



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4429

by Rep. Ron Sandack

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-185
35 ILCS 200/18-205

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that, if the total equalized assessed value of all taxable property in the taxing district for the current levy year (excluding new property, recovered tax increment value, and property that is annexed to or disconnected from the taxing district in the current levy year) is less than the total equalized assessed value of all taxable property in the taxing district for the previous levy year, then the extension limitation is (a) 0% or (b) the rate of increase approved by voters (instead of the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters). Provides that a referendum to increase the extension limitation may not be conducted at a general primary or a consolidated primary election. Provides that certain supplemental information must be provided on the referendum ballot. Effective immediately.

LRB098 15936 HLH 50983 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 changing
5 Sections 18-185 and 18-205 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.
17 Notwithstanding any other provision of law, if the total
18 equalized assessed value of all taxable property in the taxing
19 district for the current levy year (excluding new property,
20 recovered tax increment value, and property that is annexed to
21 or disconnected from the taxing district in the current levy
22 year) is less than the total equalized assessed value of all
23 taxable property in the taxing district for the previous levy

1 year, then the extension limitation is (a) 0% or (b) the rate
2 of increase approved by voters under Section 18-205.

3 "Affected county" means a county of 3,000,000 or more
4 inhabitants or a county contiguous to a county of 3,000,000 or
5 more inhabitants.

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

22 "Aggregate extension" for taxing districts to which this
23 Law applied before the 1995 levy year means the annual
24 corporate extension for the taxing district and those special
25 purpose extensions that are made annually for the taxing
26 district, excluding special purpose extensions: (a) made for

1 the taxing district to pay interest or principal on general
2 obligation bonds that were approved by referendum; (b) made for
3 any taxing district to pay interest or principal on general
4 obligation bonds issued before October 1, 1991; (c) made for
5 any taxing district to pay interest or principal on bonds
6 issued to refund or continue to refund those bonds issued
7 before October 1, 1991; (d) made for any taxing district to pay
8 interest or principal on bonds issued to refund or continue to
9 refund bonds issued after October 1, 1991 that were approved by
10 referendum; (e) made for any taxing district to pay interest or
11 principal on revenue bonds issued before October 1, 1991 for
12 payment of which a property tax levy or the full faith and
13 credit of the unit of local government is pledged; however, a
14 tax for the payment of interest or principal on those bonds
15 shall be made only after the governing body of the unit of
16 local government finds that all other sources for payment are
17 insufficient to make those payments; (f) made for payments
18 under a building commission lease when the lease payments are
19 for the retirement of bonds issued by the commission before
20 October 1, 1991, to pay for the building project; (g) made for
21 payments due under installment contracts entered into before
22 October 1, 1991; (h) made for payments of principal and
23 interest on bonds issued under the Metropolitan Water
24 Reclamation District Act to finance construction projects
25 initiated before October 1, 1991; (i) made for payments of
26 principal and interest on limited bonds, as defined in Section

1 3 of the Local Government Debt Reform Act, in an amount not to
2 exceed the debt service extension base less the amount in items
3 (b), (c), (e), and (h) of this definition for non-referendum
4 obligations, except obligations initially issued pursuant to
5 referendum; (j) made for payments of principal and interest on
6 bonds issued under Section 15 of the Local Government Debt
7 Reform Act; (k) made by a school district that participates in
8 the Special Education District of Lake County, created by
9 special education joint agreement under Section 10-22.31 of the
10 School Code, for payment of the school district's share of the
11 amounts required to be contributed by the Special Education
12 District of Lake County to the Illinois Municipal Retirement
13 Fund under Article 7 of the Illinois Pension Code; the amount
14 of any extension under this item (k) shall be certified by the
15 school district to the county clerk; (l) made to fund expenses
16 of providing joint recreational programs for the handicapped
17 under Section 5-8 of the Park District Code or Section 11-95-14
18 of the Illinois Municipal Code; (m) made for temporary
19 relocation loan repayment purposes pursuant to Sections 2-3.77
20 and 17-2.2d of the School Code; (n) made for payment of
21 principal and interest on any bonds issued under the authority
22 of Section 17-2.2d of the School Code; (o) made for
23 contributions to a firefighter's pension fund created under
24 Article 4 of the Illinois Pension Code, to the extent of the
25 amount certified under item (5) of Section 4-134 of the
26 Illinois Pension Code; and (p) made for road purposes in the

1 first year after a township assumes the rights, powers, duties,
2 assets, property, liabilities, obligations, and
3 responsibilities of a road district abolished under the
4 provisions of Section 6-133 of the Illinois Highway Code.

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

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

1 County Forest Preserve District Act, (ii) issued under Section
2 42 of the Cook County Forest Preserve District Act for
3 zoological park projects, or (iii) issued under Section 44.1 of
4 the Cook County Forest Preserve District Act for botanical
5 gardens projects; (m) made pursuant to Section 34-53.5 of the
6 School Code, whether levied annually or not; (n) made to fund
7 expenses of providing joint recreational programs for the
8 handicapped under Section 5-8 of the Park District Code or
9 Section 11-95-14 of the Illinois Municipal Code; (o) made by
10 the Chicago Park District for recreational programs for the
11 handicapped under subsection (c) of Section 7.06 of the Chicago
12 Park District Act; (p) made for contributions to a
13 firefighter's pension fund created under Article 4 of the
14 Illinois Pension Code, to the extent of the amount certified
15 under item (5) of Section 4-134 of the Illinois Pension Code;
16 and (q) made by Ford Heights School District 169 under Section
17 17-9.02 of the School Code.

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

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

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

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

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

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

1 of this Law, except Section 18-212, shall be increased each
2 year commencing with the later of (i) the 2009 levy year or
3 (ii) the first levy year in which this Law becomes applicable
4 to the taxing district, by the lesser of 5% or the percentage
5 increase in the Consumer Price Index during the 12-month
6 calendar year preceding the levy year. The debt service
7 extension base may be established or increased as provided
8 under Section 18-212. "Excluded non-referendum bonds" means
9 (i) bonds authorized by Public Act 88-503 and issued under
10 Section 20a of the Chicago Park District Act for aquarium and
11 museum projects; (ii) bonds issued under Section 15 of the
12 Local Government Debt Reform Act; or (iii) refunding
13 obligations issued to refund or to continue to refund
14 obligations initially issued pursuant to referendum.

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

23 "Aggregate extension base" means the taxing district's
24 last preceding aggregate extension as adjusted under Sections
25 18-135, 18-215, and 18-230. An adjustment under Section 18-135
26 shall be made for the 2007 levy year and all subsequent levy

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

16 Notwithstanding any other provision of law, for levy year
17 2012, the aggregate extension base for West Northfield School
18 District No. 31 in Cook County shall be \$12,654,592.

19 "Levy year" has the same meaning as "year" under Section
20 1-155.

21 "New property" means (i) the assessed value, after final
22 board of review or board of appeals action, of new improvements
23 or additions to existing improvements on any parcel of real
24 property that increase the assessed value of that real property
25 during the levy year multiplied by the equalization factor
26 issued by the Department under Section 17-30, (ii) the assessed

1 value, after final board of review or board of appeals action,
2 of real property not exempt from real estate taxation, which
3 real property was exempt from real estate taxation for any
4 portion of the immediately preceding levy year, multiplied by
5 the equalization factor issued by the Department under Section
6 17-30, including the assessed value, upon final stabilization
7 of occupancy after new construction is complete, of any real
8 property located within the boundaries of an otherwise or
9 previously exempt military reservation that is intended for
10 residential use and owned by or leased to a private corporation
11 or other entity, (iii) in counties that classify in accordance
12 with Section 4 of Article IX of the Illinois Constitution, an
13 incentive property's additional assessed value resulting from
14 a scheduled increase in the level of assessment as applied to
15 the first year final board of review market value, and (iv) any
16 increase in assessed value due to oil or gas production from an
17 oil or gas well required to be permitted under the Hydraulic
18 Fracturing Regulatory Act that was not produced in or accounted
19 for during the previous levy year. In addition, the county
20 clerk in a county containing a population of 3,000,000 or more
21 shall include in the 1997 recovered tax increment value for any
22 school district, any recovered tax increment value that was
23 applicable to the 1995 tax year calculations.

24 "Qualified airport authority" means an airport authority
25 organized under the Airport Authorities Act and located in a
26 county bordering on the State of Wisconsin and having a

1 population in excess of 200,000 and not greater than 500,000.

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

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

17 Except as otherwise provided in this Section, "limiting
18 rate" means a fraction the numerator of which is the last
19 preceding aggregate extension base times an amount equal to one
20 plus the extension limitation defined in this Section and the
21 denominator of which is the current year's equalized assessed
22 value of all real property in the territory under the
23 jurisdiction of the taxing district during the prior levy year.
24 For those taxing districts that reduced their aggregate
25 extension for the last preceding levy year, the highest
26 aggregate extension in any of the last 3 preceding levy years

1 shall be used for the purpose of computing the limiting rate.
2 The denominator shall not include new property or the recovered
3 tax increment value. If a new rate, a rate decrease, or a
4 limiting rate increase has been approved at an election held
5 after March 21, 2006, then (i) the otherwise applicable
6 limiting rate shall be increased by the amount of the new rate
7 or shall be reduced by the amount of the rate decrease, as the
8 case may be, or (ii) in the case of a limiting rate increase,
9 the limiting rate shall be equal to the rate set forth in the
10 proposition approved by the voters for each of the years
11 specified in the proposition, after which the limiting rate of
12 the taxing district shall be calculated as otherwise provided.
13 In the case of a taxing district that obtained referendum
14 approval for an increased limiting rate on March 20, 2012, the
15 limiting rate for tax year 2012 shall be the rate that
16 generates the approximate total amount of taxes extendable for
17 that tax year, as set forth in the proposition approved by the
18 voters; this rate shall be the final rate applied by the county
19 clerk for the aggregate of all capped funds of the district for
20 tax year 2012.

21 (Source: P.A. 97-611, eff. 1-1-12; 97-1154, eff. 1-25-13; 98-6,
22 eff. 3-29-13; 98-23, eff. 6-17-13.)

23 (35 ILCS 200/18-205)

24 Sec. 18-205. Referendum to increase the extension
25 limitation. A taxing district is limited to an extension

1 ~~limitation as defined in Section 18-185 of 5% or the percentage~~
2 ~~increase in the Consumer Price Index during the 12-month~~
3 ~~calendar year preceding the levy year, whichever is less.~~ A
4 taxing district may increase its extension limitation for one
5 or more levy years if that taxing district holds a referendum
6 before the levy date for the first levy year at which a
7 majority of voters voting on the issue approves adoption of a
8 higher extension limitation. Referenda shall be conducted at a
9 regularly scheduled election in accordance with the Election
10 Code, but may not be conducted at a general primary or a
11 consolidated primary election. The question shall be presented
12 in substantially the following manner for all elections held
13 after March 21, 2006:

14 Shall the extension limitation under the Property Tax
15 Extension Limitation Law for (insert the legal name,
16 number, if any, and county or counties of the taxing
17 district and geographic or other common name by which a
18 school or community college district is known and referred
19 to), Illinois, be increased from (applicable extension
20 limitation) ~~the lesser of 5% or the percentage increase in~~
21 ~~the Consumer Price Index over the prior levy year to~~
22 (insert the percentage of the proposed increase)% per year
23 for (insert each levy year for which the increased
24 extension limitation will apply)?

25 The votes must be recorded as "Yes" or "No".

26 If a majority of voters voting on the issue approves the

1 adoption of the increase, the increase shall be applicable for
2 each levy year specified.

3 The ballot for any question submitted pursuant to this
4 Section shall have printed thereon, but not as a part of the
5 question submitted, only the following supplemental
6 information (which shall be supplied to the election authority
7 by the taxing district) in substantially the following form:

8 (1) For the (insert the first levy year for which the
9 increased extension limitation will be applicable) levy
10 year the approximate amount of the additional tax
11 extendable against property containing a single family
12 residence and having a fair market value at the time of the
13 referendum of \$100,000 is estimated to be \$....

14 (2) Based upon an average annual percentage increase
15 (or decrease) in the market value of such property of ...%
16 (insert percentage equal to the average annual percentage
17 increase or decrease for the prior 3 levy years, at the
18 time the submission of the question is initiated by the
19 taxing district, in the amount of (A) the equalized
20 assessed value of the taxable property in the taxing
21 district less (B) the new property included in the
22 equalized assessed value), the approximate amount of the
23 additional tax extendable against such property for the ...
24 levy year is estimated to be \$... and for the ... levy year
25 is estimated to be \$....

26 (3) A statement that failure to approve the referendum

1 will limit the taxing district's extension and could have
2 the effect of limiting the property tax liability of some
3 taxpayers.

4 Paragraph (2) shall be included only if the increased
5 extension limitation will be applicable for more than one year
6 and shall list each levy year for which the increased extension
7 limitation will be applicable. The additional tax shown for
8 each levy year shall be the approximate dollar amount of the
9 increase over the amount of the most recently completed
10 extension at the time the submission of the question is
11 initiated by the taxing district. The approximate amount of the
12 additional tax extendable shown in paragraphs (1) and (2) shall
13 be calculated by multiplying \$100,000 (the fair market value of
14 the property without regard to any property tax exemptions) by
15 (i) the percentage level of assessment prescribed for that
16 property by statute, or by ordinance of the county board in
17 counties that classify property for purposes of taxation in
18 accordance with Section 4 of Article IX of the Illinois
19 Constitution; (ii) the most recent final equalization factor
20 certified to the county clerk by the Department of Revenue at
21 the time the taxing district initiates the submission of the
22 proposition to the electors; (iii) the last known aggregate
23 extension base of the taxing district at the time the
24 submission of the question is initiated by the taxing district;
25 and (iv) the difference between the percentage increase
26 proposed in the question and either (i) the lesser of 5% or the

1 percentage increase in the Consumer Price Index for the prior
2 levy year (or an estimate of the percentage increase for the
3 prior levy year if the increase is unavailable at the time the
4 submission of the question is initiated by the taxing district)
5 or (ii) 0%, as applicable; and dividing the result by the last
6 known equalized assessed value of the taxing district at the
7 time the submission of the question is initiated by the taxing
8 district. This amendatory Act of the 97th General Assembly is
9 intended to clarify the existing requirements of this Section,
10 and shall not be construed to validate any prior non-compliant
11 referendum language. Any notice required to be published in
12 connection with the submission of the question shall also
13 contain this supplemental information and shall not contain any
14 other supplemental information. Any error, miscalculation, or
15 inaccuracy in computing any amount set forth on the ballot or
16 in the notice that is not deliberate shall not invalidate or
17 affect the validity of any proposition approved. Notice of the
18 referendum shall be published and posted as otherwise required
19 by law, and the submission of the question shall be initiated
20 as provided by law.

21 (Source: P.A. 97-1087, eff. 8-24-12.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.