

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing  
5 Sections 10-245 and 15-143 and by adding Division 15 to Article  
6 10 as follows:

7 (35 ILCS 200/10-245)

8 Sec. 10-245. Method of valuation of low-income housing  
9 projects. Notwithstanding Section 1-55 and except in counties  
10 with a population of more than 200,000 that classify property  
11 for the purposes of taxation, to determine 33 and one-third  
12 percent of the fair cash value of any low-income housing  
13 project developed under the Section 515 program or that  
14 qualifies for the low-income housing tax credit under Section  
15 42 of the Internal Revenue Code, in assessing the project,  
16 local assessment officers must consider the actual or probable  
17 net operating income attributable to the property project,  
18 using a vacancy rate of not more than 5%, capitalized at normal  
19 market rates. The interest rate to be used in developing the  
20 normal market value capitalization rate shall be one that  
21 reflects the prevailing cost of cash for other types of  
22 commercial real estate in the geographic market in which the  
23 low-income housing project is located.

24 (Source: P.A. 93-533, eff. 1-1-04; 93-755, eff. 7-16-04.)

25 (35 ILCS 200/Art. 10 Div. 15 heading new)

26 DIVISION 15. SUPPORTIVE LIVING FACILITIES

27 (35 ILCS 200/10-390 new)

28 Sec. 10-390. Valuation of supportive living facilities.

29 (a) Notwithstanding Section 1-55, to determine the fair  
30 cash value of any supportive living facility established under

1 Section 5-5.01a of the Illinois Public Aid Code, in assessing  
2 the facility, a local assessment officer must use the income  
3 capitalization approach.

4 (b) When assessing supportive living facilities, the local  
5 assessment officer may not consider:

6 (1) payments from Medicaid for services provided to  
7 residents of supportive living facilities when such  
8 payments constitute income that is attributable to  
9 services and not attributable to the real estate; or

10 (2) payments by a resident of a supportive living  
11 facility for services that would be paid by Medicaid if the  
12 resident were Medicaid-eligible, when such payments  
13 constitute income that is attributable to services and not  
14 attributable to real estate.

15 (35 ILCS 200/15-143)

16 Sec. 15-143. Metropolitan Water Reclamation Districts in  
17 counties with a population greater than 3,000,000.

18 (a) All property that is located in a county with a  
19 population greater than 3,000,000 and that is owned by a  
20 metropolitan water reclamation district in a county with a  
21 population greater than 3,000,000 is exempt. Any such property  
22 leased to an entity that is not exempt shall remain exempt, and  
23 the leasehold interest of the lessee shall be assessed under  
24 Section 9-195 of this Code. The changes made by this amendatory  
25 Act of the 93rd General Assembly are declaratory of existing  
26 law.

27 (b) Property that is owned by a metropolitan water  
28 reclamation district in a county with a population greater than  
29 3,000,000 is exempt, and the leasehold interest is exempt, if  
30 the property is:

31 (1) located in Will County; and

32 (2) leased to the Will County Forest Preserve District  
33 for a de minimis amount for use for public purposes.

34 (Source: P.A. 93-767, eff. 7-20-04.)

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.