



Sen. Carole Pankau

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LRB097 16643 HLH 68881 a

1 AMENDMENT TO SENATE BILL 3004

2 AMENDMENT NO. _____. Amend Senate Bill 3004 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing
5 Sections 15-170 and 15-175 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

1 leasehold interest of land on which a single family residence
2 is located, which is occupied as a residence by a person 65
3 years or older who has an ownership interest therein, legal,
4 equitable or as a lessee, and on which he or she is liable for
5 the payment of property taxes. Before taxable year 2004, the
6 maximum reduction shall be \$2,500 in counties with 3,000,000 or
7 more inhabitants and \$2,000 in all other counties. For taxable
8 years 2004 through 2005, the maximum reduction shall be \$3,000
9 in all counties. For taxable years 2006 and 2007, the maximum
10 reduction shall be \$3,500 ~~and~~, for taxable years 2008 through
11 2011 and thereafter, the maximum reduction is \$4,000 in all
12 counties, and, for taxable years 2012 and thereafter, the
13 maximum reduction is \$4,000 in counties with 3,000,000 or more
14 inhabitants and \$10,000 in all other counties.

15 For land improved with an apartment building owned and
16 operated as a cooperative, the maximum reduction from the value
17 of the property, as equalized by the Department, shall be
18 multiplied by the number of apartments or units occupied by a
19 person 65 years of age or older who is liable, by contract with
20 the owner or owners of record, for paying property taxes on the
21 property and is an owner of record of a legal or equitable
22 interest in the cooperative apartment building, other than a
23 leasehold interest. For land improved with a life care
24 facility, the maximum reduction from the value of the property,
25 as equalized by the Department, shall be multiplied by the
26 number of apartments or units occupied by persons 65 years of

1 age or older, irrespective of any legal, equitable, or
2 leasehold interest in the facility, who are liable, under a
3 contract with the owner or owners of record of the facility,
4 for paying property taxes on the property. In a cooperative or
5 a life care facility where a homestead exemption has been
6 granted, the cooperative association or the management firm of
7 the cooperative or facility shall credit the savings resulting
8 from that exemption only to the apportioned tax liability of
9 the owner or resident who qualified for the exemption. Any
10 person who willfully refuses to so credit the savings shall be
11 guilty of a Class B misdemeanor. Under this Section and
12 Sections 15-175, 15-176, and 15-177, "life care facility" means
13 a facility, as defined in Section 2 of the Life Care Facilities
14 Act, with which the applicant for the homestead exemption has a
15 life care contract as defined in that Act.

16 When a homestead exemption has been granted under this
17 Section and the person qualifying subsequently becomes a
18 resident of a facility licensed under the Assisted Living and
19 Shared Housing Act, the Nursing Home Care Act, the Specialized
20 Mental Health Rehabilitation Act, or the ID/DD Community Care
21 Act, the exemption shall continue so long as the residence
22 continues to be occupied by the qualifying person's spouse if
23 the spouse is 65 years of age or older, or if the residence
24 remains unoccupied but is still owned by the person qualified
25 for the homestead exemption.

26 A person who will be 65 years of age during the current

1 assessment year shall be eligible to apply for the homestead
2 exemption during that assessment year. Application shall be
3 made during the application period in effect for the county of
4 his residence.

5 Beginning with assessment year 2003, for taxes payable in
6 2004, property that is first occupied as a residence after
7 January 1 of any assessment year by a person who is eligible
8 for the senior citizens homestead exemption under this Section
9 must be granted a pro-rata exemption for the assessment year.
10 The amount of the pro-rata exemption is the exemption allowed
11 in the county under this Section divided by 365 and multiplied
12 by the number of days during the assessment year the property
13 is occupied as a residence by a person eligible for the
14 exemption under this Section. The chief county assessment
15 officer must adopt reasonable procedures to establish
16 eligibility for this pro-rata exemption.

17 The assessor or chief county assessment officer may
18 determine the eligibility of a life care facility to receive
19 the benefits provided by this Section, by affidavit,
20 application, visual inspection, questionnaire or other
21 reasonable methods in order to insure that the tax savings
22 resulting from the exemption are credited by the management
23 firm to the apportioned tax liability of each qualifying
24 resident. The assessor may request reasonable proof that the
25 management firm has so credited the exemption.

26 The chief county assessment officer of each county with

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

19 The assessor or chief county assessment officer may
20 determine the eligibility of residential property to receive
21 the homestead exemption provided by this Section by
22 application, visual inspection, questionnaire or other
23 reasonable methods. The determination shall be made in
24 accordance with guidelines established by the Department.

25 In counties with 3,000,000 or more inhabitants, beginning
26 in taxable year 2010, each taxpayer who has been granted an

1 exemption under this Section must reapply on an annual basis.
2 The chief county assessment officer shall mail the application
3 to the taxpayer. In counties with less than 3,000,000
4 inhabitants, the county board may by resolution provide that if
5 a person has been granted a homestead exemption under this
6 Section, the person qualifying need not reapply for the
7 exemption.

8 In counties with less than 3,000,000 inhabitants, if the
9 assessor or chief county assessment officer requires annual
10 application for verification of eligibility for an exemption
11 once granted under this Section, the application shall be
12 mailed to the taxpayer.

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

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

25 (Source: P.A. 96-339, eff. 7-1-10; 96-355, eff. 1-1-10;
26 96-1000, eff. 7-2-10; 96-1418, eff. 8-2-10; 97-38, eff.

1 6-28-11; 97-227, eff. 1-1-12; revised 9-12-11.)

2 (35 ILCS 200/15-175)

3 Sec. 15-175. General homestead exemption. Except as
4 provided in Sections 15-176 and 15-177, homestead property is
5 entitled to an annual homestead exemption limited, except as
6 described here with relation to cooperatives, to a reduction in
7 the equalized assessed value of homestead property equal to the
8 increase in equalized assessed value for the current assessment
9 year above the equalized assessed value of the property for
10 1977, up to the maximum reduction set forth below. If however,
11 the 1977 equalized assessed value upon which taxes were paid is
12 subsequently determined by local assessing officials, the
13 Property Tax Appeal Board, or a court to have been excessive,
14 the equalized assessed value which should have been placed on
15 the property for 1977 shall be used to determine the amount of
16 the exemption.

17 Except as provided in Section 15-176, the maximum reduction
18 before taxable year 2004 shall be \$4,500 in counties with
19 3,000,000 or more inhabitants and \$3,500 in all other counties.
20 Except as provided in Sections 15-176 and 15-177, for taxable
21 years 2004 through 2007, the maximum reduction shall be \$5,000,
22 for taxable year 2008, the maximum reduction is \$5,500, ~~and,~~
23 for taxable years 2009 through 2011 ~~and thereafter~~, the maximum
24 reduction is \$6,000 in all counties, and, for taxable years
25 2012 and thereafter, the maximum reduction is \$6,000 in

1 counties with 3,000,000 or more inhabitants and \$10,000 in all
2 other counties. If a county has elected to subject itself to
3 the provisions of Section 15-176 as provided in subsection (k)
4 of that Section, then, for the first taxable year only after
5 the provisions of Section 15-176 no longer apply, for owners
6 who, for the taxable year, have not been granted a senior
7 citizens assessment freeze homestead exemption under Section
8 15-172 or a long-time occupant homestead exemption under
9 Section 15-177, there shall be an additional exemption of
10 \$5,000 for owners with a household income of \$30,000 or less.

11 In counties with fewer than 3,000,000 inhabitants, if,
12 based on the most recent assessment, the equalized assessed
13 value of the homestead property for the current assessment year
14 is greater than the equalized assessed value of the property
15 for 1977, the owner of the property shall automatically receive
16 the exemption granted under this Section in an amount equal to
17 the increase over the 1977 assessment up to the maximum
18 reduction set forth in this Section.

19 If in any assessment year beginning with the 2000
20 assessment year, homestead property has a pro-rata valuation
21 under Section 9-180 resulting in an increase in the assessed
22 valuation, a reduction in equalized assessed valuation equal to
23 the increase in equalized assessed value of the property for
24 the year of the pro-rata valuation above the equalized assessed
25 value of the property for 1977 shall be applied to the property
26 on a proportionate basis for the period the property qualified

1 as homestead property during the assessment year. The maximum
2 proportionate homestead exemption shall not exceed the maximum
3 homestead exemption allowed in the county under this Section
4 divided by 365 and multiplied by the number of days the
5 property qualified as homestead property.

6 "Homestead property" under this Section includes
7 residential property that is occupied by its owner or owners as
8 his or their principal dwelling place, or that is a leasehold
9 interest on which a single family residence is situated, which
10 is occupied as a residence by a person who has an ownership
11 interest therein, legal or equitable or as a lessee, and on
12 which the person is liable for the payment of property taxes.
13 For land improved with an apartment building owned and operated
14 as a cooperative or a building which is a life care facility as
15 defined in Section 15-170 and considered to be a cooperative
16 under Section 15-170, the maximum reduction from the equalized
17 assessed value shall be limited to the increase in the value
18 above the equalized assessed value of the property for 1977, up
19 to the maximum reduction set forth above, multiplied by the
20 number of apartments or units occupied by a person or persons
21 who is liable, by contract with the owner or owners of record,
22 for paying property taxes on the property and is an owner of
23 record of a legal or equitable interest in the cooperative
24 apartment building, other than a leasehold interest. For
25 purposes of this Section, the term "life care facility" has the
26 meaning stated in Section 15-170.

1 "Household", as used in this Section, means the owner, the
2 spouse of the owner, and all persons using the residence of the
3 owner as their principal place of residence.

4 "Household income", as used in this Section, means the
5 combined income of the members of a household for the calendar
6 year preceding the taxable year.

7 "Income", as used in this Section, has the same meaning as
8 provided in Section 3.07 of the Senior Citizens and Disabled
9 Persons Property Tax Relief and Pharmaceutical Assistance Act,
10 except that "income" does not include veteran's benefits.

11 In a cooperative where a homestead exemption has been
12 granted, the cooperative association or its management firm
13 shall credit the savings resulting from that exemption only to
14 the apportioned tax liability of the owner who qualified for
15 the exemption. Any person who willfully refuses to so credit
16 the savings shall be guilty of a Class B misdemeanor.

17 Where married persons maintain and reside in separate
18 residences qualifying as homestead property, each residence
19 shall receive 50% of the total reduction in equalized assessed
20 valuation provided by this Section.

21 In all counties, the assessor or chief county assessment
22 officer may determine the eligibility of residential property
23 to receive the homestead exemption and the amount of the
24 exemption by application, visual inspection, questionnaire or
25 other reasonable methods. The determination shall be made in
26 accordance with guidelines established by the Department,

1 provided that the taxpayer applying for an additional general
2 exemption under this Section shall submit to the chief county
3 assessment officer an application with an affidavit of the
4 applicant's total household income, age, marital status (and,
5 if married, the name and address of the applicant's spouse, if
6 known), and principal dwelling place of members of the
7 household on January 1 of the taxable year. The Department
8 shall issue guidelines establishing a method for verifying the
9 accuracy of the affidavits filed by applicants under this
10 paragraph. The applications shall be clearly marked as
11 applications for the Additional General Homestead Exemption.

12 In counties with fewer than 3,000,000 inhabitants, in the
13 event of a sale of homestead property the homestead exemption
14 shall remain in effect for the remainder of the assessment year
15 of the sale. The assessor or chief county assessment officer
16 may require the new owner of the property to apply for the
17 homestead exemption for the following assessment year.

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

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