



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4436

Introduced 4/21/2009, by Rep. Darlene J. Senger

SYNOPSIS AS INTRODUCED:

See Index

Amends the Property Tax Code. Provides that if, in order to qualify for a property-tax exemption, the taxpayer must have an income that is at or below a certain amount, then, for the purposes of that exemption, the term "income" does not include any Social Security benefit unless expressly stated otherwise. Increases the maximum reduction under the Senior Citizens Homestead Exemption from \$4,000 to \$5,500 for taxable year 2008 and indexes the reduction to the Consumer Price Index. Includes disabled persons within the provisions granting an assessment freeze homestead exemption to senior citizens and changes the title of the exemption to the Senior Citizens and Disabled Persons Assessment Freeze Homestead Exemption. Decreases the age limit to qualify for the exemption from 65 years of age to 55 years of age. Increases the maximum income limitation under the exemption. Requires the county clerk to abate the taxes levied by a school district on each parcel of qualified homestead property that is owned by a taxpayer who is 65 years of age or older and who had an annual household income of \$35,000 or less for the previous taxable year. Amends the School Code. Subject to appropriation, requires the State Board of Education to reimburse each school district for any revenue lost due to the property tax abatement. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB096 10446 RCE 20618 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 14-20, 15-170, and 15-172 and by adding Sections 15-7
6 and 18-179 as follows:

7 (35 ILCS 200/14-20)

8 Sec. 14-20. Certificate of error; counties of less than
9 3,000,000. In any county with less than 3,000,000 inhabitants,
10 if, at any time before judgment or order of sale is entered in
11 any proceeding to collect or to enjoin the collection of taxes
12 based upon any assessment of any property, the chief county
13 assessment officer discovers an error or mistake in the
14 assessment (other than errors of judgment as to the valuation
15 of the property), he or she shall issue to the person
16 erroneously assessed a certificate setting forth the nature of
17 the error and the cause or causes of the error. In any county
18 with less than 3,000,000 inhabitants, if an owner fails to file
19 an application for the Senior Citizens and Disabled Persons
20 Assessment Freeze Homestead Exemption provided in Section
21 15-172 during the previous assessment year and qualifies for
22 the exemption, the Chief County Assessment Officer pursuant to
23 this Section, or the Board of Review pursuant to Section 16-75,

1 shall issue a certificate of error setting forth the correct
2 taxable valuation of the property. The certificate, when
3 properly endorsed by the majority of the board of review,
4 showing their concurrence, and not otherwise, may be used in
5 evidence in any court of competent jurisdiction, and when so
6 introduced in evidence, shall become a part of the court record
7 and shall not be removed from the files except on an order of
8 the court.

9 (Source: P.A. 90-552, eff. 12-12-97; 91-377, eff. 7-30-99.)

10 (35 ILCS 200/15-7 new)

11 Sec. 15-7. Income limits; Social Security. Beginning with
12 the 2009 assessment year, if, in order to qualify for an
13 exemption under this Article 15, the taxpayer must have an
14 income that is at or below a certain amount, then, for the
15 purposes of that exemption, the term "income" does not include
16 any Social Security benefit unless expressly stated otherwise.

17 (35 ILCS 200/15-170)

18 Sec. 15-170. Senior Citizens Homestead Exemption. An
19 annual homestead exemption limited, except as described here
20 with relation to cooperatives or life care facilities, to a
21 maximum reduction set forth below from the property's value, as
22 equalized or assessed by the Department, is granted for
23 property that is occupied as a residence by a person 65 years
24 of age or older who is liable for paying real estate taxes on

1 the property and is an owner of record of the property or has a
2 legal or equitable interest therein as evidenced by a written
3 instrument, except for a leasehold interest, other than a
4 leasehold interest of land on which a single family residence
5 is located, which is occupied as a residence by a person 65
6 years or older who has an ownership interest therein, legal,
7 equitable or as a lessee, and on which he or she is liable for
8 the payment of property taxes. The maximum amount of the
9 reduction under this Section is as follows:

10 (1) Before taxable year 2004, the maximum reduction
11 shall be \$2,500 in counties with 3,000,000 or more
12 inhabitants and \$2,000 in all other counties.

13 (2) For taxable years 2004 through 2005, the maximum
14 reduction shall be \$3,000 in all counties.

15 (3) For taxable years 2006 and 2007, the maximum
16 reduction shall be \$3,500. ~~and, for~~

17 (4) For taxable years 2008 and 2009 and thereafter, the
18 maximum reduction is \$4,000 in all counties.

19 (5) For taxable year 2010, the maximum reduction is
20 \$5,500 in all counties.

21 (6) For taxable years 2011 and thereafter, the maximum
22 reduction is the maximum reduction for the prior taxable
23 year increased by the annual rate of increase, for the
24 previous calendar year, of the Consumer Price Index for All
25 Urban Consumers for all items, published by the United
26 States Bureau of Labor Statistics.

1 For land improved with an apartment building owned and
2 operated as a cooperative, the maximum reduction from the value
3 of the property, as equalized by the Department, shall be
4 multiplied by the number of apartments or units occupied by a
5 person 65 years of age or older who is liable, by contract with
6 the owner or owners of record, for paying property taxes on the
7 property and is an owner of record of a legal or equitable
8 interest in the cooperative apartment building, other than a
9 leasehold interest. For land improved with a life care
10 facility, the maximum reduction from the value of the property,
11 as equalized by the Department, shall be multiplied by the
12 number of apartments or units occupied by persons 65 years of
13 age or older, irrespective of any legal, equitable, or
14 leasehold interest in the facility, who are liable, under a
15 contract with the owner or owners of record of the facility,
16 for paying property taxes on the property. In a cooperative or
17 a life care facility where a homestead exemption has been
18 granted, the cooperative association or the management firm of
19 the cooperative or facility shall credit the savings resulting
20 from that exemption only to the apportioned tax liability of
21 the owner or resident who qualified for the exemption. Any
22 person who willfully refuses to so credit the savings shall be
23 guilty of a Class B misdemeanor. Under this Section and
24 Sections 15-175, 15-176, and 15-177, "life care facility" means
25 a facility, as defined in Section 2 of the Life Care Facilities
26 Act, with which the applicant for the homestead exemption has a

1 life care contract as defined in that Act.

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

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

15 Beginning with assessment year 2003, for taxes payable in
16 2004, property that is first occupied as a residence after
17 January 1 of any assessment year by a person who is eligible
18 for the senior citizens homestead exemption under this Section
19 must be granted a pro-rata exemption for the assessment year.
20 The amount of the pro-rata exemption is the exemption allowed
21 in the county under this Section divided by 365 and multiplied
22 by the number of days during the assessment year the property
23 is occupied as a residence by a person eligible for the
24 exemption under this Section. The chief county assessment
25 officer must adopt reasonable procedures to establish
26 eligibility for this pro-rata exemption.

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

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

1 designation at any time, in the manner and form required by the
2 chief county assessment officer.

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

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

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

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

1 Notwithstanding Sections 6 and 8 of the State Mandates Act,
2 no reimbursement by the State is required for the
3 implementation of any mandate created by this Section.
4 (Source: P.A. 94-794, eff. 5-22-06; 95-644, eff. 10-12-07;
5 95-876, eff. 8-21-08.)

6 (35 ILCS 200/15-172)

7 Sec. 15-172. Senior Citizens and Disabled Persons
8 Assessment Freeze Homestead Exemption.

9 (a) This Section may be cited as the Senior Citizens and
10 Disabled Persons Assessment Freeze Homestead Exemption.

11 (b) As used in this Section:

12 "Applicant" means an individual who has filed an
13 application under this Section.

14 "Base amount" means the base year equalized assessed value
15 of the residence plus the first year's equalized assessed value
16 of any added improvements which increased the assessed value of
17 the residence after the base year.

18 "Base year" means the taxable year prior to the taxable
19 year for which the applicant first qualifies and applies for
20 the exemption provided that in the prior taxable year the
21 property was improved with a permanent structure that was
22 occupied as a residence by the applicant who was liable for
23 paying real property taxes on the property and who was either
24 (i) an owner of record of the property or had legal or
25 equitable interest in the property as evidenced by a written

1 instrument or (ii) had a legal or equitable interest as a
2 lessee in the parcel of property that was single family
3 residence. If in any subsequent taxable year for which the
4 applicant applies and qualifies for the exemption the equalized
5 assessed value of the residence is less than the equalized
6 assessed value in the existing base year (provided that such
7 equalized assessed value is not based on an assessed value that
8 results from a temporary irregularity in the property that
9 reduces the assessed value for one or more taxable years), then
10 that subsequent taxable year shall become the base year until a
11 new base year is established under the terms of this paragraph.
12 For taxable year 1999 only, the Chief County Assessment Officer
13 shall review (i) all taxable years for which the applicant
14 applied and qualified for the exemption and (ii) the existing
15 base year. The assessment officer shall select as the new base
16 year the year with the lowest equalized assessed value. An
17 equalized assessed value that is based on an assessed value
18 that results from a temporary irregularity in the property that
19 reduces the assessed value for one or more taxable years shall
20 not be considered the lowest equalized assessed value. The
21 selected year shall be the base year for taxable year 1999 and
22 thereafter until a new base year is established under the terms
23 of this paragraph.

24 "Chief County Assessment Officer" means the County
25 Assessor or Supervisor of Assessments of the county in which
26 the property is located.

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

17 "Equalized assessed value" means the assessed value as
18 equalized by the Illinois Department of Revenue.

19 "Household" means the applicant, the spouse of the
20 applicant, and all persons using the residence of the applicant
21 as their principal place of residence.

22 "Household income" means the combined income of the members
23 of a household for the calendar year preceding the taxable
24 year.

25 "Income" has the same meaning as provided in Section 3.07
26 of the Senior Citizens and Disabled Persons Property Tax Relief

1 and Pharmaceutical Assistance Act, except that, beginning in
2 assessment year 2001, "income" does not include veteran's
3 benefits.

4 "Internal Revenue Code of 1986" means the United States
5 Internal Revenue Code of 1986 or any successor law or laws
6 relating to federal income taxes in effect for the year
7 preceding the taxable year.

8 "Life care facility that qualifies as a cooperative" means
9 a facility as defined in Section 2 of the Life Care Facilities
10 Act.

11 "Maximum income limitation" means:

12 (1) \$35,000 prior to taxable year 1999;

13 (2) \$40,000 in taxable years 1999 through 2003;

14 (3) \$45,000 in taxable years 2004 through 2005;

15 (4) \$50,000 in taxable years 2006 and 2007; ~~and~~

16 (5) \$55,000 in taxable year 2008 and 2009; ~~and~~
17 ~~thereafter~~

18 (6) \$55,000 for applicants who have occupied the
19 residence for less than 5 years and \$75,000 for all other
20 applicants in taxable year 2010; and

21 (7) in taxable year 2011 and thereafter:

22 (A) for applicants who have occupied the residence
23 for 5 years, \$75,000; and

24 (B) for applicants who have occupied the residence
25 for less than or more than 5 years, an amount equal to
26 the maximum income limitation for the immediately

1 prior taxable year increased by the lesser of (i) 2% or
2 (ii) the percentage increase during the immediately
3 prior taxable year in the Consumer Price Index for All
4 Urban Consumers for all items published by the United
5 States Department of Labor Bureau of Labor Statistics.

6 "Residence" means the principal dwelling place and
7 appurtenant structures used for residential purposes in this
8 State occupied on January 1 of the taxable year by a household
9 and so much of the surrounding land, constituting the parcel
10 upon which the dwelling place is situated, as is used for
11 residential purposes. If the Chief County Assessment Officer
12 has established a specific legal description for a portion of
13 property constituting the residence, then that portion of
14 property shall be deemed the residence for the purposes of this
15 Section.

16 "Taxable year" means the calendar year during which ad
17 valorem property taxes payable in the next succeeding year are
18 levied.

19 (c) Beginning in (1) taxable year 1994 ~~for~~^{for} a senior
20 citizens and (2) taxable year 2009 for disabled persons, an
21 assessment freeze homestead exemption is granted for real
22 property that is improved with a permanent structure that is
23 occupied as a residence by an applicant who (i) is 55 ~~65~~ years
24 of age or older during the taxable year, (ii) has a household
25 income that does not exceed the maximum income limitation,
26 (iii) is liable for paying real property taxes on the property,

1 and (iv) is an owner of record of the property or has a legal or
2 equitable interest in the property as evidenced by a written
3 instrument. This homestead exemption shall also apply to a
4 leasehold interest in a parcel of property improved with a
5 permanent structure that is a single family residence that is
6 occupied as a residence by a person who (i) is 55 ~~65~~ years of
7 age or older or is a disabled person during the taxable year,
8 (ii) has a household income that does not exceed the maximum
9 income limitation, (iii) has a legal or equitable ownership
10 interest in the property as lessee, and (iv) is liable for the
11 payment of real property taxes on that property.

12 In counties of 3,000,000 or more inhabitants, the amount of
13 the exemption for all taxable years is the equalized assessed
14 value of the residence in the taxable year for which
15 application is made minus the base amount. In all other
16 counties, the amount of the exemption is as follows: (i)
17 through taxable year 2005 and for taxable year 2007 and
18 thereafter, the amount of this exemption shall be the equalized
19 assessed value of the residence in the taxable year for which
20 application is made minus the base amount; and (ii) for taxable
21 year 2006, the amount of the exemption is as follows:

22 (1) For an applicant who has a household income of
23 \$45,000 or less, the amount of the exemption is the
24 equalized assessed value of the residence in the taxable
25 year for which application is made minus the base amount.

26 (2) For an applicant who has a household income

1 exceeding \$45,000 but not exceeding \$46,250, the amount of
2 the exemption is (i) the equalized assessed value of the
3 residence in the taxable year for which application is made
4 minus the base amount (ii) multiplied by 0.8.

5 (3) For an applicant who has a household income
6 exceeding \$46,250 but not exceeding \$47,500, the amount of
7 the exemption is (i) the equalized assessed value of the
8 residence in the taxable year for which application is made
9 minus the base amount (ii) multiplied by 0.6.

10 (4) For an applicant who has a household income
11 exceeding \$47,500 but not exceeding \$48,750, the amount of
12 the exemption is (i) the equalized assessed value of the
13 residence in the taxable year for which application is made
14 minus the base amount (ii) multiplied by 0.4.

15 (5) For an applicant who has a household income
16 exceeding \$48,750 but not exceeding \$50,000, the amount of
17 the exemption is (i) the equalized assessed value of the
18 residence in the taxable year for which application is made
19 minus the base amount (ii) multiplied by 0.2.

20 When the applicant is a surviving spouse of an applicant
21 for a prior year for the same residence for which an exemption
22 under this Section has been granted, the base year and base
23 amount for that residence are the same as for the applicant for
24 the prior year.

25 Each year at the time the assessment books are certified to
26 the County Clerk, the Board of Review or Board of Appeals shall

1 give to the County Clerk a list of the assessed values of
2 improvements on each parcel qualifying for this exemption that
3 were added after the base year for this parcel and that
4 increased the assessed value of the property.

5 In the case of land improved with an apartment building
6 owned and operated as a cooperative or a building that is a
7 life care facility that qualifies as a cooperative, the maximum
8 reduction from the equalized assessed value of the property is
9 limited to the sum of the reductions calculated for each unit
10 occupied as a residence by a person or persons (i) 55 ~~65~~ years
11 of age or older or is a disabled person, (ii) with a household
12 income that does not exceed the maximum income limitation,
13 (iii) who is liable, by contract with the owner or owners of
14 record, for paying real property taxes on the property, and
15 (iv) who is an owner of record of a legal or equitable interest
16 in the cooperative apartment building, other than a leasehold
17 interest. In the instance of a cooperative where a homestead
18 exemption has been granted under this Section, the cooperative
19 association or its management firm shall credit the savings
20 resulting from that exemption only to the apportioned tax
21 liability of the owner who qualified for the exemption. Any
22 person who willfully refuses to credit that savings to an owner
23 who qualifies for the exemption is guilty of a Class B
24 misdemeanor.

25 When a homestead exemption has been granted under this
26 Section and an applicant then becomes a resident of a facility

1 licensed under the Nursing Home Care Act, the exemption shall
2 be granted in subsequent years so long as the residence (i)
3 continues to be occupied by the qualified applicant's spouse or
4 (ii) if remaining unoccupied, is still owned by the qualified
5 applicant for the homestead exemption.

6 Beginning January 1, 1997 for senior citizens and January
7 1, 2009 for disabled persons, when an individual dies who would
8 have qualified for an exemption under this Section, and the
9 surviving spouse does not independently qualify for this
10 exemption because of age or nondisability, the exemption under
11 this Section shall be granted to the surviving spouse for the
12 taxable year preceding and the taxable year of the death,
13 provided that, except for age or nondisability, the surviving
14 spouse meets all other qualifications for the granting of this
15 exemption for those years.

16 When married persons maintain separate residences, the
17 exemption provided for in this Section may be claimed by only
18 one of such persons and for only one residence.

19 For taxable year 1994 only, in counties having less than
20 3,000,000 inhabitants, to receive the exemption, a person shall
21 submit an application by February 15, 1995 to the Chief County
22 Assessment Officer of the county in which the property is
23 located. In counties having 3,000,000 or more inhabitants, for
24 taxable year 1994 and all subsequent taxable years, to receive
25 the exemption, a person may submit an application to the Chief
26 County Assessment Officer of the county in which the property

1 is located during such period as may be specified by the Chief
2 County Assessment Officer. The Chief County Assessment Officer
3 in counties of 3,000,000 or more inhabitants shall annually
4 give notice of the application period by mail or by
5 publication. In counties having less than 3,000,000
6 inhabitants, beginning with taxable year 1995 and thereafter,
7 to receive the exemption, a person shall submit an application
8 by July 1 of each taxable year to the Chief County Assessment
9 Officer of the county in which the property is located. A
10 county may, by ordinance, establish a date for submission of
11 applications that is different than July 1. The applicant shall
12 submit with the application an affidavit of the applicant's
13 total household income, age, marital status (and if married the
14 name and address of the applicant's spouse, if known),
15 disability (if applying for the exemption as a disabled
16 person), and principal dwelling place of members of the
17 household on January 1 of the taxable year. The Department
18 shall establish, by rule, a method for verifying the accuracy
19 of affidavits filed by applicants under this Section, and the
20 Chief County Assessment Officer may conduct audits of any
21 taxpayer claiming an exemption under this Section to verify
22 that the taxpayer is eligible to receive the exemption. Each
23 application shall contain or be verified by a written
24 declaration that it is made under the penalties of perjury. A
25 taxpayer's signing a fraudulent application under this Act is
26 perjury, as defined in Section 32-2 of the Criminal Code of

1 1961. The applications shall be clearly marked as applications
2 for the Senior Citizens and Disabled Persons Assessment Freeze
3 Homestead Exemption and must contain a notice that any taxpayer
4 who receives the exemption is subject to an audit by the Chief
5 County Assessment Officer.

6 Notwithstanding any other provision to the contrary, in
7 counties having fewer than 3,000,000 inhabitants, if an
8 applicant fails to file the application required by this
9 Section in a timely manner and this failure to file is due to a
10 mental or physical condition sufficiently severe so as to
11 render the applicant incapable of filing the application in a
12 timely manner, the Chief County Assessment Officer may extend
13 the filing deadline for a period of 30 days after the applicant
14 regains the capability to file the application, but in no case
15 may the filing deadline be extended beyond 3 months of the
16 original filing deadline. In order to receive the extension
17 provided in this paragraph, the applicant shall provide the
18 Chief County Assessment Officer with a signed statement from
19 the applicant's physician stating the nature and extent of the
20 condition, that, in the physician's opinion, the condition was
21 so severe that it rendered the applicant incapable of filing
22 the application in a timely manner, and the date on which the
23 applicant regained the capability to file the application.

24 Beginning January 1, 1998, notwithstanding any other
25 provision to the contrary, in counties having fewer than
26 3,000,000 inhabitants, if an applicant fails to file the

1 application required by this Section in a timely manner and
2 this failure to file is due to a mental or physical condition
3 sufficiently severe so as to render the applicant incapable of
4 filing the application in a timely manner, the Chief County
5 Assessment Officer may extend the filing deadline for a period
6 of 3 months. In order to receive the extension provided in this
7 paragraph, the applicant shall provide the Chief County
8 Assessment Officer with a signed statement from the applicant's
9 physician stating the nature and extent of the condition, and
10 that, in the physician's opinion, the condition was so severe
11 that it rendered the applicant incapable of filing the
12 application in a timely manner.

13 In counties having less than 3,000,000 inhabitants, if an
14 applicant was denied an exemption in taxable year 1994 and the
15 denial occurred due to an error on the part of an assessment
16 official, or his or her agent or employee, then beginning in
17 taxable year 1997 the applicant's base year, for purposes of
18 determining the amount of the exemption, shall be 1993 rather
19 than 1994. In addition, in taxable year 1997, the applicant's
20 exemption shall also include an amount equal to (i) the amount
21 of any exemption denied to the applicant in taxable year 1995
22 as a result of using 1994, rather than 1993, as the base year,
23 (ii) the amount of any exemption denied to the applicant in
24 taxable year 1996 as a result of using 1994, rather than 1993,
25 as the base year, and (iii) the amount of the exemption
26 erroneously denied for taxable year 1994.

1 For purposes of this Section, a person who will be 55 ~~65~~
2 years of age or is a disabled person during the current taxable
3 year shall be eligible to apply for the homestead exemption
4 during that taxable year. Application shall be made during the
5 application period in effect for the county of his or her
6 residence.

7 The Chief County Assessment Officer may determine the
8 eligibility of a life care facility that qualifies as a
9 cooperative to receive the benefits provided by this Section by
10 use of an affidavit, application, visual inspection,
11 questionnaire, or other reasonable method in order to insure
12 that the tax savings resulting from the exemption are credited
13 by the management firm to the apportioned tax liability of each
14 qualifying resident. The Chief County Assessment Officer may
15 request reasonable proof that the management firm has so
16 credited that exemption.

17 Except as provided in this Section, all information
18 received by the chief county assessment officer or the
19 Department from applications filed under this Section, or from
20 any investigation conducted under the provisions of this
21 Section, shall be confidential, except for official purposes or
22 pursuant to official procedures for collection of any State or
23 local tax or enforcement of any civil or criminal penalty or
24 sanction imposed by this Act or by any statute or ordinance
25 imposing a State or local tax. Any person who divulges any such
26 information in any manner, except in accordance with a proper

1 judicial order, is guilty of a Class A misdemeanor.

2 Nothing contained in this Section shall prevent the
3 Director or chief county assessment officer from publishing or
4 making available reasonable statistics concerning the
5 operation of the exemption contained in this Section in which
6 the contents of claims are grouped into aggregates in such a
7 way that information contained in any individual claim shall
8 not be disclosed.

9 (d) Each Chief County Assessment Officer shall annually
10 publish a notice of availability of the exemption provided
11 under this Section. The notice shall be published at least 60
12 days but no more than 75 days prior to the date on which the
13 application must be submitted to the Chief County Assessment
14 Officer of the county in which the property is located. The
15 notice shall appear in a newspaper of general circulation in
16 the county.

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

20 (Source: P.A. 94-794, eff. 5-22-06; 95-644, eff. 10-12-07.)

21 (35 ILCS 200/18-179 new)

22 Sec. 18-179. Abatement of school district taxes for
23 eligible senior citizens.

24 (a) The county clerk shall abate the taxes levied by a
25 school district on each parcel of qualified homestead property

1 that is owned by an eligible senior citizen.

2 (b) The county clerk shall establish a procedure for
3 eligible senior citizens to apply for this abatement.

4 (c) As used in this Section:

5 "Eligible senior citizen" means a taxpayer who is 65 years
6 of age or older and who had an annual household income of
7 \$35,000 or less for the previous taxable year.

8 "Qualified homestead property" means a parcel of real
9 property that:

10 (1) is occupied by not more than 2 families; and

11 (2) is used as the principal residence by an eligible
12 senior citizen.

13 "Annual household income" has the meaning set forth under
14 Section 15-172.

15 Section 10. The School Code is amended by adding Section
16 2-3.148 as follows:

17 (105 ILCS 5/2-3.148 new)

18 Sec. 2-3.148. Tax abatement reimbursements. The Board
19 shall, subject to appropriation, reimburse each school
20 district for any revenue lost due to the property tax abatement
21 under Section 18-179 of the Property Tax Code.

22 Section 90. The State Mandates Act is amended by adding
23 Section 8.33 as follows:

1 (30 ILCS 805/8.33 new)

2 Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8
3 of this Act, no reimbursement by the State is required for the
4 implementation of any mandate created by this amendatory Act of
5 the 96th General Assembly.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 35 ILCS 200/14-20

4 35 ILCS 200/15-7 new

5 35 ILCS 200/15-170

6 35 ILCS 200/15-172

7 35 ILCS 200/18-179 new

8 105 ILCS 5/2-3.148 new

9 30 ILCS 805/8.33 new