serve for terms that
12 commence on the date of their respective appointments and
13 expire on the third Monday of January, 2000. All members
14 appointed to serve on the Board shall serve until their
15 respective successors are appointed and confirmed. Vacancies
16 shall be filled in the same manner as original appointments. If
17 a vacancy in membership occurs at a time when the Senate is not
18 in session, the Governor shall make a temporary appointment
19 until the next meeting of the Senate, when he or she shall
20 appoint, by and with the advice and consent of the Senate, a
21 person to fill that membership for the unexpired term. If the
22 Senate is not in session when the initial appointments are
23 made, those appointments shall be made as in the case of
24 vacancies.

25 The Education Funding Advisory Board shall be deemed
26 established, and the initial members appointed by the Governor
27 to serve as members of the Board shall take office, on the date
28 that the Governor makes his or her appointment of the fifth
29 initial member of the Board, whether those initial members are
30 then serving pursuant to appointment and confirmation or
31 pursuant to temporary appointments that are made by the
32 Governor as in the case of vacancies.

33 The State Board of Education shall provide such staff
34 assistance to the Education Funding Advisory Board as is

1 reasonably required for the proper performance by the Board of
2 its responsibilities.

3 For school years after the 2000-2001 school year, the
4 Education Funding Advisory Board, in consultation with the
5 State Board of Education, shall make recommendations as
6 provided in this subsection (M) to the General Assembly for the
7 foundation level under subdivision (B)(3) of this Section and
8 for the supplemental general State aid grant level under
9 subsection (H) of this Section for districts with high
10 concentrations of children from poverty. The recommended
11 foundation level shall be determined based on a methodology
12 which incorporates the basic education expenditures of
13 low-spending schools exhibiting high academic performance. The
14 Education Funding Advisory Board shall make such
15 recommendations to the General Assembly on January 1 of odd
16 numbered years, beginning January 1, 2001.

17 (N) (Blank).

18 (O) References.

19 (1) References in other laws to the various subdivisions of
20 Section 18-8 as that Section existed before its repeal and
21 replacement by this Section 18-8.05 shall be deemed to refer to
22 the corresponding provisions of this Section 18-8.05, to the
23 extent that those references remain applicable.

24 (2) References in other laws to State Chapter 1 funds shall
25 be deemed to refer to the supplemental general State aid
26 provided under subsection (H) of this Section.

27 (Source: P.A. 92-16, eff. 6-28-01; 92-28, eff. 7-1-01; 92-29,
28 eff. 7-1-01; 92-269, eff. 8-7-01; 92-604, eff. 7-1-02; 92-636,
29 eff. 7-11-02; 92-651, eff. 7-11-02; 93-21, eff. 7-1-03.)

30 Section 40. The Criminal Code of 1961 is amended by
31 changing Section 17A-1 as follows:

1 (720 ILCS 5/17A-1) (from Ch. 38, par. 17A-1)

2 Sec. 17A-1. Persons under deportation order; ineligible
3 for benefits. An individual against whom a United States
4 Immigration Judge has issued an order of deportation which has
5 been affirmed by the Board of Immigration Review, as well as an
6 individual who appeals such an order pending appeal, under
7 paragraph 19 of Section 241(a) of the Immigration and
8 Nationality Act relating to persecution of others on account of
9 race, religion, national origin or political opinion under the
10 direction of or in association with the Nazi government of
11 Germany or its allies, shall be ineligible for the following
12 benefits authorized by State law:

13 (a) The homestead exemptions ~~exemption~~ and homestead
14 improvement exemption under Sections 15-170, 15-175, 15-176,
15 and 15-180 of the Property Tax Code.

16 (b) Grants under the Senior Citizens and Disabled Persons
17 Property Tax Relief and Pharmaceutical Assistance Act.

18 (c) The double income tax exemption conferred upon persons
19 65 years of age or older by Section 204 of the Illinois Income
20 Tax Act.

21 (d) Grants provided by the Department on Aging.

22 (e) Reductions in vehicle registration fees under Section
23 3-806.3 of the Illinois Vehicle Code.

24 (f) Free fishing and reduced fishing license fees under
25 Sections 20-5 and 20-40 of the Fish and Aquatic Life Code.

26 (g) Tuition free courses for senior citizens under the
27 Senior Citizen Courses Act.

28 (h) Any benefits under the Illinois Public Aid Code.

29 (Source: P.A. 87-895; 88-670, eff. 12-2-94.)

30 Section 90. The State Mandates Act is amended by adding
31 Section 8.28 as follows:

1 (30 ILCS 805/8.28 new)

2 Sec. 8.28. Exempt mandate. Notwithstanding Sections 6 and 8
3 of this Act, no reimbursement by the State is required for the
4 implementation of any mandate created by (i) the General
5 Homestead Exemption under Section 15-176 of the Property Tax
6 Code or (ii) the Senior Citizens Assessment Freeze Homestead
7 Exemption under Section 15-172 of the Property Tax Code.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.".