



Sen. Gary Forby

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09700HB4242sam001

LRB097 15225 HLH 69044 a

1 AMENDMENT TO HOUSE BILL 4242

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4242 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by adding  
5 Section 15-173 as follows:

6 (35 ILCS 200/15-173 new)

7 Sec. 15-173. Natural Disaster Homestead Exemption.

8 (a) This Section may be cited as the Natural Disaster  
9 Homestead Exemption.

10 (b) As used in this Section:

11 "Base amount" means the base year equalized assessed value  
12 of the residence.

13 "Base year" means the taxable year prior to the taxable  
14 year in which the natural disaster occurred.

15 "Chief county assessment officer" means the County  
16 Assessor or Supervisor of Assessments of the county in which

1 the property is located.

2 "Equalized assessed value" means the assessed value as  
3 equalized by the Illinois Department of Revenue.

4 "Homestead property" has the meaning ascribed to that term  
5 in Section 15-175 of this Code.

6 "Natural disaster" means an occurrence of widespread or  
7 severe damage or loss of property resulting from any  
8 catastrophic cause including but not limited to fire, flood,  
9 earthquake, wind, storm, or extended period of severe inclement  
10 weather. In the case of a residential structure affected by  
11 flooding, the structure shall not be eligible for this  
12 homestead improvement exemption unless it is located within a  
13 local jurisdiction which is participating in the National Flood  
14 Insurance Program. A proclamation of disaster by the President  
15 of the United States or Governor of the State of Illinois is  
16 not a prerequisite to the classification of an occurrence as a  
17 natural disaster under this Section.

18 (c) A homestead exemption shall be granted by the chief  
19 county assessment officer for homestead properties containing  
20 a residential structure that has been rebuilt following a  
21 natural disaster occurring in taxable year 2012 or any taxable  
22 year thereafter. The amount of the exemption is the equalized  
23 assessed value of the residence in the first taxable year for  
24 which the taxpayer applies for an exemption under this Section  
25 minus the base amount. To be eligible for an exemption under  
26 this Section: (i) the residential structure must be rebuilt

1 within 2 years after the date of the natural disaster; and (ii)  
2 the square footage of the rebuilt residential structure may not  
3 be more than 110% of the square footage of the original  
4 residential structure as it existed immediately prior to the  
5 natural disaster. The taxpayer's initial application for an  
6 exemption under this Section must be made no later than the  
7 first taxable year after the residential structure is rebuilt.  
8 The exemption shall continue at the same annual amount until  
9 the taxable year in which the property is sold or transferred.

10 (d) To receive the exemption, the taxpayer shall submit an  
11 application to the chief county assessment officer of the  
12 county in which the property is located by July 1 of each  
13 taxable year. A county may, by resolution, establish a date for  
14 submission of applications that is different than July 1. The  
15 chief county assessment officer may require additional  
16 documentation to be provided by the applicant. The applications  
17 shall be clearly marked as applications for the Natural  
18 Disaster Homestead Exemption.

19 (e) Property is not eligible for an exemption under this  
20 Section and Section 15-180 for the same natural disaster or  
21 catastrophic event. The property may, however, remain eligible  
22 for an additional exemption under Section 15-180 for any  
23 separate event occurring after the property qualified for an  
24 exemption under this Section.

25 (f) The exemption under this Section carries over to the  
26 benefit of the surviving spouse as long as the spouse holds the

1 legal or beneficial title to the homestead and permanently  
2 resides thereon.

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

6 Section 90. The State Mandates Act is amended by adding  
7 Section 8.36 as follows:

8 (30 ILCS 805/8.36 new)

9 Sec. 8.36. Exempt mandate. Notwithstanding Sections 6 and 8  
10 of this Act, no reimbursement by the State is required for the  
11 implementation of any mandate created by this amendatory Act of  
12 the 97th General Assembly.

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