



Rep. Jack D. Franks

**Filed: 5/7/2013**

09800SB2257ham001

LRB098 07210 HLH 45385 a

1 AMENDMENT TO SENATE BILL 2257

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2257 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing  
5 Sections 18-185 and 18-195 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 the taxing district's  
22 last preceding aggregate extension as adjusted under Sections  
23 18-135, 18-215, and 18-230. An adjustment under Section 18-135  
24 shall be made for the 2007 levy year and all subsequent levy  
25 years whenever one or more counties within which a taxing  
26 district is located (i) used estimated valuations or rates when

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

14 Notwithstanding any other provision of law, for levy year  
15 2012, the aggregate extension base for West Northfield School  
16 District No. 31 in Cook County shall be \$12,654,592.

17 "Levy year" has the same meaning as "year" under Section  
18 1-155.

19 "New property" means (i) the assessed value, after final  
20 board of review or board of appeals action, of new improvements  
21 or additions to existing improvements on any parcel of real  
22 property that increase the assessed value of that real property  
23 during the levy year multiplied by the equalization factor  
24 issued by the Department under Section 17-30, (ii) the assessed  
25 value, after final board of review or board of appeals action,  
26 of real property not exempt from real estate taxation, which

1 real property was exempt from real estate taxation for any  
2 portion of the immediately preceding levy year, multiplied by  
3 the equalization factor issued by the Department under Section  
4 17-30, including the assessed value, upon final stabilization  
5 of occupancy after new construction is complete, of any real  
6 property located within the boundaries of an otherwise or  
7 previously exempt military reservation that is intended for  
8 residential use and owned by or leased to a private corporation  
9 or other entity, and (iii) in counties that classify in  
10 accordance with Section 4 of Article IX of the Illinois  
11 Constitution, an incentive property's additional assessed  
12 value resulting from a scheduled increase in the level of  
13 assessment as applied to the first year final board of review  
14 market value. In addition, the county clerk in a county  
15 containing a population of 3,000,000 or more shall include in  
16 the 1997 recovered tax increment value for any school district,  
17 any recovered tax increment value that was applicable to the  
18 1995 tax year calculations.

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

23 "Recovered tax increment value" means, except as otherwise  
24 provided in this paragraph, the amount of the current year's  
25 equalized assessed value, in the first year after a  
26 municipality terminates the designation of an area as a

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



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

12 Except as otherwise provided in this Section, "limiting  
13 rate" means a fraction the numerator of which is the last  
14 preceding aggregate extension base times an amount equal to one  
15 plus the extension limitation defined in this Section and the  
16 denominator of which is the current year's equalized assessed  
17 value of all real property in the territory under the  
18 jurisdiction of the taxing district during the prior levy year.  
19 For those taxing districts that reduced their aggregate  
20 extension for the last preceding levy year, the highest  
21 aggregate extension in any of the last 3 preceding levy years  
22 shall be used for the purpose of computing the limiting rate.  
23 The denominator shall not include new property or the recovered  
24 tax increment value. If a new rate, a rate decrease, or a  
25 limiting rate increase has been approved at an election held  
26 after March 21, 2006, then (i) the otherwise applicable

1 limiting rate shall be increased by the amount of the new rate  
2 or shall be reduced by the amount of the rate decrease, as the  
3 case may be, or (ii) in the case of a limiting rate increase,  
4 the limiting rate shall be equal to the rate set forth in the  
5 proposition approved by the voters for each of the years  
6 specified in the proposition, after which the limiting rate of  
7 the taxing district shall be calculated as otherwise provided.  
8 In the case of a taxing district that obtained referendum  
9 approval for an increased limiting rate on March 20, 2012, the  
10 limiting rate for tax year 2012 shall be the rate that  
11 generates the approximate total amount of taxes extendable for  
12 that tax year, as set forth in the proposition approved by the  
13 voters; this rate shall be the final rate applied by the county  
14 clerk for the aggregate of all capped funds of the district for  
15 tax year 2012.

16 Notwithstanding any other provision of law, if the  
17 percentage change in the equalized assessed value of all  
18 property within the taxing district during the 12-month  
19 calendar year preceding the levy year is less than the  
20 percentage change in the Consumer Price Index during that same  
21 period of time, then, not less than 30 days prior to extension,  
22 the corporate authorities of the taxing district must approve  
23 the limiting rate by ordinance or resolution, and must certify  
24 that limiting rate to the county clerk. The limiting rate may  
25 not exceed the maximum rate permitted under this Law. Notice of  
26 the rate shall be published at least once in a newspaper of

1 general circulation in the taxing district not more than 30  
2 days nor less than 10 days before the ordinance or resolution  
3 is adopted. The publication must also contain all of the  
4 following information, in substantially the following form:

5 (1) As a result of the approval of the limiting rate,  
6 the aggregate extension for ... (insert each levy year for  
7 which the increase will apply) will be determined by the  
8 limiting rate set forth in the ordinance or resolution,  
9 rather than the otherwise applicable limiting rate  
10 calculated under the provisions of the Property Tax  
11 Extension Limitation Law (commonly known as the Property  
12 Tax Cap Law). This will result in a tax bill that will be  
13 higher than the tax bill that would have resulted from the  
14 rate that would have been calculated under the Property Tax  
15 Extension Limitation Law.

16 (2) The additional tax extendable against property  
17 containing a single family residence and having a fair  
18 market value at the time of the referendum of \$100,000 is  
19 estimated to be \$....

20 (3) Based upon an average annual percentage increase  
21 (or decrease) in the market value of such property of %...  
22 (insert percentage equal to the average annual percentage  
23 increase or decrease for the prior 3 levy years, at the  
24 time the submission of the proposition is initiated by the  
25 taxing district, in the amount of (A) the equalized  
26 assessed value of the taxable property in the taxing

1 district less (B) the new property included in the  
2 equalized assessed value), the approximate amount of the  
3 additional tax extendable against such property for the ...  
4 levy year is estimated to be \$... and for the ... levy year  
5 is estimated to be \$ ....

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

8 (35 ILCS 200/18-195)

9 Sec. 18-195. Limitation. Tax extensions made under  
10 Sections 18-45 and 18-105 are further limited by the provisions  
11 of this Law.

12 For those taxing districts that have levied in any previous  
13 levy year for any funds included in the aggregate extension,  
14 the county clerk shall extend a rate for the sum of these funds  
15 that is no greater than the limiting rate.

16 For those taxing districts that have never levied for any  
17 funds included in the aggregate extension, the county clerk  
18 shall extend an amount no greater than the amount approved by  
19 the voters in a referendum under Section 18-210.

20 If a taxing district is required to approve a limiting rate  
21 by ordinance or resolution, then the county clerk shall extend  
22 a rate for the sum of all of the funds included in the  
23 aggregate extension that is no greater than the limiting rate  
24 adopted by the taxing district.

25 If the county clerk is required to reduce the aggregate

1 extension of a taxing district by provisions of this Law, the  
2 county clerk shall proportionally reduce the extension for each  
3 fund unless otherwise requested by the taxing district.

4       Upon written request of the corporate authority of a  
5 village, the county clerk shall calculate separate limiting  
6 rates for the library funds and for the aggregate of the other  
7 village funds in order to reduce the funds as may be required  
8 under provisions of this Law. In calculating the limiting rate  
9 for the library, the county clerk shall use only the part of  
10 the aggregate extension base applicable to the library, and for  
11 any rate increase or decrease factor under Section 18-230 the  
12 county clerk shall use only any new rate or rate increase  
13 applicable to the library funds and the part of the rate  
14 applicable to the library in determining factors under that  
15 Section. The county clerk shall calculate the limiting rate for  
16 all other village funds using only the part of the aggregate  
17 extension base not applicable to the library, and for any rate  
18 increase or decrease factor under Section 18-230 the county  
19 clerk shall use only any new rate or rate increase not  
20 applicable to the library funds and the part of the rate not  
21 applicable to the library in determining factors under that  
22 Section. If the county clerk is required to reduce the  
23 aggregate extension of the library portion of the levy, the  
24 county clerk shall proportionally reduce the extension for each  
25 library fund unless otherwise requested by the library board.  
26 If the county clerk is required to reduce the aggregate

1 extension of the portion of the levy not applicable to the  
2 library, the county clerk shall proportionally reduce the  
3 extension for each fund not applicable to the library unless  
4 otherwise requested by the village.

5 Beginning with the 1998 levy year upon written direction of  
6 a county or township community mental health board, the county  
7 clerk shall calculate separate limiting rates for the community  
8 mental health funds and for the aggregate of the other county  
9 or township funds in order to reduce the funds as may be  
10 required under provisions of this Law. In calculating the  
11 limiting rate for the community mental health funds, the county  
12 clerk shall use only the part of the aggregate extension base  
13 applicable to the community mental health funds; and for any  
14 rate increase or decrease factor under Section 18-230, the  
15 county clerk shall use only any new rate or rate increase  
16 applicable to the community mental health funds and the part of  
17 the rate applicable to the community mental health board in  
18 determining factors under that Section. The county clerk shall  
19 calculate the limiting rate for all other county or township  
20 funds using only the part of the aggregate extension base not  
21 applicable to community mental health funds; and for any rate  
22 increase or decrease factor under Section 18-230, the county  
23 clerk shall use only any new rate or rate increase not  
24 applicable to the community mental health funds and the part of  
25 the rate not applicable to the community mental health board in  
26 determining factors under that Section. If the county clerk is

1 required to reduce the aggregate extension of the community  
2 mental health board portion of the levy, the county clerk shall  
3 proportionally reduce the extension for each community mental  
4 health fund unless otherwise directed by the community mental  
5 health board. If the county clerk is required to reduce the  
6 aggregate extension of the portion of the levy not applicable  
7 to the community mental health board, the county clerk shall  
8 proportionally reduce the extension for each fund not  
9 applicable to the community mental health board unless  
10 otherwise directed by the county or township.

11 If the county is not subject to Section 1.1 or 1.2 of the  
12 County Care for Persons with Developmental Disabilities Act,  
13 then, beginning with the 2001 levy year, upon written direction  
14 of a county or township board for care and treatment of persons  
15 with a developmental disability, the county clerk shall  
16 calculate separate limiting rates for the funds for persons  
17 with a developmental disability and for the aggregate of the  
18 other county or township funds in order to reduce the funds as  
19 may be required under provisions of this Law. If the county is  
20 subject to Section 1.1 or 1.2 of the County Care for Persons  
21 with Developmental Disabilities Act, then, beginning with the  
22 levy year in which the voters approve the tax under Section 1.1  
23 or 1.2 of that Act, the county clerk shall calculate separate  
24 limiting rates for the funds for persons with a developmental  
25 disability and for the aggregate of the other county or  
26 township funds in order to reduce the funds as may be required

1 under provisions of this Law. In calculating the limiting rate  
2 for the funds for persons with a developmental disability, the  
3 county clerk shall use only the part of the aggregate extension  
4 base applicable to the funds for persons with a developmental  
5 disability; and for any rate increase or decrease factor under  
6 Section 18-230, the county clerk shall use only any new rate or  
7 rate increase applicable to the funds for persons with a  
8 developmental disability and the part of the rate applicable to  
9 the board for care and treatment of persons with a  
10 developmental disability in determining factors under that  
11 Section. The county clerk shall calculate the limiting rate for  
12 all other county or township funds using only the part of the  
13 aggregate extension base not applicable to funds for persons  
14 with a developmental disability; and for any rate increase or  
15 decrease factor under Section 18-230, the county clerk shall  
16 use only any new rate or rate increase not applicable to the  
17 funds for persons with a developmental disability and the part  
18 of the rate not applicable to the board for care and treatment  
19 of persons with a developmental disability in determining  
20 factors under that Section. If the county clerk is required to  
21 reduce the aggregate extension of the board for care and  
22 treatment of persons with a developmental disability portion of  
23 the levy, the county clerk shall proportionally reduce the  
24 extension for each fund for persons with a developmental  
25 disability unless otherwise directed by the board for care and  
26 treatment of persons with a developmental disability. If the



1 county clerk is required to reduce the aggregate extension of  
2 the portion of the levy not applicable to the board for care  
3 and treatment of persons with a developmental disability, the  
4 county clerk shall proportionally reduce the extension for each  
5 fund not applicable to the board for care and treatment of  
6 persons with a developmental disability unless otherwise  
7 directed by the county or township.

8 (Source: P.A. 96-1350, eff. 7-28-10.)

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