



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1883

by Rep. Robert Rita

SYNOPSIS AS INTRODUCED:

35 ILCS 200/27-25

35 ILCS 200/27-30

Amends the Property Tax Code. Provides that the notice of the first levy of taxes by a municipality or county in a special service area shall include the proposed tax levy, the tax rates for the year preceding the levy year of other taxing districts in the special service area, the proposed budget, and a tax impact statement. Provides that the tax impact statement shall contain estimates of the tax required for the proposed special service area and estimates of the tax increase for taxpayers in the special service area. Provides factors on which the estimates of the tax rates shall be based. Provides that the public hearing required for the proposal of a special service area shall be held within the boundaries of the proposed special service area. Effective January 1, 2012.

LRB097 08685 HLH 48814 b

FISCAL 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 Sections 27-25 and 27-30 as follows:

6 (35 ILCS 200/27-25)

7 Sec. 27-25. Form of hearing notice. Taxes may be levied or
8 imposed by the municipality or county in the special service
9 area at a rate or amount of tax sufficient to produce revenues
10 required to provide the special services. Prior to the first
11 levy of taxes in the special service area, notice shall be
12 given and a hearing shall be held under the provisions of
13 Sections 27-30 and 27-35. For purposes of this Section the
14 notice shall include:

15 (a) The time and place of hearing;

16 (b) The boundaries of the area by legal description
17 and, where possible, by street location;

18 (c) The permanent tax index number of each parcel
19 located within the area;

20 (d) The nature of the proposed special services to be
21 provided within the special service area and a statement as
22 to whether the proposed special services are for new
23 construction, maintenance, or other purposes;

1 (e) A notification that all interested persons,
2 including all persons owning taxable real property located
3 within the special service area, will be given an
4 opportunity to be heard at the hearing regarding the tax
5 levy and an opportunity to file objections to the amount of
6 the tax levy if the tax is a tax upon property; ~~and~~

7 (f) The maximum rate of taxes to be extended within the
8 special service area in any year and the maximum number of
9 years taxes will be levied if a maximum number of years is
10 to be established;

11 (g) The proposed tax levy;

12 (h) The tax rates for the year preceding the levy year
13 of other taxing districts located within the proposed
14 special service area;

15 (i) The proposed budget; and

16 (j) A tax impact statement containing estimates of the
17 tax rate required for the proposed special service area and
18 estimates of the tax increase for taxpayers within the
19 proposed special service. Tax rates shall be estimated
20 based on the following factors: (i) the levy of the
21 proposed special service area and the equalized assessed
22 valuation of all property within the proposed special
23 service area for the year preceding the levy year; (ii) the
24 levy of the proposed special service area and the equalized
25 assessed value of all property within the proposed special
26 service area for the year preceding the levy year increased

1 by 5%; (iii) the levy of the proposed special service area
2 and the equalized assessed value of all property within the
3 proposed special service area for the year preceding the
4 levy year increased by 10%; (iv) the levy of the proposed
5 special service area and the equalized assessed value of
6 all property within the proposed special service area for
7 the year preceding the levy year decreased by 5%; (v) the
8 levy of the proposed special service area and the last
9 known equalized assessed value of all property within the
10 special service area for the year preceding the levy year
11 decreased by 10%. Tax increases shall be estimated from the
12 computation of the foregoing rates. The rates shall be
13 applied to the median equalized assessed value of
14 residential property within the proposed special service
15 area for the year preceding the levy year and the median
16 equalized assessed value of all other property within the
17 proposed special service area for the year preceding the
18 levy year. For purposes of this Section, "residential
19 property" means property for which at least one of the
20 homestead exemptions enumerated in Article 15 of this Code
21 has been applied in the year preceding the levy year.

22 After the first levy of taxes within the special service
23 area, taxes may continue to be levied in subsequent years
24 without the requirement of an additional public hearing if the
25 tax rate does not exceed the rate specified in the notice for
26 the original public hearing and the taxes are not extended for

1 a longer period than the number of years specified in the
2 notice if a number of years is specified. Tax rates may be
3 increased and the period specified may be extended, if notice
4 is given and new public hearings are held in accordance with
5 Sections 27-30 and 27-35. A levy that includes an increase
6 greater than the lesser of 5% of the initial extension of taxes
7 for the special service area or the percentage increase in the
8 Consumer Price Index during the 12-month calendar year
9 preceding the levy year may be extended only if notice is given
10 and a public hearing is held in accordance with Sections 27-30
11 and 27-35. For purposes of this Section "Consumer Price Index"
12 means the Consumer Price Index for All Urban Consumers for all
13 items published by the United States Department of Labor.

14 (Source: P.A. 93-1013, eff. 8-24-04.)

15 (35 ILCS 200/27-30)

16 Sec. 27-30. Manner of notice. Prior to or within 60 days
17 after the adoption of the ordinance proposing the establishment
18 of a special service area the municipality or county shall fix
19 a time and a place for a public hearing. To the extent feasible
20 the hearing shall be held within the boundaries of the proposed
21 special service area. Notice of the hearing shall be given by
22 publication and mailing, except that notice of a public hearing
23 to propose the establishment of a special service area for
24 weather modification purposes may be given by publication only.
25 Notice by publication shall be given by publication at least

1 once not less than 15 days prior to the hearing in a newspaper
2 of general circulation within the municipality or county.
3 Notice by mailing shall be given by depositing the notice in
4 the United States mails addressed to the person or persons in
5 whose name the general taxes for the last preceding year were
6 paid on each property lying within the special service area. A
7 notice shall be mailed not less than 10 days prior to the time
8 set for the public hearing. In the event taxes for the last
9 preceding year were not paid, the notice shall be sent to the
10 person last listed on the tax rolls prior to that year as the
11 owner of the property.

12 (Source: P.A. 82-282; 88-455.)

13 Section 99. Effective date. This Act takes effect January
14 1, 2012.