



Rep. Jim Sacia

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1 AMENDMENT TO SENATE BILL 1592

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1592 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing  
5 Section 18-185 as follows:

6 (35 ILCS 200/18-185)

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

10 "Consumer Price Index" means the Consumer Price Index for  
11 All Urban Consumers for all items published by the United  
12 States Department of Labor.

13 "Extension limitation" means (a) the lesser of 5% or the  
14 percentage increase in the Consumer Price Index during the  
15 12-month calendar year preceding the levy year or (b) the rate  
16 of increase approved by voters under Section 18-205.

17 "Affected county" means a county of 3,000,000 or more  
18 inhabitants or a county contiguous to a county of 3,000,000 or  
19 more inhabitants.

20 "Taxing district" has the same meaning provided in Section  
21 1-150, except as otherwise provided in this Section. For the  
22 1991 through 1994 levy years only, "taxing district" includes  
23 only each non-home rule taxing district having the majority of  
24 its 1990 equalized assessed value within any county or counties

1 contiguous to a county with 3,000,000 or more inhabitants.  
2 Beginning with the 1995 levy year, "taxing district" includes  
3 only each non-home rule taxing district subject to this Law  
4 before the 1995 levy year and each non-home rule taxing  
5 district not subject to this Law before the 1995 levy year  
6 having the majority of its 1994 equalized assessed value in an  
7 affected county or counties. Beginning with the levy year in  
8 which this Law becomes applicable to a taxing district as  
9 provided in Section 18-213, "taxing district" also includes  
10 those taxing districts made subject to this Law as provided in  
11 Section 18-213.

12 "Aggregate extension" for taxing districts to which this  
13 Law applied before the 1995 levy year means the annual  
14 corporate extension for the taxing district and those special  
15 purpose extensions that are made annually for the taxing  
16 district, excluding special purpose extensions: (a) made for  
17 the taxing district to pay interest or principal on general  
18 obligation bonds that were approved by referendum; (b) made for  
19 any taxing district to pay interest or principal on general  
20 obligation bonds issued before October 1, 1991; (c) made for  
21 any taxing district to pay interest or principal on bonds  
22 issued to refund or continue to refund those bonds issued  
23 before October 1, 1991; (d) made for any taxing district to pay  
24 interest or principal on bonds issued to refund or continue to  
25 refund bonds issued after October 1, 1991 that were approved by  
26 referendum; (e) made for any taxing district to pay interest or  
27 principal on revenue bonds issued before October 1, 1991 for  
28 payment of which a property tax levy or the full faith and  
29 credit of the unit of local government is pledged; however, a  
30 tax for the payment of interest or principal on those bonds  
31 shall be made only after the governing body of the unit of  
32 local government finds that all other sources for payment are  
33 insufficient to make those payments; (f) made for payments  
34 under a building commission lease when the lease payments are

1 for the retirement of bonds issued by the commission before  
2 October 1, 1991, to pay for the building project; (g) made for  
3 payments due under installment contracts entered into before  
4 October 1, 1991; (h) made for payments of principal and  
5 interest on bonds issued under the Metropolitan Water  
6 Reclamation District Act to finance construction projects  
7 initiated before October 1, 1991; (i) made for payments of  
8 principal and interest on limited bonds, as defined in Section  
9 3 of the Local Government Debt Reform Act, in an amount not to  
10 exceed the debt service extension base less the amount in items  
11 (b), (c), (e), and (h) of this definition for non-referendum  
12 obligations, except obligations initially issued pursuant to  
13 referendum; (j) made for payments of principal and interest on  
14 bonds issued under Section 15 of the Local Government Debt  
15 Reform Act; (k) made by a school district that participates in  
16 the Special Education District of Lake County, created by  
17 special education joint agreement under Section 10-22.31 of the  
18 School Code, for payment of the school district's share of the  
19 amounts required to be contributed by the Special Education  
20 District of Lake County to the Illinois Municipal Retirement  
21 Fund under Article 7 of the Illinois Pension Code; the amount  
22 of any extension under this item (k) shall be certified by the  
23 school district to the county clerk; and (l) made to fund  
24 expenses of providing joint recreational programs for the  
25 handicapped under Section 5-8 of the Park District Code or  
26 Section 11-95-14 of the Illinois Municipal Code.

27 "Aggregate extension" for the taxing districts to which  
28 this Law did not apply before the 1995 levy year (except taxing  
29 districts subject to this Law in accordance with Section  
30 18-213) means the annual corporate extension for the taxing  
31 district and those special purpose extensions that are made  
32 annually for the taxing district, excluding special purpose  
33 extensions: (a) made for the taxing district to pay interest or  
34 principal on general obligation bonds that were approved by

1 referendum; (b) made for any taxing district to pay interest or  
2 principal on general obligation bonds issued before March 1,  
3 1995; (c) made for any taxing district to pay interest or  
4 principal on bonds issued to refund or continue to refund those  
5 bonds issued before March 1, 1995; (d) made for any taxing  
6 district to pay interest or principal on bonds issued to refund  
7 or continue to refund bonds issued after March 1, 1995 that  
8 were approved by referendum; (e) made for any taxing district  
9 to pay interest or principal on revenue bonds issued before  
10 March 1, 1995 for payment of which a property tax levy or the  
11 full faith and credit of the unit of local government is  
12 pledged; however, a tax for the payment of interest or  
13 principal on those bonds shall be made only after the governing  
14 body of the unit of local government finds that all other  
15 sources for payment are insufficient to make those payments;  
16 (f) made for payments under a building commission lease when  
17 the lease payments are for the retirement of bonds issued by  
18 the commission before March 1, 1995 to pay for the building  
19 project; (g) made for payments due under installment contracts  
20 entered into before March 1, 1995; (h) made for payments of  
21 principal and interest on bonds issued under the Metropolitan  
22 Water Reclamation District Act to finance construction  
23 projects initiated before October 1, 1991; (i) made for  
24 payments of principal and interest on limited bonds, as defined  
25 in Section 3 of the Local Government Debt Reform Act, in an  
26 amount not to exceed the debt service extension base less the  
27 amount in items (b), (c), and (e) of this definition for  
28 non-referendum obligations, except obligations initially  
29 issued pursuant to referendum and bonds described in subsection  
30 (h) of this definition; (j) made for payments of principal and  
31 interest on bonds issued under Section 15 of the Local  
32 Government Debt Reform Act; (k) made for payments of principal  
33 and interest on bonds authorized by Public Act 88-503 and  
34 issued under Section 20a of the Chicago Park District Act for

1 aquarium or museum projects; (l) made for payments of principal  
2 and interest on bonds authorized by Public Act 87-1191 or  
3 93-601 ~~this amendatory Act of the 93rd General Assembly~~ and (i)  
4 issued pursuant to Section 21.2 of the Cook County Forest  
5 Preserve District Act, (ii) issued under Section 42 of the Cook  
6 County Forest Preserve District Act for zoological park  
7 projects, or (iii) issued under Section 44.1 of the Cook County  
8 Forest Preserve District Act for botanical gardens projects;  
9 (m) made pursuant to Section 34-53.5 of the School Code,  
10 whether levied annually or not; (n) made to fund expenses of  
11 providing joint recreational programs for the handicapped  
12 under Section 5-8 of the Park District Code or Section 11-95-14  
13 of the Illinois Municipal Code; and (o) made by the Chicago  
14 Park District for recreational programs for the handicapped  
15 under subsection (c) of Section 7.06 of the Chicago Park  
16 District Act.

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

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

1 providing joint recreational programs for the handicapped  
2 under Section 5-8 of the Park District Code or Section 11-95-14  
3 of the Illinois Municipal Code; and (1) made for payments of  
4 principal and interest on bonds issued before July 1, 2005 by  
5 any school district on the State Board of Education's Financial  
6 Warning List for the purpose of financing a retrofit program to  
7 replace steam pipes.

8 "Aggregate extension" for all taxing districts to which  
9 this Law applies in accordance with paragraph (2) of subsection  
10 (e) of Section 18-213 means the annual corporate extension for  
11 the taxing district and those special purpose extensions that  
12 are made annually for the taxing district, excluding special  
13 purpose extensions: (a) made for the taxing district to pay  
14 interest or principal on general obligation bonds that were  
15 approved by referendum; (b) made for any taxing district to pay  
16 interest or principal on general obligation bonds issued before  
17 the effective date of this amendatory Act of 1997; (c) made for  
18 any taxing district to pay interest or principal on bonds  
19 issued to refund or continue to refund those bonds issued  
20 before the effective date of this amendatory Act of 1997; (d)  
21 made for any taxing district to pay interest or principal on  
22 bonds issued to refund or continue to refund bonds issued after  
23 the effective date of this amendatory Act of 1997 if the bonds  
24 were approved by referendum after the effective date of this  
25 amendatory Act of 1997; (e) made for any taxing district to pay  
26 interest or principal on revenue bonds issued before the  
27 effective date of this amendatory Act of 1997 for payment of  
28 which a property tax levy or the full faith and credit of the  
29 unit of local government is pledged; however, a tax for the  
30 payment of interest or principal on those bonds shall be made  
31 only after the governing body of the unit of local government  
32 finds that all other sources for payment are insufficient to  
33 make those payments; (f) made for payments under a building  
34 commission lease when the lease payments are for the retirement

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

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



1 first subject to this Law in 1991 or 1995 and (ii) whose  
2 extension for the 1994 levy year for the payment of principal  
3 and interest on bonds issued by the park district without  
4 referendum (but not including excluded non-referendum bonds)  
5 was less than 51% of the amount for the 1991 levy year  
6 constituting an extension for payment of principal and interest  
7 on bonds issued by the park district without referendum (but  
8 not including excluded non-referendum bonds), "debt service  
9 extension base" means an amount equal to that portion of the  
10 extension for the 1991 levy year constituting an extension for  
11 payment of principal and interest on bonds issued by the park  
12 district without referendum (but not including excluded  
13 non-referendum bonds). The debt service extension base may be  
14 established or increased as provided under Section 18-212.  
15 "Excluded non-referendum bonds" means (i) bonds authorized by  
16 Public Act 88-503 and issued under Section 20a of the Chicago  
17 Park District Act for aquarium and museum projects; (ii) bonds  
18 issued under Section 15 of the Local Government Debt Reform  
19 Act; or (iii) refunding obligations issued to refund or to  
20 continue to refund obligations initially issued pursuant to  
21 referendum.

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

30 "Aggregate extension base" means the taxing district's  
31 last preceding aggregate extension as adjusted under Sections  
32 18-215 through 18-230.

33 "Levy year" has the same meaning as "year" under Section  
34 1-155.

1 "New property" means (i) the assessed value, after final  
2 board of review or board of appeals action, of new improvements  
3 or additions to existing improvements on any parcel of real  
4 property that increase the assessed value of that real property  
5 during the levy year multiplied by the equalization factor  
6 issued by the Department under Section 17-30, (ii) the assessed  
7 value, after final board of review or board of appeals action,  
8 of real property not exempt from real estate taxation, which  
9 real property was exempt from real estate taxation for any  
10 portion of the immediately preceding levy year, multiplied by  
11 the equalization factor issued by the Department under Section  
12 17-30, and (iii) in counties that classify in accordance with  
13 Section 4 of Article IX of the Illinois Constitution, an  
14 incentive property's additional assessed value resulting from  
15 a scheduled increase in the level of assessment as applied to  
16 the first year final board of review market value. In addition,  
17 the county clerk in a county containing a population of  
18 3,000,000 or more shall include in the 1997 recovered tax  
19 increment value for any school district, any recovered tax  
20 increment value that was applicable to the 1995 tax year  
21 calculations.

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

26 "Recovered tax increment value" means, except as otherwise  
27 provided in this paragraph, the amount of the current year's  
28 equalized assessed value, in the first year after a  
29 municipality terminates the designation of an area as a  
30 redevelopment project area previously established under the  
31 Tax Increment Allocation Development Act in the Illinois  
32 Municipal Code, previously established under the Industrial  
33 Jobs Recovery Law in the Illinois Municipal Code, or previously  
34 established under the Economic Development Area Tax Increment

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

31 Except as otherwise provided in this Section, "limiting  
32 rate" means a fraction the numerator of which is the last  
33 preceding aggregate extension base times an amount equal to one  
34 plus the extension limitation defined in this Section and the

1 denominator of which is the current year's equalized assessed  
2 value of all real property in the territory under the  
3 jurisdiction of the taxing district during the prior levy year.  
4 For those taxing districts that reduced their aggregate  
5 extension for the last preceding levy year, the highest  
6 aggregate extension in any of the last 3 preceding levy years  
7 shall be used for the purpose of computing the limiting rate.  
8 The denominator shall not include new property. The denominator  
9 shall not include the recovered tax increment value.

10 (Source: P.A. 92-547, eff. 6-13-02; 93-601, eff. 1-1-04;  
11 93-606, eff. 11-18-03; 93-612, eff. 11-18-03; revised  
12 12-10-03.)

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law."