

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. If and only if Senate Bill 1715 of the 98th
5 General Assembly becomes law, then the Hydraulic Fracturing
6 Regulatory Act is amended by changing Section 2-45 as follows:

7 (09800SB1715ham001, Sec. 2-45)

8 Sec. 2-45. Purchaser's return and tax remittance. Each
9 purchaser shall make a return to the Department showing the
10 quantity of oil or gas purchased during the month for which the
11 return is filed, the price paid therefore, total value, the
12 name and address of the operator or other person from whom the
13 same was purchased, a description of the production unit in the
14 manner prescribed by the Department from which such oil or gas
15 was severed and the amount of tax due from each production unit
16 for each calendar month. All taxes due, or to be remitted, by
17 the purchaser shall accompany this return. The return shall be
18 filed on or before the last day of the month after the calendar
19 month for which the return is required. The Department shall
20 forward the necessary information to each Chief County
21 Assessment Officer for the administration and application of ad
22 valorem real property taxes at the county level. This
23 information shall be forwarded to the Chief County Assessment

1 Officers in a yearly summary before March 1 of the following
2 calendar year. The Department may require any additional report
3 or information it may deem necessary for the proper
4 administration of this Act.

5 Such returns shall be filed electronically in the manner
6 prescribed by the Department. Purchasers shall make all
7 payments of that tax to the Department by electronic funds
8 transfer unless, as provided by rule, the Department grants an
9 exception upon petition of a purchaser. Purchasers' returns
10 must be accompanied by appropriate computer generated magnetic
11 media supporting schedule data in the format required by the
12 Department, unless, as provided by rule, the Department grants
13 an exception upon petition of a purchaser.

14 (Source: 09800SB1715ham001.)

15 Section 10. If and only if Senate Bill 1715 of the 98th
16 General Assembly becomes law, then the Property Tax Code is
17 amended by changing Section 18-185 as follows:

18 (35 ILCS 200/18-185)

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

22 "Consumer Price Index" means the Consumer Price Index for
23 All Urban Consumers for all items published by the United
24 States Department of Labor.

1 "Extension limitation" means (a) the lesser of 5% or the
2 percentage increase in the Consumer Price Index during the
3 12-month calendar year preceding the levy year or (b) the rate
4 of increase approved by voters under Section 18-205.

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

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

24 "Aggregate extension" for taxing districts to which this
25 Law applied before the 1995 levy year means the annual
26 corporate extension for the taxing district and those special

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

1 initiated before October 1, 1991; (i) made for payments of
2 principal and interest on limited bonds, as defined in Section
3 3 of the Local Government Debt Reform Act, in an amount not to
4 exceed the debt service extension base less the amount in items
5 (b), (c), (e), and (h) of this definition for non-referendum
6 obligations, except obligations initially issued pursuant to
7 referendum; (j) made for payments of principal and interest on
8 bonds issued under Section 15 of the Local Government Debt
9 Reform Act; (k) made by a school district that participates in
10 the Special Education District of Lake County, created by
11 special education joint agreement under Section 10-22.31 of the
12 School Code, for payment of the school district's share of the
13 amounts required to be contributed by the Special Education
14 District of Lake County to the Illinois Municipal Retirement
15 Fund under Article 7 of the Illinois Pension Code; the amount
16 of any extension under this item (k) shall be certified by the
17 school district to the county clerk; (l) made to fund expenses
18 of providing joint recreational programs for the handicapped
19 under Section 5-8 of the Park District Code or Section 11-95-14
20 of the Illinois Municipal Code; (m) made for temporary
21 relocation loan repayment purposes pursuant to Sections 2-3.77
22 and 17-2.2d of the School Code; (n) made for payment of
23 principal and interest on any bonds issued under the authority
24 of Section 17-2.2d of the School Code; (o) made for
25 contributions to a firefighter's pension fund created under
26 Article 4 of the Illinois Pension Code, to the extent of the

1 amount certified under item (5) of Section 4-134 of the
2 Illinois Pension Code; and (p) made for road purposes in the
3 first year after a township assumes the rights, powers, duties,
4 assets, property, liabilities, obligations, and
5 responsibilities of a road district abolished under the
6 provisions of Section 6-133 of the Illinois Highway Code.

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

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

1 and interest on bonds authorized by Public Act 87-1191 or
2 93-601 and (i) issued pursuant to Section 21.2 of the Cook
3 County Forest Preserve District Act, (ii) issued under Section
4 42 of the Cook County Forest Preserve District Act for
5 zoological park projects, or (iii) issued under Section 44.1 of
6 the Cook County Forest Preserve District Act for botanical
7 gardens projects; (m) made pursuant to Section 34-53.5 of the
8 School Code, whether levied annually or not; (n) made to fund
9 expenses of providing joint recreational programs for the
10 handicapped under Section 5-8 of the Park District Code or
11 Section 11-95-14 of the Illinois Municipal Code; (o) made by
12 the Chicago Park District for recreational programs for the
13 handicapped under subsection (c) of Section 7.06 of the Chicago
14 Park District Act; (p) made for contributions to a
15 firefighter's pension fund created under Article 4 of the
16 Illinois Pension Code, to the extent of the amount certified
17 under item (5) of Section 4-134 of the Illinois Pension Code;
18 and (q) made by Ford Heights School District 169 under Section
19 17-9.02 of the School Code.

20 "Aggregate extension" for all taxing districts to which
21 this Law applies in accordance with Section 18-213, except for
22 those taxing districts subject to paragraph (2) of subsection
23 (e) of Section 18-213, means the annual corporate extension for
24 the taxing district and those special purpose extensions that
25 are made annually for the taxing district, excluding special
26 purpose extensions: (a) made for the taxing district to pay

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

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

1 principal on general obligation bonds issued pursuant to
2 Section 19-3.10 of the School Code.

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

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

1 Illinois Pension Code, to the extent of the amount certified
2 under item (5) of Section 4-134 of the Illinois Pension Code.

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

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

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

25 "Aggregate extension base" means the taxing district's
26 last preceding aggregate extension as adjusted under Sections

1 18-135, 18-215, and 18-230. An adjustment under Section 18-135
2 shall be made for the 2007 levy year and all subsequent levy
3 years whenever one or more counties within which a taxing
4 district is located (i) used estimated valuations or rates when
5 extending taxes in the taxing district for the last preceding
6 levy year that resulted in the over or under extension of
7 taxes, or (ii) increased or decreased the tax extension for the
8 last preceding levy year as required by Section 18-135(c).
9 Whenever an adjustment is required under Section 18-135, the
10 aggregate extension base of the taxing district shall be equal
11 to the amount that the aggregate extension of the taxing
12 district would have been for the last preceding levy year if
13 either or both (i) actual, rather than estimated, valuations or
14 rates had been used to calculate the extension of taxes for the
15 last levy year, or (ii) the tax extension for the last
16 preceding levy year had not been adjusted as required by
17 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 "New property" means (i) the assessed value, after final
24 board of review or board of appeals action, of new improvements
25 or additions to existing improvements on any parcel of real
26 property that increase the assessed value of that real property

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

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

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

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

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

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

24 (Source: P.A. 97-611, eff. 1-1-12; 97-1154, eff. 1-25-13; 98-6,
25 eff. 3-29-13; revised 4-8-13.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.