



Rep. Barbara Flynn Currie

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1 AMENDMENT TO SENATE BILL 3638

2 AMENDMENT NO. _____. Amend Senate Bill 3638, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Department of Revenue Law of the Civil
6 Administrative Code of Illinois is amended by adding Section
7 2505-560 as follows:

8 (20 ILCS 2505/2505-560 new)

9 Sec. 2505-560. Taxpayer Action Boards.

10 (a) The purpose of this Section is to advance the health,
11 welfare, and prosperity of all citizens of this State by
12 promoting "sunshine in assessments" and transparency reforms.
13 This purpose shall be deemed a statewide interest and not a
14 private or special concern.

15 (b) There are hereby created 7 Taxpayer Action Boards
16 within the Department of Revenue, one for each of the following

1 counties: Cook, DuPage, Kane, Kendall, Lake, McHenry, and Will.
2 The Governor shall name 7 people to be members of each board.
3 These members shall serve 2-year terms. Members shall serve
4 without compensation, except to the extent those members are
5 employees of the Department of Revenue. The boards shall exist
6 and function at no additional cost to the State.

7 (c) Each board shall perform the following functions:

8 (1) oversee the implementation of Public Act 96-122,
9 with particular emphasis on the transparency and
10 disclosure provisions of that Public Act;

11 (2) make recommendations about other useful
12 disclosures in addition to those required by P.A. 96-122;

13 (3) make recommendations concerning the implementation
14 of the transparency reform provisions of P.A. 96-122 in its
15 county;

16 (4) conduct a study that (i) critically evaluates the
17 manner in which its county assesses residential property
18 and (ii) examines the accuracy of computer-assisted mass
19 appraisal; as part of its study, each board shall conduct
20 at least 2 public hearings;

21 (5) issue a report summarizing its findings within 180
22 days after the effective date of this amendatory Act of the
23 96th General Assembly and submit this report to the
24 Governor and General Assembly;

25 (6) maintain and administer a website cataloging
26 taxpayer assistance information linked to the Department

1 of Revenue's website;

2 (7) propose to its county government changes, if
3 appropriate, to property tax policies and procedures; and

4 (8) propose to the Department of Revenue changes, if
5 appropriate, to property tax policies and procedures.

6 (d) The Department of Revenue shall oversee implementation
7 of P.A. 96-122 in all counties other than Cook, DuPage, Kane,
8 Kendall, Lake, McHenry, and Will.

9 Section 10. The Property Tax Code is amended by changing
10 Sections 15-167, 15-169, 15-170, and 15-176 as follows:

11 (35 ILCS 200/15-167)

12 Sec. 15-167. Returning Veterans' Homestead Exemption.

13 (a) Beginning with taxable year 2007, a homestead
14 exemption, limited to a reduction set forth under subsection
15 (b), from the property's value, as equalized or assessed by the
16 Department, is granted for property that is owned and occupied
17 as the principal residence of a veteran returning from an armed
18 conflict involving the armed forces of the United States who is
19 liable for paying real estate taxes on the property and is an
20 owner of record of the property or has a legal or equitable
21 interest therein as evidenced by a written instrument, except
22 for a leasehold interest, other than a leasehold interest of
23 land on which a single family residence is located, which is
24 occupied as the principal residence of a veteran returning from

1 an armed conflict involving the armed forces of the United
2 States who has an ownership interest therein, legal, equitable
3 or as a lessee, and on which he or she is liable for the payment
4 of property taxes. For purposes of the exemption under this
5 Section, "veteran" means an Illinois resident who has served as
6 a member of the United States Armed Forces, a member of the
7 Illinois National Guard, or a member of the United States
8 Reserve Forces.

9 (b) In all counties, the reduction is \$5,000 and only for
10 the taxable year in which the veteran returns from active duty
11 in an armed conflict involving the armed forces of the United
12 States. Beginning in taxable year 2010, the reduction shall
13 also be allowed for the taxable year after the taxable year in
14 which the veteran returns from active duty in an armed conflict
15 involving the armed forces of the United States. For land
16 improved with an apartment building owned and operated as a
17 cooperative, the maximum reduction from the value of the
18 property, as equalized by the Department, must be multiplied by
19 the number of apartments or units occupied by a veteran
20 returning from an armed conflict involving the armed forces of
21 the United States who is liable, by contract with the owner or
22 owners of record, for paying property taxes on the property and
23 is an owner of record of a legal or equitable interest in the
24 cooperative apartment building, other than a leasehold
25 interest. In a cooperative where a homestead exemption has been
26 granted, the cooperative association or the management firm of

1 the cooperative or facility shall credit the savings resulting
2 from that exemption only to the apportioned tax liability of
3 the owner or resident who qualified for the exemption. Any
4 person who willfully refuses to so credit the savings is guilty
5 of a Class B misdemeanor.

6 (c) Application must be made during the application period
7 in effect for the county of his or her residence. The assessor
8 or chief county assessment officer may determine the
9 eligibility of residential property to receive the homestead
10 exemption provided by this Section by application, visual
11 inspection, questionnaire, or other reasonable methods. The
12 determination must be made in accordance with guidelines
13 established by the Department.

14 (d) The exemption under this Section is in addition to any
15 other homestead exemption provided in this Article 15.
16 Notwithstanding Sections 6 and 8 of the State Mandates Act, no
17 reimbursement by the State is required for the implementation
18 of any mandate created by this Section.

19 (Source: P.A. 95-644, eff. 10-12-07.)

20 (35 ILCS 200/15-169)

21 Sec. 15-169. Disabled veterans standard homestead
22 exemption.

23 (a) Beginning with taxable year 2007, an annual homestead
24 exemption, limited to the amounts set forth in subsection (b),
25 is granted for property that is used as a qualified residence

1 by a disabled veteran.

2 (b) The amount of the exemption under this Section is as
3 follows:

4 (1) for veterans with a service-connected disability
5 of at least (i) 75% for exemptions granted in taxable years
6 2007 through 2009 and (ii) 70% for exemptions granted in
7 taxable year 2010 and each taxable year thereafter, as
8 certified by the United States Department of Veterans
9 Affairs, the annual exemption is \$5,000; and

10 (2) for veterans with a service-connected disability
11 of at least 50%, but less than (i) 75% for exemptions
12 granted in taxable years 2007 through 2009 and (ii) 70% for
13 exemptions granted in taxable year 2010 and each taxable
14 year thereafter, as certified by the United States
15 Department of Veterans Affairs, the annual exemption is
16 \$2,500.

17 (c) The tax exemption under this Section carries over to
18 the benefit of the veteran's surviving spouse as long as the
19 spouse holds the legal or beneficial title to the homestead,
20 permanently resides thereon, and does not remarry. If the
21 surviving spouse sells the property, an exemption not to exceed
22 the amount granted from the most recent ad valorem tax roll may
23 be transferred to his or her new residence as long as it is
24 used as his or her primary residence and he or she does not
25 remarry.

26 (d) The exemption under this Section applies for taxable

1 year 2007 and thereafter. A taxpayer who claims an exemption
2 under Section 15-165 or 15-168 may not claim an exemption under
3 this Section.

4 (e) Each taxpayer who has been granted an exemption under
5 this Section must reapply on an annual basis. Application must
6 be made during the application period in effect for the county
7 of his or her residence. The assessor or chief county
8 assessment officer may determine the eligibility of
9 residential property to receive the homestead exemption
10 provided by this Section by application, visual inspection,
11 questionnaire, or other reasonable methods. The determination
12 must be made in accordance with guidelines established by the
13 Department.

14 (f) For the purposes of this Section:

15 "Qualified residence" means real property, but less any
16 portion of that property that is used for commercial purposes,
17 with an equalized assessed value of less than \$250,000 that is
18 the disabled veteran's primary residence. Property rented for
19 more than 6 months is presumed to be used for commercial
20 purposes.

21 "Veteran" means an Illinois resident who has served as a
22 member of the United States Armed Forces on active duty or
23 State active duty, a member of the Illinois National Guard, or
24 a member of the United States Reserve Forces and who has
25 received an honorable discharge.

26 (Source: P.A. 95-644, eff. 10-12-07.)

1 (35 ILCS 200/15-170)

2 (Text of Section before amendment by P.A. 96-339)

3 Sec. 15-170. Senior Citizens Homestead Exemption. An
4 annual homestead exemption limited, except as described here
5 with relation to cooperatives or life care facilities, to a
6 maximum reduction set forth below from the property's value, as
7 equalized or assessed by the Department, is granted for
8 property that is occupied as a residence by a person 65 years
9 of age or older who is liable for paying real estate taxes on
10 the property and is an owner of record of the property or has a
11 legal or equitable interest therein as evidenced by a written
12 instrument, except for a leasehold interest, other than a
13 leasehold interest of land on which a single family residence
14 is located, which is occupied as a residence by a person 65
15 years or older who has an ownership interest therein, legal,
16 equitable or as a lessee, and on which he or she is liable for
17 the payment of property taxes. Before taxable year 2004, the
18 maximum reduction shall be \$2,500 in counties with 3,000,000 or
19 more inhabitants and \$2,000 in all other counties. For taxable
20 years 2004 through 2005, the maximum reduction shall be \$3,000
21 in all counties. For taxable years 2006 and 2007, the maximum
22 reduction shall be \$3,500 and, for taxable years 2008 and
23 thereafter, the maximum reduction is \$4,000 in all counties.

24 For land improved with an apartment building owned and
25 operated as a cooperative, the maximum reduction from the value

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

26 When a homestead exemption has been granted under this

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

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

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

26 The assessor or chief county assessment officer may

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

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

1 chief county assessment officer.

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

8 In counties with 3,000,000 or more inhabitants, beginning
9 in taxable year 2010, each taxpayer who has been granted an
10 exemption under this Section must reapply on an annual basis.
11 The chief county assessment officer shall mail the application
12 to the taxpayer. In counties with less than 3,000,000
13 inhabitants, the county board may by resolution provide that if
14 a person has been granted a homestead exemption under this
15 Section, the person qualifying need not reapply for the
16 exemption.

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

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

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

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

8 (Source: P.A. 95-644, eff. 10-12-07; 95-876, eff. 8-21-08;
9 96-355, eff. 1-1-10.)

10 (Text of Section after amendment by P.A. 96-339)

11 Sec. 15-170. Senior Citizens Homestead Exemption. An
12 annual homestead exemption limited, except as described here
13 with relation to cooperatives or life care facilities, to a
14 maximum reduction set forth below from the property's value, as
15 equalized or assessed by the Department, is granted for
16 property that is occupied as a residence by a person 65 years
17 of age or older who is liable for paying real estate taxes on
18 the property and is an owner of record of the property or has a
19 legal or equitable interest therein as evidenced by a written
20 instrument, except for a leasehold interest, other than a
21 leasehold interest of land on which a single family residence
22 is located, which is occupied as a residence by a person 65
23 years or older who has an ownership interest therein, legal,
24 equitable or as a lessee, and on which he or she is liable for
25 the payment of property taxes. Before taxable year 2004, the

1 maximum reduction shall be \$2,500 in counties with 3,000,000 or
2 more inhabitants and \$2,000 in all other counties. For taxable
3 years 2004 through 2005, the maximum reduction shall be \$3,000
4 in all counties. For taxable years 2006 and 2007, the maximum
5 reduction shall be \$3,500 and, for taxable years 2008 and
6 thereafter, the maximum reduction is \$4,000 in all counties.

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

1 the owner or resident who qualified for the exemption. Any
2 person who willfully refuses to so credit the savings shall be
3 guilty of a Class B misdemeanor. Under this Section and
4 Sections 15-175, 15-176, and 15-177, "life care facility" means
5 a facility, as defined in Section 2 of the Life Care Facilities
6 Act, with which the applicant for the homestead exemption has a
7 life care contract as defined in that Act.

8 When a homestead exemption has been granted under this
9 Section and the person qualifying subsequently becomes a
10 resident of a facility licensed under the Assisted Living and
11 Shared Housing Act, ~~or~~ the Nursing Home Care Act, or the MR/DD
12 Community Care Act, the exemption shall continue so long as the
13 residence continues to be occupied by the qualifying person's
14 spouse if the spouse is 65 years of age or older, or if the
15 residence remains unoccupied but is still owned by the person
16 qualified for the homestead exemption.

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

22 Beginning with assessment year 2003, for taxes payable in
23 2004, property that is first occupied as a residence after
24 January 1 of any assessment year by a person who is eligible
25 for the senior citizens homestead exemption under this Section
26 must be granted a pro-rata exemption for the assessment year.

1 The amount of the pro-rata exemption is the exemption allowed
2 in the county under this Section divided by 365 and multiplied
3 by the number of days during the assessment year the property
4 is occupied as a residence by a person eligible for the
5 exemption under this Section. The chief county assessment
6 officer must adopt reasonable procedures to establish
7 eligibility for this pro-rata exemption.

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

17 The chief county assessment officer of each county with
18 less than 3,000,000 inhabitants shall provide to each person
19 allowed a homestead exemption under this Section a form to
20 designate any other person to receive a duplicate of any notice
21 of delinquency in the payment of taxes assessed and levied
22 under this Code on the property of the person receiving the
23 exemption. The duplicate notice shall be in addition to the
24 notice required to be provided to the person receiving the
25 exemption, and shall be given in the manner required by this
26 Code. The person filing the request for the duplicate notice

1 shall pay a fee of \$5 to cover administrative costs to the
2 supervisor of assessments, who shall then file the executed
3 designation with the county collector. Notwithstanding any
4 other provision of this Code to the contrary, the filing of
5 such an executed designation requires the county collector to
6 provide duplicate notices as indicated by the designation. A
7 designation may be rescinded by the person who executed such
8 designation at any time, in the manner and form required by the
9 chief county assessment officer.

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

16 In counties with 3,000,000 or more inhabitants, beginning
17 in taxable year 2010, each taxpayer who has been granted an
18 exemption under this Section must reapply on an annual basis.
19 The chief county assessment officer shall mail the application
20 to the taxpayer. In counties with less than 3,000,000
21 inhabitants, the county board may by resolution provide that if
22 a person has been granted a homestead exemption under this
23 Section, the person qualifying need not reapply for the
24 exemption.

25 In counties with less than 3,000,000 inhabitants, if the
26 assessor or chief county assessment officer requires annual

1 application for verification of eligibility for an exemption
2 once granted under this Section, the application shall be
3 mailed to the taxpayer.

4 The assessor or chief county assessment officer shall
5 notify each person who qualifies for an exemption under this
6 Section that the person may also qualify for deferral of real
7 estate taxes under the Senior Citizens Real Estate Tax Deferral
8 Act. The notice shall set forth the qualifications needed for
9 deferral of real estate taxes, the address and telephone number
10 of county collector, and a statement that applications for
11 deferral of real estate taxes may be obtained from the county
12 collector.

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

16 (Source: P.A. 95-644, eff. 10-12-07; 95-876, eff. 8-21-08;
17 96-339, eff. 7-1-10; 96-355, eff. 1-1-10; revised 9-25-09.)

18 (35 ILCS 200/15-176)

19 Sec. 15-176. Alternative general homestead exemption.

20 (a) For the assessment years as determined under subsection
21 (j), in any county that has elected, by an ordinance in
22 accordance with subsection (k), to be subject to the provisions
23 of this Section in lieu of the provisions of Section 15-175,
24 homestead property is entitled to an annual homestead exemption
25 equal to a reduction in the property's equalized assessed value

1 calculated as provided in this Section.

2 (b) As used in this Section:

3 (1) "Assessor" means the supervisor of assessments or
4 the chief county assessment officer of each county.

5 (2) "Adjusted homestead value" means the lesser of the
6 following values:

7 (A) The property's base homestead value increased
8 by 7% for each tax year after the base year through and
9 including the current tax year, or, if the property is
10 sold or ownership is otherwise transferred, the
11 property's base homestead value increased by 7% for
12 each tax year after the year of the sale or transfer
13 through and including the current tax year. The
14 increase by 7% each year is an increase by 7% over the
15 prior year.

16 (B) The property's equalized assessed value for
17 the current tax year minus: (i) \$4,500 in Cook County
18 or \$3,500 in all other counties in tax year 2003; (ii)
19 \$5,000 in all counties in tax years 2004 and 2005; and
20 (iii) the lesser of the amount of the general homestead
21 exemption under Section 15-175 or an amount equal to
22 the increase in the equalized assessed value for the
23 current tax year above the equalized assessed value for
24 1977 in tax year 2006 and thereafter.

25 (3) "Base homestead value".

26 (A) Except as provided in subdivision (b) (3) (A-5)

1 or (b) (3) (B), "base homestead value" means the
2 equalized assessed value of the property for the base
3 year prior to exemptions, minus (i) \$4,500 in Cook
4 County or \$3,500 in all other counties in tax year
5 2003, (ii) \$5,000 in all counties in tax years 2004 and
6 2005, or (iii) the lesser of the amount of the general
7 homestead exemption under Section 15-175 or an amount
8 equal to the increase in the equalized assessed value
9 for the current tax year above the equalized assessed
10 value for 1977 in tax year 2006 and thereafter,
11 provided that it was assessed for that year as
12 residential property qualified for any of the
13 homestead exemptions under Sections 15-170 through
14 15-175 of this Code, then in force, and further
15 provided that the property's assessment was not based
16 on a reduced assessed value resulting from a temporary
17 irregularity in the property for that year. Except as
18 provided in subdivision (b) (3) (B), if the property did
19 not have a residential equalized assessed value for the
20 base year, then "base homestead value" means the base
21 homestead value established by the assessor under
22 subsection (c).

23 (A-5) On or before September 1, 2007, in Cook
24 County, the base homestead value, as set forth under
25 subdivision (b) (3) (A) and except as provided under
26 subdivision (b) (3) (B), must be recalculated as the

1 equalized assessed value of the property for the base
2 year, prior to exemptions, minus:

3 (1) if the general assessment year for the
4 property was 2003, the lesser of (i) \$4,500 or (ii)
5 the amount equal to the increase in equalized
6 assessed value for the 2002 tax year above the
7 equalized assessed value for 1977;

8 (2) if the general assessment year for the
9 property was 2004, the lesser of (i) \$4,500 or (ii)
10 the amount equal to the increase in equalized
11 assessed value for the 2003 tax year above the
12 equalized assessed value for 1977;

13 (3) if the general assessment year for the
14 property was 2005, the lesser of (i) \$5,000 or (ii)
15 the amount equal to the increase in equalized
16 assessed value for the 2004 tax year above the
17 equalized assessed value for 1977.

18 (B) If the property is sold or ownership is
19 otherwise transferred, other than sales or transfers
20 between spouses or between a parent and a child, "base
21 homestead value" means the equalized assessed value of
22 the property at the time of the sale or transfer prior
23 to exemptions, minus: (i) \$4,500 in Cook County or
24 \$3,500 in all other counties in tax year 2003; (ii)
25 \$5,000 in all counties in tax years 2004 and 2005; and
26 (iii) the lesser of the amount of the general homestead

1 exemption under Section 15-175 or an amount equal to
2 the increase in the equalized assessed value for the
3 current tax year above the equalized assessed value for
4 1977 in tax year 2006 and thereafter, provided that it
5 was assessed as residential property qualified for any
6 of the homestead exemptions under Sections 15-170
7 through 15-175 of this Code, then in force, and further
8 provided that the property's assessment was not based
9 on a reduced assessed value resulting from a temporary
10 irregularity in the property.

11 (3.5) "Base year" means (i) tax year 2002 in Cook
12 County or (ii) tax year 2008 or 2009 ~~2005 or 2006~~ in all
13 other counties in accordance with the designation made by
14 the county as provided in subsection (k).

15 (4) "Current tax year" means the tax year for which the
16 exemption under this Section is being applied.

17 (5) "Equalized assessed value" means the property's
18 assessed value as equalized by the Department.

19 (6) "Homestead" or "homestead property" means:

20 (A) Residential property that as of January 1 of
21 the tax year is occupied by its owner or owners as his,
22 her, or their principal dwelling place, or that is a
23 leasehold interest on which a single family residence
24 is situated, that is occupied as a residence by a
25 person who has a legal or equitable interest therein
26 evidenced by a written instrument, as an owner or as a

1 lessee, and on which the person is liable for the
2 payment of property taxes. Residential units in an
3 apartment building owned and operated as a
4 cooperative, or as a life care facility, which are
5 occupied by persons who hold a legal or equitable
6 interest in the cooperative apartment building or life
7 care facility as owners or lessees, and who are liable
8 by contract for the payment of property taxes, shall be
9 included within this definition of homestead property.

10 (B) A homestead includes the dwelling place,
11 appurtenant structures, and so much of the surrounding
12 land constituting the parcel on which the dwelling
13 place is situated as is used for residential purposes.
14 If the assessor has established a specific legal
15 description for a portion of property constituting the
16 homestead, then the homestead shall be limited to the
17 property within that description.

18 (7) "Life care facility" means a facility as defined in
19 Section 2 of the Life Care Facilities Act.

20 (c) If the property did not have a residential equalized
21 assessed value for the base year as provided in subdivision
22 (b) (3) (A) of this Section, then the assessor shall first
23 determine an initial value for the property by comparison with
24 assessed values for the base year of other properties having
25 physical and economic characteristics similar to those of the
26 subject property, so that the initial value is uniform in

1 relation to assessed values of those other properties for the
2 base year. The product of the initial value multiplied by the
3 equalized factor for the base year for homestead properties in
4 that county, less: (i) \$4,500 in Cook County or \$3,500 in all
5 other counties in tax years 2003; (ii) \$5,000 in all counties
6 in tax year 2004 and 2005; and (iii) the lesser of the amount
7 of the general homestead exemption under Section 15-175 or an
8 amount equal to the increase in the equalized assessed value
9 for the current tax year above the equalized assessed value for
10 1977 in tax year 2006 and thereafter, is the base homestead
11 value.

12 For any tax year for which the assessor determines or
13 adjusts an initial value and hence a base homestead value under
14 this subsection (c), the initial value shall be subject to
15 review by the same procedures applicable to assessed values
16 established under this Code for that tax year.

17 (d) The base homestead value shall remain constant, except
18 that the assessor may revise it under the following
19 circumstances:

20 (1) If the equalized assessed value of a homestead
21 property for the current tax year is less than the previous
22 base homestead value for that property, then the current
23 equalized assessed value (provided it is not based on a
24 reduced assessed value resulting from a temporary
25 irregularity in the property) shall become the base
26 homestead value in subsequent tax years.

1 (2) For any year in which new buildings, structures, or
2 other improvements are constructed on the homestead
3 property that would increase its assessed value, the
4 assessor shall adjust the base homestead value as provided
5 in subsection (c) of this Section with due regard to the
6 value added by the new improvements.

7 (3) If the property is sold or ownership is otherwise
8 transferred, the base homestead value of the property shall
9 be adjusted as provided in subdivision (b) (3) (B). This item
10 (3) does not apply to sales or transfers between spouses or
11 between a parent and a child.

12 (4) the recalculation required in Cook County under
13 subdivision (b) (3) (A-5).

14 (e) The amount of the exemption under this Section is the
15 equalized assessed value of the homestead property for the
16 current tax year, minus the adjusted homestead value, with the
17 following exceptions:

18 (1) In Cook County, the exemption under this Section
19 shall not exceed \$20,000 for any taxable year through tax
20 year:

21 (i) 2005, if the general assessment year for the
22 property is 2003;

23 (ii) 2006, if the general assessment year for the
24 property is 2004; or

25 (iii) 2007, if the general assessment year for the
26 property is 2005.

1 (1.1) Thereafter, in Cook County, and in all other
2 counties, the exemption is as follows:

3 (i) if the general assessment year for the property
4 is 2006, then the exemption may not exceed: \$33,000 for
5 taxable year 2006; \$26,000 for taxable year 2007; ~~and~~
6 \$20,000 for taxable years year 2008 and 2009; \$16,000
7 for taxable year 2010; and \$12,000 for taxable year
8 2011;

9 (ii) if the general assessment year for the
10 property is 2007, then the exemption may not exceed:
11 \$33,000 for taxable year 2007; \$26,000 for taxable year
12 2008; ~~and~~ \$20,000 for taxable years year 2009 and 2010;
13 \$16,000 for taxable year 2011; and \$12,000 for taxable
14 year 2012; and

15 (iii) if the general assessment year for the
16 property is 2008, then the exemption may not exceed:
17 \$33,000 for taxable year 2008; \$26,000 for taxable year
18 2009; ~~and~~ \$20,000 for taxable years year 2010 and 2011;
19 \$16,000 for taxable year 2012; and \$12,000 for taxable
20 year 2013.

21 (1.5) In Cook County, for the 2006 taxable year only, the
22 maximum amount of the exemption set forth under subsection
23 (e) (1.1) (i) of this Section may be increased: (i) by \$7,000 if
24 the equalized assessed value of the property in that taxable
25 year exceeds the equalized assessed value of that property in
26 2002 by 100% or more; or (ii) by \$2,000 if the equalized

1 assessed value of the property in that taxable year exceeds the
2 equalized assessed value of that property in 2002 by more than
3 80% but less than 100%.

4 (2) In the case of homestead property that also
5 qualifies for the exemption under Section 15-172, the
6 property is entitled to the exemption under this Section,
7 limited to the amount of (i) \$4,500 in Cook County or
8 \$3,500 in all other counties in tax year 2003, (ii) \$5,000
9 in all counties in tax years 2004 and 2005, or (iii) the
10 lesser of the amount of the general homestead exemption
11 under Section 15-175 or an amount equal to the increase in
12 the equalized assessed value for the current tax year above
13 the equalized assessed value for 1977 in tax year 2006 and
14 thereafter.

15 (f) In the case of an apartment building owned and operated
16 as a cooperative, or as a life care facility, that contains
17 residential units that qualify as homestead property under this
18 Section, the maximum cumulative exemption amount attributed to
19 the entire building or facility shall not exceed the sum of the
20 exemptions calculated for each qualified residential unit. The
21 cooperative association, management firm, or other person or
22 entity that manages or controls the cooperative apartment
23 building or life care facility shall credit the exemption
24 attributable to each residential unit only to the apportioned
25 tax liability of the owner or other person responsible for
26 payment of taxes as to that unit. Any person who willfully

1 refuses to so credit the exemption is guilty of a Class B
2 misdemeanor.

3 (g) When married persons maintain separate residences, the
4 exemption provided under this Section shall be claimed by only
5 one such person and for only one residence.

6 (h) In the event of a sale or other transfer in ownership
7 of the homestead property, the exemption under this Section
8 shall remain in effect for the remainder of the tax year and be
9 calculated using the same base homestead value in which the
10 sale or transfer occurs, but (other than for sales or transfers
11 between spouses or between a parent and a child) shall be
12 calculated for any subsequent tax year using the new base
13 homestead value as provided in subdivision (b)(3)(B). The
14 assessor may require the new owner of the property to apply for
15 the exemption in the following year.

16 (i) The assessor may determine whether property qualifies
17 as a homestead under this Section by application, visual
18 inspection, questionnaire, or other reasonable methods. Each
19 year, at the time the assessment books are certified to the
20 county clerk by the board of review, the assessor shall furnish
21 to the county clerk a list of the properties qualified for the
22 homestead exemption under this Section. The list shall note the
23 base homestead value of each property to be used in the
24 calculation of the exemption for the current tax year.

25 (j) In counties with 3,000,000 or more inhabitants, the
26 provisions of this Section apply as follows:

1 (1) If the general assessment year for the property is
2 2003, this Section applies for assessment years 2003
3 through 2011 , ~~2004, 2005, 2006, 2007, and 2008.~~
4 Thereafter, the provisions of Section 15-175 apply.

5 (2) If the general assessment year for the property is
6 2004, this Section applies for assessment years 2004
7 through 2012 , ~~2005, 2006, 2007, 2008, and 2009.~~
8 Thereafter, the provisions of Section 15-175 apply.

9 (3) If the general assessment year for the property is
10 2005, this Section applies for assessment years 2005
11 through 2013 , ~~2006, 2007, 2008, 2009, and 2010.~~
12 Thereafter, the provisions of Section 15-175 apply.

13 In counties with less than 3,000,000 inhabitants, this
14 Section applies for assessment years (i) 2009, 2010, 2011, and
15 2012 ~~2006, 2007, and 2008, and 2009~~ if tax year 2008 ~~2005~~ is
16 the designated base year or (ii) 2010, 2011, 2012, and 2013
17 ~~2007, 2008, 2009, and 2010~~ if tax year 2009 ~~2006~~ is the
18 designated base year. Thereafter, the provisions of Section
19 15-175 apply.

20 (k) To be subject to the provisions of this Section in lieu
21 of Section 15-175, a county must adopt an ordinance to subject
22 itself to the provisions of this Section within 6 months after
23 the effective date of this amendatory Act of the 96th ~~95th~~
24 General Assembly. In a county other than Cook County, the
25 ordinance must designate either tax year 2008 ~~2005~~ or tax year
26 2009 ~~2006~~ as the base year.

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

5 Section 95. No acceleration or delay. Where this Act makes
6 changes in a statute that is represented in this Act by text
7 that is not yet or no longer in effect (for example, a Section
8 represented by multiple versions), the use of that text does
9 not accelerate or delay the taking effect of (i) the changes
10 made by this Act or (ii) provisions derived from any other
11 Public Act.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law."