

# HB3134



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB3134

by Rep. Jack D. Franks

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-169

Amends the Property Tax Code. In a Section concerning the disabled veterans standard homestead exemption, provides that, for taxable years 2013 and thereafter, if the veteran has a service connected disability of 30% or more, then the property is exempt from taxation under the Code. Effective immediately.

LRB098 07957 HLH 38046 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT 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 Section 15-169 as follows:

6 (35 ILCS 200/15-169)

7 Sec. 15-169. Disabled veterans standard homestead  
8 exemption.

9 (a) Beginning with taxable year 2007, an annual homestead  
10 exemption, limited to the amounts set forth in subsection (b),  
11 is granted for property that is used as a qualified residence  
12 by a disabled veteran.

13 (b) For taxable years prior to 2013, the ~~The~~ amount of the  
14 exemption under this Section is as follows:

15 (1) for veterans with a service-connected disability  
16 of at least (i) 75% for exemptions granted in taxable years  
17 2007 through 2009 and (ii) 70% for exemptions granted in  
18 taxable year 2010 and each taxable year thereafter, as  
19 certified by the United States Department of Veterans  
20 Affairs, the annual exemption is \$5,000; and

21 (2) for veterans with a service-connected disability  
22 of at least 50%, but less than (i) 75% for exemptions  
23 granted in taxable years 2007 through 2009 and (ii) 70% for

1 exemptions granted in taxable year 2010 and each taxable  
2 year thereafter, as certified by the United States  
3 Department of Veterans Affairs, the annual exemption is  
4 \$2,500.

5 (b-3) For taxable years 2013 and thereafter, if the veteran  
6 has a service connected disability of 30% or more, then the  
7 property is exempt from taxation under this Code.

8 (b-5) If a homestead exemption is granted under this  
9 Section and the person awarded the exemption subsequently  
10 becomes a resident of a facility licensed under the Nursing  
11 Home Care Act or a facility operated by the United States  
12 Department of Veterans Affairs, then the exemption shall  
13 continue (i) so long as the residence continues to be occupied  
14 by the qualifying person's spouse or (ii) if the residence  
15 remains unoccupied but is still owned by the person who  
16 qualified for the homestead exemption.

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. 96-1298, eff. 1-1-11; 96-1418, eff. 8-2-10;

1 97-333, eff. 8-12-11.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.