



Rep. Jack D. Franks

Filed: 5/11/2015

09900HB0695ham001

LRB099 04486 HLH 35168 a

1 AMENDMENT TO HOUSE BILL 695

2 AMENDMENT NO. _____. Amend House Bill 695 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, 18-205, 18-212, 18-213, and 18-214 and by
6 adding Section 18-242 as follows:

7 (35 ILCS 200/18-185)

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

11 "Consumer Price Index" means the Consumer Price Index for
12 All Urban Consumers for all items published by the United
13 States Department of Labor.

14 "Extension limitation", for levy years prior to 2015, means
15 (a) the lesser of 5% or the percentage increase in the Consumer
16 Price Index during the 12-month calendar year preceding the

1 levy year or (b) the rate of increase approved by voters under
2 Section 18-205.

3 "Extension limitation", beginning in levy year 2015, means
4 0% or the rate of increase approved by the voters under Section
5 18-205.

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

9 "Taxing district" has the same meaning provided in Section
10 1-150, except as otherwise provided in this Section. For the
11 1991 through 1994 levy years only, "taxing district" includes
12 only each non-home rule taxing district having the majority of
13 its 1990 equalized assessed value within any county or counties
14 contiguous to a county with 3,000,000 or more inhabitants.
15 Beginning with the 1995 levy year and through the 2014 levy
16 year, "taxing district" includes only each non-home rule taxing
17 district subject to this Law before the 1995 levy year and each
18 non-home rule taxing district not subject to this Law before
19 the 1995 levy year having the majority of its 1994 equalized
20 assessed value in an affected county or counties. Beginning
21 with the levy year in which this Law becomes applicable to a
22 taxing district as provided in Section 18-213, "taxing
23 district" also includes those taxing districts made subject to
24 this Law as provided in Section 18-213. Beginning with the 2015
25 levy year, "taxing district" has the same meaning provided in
26 Section 1-150 and includes home rule units.

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

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

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

10 "Aggregate extension" for the taxing districts to which
11 this Law did not apply before the 1995 levy year (except taxing
12 districts subject to this Law in accordance with Section 18-213
13 or this amendatory Act of the 99th General Assembly) means the
14 annual corporate extension for the taxing district and those
15 special purpose extensions that are made annually for the
16 taxing district, excluding special purpose extensions: (a)
17 made for the taxing district to pay interest or principal on
18 general obligation bonds that were approved by referendum; (b)
19 made for any taxing district to pay interest or principal on
20 general obligation bonds issued before March 1, 1995; (c) made
21 for any taxing district to pay interest or principal on bonds
22 issued to refund or continue to refund those bonds issued
23 before March 1, 1995; (d) made for any taxing district to pay
24 interest or principal on bonds issued to refund or continue to
25 refund bonds issued after March 1, 1995 that were approved by
26 referendum; (e) made for any taxing district to pay interest or

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

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

23 "Aggregate extension" for all taxing districts to which
24 this Law applies in accordance with Section 18-213, except for
25 those taxing districts subject to paragraph (2) of subsection
26 (e) of Section 18-213, means the annual corporate extension for

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

1 payments; (f) made for payments under a building commission
2 lease when the lease payments are for the retirement of bonds
3 issued by the commission before the date on which the
4 referendum making this Law applicable to the taxing district is
5 held to pay for the building project; (g) made for payments due
6 under installment contracts entered into before the date on
7 which the referendum making this Law applicable to the taxing
8 district is held; (h) made for payments of principal and
9 interest on limited bonds, as defined in Section 3 of the Local
10 Government Debt Reform Act, in an amount not to exceed the debt
11 service extension base less the amount in items (b), (c), and
12 (e) of 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; (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 and (m) made for the taxing district to pay interest or
4 principal on general obligation bonds issued pursuant to
5 Section 19-3.10 of the School Code.

6 "Aggregate extension" for all taxing districts to which
7 this Law applies in accordance with paragraph (2) of subsection
8 (e) of Section 18-213 or this amendatory Act of the 99th
9 General Assembly means the annual corporate extension for the
10 taxing district and those special purpose extensions that are
11 made annually for the taxing district, excluding special
12 purpose extensions: (a) made for the taxing district to pay
13 interest or principal on general obligation bonds that were
14 approved by referendum; (b) made for any taxing district to pay
15 interest or principal on general obligation bonds issued before
16 the effective date of this amendatory Act of 1997; (c) made for
17 any taxing district to pay interest or principal on bonds
18 issued to refund or continue to refund those bonds issued
19 before the effective date of this amendatory Act of 1997; (d)
20 made for any taxing district to pay interest or principal on
21 bonds issued to refund or continue to refund bonds issued after
22 the effective date of this amendatory Act of 1997 if the bonds
23 were approved by referendum after the effective date of this
24 amendatory Act of 1997; (e) made for any taxing district to pay
25 interest or principal on revenue bonds issued before the
26 effective date of this amendatory Act of 1997 for payment of

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

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

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

1 extension base" means an amount equal to that portion of the
2 extension for the 1991 levy year constituting an extension for
3 payment of principal and interest on bonds issued by the park
4 district without referendum (but not including excluded
5 non-referendum bonds). A debt service extension base
6 established or increased at any time pursuant to any provision
7 of this Law, except Section 18-212, shall be increased each
8 year commencing with the later of (i) the 2009 levy year or
9 (ii) the first levy year in which this Law becomes applicable
10 to the taxing district, by (A) for levy years prior to the 2015
11 levy year, the lesser of 5% or the percentage increase in the
12 Consumer Price Index during the 12-month calendar year
13 preceding the levy year or (B) beginning with the 2015 levy
14 year, 0%. The debt service extension base may be established or
15 increased as provided under Section 18-212. "Excluded
16 non-referendum bonds" means (i) bonds authorized by Public Act
17 88-503 and issued under Section 20a of the Chicago Park
18 District Act for aquarium and museum projects; (ii) bonds
19 issued under Section 15 of the Local Government Debt Reform
20 Act; or (iii) refunding obligations issued to refund or to
21 continue to refund obligations initially issued pursuant to
22 referendum.

23 "Special purpose extensions" include, but are not limited
24 to, extensions for levies made on an annual basis for
25 unemployment and workers' compensation, self-insurance,
26 contributions to pension plans, and extensions made pursuant to

1 Section 6-601 of the Illinois Highway Code for a road
2 district's permanent road fund whether levied annually or not.
3 The extension for a special service area is not included in the
4 aggregate extension.

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

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

1 "Levy year" has the same meaning as "year" under Section
2 1-155.

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

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

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

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

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

25 Except as otherwise provided in this Section, "limiting
26 rate" means a fraction the numerator of which is the last

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

1 clerk for the aggregate of all capped funds of the district for
2 tax year 2012.

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

5 (35 ILCS 200/18-205)

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

19 Shall the extension limitation under the Property Tax
20 Extension Limitation Law for (insert the legal name,
21 number, if any, and county or counties of the taxing
22 district and geographic or other common name by which a
23 school or community college district is known and referred
24 to), Illinois, be increased from (extension limitation
25 under Section 18-185) ~~the lesser of 5% or the percentage~~

1 ~~increase in the Consumer Price Index over the prior levy~~
2 ~~year~~ to (insert the percentage of the proposed increase)%
3 per year for (insert each levy year for which the increased
4 extension limitation will apply)?

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

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

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

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

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

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

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

24 (35 ILCS 200/18-212)

25 Sec. 18-212. Referendum on debt service extension base. A

1 taxing district may establish or increase its debt service
2 extension base if (i) that taxing district holds a referendum
3 before the date on which the levy must be filed with the county
4 clerk of the county or counties in which the taxing district is
5 situated and (ii) a majority of voters voting on the issue
6 approves the establishment of or increase in the debt service
7 extension base. A debt service extension base established or
8 increased by a referendum held pursuant to this Section after
9 February 2, 2010 and prior to the effective date of this
10 amendatory Act of the 99th General Assembly, shall be increased
11 each year, commencing with the first levy year beginning after
12 the date of the referendum, by the lesser of 5% or the
13 percentage increase in the Consumer Price Index during the
14 12-month calendar year preceding the levy year if the optional
15 language concerning the annual increase is included in the
16 question submitted to the electors of the taxing district.
17 Referenda under this Section shall be conducted at a regularly
18 scheduled election in accordance with the Election Code. The
19 governing body of the taxing district shall certify the
20 question to the proper election authorities who shall submit
21 the question to the electors of the taxing district in
22 substantially the following form:

23 "Shall the debt service extension base under the Property
24 Tax Extension Limitation Law for ... (taxing district name)
25 ... for payment of principal and interest on limited bonds
26 be ((established at \$) . (or) (increased from \$

1 to \$)) .. for the levy year and all
2 subsequent levy years (optional language: , such debt
3 service extension base to be increased each year by the
4 lesser of 5% or the percentage increase in the Consumer
5 Price Index during the 12-month calendar year preceding the
6 levy year)?"

7 Votes on the question shall be recorded as "Yes" or "No".

8 If a majority of voters voting on the issue approves the
9 establishment of or increase in the debt service extension
10 base, the establishment of or increase in the debt service
11 extension base shall be applicable for the levy years
12 specified.

13 (Source: P.A. 96-1202, eff. 7-22-10.)

14 (35 ILCS 200/18-213)

15 Sec. 18-213. Referenda on applicability of the Property Tax
16 Extension Limitation Law.

17 (a) The provisions of this Section do not apply to a taxing
18 district subject to this Law because a majority of its 1990
19 equalized assessed value is in a county or counties contiguous
20 to a county of 3,000,000 or more inhabitants, or because a
21 majority of its 1994 equalized assessed value is in an affected
22 county and the taxing district was not subject to this Law
23 before the 1995 levy year.

24 (b) Prior to taxable year 2015, the ~~The~~ county board of a
25 county that is not subject to this Law may, by ordinance or

1 resolution, submit to the voters of the county the question of
2 whether to make all non-home rule taxing districts that have
3 all or a portion of their equalized assessed valuation situated
4 in the county subject to this Law in the manner set forth in
5 this Section.

6 For purposes of this Section only:

7 "Taxing district" has the same meaning provided in Section
8 1-150.

9 "Equalized assessed valuation" means the equalized
10 assessed valuation for a taxing district for the immediately
11 preceding levy year.

12 (c) The ordinance or resolution shall request the
13 submission of the proposition at any election, except a
14 consolidated primary election, for the purpose of voting for or
15 against making the Property Tax Extension Limitation Law
16 applicable to all non-home rule taxing districts that have all
17 or a portion of their equalized assessed valuation situated in
18 the county.

19 The question shall be placed on a separate ballot and shall
20 be in substantially the following form:

21 Shall the Property Tax Extension Limitation Law (35
22 ILCS 200/18-185 through 18-245), which limits annual
23 property tax extension increases, apply to non-home rule
24 taxing districts with all or a portion of their equalized
25 assessed valuation located in (name of county)?

26 Votes on the question shall be recorded as "yes" or "no".

1 (d) The county clerk shall order the proposition submitted
2 to the electors of the county at the election specified in the
3 ordinance or resolution. If part of the county is under the
4 jurisdiction of a board or boards of election commissioners,
5 the county clerk shall submit a certified copy of the ordinance
6 or resolution to each board of election commissioners, which
7 shall order the proposition submitted to the electors of the
8 taxing district within its jurisdiction at the election
9 specified in the ordinance or resolution.

10 (e) (1) With respect to taxing districts having all of
11 their equalized assessed valuation located in the county,
12 if a majority of the votes cast on the proposition are in
13 favor of the proposition, then this Law becomes applicable
14 to the taxing district beginning on January 1 of the year
15 following the date of the referendum.

16 (2) With respect to taxing districts that meet all the
17 following conditions this Law shall become applicable to
18 the taxing district beginning on January 1, 1997. The
19 districts to which this paragraph (2) is applicable

20 (A) do not have all of their equalized assessed
21 valuation located in a single county,

22 (B) have equalized assessed valuation in an
23 affected county,

24 (C) meet the condition that each county, other than
25 an affected county, in which any of the equalized
26 assessed valuation of the taxing district is located

1 has held a referendum under this Section at any
2 election, except a consolidated primary election, held
3 prior to the effective date of this amendatory Act of
4 1997, and

5 (D) have a majority of the district's equalized
6 assessed valuation located in one or more counties in
7 each of which the voters have approved a referendum
8 under this Section prior to the effective date of this
9 amendatory Act of 1997. For purposes of this Section,
10 in determining whether a majority of the equalized
11 assessed valuation of the taxing district is located in
12 one or more counties in which the voters have approved
13 a referendum under this Section, the equalized
14 assessed valuation of the taxing district in any
15 affected county shall be included with the equalized
16 assessed value of the taxing district in counties in
17 which the voters have approved the referendum.

18 (3) With respect to taxing districts that do not have
19 all of their equalized assessed valuation located in a
20 single county and to which paragraph (2) of subsection (e)
21 is not applicable, if each county other than an affected
22 county in which any of the equalized assessed valuation of
23 the taxing district is located has held a referendum under
24 this Section at any election, except a consolidated primary
25 election, held in any year and if a majority of the
26 equalized assessed valuation of the taxing district is

1 located in one or more counties that have each approved a
2 referendum under this Section, then this Law shall become
3 applicable to the taxing district on January 1 of the year
4 following the year in which the last referendum in a county
5 in which the taxing district has any equalized assessed
6 valuation is held. For the purposes of this Law, the last
7 referendum shall be deemed to be the referendum making this
8 Law applicable to the taxing district. For purposes of this
9 Section, in determining whether a majority of the equalized
10 assessed valuation of the taxing district is located in one
11 or more counties that have approved a referendum under this
12 Section, the equalized assessed valuation of the taxing
13 district in any affected county shall be included with the
14 equalized assessed value of the taxing district in counties
15 that have approved the referendum.

16 (f) Immediately after a referendum is held under this
17 Section, the county clerk of the county holding the referendum
18 shall give notice of the referendum having been held and its
19 results to all taxing districts that have all or a portion of
20 their equalized assessed valuation located in the county, the
21 county clerk of any other county in which any of the equalized
22 assessed valuation of any taxing district is located, and the
23 Department of Revenue. After the last referendum affecting a
24 multi-county taxing district is held, the Department of Revenue
25 shall determine whether the taxing district is subject to this
26 Law and, if so, shall notify the taxing district and the county

1 clerks of all of the counties in which a portion of the
2 equalized assessed valuation of the taxing district is located
3 that, beginning the following January 1, the taxing district is
4 subject to this Law. For each taxing district subject to
5 paragraph (2) of subsection (e) of this Section, the Department
6 of Revenue shall notify the taxing district and the county
7 clerks of all of the counties in which a portion of the
8 equalized assessed valuation of the taxing district is located
9 that, beginning January 1, 1997, the taxing district is subject
10 to this Law.

11 (g) Referenda held under this Section shall be conducted in
12 accordance with the Election Code.

13 (Source: P.A. 89-510, eff. 7-11-96; 89-718, eff. 3-7-97.)

14 (35 ILCS 200/18-214)

15 Sec. 18-214. Referenda on removal of the applicability of
16 the Property Tax Extension Limitation Law to non-home rule
17 taxing districts.

18 (a) The provisions of this Section do not apply to a taxing
19 district that is subject to this Law because a majority of its
20 1990 equalized assessed value is in a county or counties
21 contiguous to a county of 3,000,000 or more inhabitants, or
22 because a majority of its 1994 equalized assessed value is in
23 an affected county and the taxing district was not subject to
24 this Law before the 1995 levy year.

25 (b) For purposes of this Section only:

1 "Taxing district" means any non-home rule taxing district
2 that became subject to this Law under Section 18-213 of this
3 Law.

4 "Equalized assessed valuation" means the equalized
5 assessed valuation for a taxing district for the immediately
6 preceding levy year.

7 (c) The county board of a county that became subject to
8 this Law by a referendum approved by the voters of the county
9 under Section 18-213 may, by ordinance or resolution, in the
10 manner set forth in this Section, submit to the voters of the
11 county the question of whether this Law applies to all non-home
12 rule taxing districts that have all or a portion of their
13 equalized assessed valuation situated in the county in the
14 manner set forth in this Section.

15 (d) The ordinance or resolution shall request the
16 submission of the proposition at any election, except a
17 consolidated primary election, for the purpose of voting for or
18 against the continued application of the Property Tax Extension
19 Limitation Law to all non-home rule taxing districts that have
20 all or a portion of their equalized assessed valuation situated
21 in the county.

22 The question shall be placed on a separate ballot and shall
23 be in substantially the following form:

24 Shall the Property Tax Extension Limitation Law (35
25 ILCS 200/18-185 through 35 ILCS 200/18-245), which limits
26 annual property tax extension increases, apply to non-home

1 rule taxing districts with all or a portion of their
2 equalized assessed valuation located in (name of county)?
3 Votes on the question shall be recorded as "yes" or "no".

4 (e) The county clerk shall order the proposition submitted
5 to the electors of the county at the election specified in the
6 ordinance or resolution. If part of the county is under the
7 jurisdiction of a board or boards of election commissioners,
8 the county clerk shall submit a certified copy of the ordinance
9 or resolution to each board of election commissioners, which
10 shall order the proposition submitted to the electors of the
11 taxing district within its jurisdiction at the election
12 specified in the ordinance or resolution.

13 (f) With respect to taxing districts having all of their
14 equalized assessed valuation located in one county, if a
15 majority of the votes cast on the proposition are against the
16 proposition, then this Law shall not apply to the taxing
17 district beginning on January 1 of the year following the date
18 of the referendum.

19 (g) With respect to taxing districts that do not have all
20 of their equalized assessed valuation located in a single
21 county, if both of the following conditions are met, then this
22 Law shall no longer apply to the taxing district beginning on
23 January 1 of the year following the date of the referendum.

24 (1) Each county in which the district has any equalized
25 assessed valuation must either, (i) have held a referendum
26 under this Section, (ii) be an affected county, or (iii)

1 have held a referendum under Section 18-213 at which the
2 voters rejected the proposition at the most recent election
3 at which the question was on the ballot in the county.

4 (2) The majority of the equalized assessed valuation of
5 the taxing district, other than any equalized assessed
6 valuation in an affected county, is in one or more counties
7 in which the voters rejected the proposition. For purposes
8 of this Section, in determining whether a majority of the
9 equalized assessed valuation of the taxing district is
10 located in one or more counties in which the voters have
11 rejected the proposition under this Section, the equalized
12 assessed valuation of any taxing district in a county which
13 has held a referendum under Section 18-213 at which the
14 voters rejected that proposition, at the most recent
15 election at which the question was on the ballot in the
16 county, will be included with the equalized assessed value
17 of the taxing district in counties in which the voters have
18 rejected the referendum held under this Section.

19 (h) Immediately after a referendum is held under this
20 Section, the county clerk of the county holding the referendum
21 shall give notice of the referendum having been held and its
22 results to all taxing districts that have all or a portion of
23 their equalized assessed valuation located in the county, the
24 county clerk of any other county in which any of the equalized
25 assessed valuation of any such taxing district is located, and
26 the Department of Revenue. After the last referendum affecting

1 a multi-county taxing district is held, the Department of
2 Revenue shall determine whether the taxing district is no
3 longer subject to this Law and, if the taxing district is no
4 longer subject to this Law, the Department of Revenue shall
5 notify the taxing district and the county clerks of all of the
6 counties in which a portion of the equalized assessed valuation
7 of the taxing district is located that, beginning on January 1
8 of the year following the date of the last referendum, the
9 taxing district is no longer subject to this Law.

10 (i) Notwithstanding any other provision of law, no
11 referendum may be submitted under this Section for taxable year
12 2016 or thereafter.

13 (Source: P.A. 89-718, eff. 3-7-97.)

14 (35 ILCS 200/18-242 new)

15 Sec. 18-242. Home rule. This Division 5 is a limitation,
16 under subsection (g) of Section 6 of Article VII of the
17 Illinois Constitution, on the power of home rule units to tax.

18 Section 90. The State Mandates Act is amended by adding
19 Section 8.39 as follows:

20 (30 ILCS 805/8.39 new)

21 Sec. 8.39. Exempt mandate. Notwithstanding Sections 6 and 8
22 of this Act, no reimbursement by the State is required for the
23 implementation of any mandate created by this amendatory Act of

1 the 99th General Assembly.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".