



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB0136

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 (i) the total equalized assessed value of all taxable property in the taxing district for 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, or (ii) the median equalized assessed value of all taxable property in the taxing district for the current levy year and the 2 levy years immediately preceding the current levy year is less than the median equalized assessed value of all taxable property in the taxing district for the 3 levy years immediately preceding that 3-year period, 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 the rate of increase approved by the voters). Effective immediately.

LRB099 03658 HLH 23669 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 (i) the total  
18 equalized assessed value of all taxable property in the taxing  
19 district for the current levy year is less than the total  
20 equalized assessed value of all taxable property in the taxing  
21 district for the previous levy year, or (ii) the median  
22 equalized assessed value of all taxable property in the taxing  
23 district for the current levy year and the 2 levy years

1 immediately preceding the current levy year is less than the  
2 median equalized assessed value of all taxable property in the  
3 taxing district for the 3 levy years immediately preceding that  
4 3-year period, then the extension limitation is (a) 0% or (b)  
5 the rate of increase approved by voters under Section 18-205.  
6 For the purposes of this paragraph, "equalized assessed value"  
7 does not include new property, recovered tax increment value,  
8 or property that is annexed to or disconnected from the taxing  
9 district in the applicable levy year.

10 "Affected county" means a county of 3,000,000 or more  
11 inhabitants or a county contiguous to a county of 3,000,000 or  
12 more inhabitants.

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

1 those taxing districts made subject to this Law as provided in  
2 Section 18-213.

3 "Aggregate extension" for taxing districts to which this  
4 Law applied before the 1995 levy year means the annual  
5 corporate extension for the taxing district and those special  
6 purpose extensions that are made annually for the taxing  
7 district, excluding special purpose extensions: (a) made for  
8 the taxing district to pay interest or principal on general  
9 obligation bonds that were approved by referendum; (b) made for  
10 any taxing district to pay interest or principal on general  
11 obligation bonds issued before October 1, 1991; (c) made for  
12 any taxing district to pay interest or principal on bonds  
13 issued to refund or continue to refund those bonds issued  
14 before October 1, 1991; (d) made for any taxing district to pay  
15 interest or principal on bonds issued to refund or continue to  
16 refund bonds issued after October 1, 1991 that were approved by  
17 referendum; (e) made for any taxing district to pay interest or  
18 principal on revenue bonds issued before October 1, 1991 for  
19 payment of which a property tax levy or the full faith and  
20 credit of the unit of local government is pledged; however, a  
21 tax for the payment of interest or principal on those bonds  
22 shall be made only after the governing body of the unit of  
23 local government finds that all other sources for payment are  
24 insufficient to make those payments; (f) made for payments  
25 under a building commission lease when the lease payments are  
26 for the retirement of bonds issued by the commission before

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

1 and 17-2.2d of the School Code; (n) made for payment of  
2 principal and interest on any bonds issued under the authority  
3 of Section 17-2.2d of the School Code; (o) made for  
4 contributions to a firefighter's pension fund created under  
5 Article 4 of the Illinois Pension Code, to the extent of the  
6 amount certified under item (5) of Section 4-134 of the  
7 Illinois Pension Code; and (p) made for road purposes in the  
8 first year after a township assumes the rights, powers, duties,  
9 assets, property, liabilities, obligations, and  
10 responsibilities of a road district abolished under the  
11 provisions of Section 6-133 of the Illinois Highway Code.

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

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

1 interest on bonds issued under Section 15 of the Local  
2 Government Debt Reform Act; (k) made for payments of principal  
3 and interest on bonds authorized by Public Act 88-503 and  
4 issued under Section 20a of the Chicago Park District Act for  
5 aquarium or museum projects; (l) made for payments of principal  
6 and interest on bonds authorized by Public Act 87-1191 or  
7 93-601 and (i) issued pursuant to Section 21.2 of the Cook  
8 County Forest Preserve District Act, (ii) issued under Section  
9 42 of the Cook County Forest Preserve District Act for  
10 zoological park projects, or (iii) issued under Section 44.1 of  
11 the Cook County Forest Preserve District Act for botanical  
12 gardens projects; (m) made pursuant to Section 34-53.5 of the  
13 School Code, whether levied annually or not; (n) made to fund  
14 expenses of providing joint recreational programs for the  
15 handicapped under Section 5-8 of the Park District Code or  
16 Section 11-95-14 of the Illinois Municipal Code; (o) made by  
17 the Chicago Park District for recreational programs for the  
18 handicapped under subsection (c) of Section 7.06 of the Chicago  
19 Park District Act; (p) made for contributions to a  
20 firefighter's pension fund created under Article 4 of the  
21 Illinois Pension Code, to the extent of the amount certified  
22 under item (5) of Section 4-134 of the Illinois Pension Code;  
23 and (q) made by Ford Heights School District 169 under Section  
24 17-9.02 of the School Code.

25 "Aggregate extension" for all taxing districts to which  
26 this Law applies in accordance with Section 18-213, except for



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

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

1 Illinois Municipal Code; (l) made for contributions to a  
2 firefighter's pension fund created under Article 4 of the  
3 Illinois Pension Code, to the extent of the amount certified  
4 under item (5) of Section 4-134 of the Illinois Pension Code;  
5 and (m) made for the taxing district to pay interest or  
6 principal on general obligation bonds issued pursuant to  
7 Section 19-3.10 of the School Code.

8 "Aggregate extension" for all taxing districts to which  
9 this Law applies in accordance with paragraph (2) of subsection  
10 (e) of Section 18-213 means the annual corporate extension for  
11 the taxing district and those special purpose extensions that  
12 are made annually for the taxing district, excluding special  
13 purpose extensions: (a) made for the taxing district to pay  
14 interest or principal on general obligation bonds that were  
15 approved by referendum; (b) made for any taxing district to pay  
16 interest or principal on general obligation bonds issued before  
17 the effective date of this amendatory Act of 1997; (c) made for  
18 any taxing district to pay interest or principal on bonds  
19 issued to refund or continue to refund those bonds issued  
20 before the effective date of this amendatory Act of 1997; (d)  
21 made for any taxing district to pay interest or principal on  
22 bonds issued to refund or continue to refund bonds issued after  
23 the effective date of this amendatory Act of 1997 if the bonds  
24 were approved by referendum after the effective date of this  
25 amendatory Act of 1997; (e) made for any taxing district to pay  
26 interest or principal on revenue bonds issued before the

1 effective date of this amendatory Act of 1997 for payment of  
2 which a property tax levy or the full faith and credit of the  
3 unit of local government is pledged; however, a tax for the  
4 payment of interest or principal on those bonds shall be made  
5 only after the governing body of the unit of local government  
6 finds that all other sources for payment are insufficient to  
7 make those payments; (f) made for payments under a building  
8 commission lease when the lease payments are for the retirement  
9 of bonds issued by the commission before the effective date of  
10 this amendatory Act of 1997 to pay for the building project;  
11 (g) made for payments due under installment contracts entered  
12 into before the effective date of this amendatory Act of 1997;  
13 (h) made for payments of principal and interest on limited  
14 bonds, as defined in Section 3 of the Local Government Debt  
15 Reform Act, in an amount not to exceed the debt service  
16 extension base less the amount in items (b), (c), and (e) of  
17 this definition for non-referendum obligations, except  
18 obligations initially issued pursuant to referendum; (i) made  
19 for payments of principal and interest on bonds issued under  
20 Section 15 of the Local Government Debt Reform Act; (j) made  
21 for a qualified airport authority to pay interest or principal  
22 on general obligation bonds issued for the purpose of paying  
23 obligations due under, or financing airport facilities  
24 required to be acquired, constructed, installed or equipped  
25 pursuant to, contracts entered into before March 1, 1996 (but  
26 not including any amendments to such a contract taking effect

1 on or after that date); (k) made to fund expenses of providing  
2 joint recreational programs for the handicapped under Section  
3 5-8 of the Park District Code or Section 11-95-14 of the  
4 Illinois Municipal Code; and (l) made for contributions to a  
5 firefighter's pension fund created under Article 4 of the  
6 Illinois Pension Code, to the extent of the amount certified  
7 under item (5) of Section 4-134 of the Illinois Pension Code.

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

1 not including excluded non-referendum bonds), "debt service  
2 extension base" means an amount equal to that portion of the  
3 extension for the 1991 levy year constituting an extension for  
4 payment of principal and interest on bonds issued by the park  
5 district without referendum (but not including excluded  
6 non-referendum bonds). A debt service extension base  
7 established or increased at any time pursuant to any provision  
8 of this Law, except Section 18-212, shall be increased each  
9 year commencing with the later of (i) the 2009 levy year or  
10 (ii) the first levy year in which this Law becomes applicable  
11 to the taxing district, by the lesser of 5% or the percentage  
12 increase in the Consumer Price Index during the 12-month  
13 calendar year preceding the levy year. The debt service  
14 extension base may be established or increased as provided  
15 under Section 18-212. "Excluded non-referendum bonds" means  
16 (i) bonds authorized by Public Act 88-503 and issued under  
17 Section 20a of the Chicago Park District Act for aquarium and  
18 museum projects; (ii) bonds issued under Section 15 of the  
19 Local Government Debt Reform Act; or (iii) refunding  
20 obligations issued to refund or to continue to refund  
21 obligations initially issued pursuant to referendum.

22 "Special purpose extensions" include, but are not limited  
23 to, extensions for levies made on an annual basis for  
24 unemployment and workers' compensation, self-insurance,  
25 contributions to pension plans, and extensions made pursuant to  
26 Section 6-601 of the Illinois Highway Code for a road

1 district's permanent road fund whether levied annually or not.  
2 The extension for a special service area is not included in the  
3 aggregate extension.

4 "Aggregate extension base" means the taxing district's  
5 last preceding aggregate extension as adjusted under Sections  
6 18-135, 18-215, and 18-230. An adjustment under Section 18-135  
7 shall be made for the 2007 levy year and all subsequent levy  
8 years whenever one or more counties within which a taxing  
9 district is located (i) used estimated valuations or rates when  
10 extending taxes in the taxing district for the last preceding  
11 levy year that resulted in the over or under extension of  
12 taxes, or (ii) increased or decreased the tax extension for the  
13 last preceding levy year as required by Section 18-135(c).  
14 Whenever an adjustment is required under Section 18-135, the  
15 aggregate extension base of the taxing district shall be equal  
16 to the amount that the aggregate extension of the taxing  
17 district would have been for the last preceding levy year if  
18 either or both (i) actual, rather than estimated, valuations or  
19 rates had been used to calculate the extension of taxes for the  
20 last levy year, or (ii) the tax extension for the last  
21 preceding levy year had not been adjusted as required by  
22 subsection (c) of Section 18-135.

23 Notwithstanding any other provision of law, for levy year  
24 2012, the aggregate extension base for West Northfield School  
25 District No. 31 in Cook County shall be \$12,654,592.

26 "Levy year" has the same meaning as "year" under Section

1 1-155.

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



1 clerk in a county containing a population of 3,000,000 or more  
2 shall include in the 1997 recovered tax increment value for any  
3 school district, any recovered tax increment value that was  
4 applicable to the 1995 tax year calculations.

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

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

1 value was in an affected county or counties shall be increased  
2 if a municipality terminated the designation of an area in 1993  
3 as a redevelopment project area previously established under  
4 the Tax Increment Allocation Development Act in the Illinois  
5 Municipal Code, previously established under the Industrial  
6 Jobs Recovery Law in the Illinois Municipal Code, or previously  
7 established under the Economic Development Area Tax Increment  
8 Allocation Act, by an amount equal to the 1994 equalized  
9 assessed value of each taxable lot, block, tract, or parcel of  
10 real property in the redevelopment project area over and above  
11 the initial equalized assessed value of each property in the  
12 redevelopment project area. In the first year after a  
13 municipality removes a taxable lot, block, tract, or parcel of  
14 real property from a redevelopment project area established  
15 under the Tax Increment Allocation Development Act in the  
16 Illinois Municipal Code, the Industrial Jobs Recovery Law in  
17 the Illinois Municipal Code, or the Economic Development Area  
18 Tax Increment Allocation Act, "recovered tax increment value"  
19 means the amount of the current year's equalized assessed value  
20 of each taxable lot, block, tract, or parcel of real property  
21 removed from the redevelopment project area over and above the  
22 initial equalized assessed value of that real property before  
23 removal from the redevelopment project area.

24 Except as otherwise provided in this Section, "limiting  
25 rate" means a fraction the numerator of which is the last  
26 preceding aggregate extension base times an amount equal to one

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

1 tax year 2012.

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

4 (35 ILCS 200/18-205)

5 Sec. 18-205. Referendum to increase the extension  
6 limitation. A taxing district is limited to an extension  
7 limitation as defined in Section 18-185 ~~of 5% or the percentage~~  
8 ~~increase in the Consumer Price Index during the 12 month~~  
9 ~~calendar year preceding the levy year, whichever is less.~~ A  
10 taxing district may increase its extension limitation for one  
11 or more levy years if that taxing district holds a referendum  
12 before the levy date for the first levy year at which a  
13 majority of voters voting on the issue approves adoption of a  
14 higher extension limitation. Referenda shall be conducted at a  
15 regularly scheduled election in accordance with the Election  
16 Code. The question shall be presented in substantially the  
17 following manner for all elections held after March 21, 2006:

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

1 (insert the percentage of the proposed increase)% per year  
2 for (insert each levy year for which the increased  
3 extension limitation will apply)?

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

5 If a majority of voters voting on the issue approves the  
6 adoption of the increase, the increase shall be applicable for  
7 each levy year specified.

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

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

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

1 equalized assessed value), the approximate amount of the  
2 additional tax extendable against such property for the ...  
3 levy year is estimated to be \$... and for the ... levy year  
4 is estimated to be \$....

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

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

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

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