



Rep. Emily McAsey

**Filed: 3/19/2013**

09800HB3055ham001

LRB098 10946 JDS 42659 a

1 AMENDMENT TO HOUSE BILL 3055

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3055 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing  
5 Section 18-185 as follows:

6 (35 ILCS 200/18-185)

7 Sec. 18-185. Short title; definitions. This Division 5 may  
8 be cited as the Property Tax Extension Limitation Law. As used  
9 in this Division 5:

10 "Consumer Price Index" means the Consumer Price Index for  
11 All Urban Consumers for all items published by the United  
12 States Department of Labor.

13 "Extension limitation" means (a) the lesser of 5% or the  
14 percentage increase in the Consumer Price Index during the  
15 12-month calendar year preceding the levy year or (b) the rate  
16 of increase approved by voters under Section 18-205.

1 "Affected county" means a county of 3,000,000 or more  
2 inhabitants or a county contiguous to a county of 3,000,000 or  
3 more inhabitants.

4 "Taxing district" has the same meaning provided in Section  
5 1-150, except as otherwise provided in this Section. For the  
6 1991 through 1994 levy years only, "taxing district" includes  
7 only each non-home rule taxing district having the majority of  
8 its 1990 equalized assessed value within any county or counties  
9 contiguous to a county with 3,000,000 or more inhabitants.  
10 Beginning with the 1995 levy year, "taxing district" includes  
11 only each non-home rule taxing district subject to this Law  
12 before the 1995 levy year and each non-home rule taxing  
13 district not subject to this Law before the 1995 levy year  
14 having the majority of its 1994 equalized assessed value in an  
15 affected county or counties. Beginning with the levy year in  
16 which this Law becomes applicable to a taxing district as  
17 provided in Section 18-213, "taxing district" also includes  
18 those taxing districts made subject to this Law as provided in  
19 Section 18-213.

20 "Aggregate extension" for taxing districts to which this  
21 Law applied before the 1995 levy year means the annual  
22 corporate extension for the taxing district and those special  
23 purpose extensions that are made annually for the taxing  
24 district, excluding special purpose extensions: (a) made for  
25 the taxing district to pay interest or principal on general  
26 obligation bonds that were approved by referendum; (b) made for

1 any taxing district to pay interest or principal on general  
2 obligation bonds issued before October 1, 1991; (c) made for  
3 any taxing district to pay interest or principal on bonds  
4 issued to refund or continue to refund those bonds issued  
5 before October 1, 1991; (d) made for any taxing district to pay  
6 interest or principal on bonds issued to refund or continue to  
7 refund bonds issued after October 1, 1991 that were approved by  
8 referendum; (e) made for any taxing district to pay interest or  
9 principal on revenue bonds issued before October 1, 1991 for  
10 payment of which a property tax levy or the full faith and  
11 credit of the unit of local government is pledged; however, a  
12 tax for the payment of interest or principal on those bonds  
13 shall be made only after the governing body of the unit of  
14 local government finds that all other sources for payment are  
15 insufficient to make those payments; (f) made for payments  
16 under a building commission lease when the lease payments are  
17 for the retirement of bonds issued by the commission before  
18 October 1, 1991, to pay for the building project; (g) made for  
19 payments due under installment contracts entered into before  
20 October 1, 1991; (h) made for payments of principal and  
21 interest on bonds issued under the Metropolitan Water  
22 Reclamation District Act to finance construction projects  
23 initiated before October 1, 1991; (i) made for payments of  
24 principal and interest on limited bonds, as defined in Section  
25 3 of the Local Government Debt Reform Act, in an amount not to  
26 exceed the debt service extension base less the amount in items

1 (b), (c), (e), and (h) of this definition for non-referendum  
2 obligations, except obligations initially issued pursuant to  
3 referendum; (j) made for payments of principal and interest on  
4 bonds issued under Section 15 of the Local Government Debt  
5 Reform Act; (k) made by a school district that participates in  
6 the Special Education District of Lake County, created by  
7 special education joint agreement under Section 10-22.31 of the  
8 School Code, for payment of the school district's share of the  
9 amounts required to be contributed by the Special Education  
10 District of Lake County to the Illinois Municipal Retirement  
11 Fund under Article 7 of the Illinois Pension Code; the amount  
12 of any extension under this item (k) shall be certified by the  
13 school district to the county clerk; (l) made to fund expenses  
14 of providing joint recreational programs for the handicapped  
15 under Section 5-8 of the Park District Code or Section 11-95-14  
16 of the Illinois Municipal Code; (m) made for temporary  
17 relocation loan repayment purposes pursuant to Sections 2-3.77  
18 and 17-2.2d of the School Code; (n) made for payment of  
19 principal and interest on any bonds issued under the authority  
20 of Section 17-2.2d of the School Code; (o) made for  
21 contributions to a firefighter's pension fund created under  
22 Article 4 of the Illinois Pension Code, to the extent of the  
23 amount certified under item (5) of Section 4-134 of the  
24 Illinois Pension Code; and (p) made for road purposes in the  
25 first year after a township assumes the rights, powers, duties,  
26 assets, property, liabilities, obligations, and

1 responsibilities of a road district abolished under the  
2 provisions of Section 6-133 of the Illinois Highway Code.

3 "Aggregate extension" for the taxing districts to which  
4 this Law did not apply before the 1995 levy year (except taxing  
5 districts subject to this Law in accordance with Section  
6 18-213) means the annual corporate extension for the taxing  
7 district and those special purpose extensions that are made  
8 annually for the taxing district, excluding special purpose  
9 extensions: (a) made for the taxing district to pay interest or  
10 principal on general obligation bonds that were approved by  
11 referendum; (b) made for any taxing district to pay interest or  
12 principal on general obligation bonds issued before March 1,  
13 1995; (c) made for any taxing district to pay interest or  
14 principal on bonds issued to refund or continue to refund those  
15 bonds issued before March 1, 1995; (d) made for any taxing  
16 district to pay interest or principal on bonds issued to refund  
17 or continue to refund bonds issued after March 1, 1995 that  
18 were approved by referendum; (e) made for any taxing district  
19 to pay interest or principal on revenue bonds issued before  
20 March 1, 1995 for payment of which a property tax levy or the  
21 full faith and credit of the unit of local government is  
22 pledged; however, a tax for the payment of interest or  
23 principal on those bonds shall be made only after the governing  
24 body of the unit of local government finds that all other  
25 sources for payment are insufficient to make those payments;  
26 (f) made for payments under a building commission lease when

1 the lease payments are for the retirement of bonds issued by  
2 the commission before March 1, 1995 to pay for the building  
3 project; (g) made for payments due under installment contracts  
4 entered into before March 1, 1995; (h) made for payments of  
5 principal and interest on bonds issued under the Metropolitan  
6 Water Reclamation District Act to finance construction  
7 projects initiated before October 1, 1991; (h-4) made for  
8 stormwater management purposes by the Metropolitan Water  
9 Reclamation District of Greater Chicago under Section 12 of the  
10 Metropolitan Water Reclamation District Act; (i) made for  
11 payments of principal and interest on limited bonds, as defined  
12 in Section 3 of the Local Government Debt Reform Act, in an  
13 amount not to exceed the debt service extension base less the  
14 amount in items (b), (c), and (e) of this definition for  
15 non-referendum obligations, except obligations initially  
16 issued pursuant to referendum and bonds described in subsection  
17 (h) of this definition; (j) made for payments of principal and  
18 interest on bonds issued under Section 15 of the Local  
19 Government Debt Reform Act; (k) made for payments of principal  
20 and interest on bonds authorized by Public Act 88-503 and  
21 issued under Section 20a of the Chicago Park District Act for  
22 aquarium or museum projects; (l) made for payments of principal  
23 and interest on bonds authorized by Public Act 87-1191 or  
24 93-601 and (i) issued pursuant to Section 21.2 of the Cook  
25 County Forest Preserve District Act, (ii) issued under Section  
26 42 of the Cook County Forest Preserve District Act for

1 zoological park projects, or (iii) issued under Section 44.1 of  
2 the Cook County Forest Preserve District Act for botanical  
3 gardens projects; (m) made pursuant to Section 34-53.5 of the  
4 School Code, whether levied annually or not; (n) made to fund  
5 expenses of providing joint recreational programs for the  
6 handicapped under Section 5-8 of the Park District Code or  
7 Section 11-95-14 of the Illinois Municipal Code; (o) made by  
8 the Chicago Park District for recreational programs for the  
9 handicapped under subsection (c) of Section 7.06 of the Chicago  
10 Park District Act; (p) made for contributions to a  
11 firefighter's pension fund created under Article 4 of the  
12 Illinois Pension Code, to the extent of the amount certified  
13 under item (5) of Section 4-134 of the Illinois Pension Code;  
14 and (q) made by Ford Heights School District 169 under Section  
15 17-9.02 of the School Code.

16 "Aggregate extension" for all taxing districts to which  
17 this Law applies in accordance with Section 18-213, except for  
18 those taxing districts subject to paragraph (2) of subsection  
19 (e) of Section 18-213, means the annual corporate extension for  
20 the taxing district and those special purpose extensions that  
21 are made annually for the taxing district, excluding special  
22 purpose extensions: (a) made for the taxing district to pay  
23 interest or principal on general obligation bonds that were  
24 approved by referendum; (b) made for any taxing district to pay  
25 interest or principal on general obligation bonds issued before  
26 the date on which the referendum making this Law applicable to

1 the taxing district is held; (c) made for any taxing district  
2 to pay interest or principal on bonds issued to refund or  
3 continue to refund those bonds issued before the date on which  
4 the referendum making this Law applicable to the taxing  
5 district is held; (d) made for any taxing district to pay  
6 interest or principal on bonds issued to refund or continue to  
7 refund bonds issued after the date on which the referendum  
8 making this Law applicable to the taxing district is held if  
9 the bonds were approved by referendum after the date on which  
10 the referendum making this Law applicable to the taxing  
11 district is held; (e) made for any taxing district to pay  
12 interest or principal on revenue bonds issued before the date  
13 on which the referendum making this Law applicable to the  
14 taxing district is held for payment of which a property tax  
15 levy or the full faith and credit of the unit of local  
16 government is pledged; however, a tax for the payment of  
17 interest or principal on those bonds shall be made only after  
18 the governing body of the unit of local government finds that  
19 all other sources for payment are insufficient to make those  
20 payments; (f) made for payments under a building commission  
21 lease when the lease payments are for the retirement of bonds  
22 issued by the commission before the date on which the  
23 referendum making this Law applicable to the taxing district is  
24 held to pay for the building project; (g) made for payments due  
25 under installment contracts entered into before the date on  
26 which the referendum making this Law applicable to the taxing



1 district is held; (h) made for payments of principal and  
2 interest on limited bonds, as defined in Section 3 of the Local  
3 Government Debt Reform Act, in an amount not to exceed the debt  
4 service extension base less the amount in items (b), (c), and  
5 (e) of this definition for non-referendum obligations, except  
6 obligations initially issued pursuant to referendum; (i) made  
7 for payments of principal and interest on bonds issued under  
8 Section 15 of the Local Government Debt Reform Act; (j) made  
9 for a qualified airport authority to pay interest or principal  
10 on general obligation bonds issued for the purpose of paying  
11 obligations due under, or financing airport facilities  
12 required to be acquired, constructed, installed or equipped  
13 pursuant to, contracts entered into before March 1, 1996 (but  
14 not including any amendments to such a contract taking effect  
15 on or after that date); (k) made to fund expenses of providing  
16 joint recreational programs for the handicapped under Section  
17 5-8 of the Park District Code or Section 11-95-14 of the  
18 Illinois Municipal Code; (l) made for contributions to a  
19 firefighter's pension fund created under Article 4 of the  
20 Illinois Pension Code, to the extent of the amount certified  
21 under item (5) of Section 4-134 of the Illinois Pension Code;  
22 and (m) made for the taxing district to pay interest or  
23 principal on general obligation bonds issued pursuant to  
24 Section 19-3.10 of the School Code.

25 "Aggregate extension" for all taxing districts to which  
26 this Law applies in accordance with paragraph (2) of subsection

1 (e) of Section 18-213 means the annual corporate extension for  
2 the taxing district and those special purpose extensions that  
3 are made annually for the taxing district, excluding special  
4 purpose extensions: (a) made for the taxing district to pay  
5 interest or principal on general obligation bonds that were  
6 approved by referendum; (b) made for any taxing district to pay  
7 interest or principal on general obligation bonds issued before  
8 the effective date of this amendatory Act of 1997; (c) made for  
9 any taxing district to pay interest or principal on bonds  
10 issued to refund or continue to refund those bonds issued  
11 before the effective date of this amendatory Act of 1997; (d)  
12 made for any taxing district to pay interest or principal on  
13 bonds issued to refund or continue to refund bonds issued after  
14 the effective date of this amendatory Act of 1997 if the bonds  
15 were approved by referendum after the effective date of this  
16 amendatory Act of 1997; (e) made for any taxing district to pay  
17 interest or principal on revenue bonds issued before the  
18 effective date of this amendatory Act of 1997 for payment of  
19 which a property tax levy or the full faith and credit of the  
20 unit of local government is pledged; however, a tax for the  
21 payment of interest or principal on those bonds shall be made  
22 only after the governing body of the unit of local government  
23 finds that all other sources for payment are insufficient to  
24 make those payments; (f) made for payments under a building  
25 commission lease when the lease payments are for the retirement  
26 of bonds issued by the commission before the effective date of

1 this amendatory Act of 1997 to pay for the building project;  
2 (g) made for payments due under installment contracts entered  
3 into before the effective date of this amendatory Act of 1997;  
4 (h) made for payments of principal and interest on limited  
5 bonds, as defined in Section 3 of the Local Government Debt  
6 Reform Act, in an amount not to exceed the debt service  
7 extension base less the amount in items (b), (c), and (e) of  
8 this definition for non-referendum obligations, except  
9 obligations initially issued pursuant to referendum; (i) made  
10 for payments of principal and interest on bonds issued under  
11 Section 15 of the Local Government Debt Reform Act; (j) made  
12 for a qualified airport authority to pay interest or principal  
13 on general obligation bonds issued for the purpose of paying  
14 obligations due under, or financing airport facilities  
15 required to be acquired, constructed, installed or equipped  
16 pursuant to, contracts entered into before March 1, 1996 (but  
17 not including any amendments to such a contract taking effect  
18 on or after that date); (k) made to fund expenses of providing  
19 joint recreational programs for the handicapped under Section  
20 5-8 of the Park District Code or Section 11-95-14 of the  
21 Illinois Municipal Code; and (l) made for contributions to a  
22 firefighter's pension fund created under Article 4 of the  
23 Illinois Pension Code, to the extent of the amount certified  
24 under item (5) of Section 4-134 of the Illinois Pension Code.

25 "Debt service extension base" means an amount equal to that  
26 portion of the extension for a taxing district for the 1994

1 levy year, or for those taxing districts subject to this Law in  
2 accordance with Section 18-213, except for those subject to  
3 paragraph (2) of subsection (e) of Section 18-213, for the levy  
4 year in which the referendum making this Law applicable to the  
5 taxing district is held, or for those taxing districts subject  
6 to this Law in accordance with paragraph (2) of subsection (e)  
7 of Section 18-213 for the 1996 levy year, constituting an  
8 extension for payment of principal and interest on bonds issued  
9 by the taxing district without referendum, but not including  
10 excluded non-referendum bonds. For park districts (i) that were  
11 first subject to this Law in 1991 or 1995 and (ii) whose  
12 extension for the 1994 levy year for the payment of principal  
13 and interest on bonds issued by the park district without  
14 referendum (but not including excluded non-referendum bonds)  
15 was less than 51% of the amount for the 1991 levy year  
16 constituting an extension for payment of principal and interest  
17 on bonds issued by the park district without referendum (but  
18 not including excluded non-referendum bonds), "debt service  
19 extension base" means an amount equal to that portion of the  
20 extension for the 1991 levy year constituting an extension for  
21 payment of principal and interest on bonds issued by the park  
22 district without referendum (but not including excluded  
23 non-referendum bonds). A debt service extension base  
24 established or increased at any time pursuant to any provision  
25 of this Law, except Section 18-212, shall be increased each  
26 year commencing with the later of (i) the 2009 levy year or

1 (ii) the first levy year in which this Law becomes applicable  
2 to the taxing district, by the lesser of 5% or the percentage  
3 increase in the Consumer Price Index during the 12-month  
4 calendar year preceding the levy year. The debt service  
5 extension base may be established or increased as provided  
6 under Section 18-212. "Excluded non-referendum bonds" means  
7 (i) bonds authorized by Public Act 88-503 and issued under  
8 Section 20a of the Chicago Park District Act for aquarium and  
9 museum projects; (ii) bonds issued under Section 15 of the  
10 Local Government Debt Reform Act; or (iii) refunding  
11 obligations issued to refund or to continue to refund  
12 obligations initially issued pursuant to referendum.

13 "Special purpose extensions" include, but are not limited  
14 to, extensions for levies made on an annual basis for  
15 unemployment and workers' compensation, self-insurance,  
16 contributions to pension plans, and extensions made pursuant to  
17 Section 6-601 of the Illinois Highway Code for a road  
18 district's permanent road fund whether levied annually or not.  
19 The extension for a special service area is not included in the  
20 aggregate extension.

21 "Aggregate extension base" means: (i) for levy years before  
22 2014, the taxing district's last preceding aggregate extension  
23 as adjusted under Sections 18-135, 18-215, and 18-230; and (ii)  
24 for levy years 2014 and later, the greater of (A) the taxing  
25 district's last preceding aggregate extension limit; or (B) the  
26 taxing district's last preceding aggregate extension as

1 adjusted under Sections 18-135, 18-215, and 18-230. An  
2 adjustment under Section 18-135 shall be made for the 2007 levy  
3 year and all subsequent levy years whenever one or more  
4 counties within which a taxing district is located (i) used  
5 estimated valuations or rates when extending taxes in the  
6 taxing district for the last preceding levy year that resulted  
7 in the over or under extension of taxes, or (ii) increased or  
8 decreased the tax extension for the last preceding levy year as  
9 required by Section 18-135(c). Whenever an adjustment is  
10 required under Section 18-135, the aggregate extension base of  
11 the taxing district shall be equal to the amount that the  
12 aggregate extension of the taxing district would have been for  
13 the last preceding levy year if either or both (i) actual,  
14 rather than estimated, valuations or rates had been used to  
15 calculate the extension of taxes for the last levy year, or  
16 (ii) the tax extension for the last preceding levy year had not  
17 been adjusted as required by subsection (c) of Section 18-135.

18 Notwithstanding any other provision of law, for levy year  
19 2012, the aggregate extension base for West Northfield School  
20 District No. 31 in Cook County shall be \$12,654,592.

21 "Levy year" has the same meaning as "year" under Section  
22 1-155.

23 "Aggregate extension limit" means the district's last  
24 preceding aggregate extension if the taxing district had  
25 utilized the maximum limiting rate permitted without  
26 referendum, as adjusted under Section 18-135, 18-215, and

1 18-230.

2 "New property" means (i) the assessed value, after final  
3 board of review or board of appeals action, of new improvements  
4 or additions to existing improvements on any parcel of real  
5 property that increase the assessed value of that real property  
6 during the levy year multiplied by the equalization factor  
7 issued by the Department under Section 17-30, (ii) the assessed  
8 value, after final board of review or board of appeals action,  
9 of real property not exempt from real estate taxation, which  
10 real property was exempt from real estate taxation for any  
11 portion of the immediately preceding levy year, multiplied by  
12 the equalization factor issued by the Department under Section  
13 17-30, including the assessed value, upon final stabilization  
14 of occupancy after new construction is complete, of any real  
15 property located within the boundaries of an otherwise or  
16 previously exempt military reservation that is intended for  
17 residential use and owned by or leased to a private corporation  
18 or other entity, and (iii) in counties that classify in  
19 accordance with Section 4 of Article IX of the Illinois  
20 Constitution, an incentive property's additional assessed  
21 value resulting from a scheduled increase in the level of  
22 assessment as applied to the first year final board of review  
23 market value. In addition, the county clerk in a county  
24 containing a population of 3,000,000 or more shall include in  
25 the 1997 recovered tax increment value for any school district,  
26 any recovered tax increment value that was applicable to the

1 1995 tax year calculations.

2 "Qualified airport authority" means an airport authority  
3 organized under the Airport Authorities Act and located in a  
4 county bordering on the State of Wisconsin and having a  
5 population in excess of 200,000 and not greater than 500,000.

6 "Recovered tax increment value" means, except as otherwise  
7 provided in this paragraph, the amount of the current year's  
8 equalized assessed value, in the first year after a  
9 municipality terminates the designation of an area as a  
10 redevelopment project area previously established under the  
11 Tax Increment Allocation Development Act in the Illinois  
12 Municipal Code, previously established under the Industrial  
13 Jobs Recovery Law in the Illinois Municipal Code, previously  
14 established under the Economic Development Project Area Tax  
15 Increment Act of 1995, or previously established under the  
16 Economic Development Area Tax Increment Allocation Act, of each  
17 taxable lot, block, tract, or parcel of real property in the  
18 redevelopment project area over and above the initial equalized  
19 assessed value of each property in the redevelopment project  
20 area. For the taxes which are extended for the 1997 levy year,  
21 the recovered tax increment value for a non-home rule taxing  
22 district that first became subject to this Law for the 1995  
23 levy year because a majority of its 1994 equalized assessed  
24 value was in an affected county or counties shall be increased  
25 if a municipality terminated the designation of an area in 1993  
26 as a redevelopment project area previously established under



1 the Tax Increment Allocation Development Act in the Illinois  
2 Municipal Code, previously established under the Industrial  
3 Jobs Recovery Law in the Illinois Municipal Code, or previously  
4 established under the Economic Development Area Tax Increment  
5 Allocation Act, by an amount equal to the 1994 equalized  
6 assessed value of each taxable lot, block, tract, or parcel of  
7 real property in the redevelopment project area over and above  
8 the initial equalized assessed value of each property in the  
9 redevelopment project area. In the first year after a  
10 municipality removes a taxable lot, block, tract, or parcel of  
11 real property from a redevelopment project area established  
12 under the Tax Increment Allocation Development Act in the  
13 Illinois Municipal Code, the Industrial Jobs Recovery Law in  
14 the Illinois Municipal Code, or the Economic Development Area  
15 Tax Increment Allocation Act, "recovered tax increment value"  
16 means the amount of the current year's equalized assessed value  
17 of each taxable lot, block, tract, or parcel of real property  
18 removed from the redevelopment project area over and above the  
19 initial equalized assessed value of that real property before  
20 removal from the redevelopment project area.

21 Except as otherwise provided in this Section, "limiting  
22 rate" means a fraction the numerator of which is the last  
23 preceding aggregate extension base times an amount equal to one  
24 plus the extension limitation defined in this Section and the  
25 denominator of which is the current year's equalized assessed  
26 value of all real property in the territory under the

1 jurisdiction of the taxing district during the prior levy year.  
2 For those taxing districts that reduced their aggregate  
3 extension for the last preceding levy year, the highest  
4 aggregate extension in any of the last 3 preceding levy years  
5 shall be used for the purpose of computing the limiting rate.  
6 The denominator shall not include new property or the recovered  
7 tax increment value. If a new rate, a rate decrease, or a  
8 limiting rate increase has been approved at an election held  
9 after March 21, 2006, then (i) the otherwise applicable  
10 limiting rate shall be increased by the amount of the new rate  
11 or shall be reduced by the amount of the rate decrease, as the  
12 case may be, or (ii) in the case of a limiting rate increase,  
13 the limiting rate shall be equal to the rate set forth in the  
14 proposition approved by the voters for each of the years  
15 specified in the proposition, after which the limiting rate of  
16 the taxing district shall be calculated as otherwise provided.  
17 (Source: P.A. 96-501, eff. 8-14-09; 96-517, eff. 8-14-09;  
18 96-1000, eff. 7-2-10; 96-1202, eff. 7-22-10; 97-611, eff.  
19 1-1-12; 97-1154, eff. 1-25-13.)".