



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4354

by Rep. Chad Hays

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-184.15 new

Amends the Property Tax Code. Creates an abatement for property that (i) is used exclusively for commercial or industrial purposes and (ii) has been rebuilt following a natural disaster occurring in taxable year 2013 or any taxable year thereafter. Effective immediately.

LRB098 18130 HLH 54561 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

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 adding
5 Section 18-184.15 as follows:

6 (35 ILCS 200/18-184.15 new)

7 Sec. 18-184.15. Abatement for commercial or industrial
8 property.

9 (a) Notwithstanding any provision of law to the contrary,
10 where there has been a natural disaster within a county, the
11 governing body of that county shall have the authority to make
12 the abatement described in this Section. That governing body
13 may, by ordinance, order the county clerk to abate the taxes
14 levied by each taxing district in the county on any qualified
15 parcel of commercial or industrial property located within the
16 boundaries of the county. An abatement granted under this
17 Section may be maintained for a period of 15 years after the
18 commercial or industrial structure is rebuilt or until there is
19 a change in ownership of the property, whichever occurs first.

20 (b) The amount of the abatement shall be calculated as
21 follows:

22 (1) in the first 5 taxable years after the property is
23 rebuilt, the amount of the abatement shall be the total

1 amount of taxes levied against the property by the taxing
2 district for the taxable year, multiplied by the
3 incremental increase in the equalized assessed value of the
4 property;

5 (2) in the sixth taxable year after the property is
6 rebuilt, the amount of the abatement shall be 91% of the
7 amount described in item (1) for that taxable year;

8 (3) in the seventh taxable year after the property is
9 rebuilt, the amount of the abatement shall be 82% of the
10 amount described in item (1) for that taxable year;

11 (4) in the eighth taxable year after the property is
12 rebuilt, the amount of the abatement shall be 73% of the
13 amount described in item (1) for that taxable year;

14 (5) in the ninth taxable year after the property is
15 rebuilt, the amount of the abatement shall be 64% of the
16 amount described in item (1) for that taxable year;

17 (6) in the tenth taxable year after the property is
18 rebuilt, the amount of the abatement shall be 55% of the
19 amount described in item (1) for that taxable year;

20 (7) in the eleventh taxable year after the property is
21 rebuilt, the amount of the abatement shall be 46% of the
22 amount described in item (1) for that taxable year;

23 (8) in the twelfth taxable year after the property is
24 rebuilt, the amount of the abatement shall be 37% of the
25 amount described in item (1) for that taxable year;

26 (9) in the thirteenth taxable year after the property

1 is rebuilt, the amount of the abatement shall be 28% of the
2 amount described in item (1) for that taxable year;

3 (10) in the fourteenth taxable year after the property
4 is rebuilt, the amount of the abatement shall be 19% of the
5 amount described in item (1) for that taxable year; and

6 (11) in the fifteenth taxable year after the property
7 is rebuilt, the amount of the abatement shall be 10% of the
8 amount described in item (1) for that taxable year.

9 (c) For the purposes of this Section, the following terms
10 have the following meanings.

11 "Base year" means the taxable year prior to the taxable
12 year in which the natural disaster occurred.

13 "Incremental increase in the equalized assessed value of
14 the property" means a fraction in which the numerator is the
15 increase, if any, in the current year's equalized assessed
16 value of the property over the equalized assessed value of the
17 property for the base year that is attributable to rebuilding a
18 commercial or industrial structure on the property after a
19 natural disaster, and the denominator is the current year's
20 equalized assessed value of the rebuilt property.

21 "Natural disaster" means an occurrence of widespread or
22 severe damage or loss of property resulting from any
23 catastrophic cause including but not limited to fire, flood,
24 earthquake, wind, storm, or extended period of severe inclement
25 weather. In the case of a commercial or industrial structure
26 affected by flooding, the structure shall not be eligible for

1 this exemption unless it is located within a local jurisdiction
2 which is participating in the National Flood Insurance Program.
3 The natural disaster shall be proclaimed as such by the
4 Governor or the President of the United States.

5 "Qualified parcel of commercial or industrial property"
6 means property that (i) is used exclusively for commercial or
7 industrial purposes and (ii) has been rebuilt following a
8 natural disaster occurring in taxable year 2013 or any taxable
9 year thereafter.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.