



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4814

Introduced 01/18/06, by Rep. Charles E. Jefferson - Michelle Chavez

SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-170

Amends the Property Tax Code. Increases the maximum reduction for the Senior Citizens Homestead Exemption from \$3,000 to \$3,500 for taxable years 2006 and thereafter. Effective immediately.

LRB094 18304 BDD 53615 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Property Tax Code is amended by changing
5 Section 15-170 as follows:

6 (35 ILCS 200/15-170)

7 Sec. 15-170. Senior Citizens Homestead Exemption. An
8 annual homestead exemption limited, except as described here
9 with relation to cooperatives or life care facilities, to a
10 maximum reduction set forth below from the property's value, as
11 equalized or assessed by the Department, is granted for
12 property that is occupied as a residence by a person 65 years
13 of age or older who is liable for paying real estate taxes on
14 the property and is an owner of record of the property or has a
15 legal or equitable interest therein as evidenced by a written
16 instrument, except for a leasehold interest, other than a
17 leasehold interest of land on which a single family residence
18 is located, which is occupied as a residence by a person 65
19 years or older who has an ownership interest therein, legal,
20 equitable or as a lessee, and on which he or she is liable for
21 the payment of property taxes. Before taxable year 2004, the
22 maximum reduction shall be \$2,500 in counties with 3,000,000 or
23 more inhabitants and \$2,000 in all other counties. For taxable
24 years 2004 through 2005 ~~and thereafter~~, the maximum reduction
25 shall be \$3,000 in all counties. For taxable years 2006 and
26 thereafter, the maximum reduction shall be \$3,500 in all
27 counties.

28 For land improved with an apartment building owned and
29 operated as a cooperative, the maximum reduction from the value
30 of the property, as equalized by the Department, shall be
31 multiplied by the number of apartments or units occupied by a
32 person 65 years of age or older who is liable, by contract with

1 the owner or owners of record, for paying property taxes on the
2 property and is an owner of record of a legal or equitable
3 interest in the cooperative apartment building, other than a
4 leasehold interest. For land improved with a life care
5 facility, the maximum reduction from the value of the property,
6 as equalized by the Department, shall be multiplied by the
7 number of apartments or units occupied by persons 65 years of
8 age or older, irrespective of any legal, equitable, or
9 leasehold interest in the facility, who are liable, under a
10 contract with the owner or owners of record of the facility,
11 for paying property taxes on the property. In a cooperative or
12 a life care facility where a homestead exemption has been
13 granted, the cooperative association or the management firm of
14 the cooperative or facility shall credit the savings resulting
15 from that exemption only to the apportioned tax liability of
16 the owner or resident who qualified for the exemption. Any
17 person who willfully refuses to so credit the savings shall be
18 guilty of a Class B misdemeanor. Under this Section and
19 Sections 15-175 and 15-176, "life care facility" means a
20 facility as defined in Section 2 of the Life Care Facilities
21 Act, with which the applicant for the homestead exemption has a
22 life care contract as defined in that Act.

23 When a homestead exemption has been granted under this
24 Section and the person qualifying subsequently becomes a
25 resident of a facility licensed under the Nursing Home Care
26 Act, the exemption shall continue so long as the residence
27 continues to be occupied by the qualifying person's spouse if
28 the spouse is 65 years of age or older, or if the residence
29 remains unoccupied but is still owned by the person qualified
30 for the homestead exemption.

31 A person who will be 65 years of age during the current
32 assessment year shall be eligible to apply for the homestead
33 exemption during that assessment year. Application shall be
34 made during the application period in effect for the county of
35 his residence.

36 Beginning with assessment year 2003, for taxes payable in

1 2004, property that is first occupied as a residence after
2 January 1 of any assessment year by a person who is eligible
3 for the senior citizens homestead exemption under this Section
4 must be granted a pro-rata exemption for the assessment year.
5 The amount of the pro-rata exemption is the exemption allowed
6 in the county under this Section divided by 365 and multiplied
7 by the number of days during the assessment year the property
8 is occupied as a residence by a person eligible for the
9 exemption under this Section. The chief county assessment
10 officer must adopt reasonable procedures to establish
11 eligibility for this pro-rata exemption.

12 The assessor or chief county assessment officer may
13 determine the eligibility of a life care facility to receive
14 the benefits provided by this Section, by affidavit,
15 application, visual inspection, questionnaire or other
16 reasonable methods in order to insure that the tax savings
17 resulting from the exemption are credited by the management
18 firm to the apportioned tax liability of each qualifying
19 resident. The assessor may request reasonable proof that the
20 management firm has so credited the exemption.

21 The chief county assessment officer of each county with
22 less than 3,000,000 inhabitants shall provide to each person
23 allowed a homestead exemption under this Section a form to
24 designate any other person to receive a duplicate of any notice
25 of delinquency in the payment of taxes assessed and levied
26 under this Code on the property of the person receiving the
27 exemption. The duplicate notice shall be in addition to the
28 notice required to be provided to the person receiving the
29 exemption, and shall be given in the manner required by this
30 Code. The person filing the request for the duplicate notice
31 shall pay a fee of \$5 to cover administrative costs to the
32 supervisor of assessments, who shall then file the executed
33 designation with the county collector. Notwithstanding any
34 other provision of this Code to the contrary, the filing of
35 such an executed designation requires the county collector to
36 provide duplicate notices as indicated by the designation. A

1 designation may be rescinded by the person who executed such
2 designation at any time, in the manner and form required by the
3 chief county assessment officer.

4 The assessor or chief county assessment officer may
5 determine the eligibility of residential property to receive
6 the homestead exemption provided by this Section by
7 application, visual inspection, questionnaire or other
8 reasonable methods. The determination shall be made in
9 accordance with guidelines established by the Department.

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

14 In counties with less than 3,000,000 inhabitants, if the
15 assessor or chief county assessment officer requires annual
16 application for verification of eligibility for an exemption
17 once granted under this Section, the application shall be
18 mailed to the taxpayer.

19 The assessor or chief county assessment officer shall
20 notify each person who qualifies for an exemption under this
21 Section that the person may also qualify for deferral of real
22 estate taxes under the Senior Citizens Real Estate Tax Deferral
23 Act. The notice shall set forth the qualifications needed for
24 deferral of real estate taxes, the address and telephone number
25 of county collector, and a statement that applications for
26 deferral of real estate taxes may be obtained from the county
27 collector.

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

31 (Source: P.A. 92-196, eff. 1-1-02; 93-511, eff. 8-11-03;
32 93-715, eff. 7-12-04.)

33 Section 99. Effective date. This Act takes effect upon
34 becoming law.