

SB0077



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0077

Introduced 1/31/2007, by Sen. Susan Garrett

SYNOPSIS AS INTRODUCED:

35 ILCS 200/21-27

Amends the Property Tax Code. Sets forth criteria under which a county board may adopt a resolution to waive an interest penalty for the delinquent payment of taxes with respect to property that qualifies as a brownfield site under federal law.

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FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

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 21-27 as follows:

6 (35 ILCS 200/21-27)

7 Sec. 21-27. Waiver of interest penalty.

8 (a) On the recommendation of the county treasurer, the
9 county board may adopt a resolution under which an interest
10 penalty for the delinquent payment of taxes for any year that
11 otherwise would be imposed under Section 21-15, 21-20, or 21-25
12 shall be waived in the case of any person who meets all of the
13 following criteria:

14 (1) The person is determined eligible for a grant under
15 the Senior Citizens and Disabled Persons Property Tax
16 Relief and Pharmaceutical Assistance Act with respect to
17 the taxes for that year.

18 (2) The person requests, in writing, on a form approved
19 by the county treasurer, a waiver of the interest penalty,
20 and the request is filed with the county treasurer on or
21 before the first day of the month that an installment of
22 taxes is due.

23 (3) The person pays the installment of taxes due, in

1 full, on or before the third day of the month that the
2 installment is due.

3 (4) The county treasurer approves the request for a
4 waiver.

5 (b) With respect to property that qualifies as a brownfield
6 site under 42 U.S.C. 9601(39), the county board, upon the
7 recommendation of the county treasurer, may adopt a resolution
8 to waive an interest penalty for the delinquent payment of
9 taxes for any year that otherwise would be imposed under
10 Section 21-15, 21-20, or 21-25 if all of the following criteria
11 are met:

12 (1) the property has delinquent taxes and an
13 outstanding interest penalty and the amount of that
14 interest penalty is so large as to, possibly, result in all
15 of the taxes becoming uncollectible;

16 (2) the property is part of a redevelopment plan of a
17 unit of local government and that unit of local government
18 does not oppose the waiver of the interest penalty;

19 (3) the redevelopment of the property will benefit the
20 public interest by eliminating the brownfield
21 contamination;

22 (4) the taxpayer delivers to the county treasurer (i) a
23 written request for a waiver of the interest penalty, on a
24 form approved by the county treasurer, and (ii) a copy of
25 the redevelopment plan for the property;

26 (5) the taxpayer pays, in full, the amount of up to the

1 amount of the first 2 installments of taxes due, to be held
2 in escrow pending the approval of the waiver, and enters
3 into an agreement with the county treasurer setting forth a
4 schedule for the payment of any remaining taxes due; and
5 (6) the county treasurer approves the request for a
6 waiver.

7 (Source: Incorporates P.A. 88-221; 88-670, eff. 12-2-94)