

1 AN ACT regarding disabled persons.

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

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

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

7 Sec. 6. Filing with county clerk; certification of initial
8 equalized assessed value.

9 (a) The municipality shall file a certified copy of any
10 ordinance authorizing tax increment allocation financing for
11 an economic development project area with the county clerk, and
12 the county clerk shall immediately thereafter determine (1) the
13 most recently ascertained equalized assessed value of each lot,
14 block, tract or parcel of real property within the economic
15 development project area from which shall be deducted the
16 homestead exemptions provided by Sections 15-167, 15-170,
17 15-175, and 15-176 of the Property Tax Code, which value shall
18 be the "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 the economic development project
21 area by adding together the most recently ascertained equalized
22 assessed value of each taxable lot, block, tract, or parcel of
23 real property within such economic development project area,

1 from which shall be deducted the homestead exemptions provided
2 by Sections 15-167, 15-170, 15-175, and 15-176 of the Property
3 Tax Code, and shall certify such amount as the "total initial
4 equalized assessed value" of the taxable real property within
5 the economic development project area.

6 (b) After the county clerk has certified the "total initial
7 equalized assessed value" of the taxable real property in the
8 economic development project area, then in respect to every
9 taxing district containing an economic development project
10 area, the county clerk or any other official required by law to
11 ascertain the amount of the equalized assessed value of all
12 taxable property within that taxing district for the purpose of
13 computing the rate per cent of tax to be extended upon taxable
14 property within that taxing district, shall in every year that
15 tax increment allocation financing is in effect ascertain the
16 amount of value of taxable property in an economic development
17 project area by including in that amount the lower of the
18 current equalized assessed value or the certified "total
19 initial equalized assessed value" of all taxable real property
20 in such area. The rate per cent of tax determined shall be
21 extended to the current equalized assessed value of all
22 property in the economic development project area in the same
23 manner as the rate per cent of tax is extended to all other
24 taxable property in the taxing district. The method of
25 allocating taxes established under this Section shall
26 terminate when the municipality adopts an ordinance dissolving

1 the special tax allocation fund for the economic development
2 project area, terminating the economic development project
3 area, and terminating the use of tax increment allocation
4 financing for the economic development project area. This Act
5 shall not be construed as relieving property owners within an
6 economic development project area from paying a uniform rate of
7 taxes upon the current equalized assessed value of their
8 taxable property as provided in the Property Tax Code.

9 (Source: P.A. 93-715, eff. 7-12-04.)

10 Section 10. The Property Tax Code is amended by changing
11 Sections 15-10, 20-178, and 21-135 and adding Section 15-167 as
12 follows:

13 (35 ILCS 200/15-10)

14 Sec. 15-10. Exempt property; procedures for certification.
15 All property granted an exemption by the Department pursuant to
16 the requirements of Section 15-5 and described in the Sections
17 following Section 15-30 and preceding Section 16-5, to the
18 extent therein limited, is exempt from taxation. In order to
19 maintain that exempt status, the titleholder or the owner of
20 the beneficial interest of any property that is exempt must
21 file with the chief county assessment officer, on or before
22 January 31 of each year (May 31 in the case of property
23 exempted by Section 15-167 or 15-170), an affidavit stating
24 whether there has been any change in the ownership or use of

1 the property or the status of the owner-resident, or that a
2 disabled veteran who qualifies under Section 15-165 owned and
3 used the property as of January 1 of that year. The nature of
4 any change shall be stated in the affidavit. Failure to file an
5 affidavit shall, in the discretion of the assessment officer,
6 constitute cause to terminate the exemption of that property,
7 notwithstanding any other provision of this Code. Owners of 5
8 or more such exempt parcels within a county may file a single
9 annual affidavit in lieu of an affidavit for each parcel. The
10 assessment officer, upon request, shall furnish an affidavit
11 form to the owners, in which the owner may state whether there
12 has been any change in the ownership or use of the property or
13 status of the owner or resident as of January 1 of that year.
14 The owner of 5 or more exempt parcels shall list all the
15 properties giving the same information for each parcel as
16 required of owners who file individual affidavits.

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

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

23 (2) Section 15-40.

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

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

1 An application for homestead exemptions shall be filed as
2 provided in Section 15-167 (disabled persons homestead
3 exemption), Section 15-170 (senior citizens homestead
4 exemption), Section 15-172 (senior citizens assessment freeze
5 homestead exemption), and Sections 15-175 and 15-176 (general
6 homestead exemption), respectively.

7 (Source: P.A. 92-333, eff. 8-10-01; 92-729, eff. 7-25-02;
8 93-715, eff. 7-12-04.)

9 (35 ILCS 200/15-167 new)

10 Sec. 15-167. Disabled persons homestead exemption.

11 (a) Beginning with the assessment for the 2007 tax year, an
12 annual homestead exemption is granted to disabled persons in
13 the amount of \$3,500, except as provided in subsection (c), to
14 be deducted from the property's value as equalized or assessed
15 by the Department of Revenue. The disabled person shall receive
16 the homestead exemption upon meeting the following
17 requirements:

18 (1) The property must be occupied as a residence by the
19 disabled person.

20 (2) The disabled person must be liable for paying the
21 real estate taxes on the property.

22 (3) The disabled person must be an owner of record of
23 the property or have a legal or equitable interest in the
24 property as evidenced by a written instrument. In the case
25 of a leasehold interest in property, the lease must be for

1 a single family residence.

2 A person who is disabled during the current assessment year
3 is eligible to apply for this homestead exemption during that
4 assessment year. Application must be made during the
5 application period in effect for the county of residence. If a
6 homestead exemption has been granted under this Section and the
7 person awarded the exemption subsequently becomes a resident of
8 a facility licensed under the Nursing Home Care Act, then the
9 exemption shall continue (i) so long as the residence continues
10 to be occupied by the qualifying person's spouse or (ii) if the
11 residence remains unoccupied but is still owned by the person
12 qualified for the homestead exemption.

13 (b) For the purposes of this Section, "disabled person"
14 means a person unable to engage in any substantial gainful
15 activity by reason of a medically determinable physical or
16 mental impairment that (i) can be expected to result in death
17 or (ii) has lasted or can be expected to last for a continuous
18 period of not less than 12 months. Disabled persons applying
19 for the exemption under this Section must submit proof of the
20 disability in the manner prescribed by the chief county
21 assessment officer. Proof that an applicant is eligible to
22 receive disability benefits under the federal Social Security
23 Act constitutes proof of disability for purposes of this
24 Section. Issuance of an Illinois Disabled Person
25 Identification Card to the applicant stating that the possessor
26 is under a Class 2 disability, as defined in Section 4A of the

1 Illinois Identification Card Act, constitutes proof that the
2 person is a disabled person for purposes of this Section.

3 (c) For land improved with (i) an apartment building owned
4 and operated as a cooperative or (ii) a life care facility as
5 defined under Section 2 of the Life Care Facilities Act that is
6 considered to be a cooperative, the maximum reduction from the
7 value of the property, as equalized or assessed by the
8 Department, shall be multiplied by the number of apartments or
9 units occupied by a disabled person. The disabled person shall
10 receive the homestead exemption upon meeting the following
11 requirements:

12 (1) The property must be occupied as a residence by the
13 disabled person.

14 (2) The disabled person must be liable by contract with
15 the owner or owners of record for paying the apportioned
16 property taxes on the property of the cooperative or life
17 care facility. In the case of a life care facility, the
18 disabled person must be liable for paying the apportioned
19 property taxes under a life care contract as defined in
20 Section 2 of the Life Care Facilities Act.

21 (3) The disabled person must be an owner of record of a
22 legal or equitable interest in the cooperative apartment
23 building. A leasehold interest does not meet this
24 requirement.

25 If a homestead exemption is granted under this subsection, the
26 cooperative association or management firm shall credit the

1 savings resulting from the exemption to the apportioned tax
2 liability of the qualifying disabled person. The chief county
3 assessment officer may request reasonable proof that the
4 association or firm has properly credited the exemption. A
5 person who willfully refuses to credit an exemption to the
6 qualified disabled person is guilty of a Class B misdemeanor.

7 (d) The chief county assessment officer shall determine the
8 eligibility of property to receive the homestead exemption
9 according to guidelines established by the Department. After a
10 person has received an exemption under this Section, an annual
11 verification of eligibility for the exemption shall be mailed
12 to the taxpayer.

13 The chief county assessment officer in a county with fewer
14 than 3,000,000 inhabitants shall provide to each person granted
15 a homestead exemption under this Section a form to designate
16 any other person to receive a duplicate of any notice of
17 delinquency in the payment of taxes assessed and levied under
18 this Code on the person's qualifying property. The duplicate
19 notice shall be in addition to the notice required to be
20 provided to the person receiving the exemption and shall be
21 given in the manner required by this Code. The person filing
22 the request for the duplicate notice shall pay an
23 administrative fee of \$5 to the chief county assessment
24 officer. The assessment officer shall then file the executed
25 designation with the county collector, who shall issue the
26 duplicate notices as indicated by the designation. A

1 designation may be rescinded by the disabled person in the
2 manner required by the chief county assessment officer.

3 (35 ILCS 200/20-178)

4 Sec. 20-178. Certificate of error; refund; interest. When
5 the county collector makes any refunds due on certificates of
6 error issued under Sections 14-15 through 14-25 that have been
7 either certified or adjudicated, the county collector shall pay
8 the taxpayer interest on the amount of the refund at the rate
9 of 0.5% per month.

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

25 This Section shall not apply to any certificate of error

1 granting a homestead exemption under Section 15-167, 15-170,
2 15-172, 15-175, or 15-176.

3 (Source: P.A. 93-715, eff. 7-12-04.)

4 (35 ILCS 200/21-135)

5 Sec. 21-135. Mailed notice of application for judgment and
6 sale. Not less than 15 days before the date of application for
7 judgment and sale of delinquent properties, the county
8 collector shall mail, by registered or certified mail, a notice
9 of the forthcoming application for judgment and sale to the
10 person shown by the current collector's warrant book to be the
11 party in whose name the taxes were last assessed or to the
12 current owner of record and, if applicable, to the party
13 specified under Section 15-167 or 15-170. The notice shall
14 include the intended dates of application for judgment and sale
15 and commencement of the sale, and a description of the
16 properties. The county collector must present proof of the
17 mailing to the court along with the application for judgement.

18 In counties with less than 3,000,000 inhabitants, a copy of
19 this notice shall also be mailed by the county collector by
20 registered or certified mail to any lienholder of record who
21 annually requests a copy of the notice. The failure of the
22 county collector to mail a notice or its non-delivery to the
23 lienholder shall not affect the validity of the judgment.

24 In counties with 3,000,000 or more inhabitants, notice
25 shall not be mailed to any person when, under Section 14-15, a

1 certificate of error has been executed by the county assessor
2 or by both the county assessor and board of appeals (until the
3 first Monday in December 1998 and the board of review beginning
4 the first Monday in December 1998 and thereafter), except as
5 provided by court order under Section 21-120.

6 The collector shall collect \$10 from the proceeds of each
7 sale to cover the costs of registered or certified mailing and
8 the costs of advertisement and publication. If a taxpayer pays
9 the taxes on the property after the notice of the forthcoming
10 application for judgment and sale is mailed but before the sale
11 is made, then the collector shall collect \$10 from the taxpayer
12 to cover the costs of registered or certified mailing and the
13 costs of advertisement and publication.

14 (Source: P.A. 93-899, eff. 8-10-04.)

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

18 (55 ILCS 85/6) (from Ch. 34, par. 7006)

19 Sec. 6. Filing with county clerk; certification of initial
20 equalized assessed value.

21 (a) The county shall file a certified copy of any ordinance
22 authorizing property tax allocation financing for an economic
23 development project area with the county clerk, and the county
24 clerk shall immediately thereafter determine (1) the most

1 recently ascertained equalized assessed value of each lot,
2 block, tract or parcel of real property within the economic
3 development project area from which shall be deducted the
4 homestead exemptions provided by Sections 15-167, 15-170,
5 15-175, and 15-176 of the Property Tax Code, which value shall
6 be the "initial equalized assessed value" of each such piece of
7 property, and (2) the total equalized assessed value of all
8 taxable real property within the economic development project
9 area by adding together the most recently ascertained equalized
10 assessed value of each taxable lot, block, tract, or parcel of
11 real property within such economic development project area,
12 from which shall be deducted the homestead exemptions provided
13 by Sections 15-167, 15-170, 15-175, and 15-176 of the Property
14 Tax Code. Upon receiving written notice from the Department of
15 its approval and certification of such economic development
16 project area, the county clerk shall immediately certify such
17 amount as the "total initial equalized assessed value" of the
18 taxable property within the economic development project area.

19 (b) After the county clerk has certified the "total initial
20 equalized assessed value" of the taxable real property in the
21 economic development project area, then in respect to every
22 taxing district containing an economic development project
23 area, the county clerk or any other official required by law to
24 ascertain the amount of the equalized assessed value of all
25 taxable property within that taxing district for the purpose of
26 computing the rate percent of tax to be extended upon taxable

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

20 (Source: P.A. 93-715, eff. 7-12-04.)

21 Section 20. The County Economic Development Project Area
22 Tax Increment Allocation Act of 1991 is amended by changing
23 Section 45 as follows:

24 (55 ILCS 90/45) (from Ch. 34, par. 8045)

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

3 (a) A county that has by ordinance approved an economic
4 development plan, established an economic development project
5 area, and adopted tax increment allocation financing for that
6 area shall file certified copies of the ordinance or ordinances
7 with the county clerk. Upon receiving the ordinance or
8 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 15-167, 15-170,
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 15-167, 15-170, 15-175, and 15-176 of the Property
22 Tax 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

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

25 (Source: P.A. 93-715, eff. 7-12-04.)

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,

1 block, tract or parcel of real property which is attributable
2 to the lower of the current equalized assessed value or the
3 initial equalized assessed value of each such taxable lot,
4 block, tract or parcel of real property in the redevelopment
5 project area shall be allocated to and when collected shall be
6 paid by the county collector to the respective affected taxing
7 districts in the manner required by law in the absence of the
8 adoption of tax increment allocation financing.

9 (b) Except from a tax levied by a township to retire bonds
10 issued to satisfy court-ordered damages, that portion, if any,
11 of such taxes which is attributable to the increase in the
12 current equalized assessed valuation of each taxable lot,
13 block, tract or parcel of real property in the redevelopment
14 project area over and above the initial equalized assessed
15 value of each property in the project area shall be allocated
16 to and when collected shall be paid to the municipal treasurer
17 who shall deposit said taxes into a special fund called the
18 special tax allocation fund of the municipality for the purpose
19 of paying redevelopment project costs and obligations incurred
20 in the payment thereof. In any county with a population of
21 3,000,000 or more that has adopted a procedure for collecting
22 taxes that provides for one or more of the installments of the
23 taxes to be billed and collected on an estimated basis, the
24 municipal treasurer shall be paid for deposit in the special
25 tax allocation fund of the municipality, from the taxes
26 collected from estimated bills issued for property in the

1 redevelopment project area, the difference between the amount
2 actually collected from each taxable lot, block, tract, or
3 parcel of real property within the redevelopment project area
4 and an amount determined by multiplying the rate at which taxes
5 were last extended against the taxable lot, block, track, or
6 parcel of real property in the manner provided in subsection
7 (c) of Section 11-74.4-9 by the initial equalized assessed
8 value of the property divided by the number of installments in
9 which real estate taxes are billed and collected within the
10 county; provided that the payments on or before December 31,
11 1999 to a municipal treasurer shall be made only if each of the
12 following conditions are met:

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

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

20 (3) The municipal clerk has certified to the county
21 clerk that the municipality has issued its obligations to
22 which there has been pledged the incremental property taxes
23 of the redevelopment project area or taxes levied and
24 collected on any or all property in the municipality or the
25 full faith and credit of the municipality to pay or secure
26 payment for all or a portion of the redevelopment project

1 costs. The certification shall be filed annually no later
2 than September 1 for the estimated taxes to be distributed
3 in the following year; however, for the year 1992 the
4 certification shall be made at any time on or before March
5 31, 1992.

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

10 The conditions of paragraphs (1) through (4) do not apply
11 after December 31, 1999 to payments to a municipal treasurer
12 made by a county with 3,000,000 or more inhabitants that has
13 adopted an estimated billing procedure for collecting taxes. If
14 a county that has adopted the estimated billing procedure makes
15 an erroneous overpayment of tax revenue to the municipal
16 treasurer, then the county may seek a refund of that
17 overpayment. The county shall send the municipal treasurer a
18 notice of liability for the overpayment on or before the
19 mailing date of the next real estate tax bill within the
20 county. The refund shall be limited to the amount of the
21 overpayment.

22 It is the intent of this Division that after the effective
23 date of this amendatory Act of 1988 a municipality's own ad
24 valorem tax arising from levies on taxable real property be
25 included in the determination of incremental revenue in the
26 manner provided in paragraph (c) of Section 11-74.4-9. If the

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

19 If a municipality has adopted tax increment allocation
20 financing by ordinance and the County Clerk thereafter
21 certifies the "total initial equalized assessed value as
22 adjusted" of the taxable real property within such
23 redevelopment project area in the manner provided in paragraph
24 (b) of Section 11-74.4-9, each year after the date of the
25 certification of the total initial equalized assessed value as
26 adjusted until redevelopment project costs and all municipal

1 obligations financing redevelopment project costs have been
2 paid the ad valorem taxes, if any, arising from the levies upon
3 the taxable real property in such redevelopment project area by
4 taxing districts and tax rates determined in the manner
5 provided in paragraph (c) of Section 11-74.4-9 shall be divided
6 as follows:

7 (1) That portion of the taxes levied upon each taxable
8 lot, block, tract or parcel of real property which is
9 attributable to the lower of the current equalized assessed
10 value or "current equalized assessed value as adjusted" or
11 the initial equalized assessed value of each such taxable
12 lot, block, tract, or parcel of real property existing at
13 the time tax increment financing was adopted, minus the
14 total current homestead exemptions provided by Sections
15 15-167, 15-170, 15-175, and 15-176 of the Property Tax Code
16 in the redevelopment project area shall be allocated to and
17 when collected shall be paid by the county collector to the
18 respective affected taxing districts in the manner
19 required by law in the absence of the adoption of tax
20 increment allocation financing.

21 (2) That portion, if any, of such taxes which is
22 attributable to the increase in the current equalized
23 assessed valuation of each taxable lot, block, tract, or
24 parcel of real property in the redevelopment project area,
25 over and above the initial equalized assessed value of each
26 property existing at the time tax increment financing was

1 adopted, minus the total current homestead exemptions
2 pertaining to each piece of property provided by Sections
3 15-167, 15-170, 15-175, and 15-176 of the Property Tax Code
4 in the redevelopment project area, shall be allocated to
5 and when collected shall be paid to the municipal
6 Treasurer, who shall deposit said taxes into a special fund
7 called the special tax allocation fund of the municipality
8 for the purpose of paying redevelopment project costs and
9 obligations incurred in the payment thereof.

10 The municipality may pledge in the ordinance the funds in
11 and to be deposited in the special tax allocation fund for the
12 payment of such costs and obligations. No part of the current
13 equalized assessed valuation of each property in the
14 redevelopment project area attributable to any increase above
15 the total initial equalized assessed value, or the total
16 initial equalized assessed value as adjusted, of such
17 properties shall be used in calculating the general State
18 school aid formula, provided for in Section 18-8 of the School
19 Code, until such time as all redevelopment project costs have
20 been paid as provided for in this Section.

21 Whenever a municipality issues bonds for the purpose of
22 financing redevelopment project costs, such municipality may
23 provide by ordinance for the appointment of a trustee, which
24 may be any trust company within the State, and for the
25 establishment of such funds or accounts to be maintained by
26 such trustee as the municipality shall deem necessary to

1 provide for the security and payment of the bonds. If such
2 municipality provides for the appointment of a trustee, such
3 trustee shall be considered the assignee of any payments
4 assigned by the municipality pursuant to such ordinance and
5 this Section. Any amounts paid to such trustee as assignee
6 shall be deposited in the funds or accounts established
7 pursuant to such trust agreement, and shall be held by such
8 trustee in trust for the benefit of the holders of the bonds,
9 and such holders shall have a lien on and a security interest
10 in such funds or accounts so long as the bonds remain
11 outstanding and unpaid. Upon retirement of the bonds, the
12 trustee shall pay over any excess amounts held to the
13 municipality for deposit in the special tax allocation fund.

14 When such redevelopment projects costs, including without
15 limitation all municipal obligations financing redevelopment
16 project costs incurred under this Division, have been paid, all
17 surplus funds then remaining in the special tax allocation fund
18 shall be distributed by being paid by the municipal treasurer
19 to the Department of Revenue, the municipality and the county
20 collector; first to the Department of Revenue and the
21 municipality in direct proportion to the tax incremental
22 revenue received from the State and the municipality, but not
23 to exceed the total incremental revenue received from the State
24 or the municipality less any annual surplus distribution of
25 incremental revenue previously made; with any remaining funds
26 to be paid to the County Collector who shall immediately

1 thereafter pay said funds to the taxing districts in the
2 redevelopment project area in the same manner and proportion as
3 the most recent distribution by the county collector to the
4 affected districts of real property taxes from real property in
5 the redevelopment project area.

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

1 and taxes levied, collected and distributed in the manner
2 applicable in the absence of the adoption of tax increment
3 allocation financing.

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

10 (Source: P.A. 92-16, eff. 6-28-01; 93-298, eff. 7-23-03;
11 93-715, eff. 7-12-04.)

12 (65 ILCS 5/11-74.4-9) (from Ch. 24, par. 11-74.4-9)

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

14 (a) If a municipality by ordinance provides for tax
15 increment allocation financing pursuant to Section 11-74.4-8,
16 the county clerk immediately thereafter shall determine (1) the
17 most recently ascertained equalized assessed value of each lot,
18 block, tract or parcel of real property within such
19 redevelopment project area from which shall be deducted the
20 homestead exemptions provided by Sections 15-167, 15-170,
21 15-175, and 15-176 of the Property Tax Code, which value shall
22 be the "initial equalized assessed value" of each such piece of
23 property, and (2) the total equalized assessed value of all
24 taxable real property within such redevelopment project area by
25 adding together the most recently ascertained equalized

1 assessed value of each taxable lot, block, tract, or parcel of
2 real property within such project area, from which shall be
3 deducted the homestead exemptions provided by Sections 15-167,
4 15-170, 15-175, and 15-176 of the Property Tax Code, and shall
5 certify such amount as the "total initial equalized assessed
6 value" of the taxable real property within such project area.

7 (b) In reference to any municipality which has adopted tax
8 increment financing after January 1, 1978, and in respect to
9 which the county clerk has certified the "total initial
10 equalized assessed value" of the property in the redevelopment
11 area, the municipality may thereafter request the clerk in
12 writing to adjust the initial equalized value of all taxable
13 real property within the redevelopment project area by
14 deducting therefrom the exemptions provided for by Sections
15 15-167, 15-170, 15-175, and 15-176 of the Property Tax Code
16 applicable to each lot, block, tract or parcel of real property
17 within such redevelopment project area. The county clerk shall
18 immediately after the written request to adjust the total
19 initial equalized value is received determine the total
20 homestead exemptions in the redevelopment project area
21 provided by Sections 15-167, 15-170, 15-175, and 15-176 of the
22 Property Tax Code by adding together the homestead exemptions
23 provided by said Sections on each lot, block, tract or parcel
24 of real property within such redevelopment project area and
25 then shall deduct the total of said exemptions from the total
26 initial equalized assessed value. The county clerk shall then

1 promptly certify such amount as the "total initial equalized
2 assessed value as adjusted" of the taxable real property within
3 such redevelopment project area.

4 (c) After the county clerk has certified the "total initial
5 equalized assessed value" of the taxable real property in such
6 area, then in respect to every taxing district containing a
7 redevelopment project area, the county clerk or any other
8 official required by law to ascertain the amount of the
9 equalized assessed value of all taxable property within such
10 district for the purpose of computing the rate per cent of tax
11 to be extended upon taxable property within such district,
12 shall in every year that tax increment allocation financing is
13 in effect ascertain the amount of value of taxable property in
14 a redevelopment project area by including in such amount the
15 lower of the current equalized assessed value or the certified
16 "total initial equalized assessed value" of all taxable real
17 property in such area, except that after he has certified the
18 "total initial equalized assessed value as adjusted" he shall
19 in the year of said certification if tax rates have not been
20 extended and in every year thereafter that tax increment
21 allocation financing is in effect ascertain the amount of value
22 of taxable property in a redevelopment project area by
23 including in such amount the lower of the current equalized
24 assessed value or the certified "total initial equalized
25 assessed value as adjusted" of all taxable real property in
26 such area. The rate per cent of tax determined shall be

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

12 (Source: P.A. 93-715, eff. 7-12-04.)

13 (65 ILCS 5/11-74.6-40)

14 Sec. 11-74.6-40. Equalized assessed value determination;
15 property tax extension.

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

19 (1) shall determine the initial equalized assessed
20 value of each parcel of real property in the redevelopment
21 project area, which is the most recently established
22 equalized assessed value of each lot, block, tract or
23 parcel of taxable real property within the redevelopment
24 project area, minus the homestead exemptions provided by
25 Sections 15-167, 15-170, 15-175, and 15-176 of the Property

1 Tax Code; and

2 (2) shall certify to the municipality the total initial
3 equalized assessed value of all taxable real property
4 within the redevelopment project area.

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

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

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

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

24 (c) After the county clerk has certified the total initial
25 equalized assessed value or the total updated initial equalized
26 assessed value of the taxable real property in the area, for

1 each taxing district in which a redevelopment project area is
2 situated, the county clerk or any other official required by
3 law to determine the amount of the equalized assessed value of
4 all taxable property within the district for the purpose of
5 computing the percentage rate of tax to be extended upon
6 taxable property within the district, shall in every year that
7 tax increment allocation financing is in effect determine the
8 total equalized assessed value of taxable property in a
9 redevelopment project area by including in that amount the
10 lower of the current equalized assessed value or the certified
11 total initial equalized assessed value or, if the total of
12 updated equalized assessed value has been certified, the total
13 updated initial equalized assessed value of all taxable real
14 property in the redevelopment project area. After he has
15 certified the total initial equalized assessed value he shall
16 in the year of that certification, if tax rates have not been
17 extended, and in every subsequent year that tax increment
18 allocation financing is in effect, determine the amount of
19 equalized assessed value of taxable property in a redevelopment
20 project area by including in that amount the lower of the
21 current total equalized assessed value or the certified total
22 initial equalized assessed value or, if the total of updated
23 initial equalized assessed values have been certified, the
24 total updated initial equalized assessed value of all taxable
25 real property in the redevelopment project area.

26 (d) The percentage rate of tax determined shall be extended

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

12 (Source: P.A. 93-715, eff. 7-12-04.)

13 Section 30. The Economic Development Project Area Tax
14 Increment Allocation Act of 1995 is amended by changing Section
15 45 as follows:

16 (65 ILCS 110/45)

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

19 (a) A municipality that has by ordinance approved an
20 economic development plan, established an economic development
21 project area, and adopted tax increment allocation financing
22 for that area shall file certified copies of the ordinance or
23 ordinances with the county clerk. Upon receiving the ordinance
24 or ordinances, the county clerk shall immediately determine (i)

1 the most recently ascertained equalized assessed value of each
2 lot, block, tract, or parcel of real property within the
3 economic development project area from which shall be deducted
4 the homestead exemptions provided by Sections 15-167, 15-170,
5 15-175, and 15-176 of the Property Tax Code (that value being
6 the "initial equalized assessed value" of each such piece of
7 property) and (ii) the total equalized assessed value of all
8 taxable real property within the economic development project
9 area by adding together the most recently ascertained equalized
10 assessed value of each taxable lot, block, tract, or parcel of
11 real property within the economic development project area,
12 from which shall be deducted the homestead exemptions provided
13 by Sections 15-167, 15-170, 15-175, and 15-176 of the Property
14 Tax Code, and shall certify that amount as the "total initial
15 equalized assessed value" of the taxable real property within
16 the economic development project area.

17 (b) After the county clerk has certified the "total initial
18 equalized assessed value" of the taxable real property in the
19 economic development project area, then in respect to every
20 taxing district containing an economic development project
21 area, the county clerk or any other official required by law to
22 ascertain the amount of the equalized assessed value of all
23 taxable property within the taxing district for the purpose of
24 computing the rate per cent of tax to be extended upon taxable
25 property within the taxing district shall, in every year that
26 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. 93-715, eff. 7-12-04.)

19 Section 90. The State Mandates Act is amended by adding
20 Section 8.31 as follows:

21 (30 ILCS 805/8.31 new)

22 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8
23 of this Act, no reimbursement by the State is required for the
24 implementation of any mandate created by this amendatory Act of

1 the 95th General Assembly.

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