



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4290

by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-45

Amends the Property Tax Code. Provides that the aggregate rate of tax imposed by all taxing districts on any parcel of residential property that, as of January 1 of the levy year, has been occupied by a qualified taxpayer as his or her principal dwelling place for a period of at least 30 years shall not exceed 5%. Provides that the term "qualified taxpayer" means a person who (i) is 65 years of age or older during the taxable year, (ii) is liable for paying real estate taxes on the property, and (iii) is an owner of record of the property or has a legal or equitable interest therein as evidenced by a written instrument, except for a leasehold interest, other than a leasehold interest of land on which a single family residence is located. Contains provisions concerning applications for the reduction. Effective immediately.

LRB099 14052 HLH 38076 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 Section 18-45 as follows:

6 (35 ILCS 200/18-45)

7 Sec. 18-45. Computation of rates.

8 (a) Except as provided below, each county clerk shall
9 estimate and determine the rate per cent upon the equalized
10 assessed valuation for the levy year of the property in the
11 county's taxing districts and special service areas, as
12 established under Article VII of the Illinois Constitution, so
13 that the rate will produce, within the proper divisions of that
14 county, not less than the net amount that will be required by
15 the county board or certified to the county clerk according to
16 law. Prior to extension, the county clerk shall determine the
17 maximum amount of tax authorized to be levied by any statute.
18 If the amount of any tax certified to the county clerk for
19 extension exceeds the maximum, the clerk shall extend only the
20 maximum allowable levy.

21 (b) The county clerk shall exclude from the total equalized
22 assessed valuation, whenever estimating and determining it
23 under this Section and Sections 18-50 through 18-105, the

1 equalized assessed valuation in the percentage which has been
2 agreed to by each taxing district, of any property or portion
3 thereof within an Enterprise Zone upon which an abatement of
4 taxes was made under Section 18-170. However, if a municipality
5 has adopted tax increment financing under Division 74.4 of
6 Article 11 of the Illinois Municipal Code, the county clerk
7 shall estimate and determine rates in accordance with Sections
8 11-74.4-7 through 11-74.4-9 of that Act. Beginning on January
9 1, 1998 and thereafter, the equalized assessed value of all
10 property for the computation of the amount to be extended
11 within a county with 3,000,000 or more inhabitants shall be the
12 sum of (i) the equalized assessed value of such property for
13 the year immediately preceding the levy year as established by
14 the assessment and equalization process for the year
15 immediately prior to the levy year, (ii) the equalized assessed
16 value of any property that qualifies as new property, as
17 defined in Section 18-185, or annexed property, as defined in
18 Section 18-225, for the current levy year, and (iii) any
19 recovered tax increment value, as defined in Section 18-185,
20 for the current levy year, less the equalized assessed value of
21 any property that qualifies as disconnected property, as
22 defined in Section 18-225, for the current levy year.

23 (c) Notwithstanding any other provision of law, and subject
24 to any other statutory limitations on the rate of tax imposed
25 by any taxing district, the aggregate rate of tax imposed by
26 all taxing districts on any parcel of residential property

1 that, as of January 1 of the levy year, has been occupied by a
2 qualified taxpayer as his or her principal dwelling place for a
3 period of at least 30 years shall not exceed 5%. If the county
4 clerk is required to reduce the rate of tax extended against a
5 parcel of property in accordance with this subsection, then
6 each taxing district shall receive a pro rata share of the
7 proceeds attributable to that property. The assessor or chief
8 county assessment officer may determine the eligibility of
9 residential property to receive the reduction provided by this
10 subsection by application, visual inspection, questionnaire,
11 or other reasonable methods. The determination must be made in
12 accordance with guidelines established by the Department.
13 Application must be made during the application period in
14 effect for the county in which the property is located. Each
15 taxpayer who has been granted a reduction under this subsection
16 must reapply on an annual basis. The chief county assessment
17 officer shall mail the application to the taxpayer. For the
18 purposes of this subsection (c), "qualified taxpayer" means a
19 person who (i) is 65 years of age or older during the taxable
20 year, (ii) is liable for paying real estate taxes on the
21 property, and (iii) is an owner of record of the property or
22 has a legal or equitable interest therein as evidenced by a
23 written instrument, except for a leasehold interest, other than
24 a leasehold interest of land on which a single family residence
25 is located.

26 (Source: P.A. 90-320, eff. 1-1-98.)

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