

SB0477



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0477

Introduced 2/8/2007, by Sen. Matt Murphy

SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-170

Amends the Property Tax Code. In a Section concerning the Senior Citizens Homestead Exemption, provides that in all counties (now, in counties with less than 3,000,000 inhabitants), the county board may by resolution provide that if a person has been granted a homestead exemption under this Section, the person qualifying need not reapply for the exemption.

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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 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

1 years 2004 through 2005, the maximum reduction shall be \$3,000
2 in all counties. For taxable years 2006 and thereafter, the
3 maximum reduction shall be \$3,500 in all counties.

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

1 Sections 15-175 and 15-176, "life care facility" means a
2 facility as defined in Section 2 of the Life Care Facilities
3 Act, with which the applicant for the homestead exemption has a
4 life care contract as defined in that Act.

5 When a homestead exemption has been granted under this
6 Section and the person qualifying subsequently becomes a
7 resident of a facility licensed under the Nursing Home Care
8 Act, the exemption shall continue so long as the residence
9 continues to be occupied by the qualifying person's spouse if
10 the spouse is 65 years of age or older, or if the residence
11 remains unoccupied but is still owned by the person qualified
12 for the homestead exemption.

13 A person who will be 65 years of age during the current
14 assessment year shall be eligible to apply for the homestead
15 exemption during that assessment year. Application shall be
16 made during the application period in effect for the county of
17 his residence.

18 Beginning with assessment year 2003, for taxes payable in
19 2004, property that is first occupied as a residence after
20 January 1 of any assessment year by a person who is eligible
21 for the senior citizens homestead exemption under this Section
22 must be granted a pro-rata exemption for the assessment year.
23 The amount of the pro-rata exemption is the exemption allowed
24 in the county under this Section divided by 365 and multiplied
25 by the number of days during the assessment year the property
26 is occupied as a residence by a person eligible for the

1 exemption under this Section. The chief county assessment
2 officer must adopt reasonable procedures to establish
3 eligibility for this pro-rata exemption.

4 The assessor or chief county assessment officer may
5 determine the eligibility of a life care facility to receive
6 the benefits provided by this Section, by affidavit,
7 application, visual inspection, questionnaire or other
8 reasonable methods in order to insure that the tax savings
9 resulting from the exemption are credited by the management
10 firm to the apportioned tax liability of each qualifying
11 resident. The assessor may request reasonable proof that the
12 management firm has so credited the exemption.

13 The chief county assessment officer of each county with
14 less than 3,000,000 inhabitants shall provide to each person
15 allowed a homestead exemption under this Section a form to
16 designate any other person to receive a duplicate of any notice
17 of delinquency in the payment of taxes assessed and levied
18 under this Code on the property of the person receiving the
19 exemption. The duplicate notice shall be in addition to the
20 notice required to be provided to the person receiving the
21 exemption, and shall be given in the manner required by this
22 Code. The person filing the request for the duplicate notice
23 shall pay a fee of \$5 to cover administrative costs to the
24 supervisor of assessments, who shall then file the executed
25 designation with the county collector. Notwithstanding any
26 other provision of this Code to the contrary, the filing of

1 such an executed designation requires the county collector to
2 provide duplicate notices as indicated by the designation. A
3 designation may be rescinded by the person who executed such
4 designation at any time, in the manner and form required by the
5 chief county assessment officer.

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

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

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

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

1 of county collector, and a statement that applications for
2 deferral of real estate taxes may be obtained from the county
3 collector.

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

7 (Source: P.A. 93-511, eff. 8-11-03; 93-715, eff. 7-12-04;
8 94-794, eff. 5-22-06.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.