

HB5737



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5737

by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-10

Amends the Property Tax Code. Provides that titleholders and owners of certain exempt property are not required to submit an annual affidavit stating whether there has been any change in the ownership or use of the property. Effective immediately.

LRB099 17719 HLH 42079 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

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 15-10 as follows:

6 (35 ILCS 200/15-10)

7 Sec. 15-10. Exempt property; procedures for certification.

8 (a) All property granted an exemption by the Department
9 pursuant to the requirements of Section 15-5 and described in
10 the Sections following Section 15-30 and preceding Section
11 16-5, to the extent therein limited, is exempt from taxation.
12 In order to maintain that exempt status, the titleholder or the
13 owner of the beneficial interest of any property that is exempt
14 must file with the chief county assessment officer, on or
15 before January 31 of each year (May 31 in the case of property
16 exempted by Section 15-170), an affidavit stating whether there
17 has been any change in the ownership or use of the property,
18 the status of the owner-resident, the satisfaction by a
19 relevant hospital entity of the condition for an exemption
20 under Section 15-86, or that a veteran with a disability who
21 qualifies under Section 15-165 owned and used the property as
22 of January 1 of that year. The nature of any change shall be
23 stated in the affidavit. Failure to file an affidavit shall, in

1 the discretion of the assessment officer, constitute cause to
2 terminate the exemption of that property, notwithstanding any
3 other provision of this Code. Owners of 5 or more such exempt
4 parcels within a county may file a single annual affidavit in
5 lieu of an affidavit for each parcel. The assessment officer,
6 upon request, shall furnish an affidavit form to the owners, in
7 which the owner may state whether there has been any change in
8 the ownership or use of the property or status of the owner or
9 resident as of January 1 of that year. The owner of 5 or more
10 exempt parcels shall list all the properties giving the same
11 information for each parcel as required of owners who file
12 individual affidavits.

13 (b) However, titleholders or owners of the beneficial
14 interest in any property exempted under any of the following
15 provisions are not required to submit an annual filing under
16 this Section:

17 (1) Section 15-45 (burial grounds) in counties of less
18 than 3,000,000 inhabitants and owned by a not-for-profit
19 organization.

20 (2) Section 15-40.

21 (3) Section 15-50 (United States property).

22 (4) Section 15-35 (schools), provided the property is
23 owned by a public school district.

24 (5) Section 15-55 (State property).

25 (6) Section 15-60 (taxing district property).

26 (7) Subsection (e) of Section 15-65 (free public

1 libraries), provided the public library is part of a public
2 library district or part of another local government.

3 (8) Section 15-66 (library systems and public library
4 districts).

5 (9) Section 15-70 (fire protection purposes), provided
6 the property is owned by a fire protection district or
7 another local government.

8 (10) Section 15-75 (municipal corporations).

9 (11) Section 15-95 (housing authorities).

10 (12) Section 15-100 (public transportation systems).

11 (13) Section 15-103 (bi-state development agencies.

12 (14) Section 15-105 (park and conservation districts).

13 (15) Section 15-110 (municipal building corporations).

14 (16) Section 15-115 (municipal power agencies).

15 (17) Section 15-120 (municipal natural gas agencies).

16 (18) Section 15-130 (municipal corporations providing
17 railroad terminals).

18 (19) Section 15-135 (school districts and community
19 college districts).

20 (20) Section 15-140 (public water districts and water
21 and drainage works).

22 (21) Section 15-143 (metropolitan water reclamation
23 districts in counties with a population greater than
24 3,000,000).

25 (22) Section 15-150 (forest preserve districts).

26 (23) Section 15-151 (Joliet Arsenal Development

1 Authority).

2 (24) Section 15-155 (port districts).

3 (25) Section 15-160 (airport authorities and
4 airports).

5 (c) If there is a change in use or ownership, however,
6 notice must be filed pursuant to Section 15-20.

7 (d) An application for homestead exemptions shall be filed
8 as provided in Section 15-170 (senior citizens homestead
9 exemption), Section 15-172 (senior citizens assessment freeze
10 homestead exemption), and Sections 15-175 (general homestead
11 exemption), 15-176 (general alternative homestead exemption),
12 and 15-177 (long-time occupant homestead exemption),
13 respectively.

14 (e) For purposes of determining satisfaction of the
15 condition for an exemption under Section 15-86:

16 (1) The "year for which exemption is sought" is the
17 year prior to the year in which the affidavit is due.

18 (2) The "hospital year" is the fiscal year of the
19 relevant hospital entity, or the fiscal year of one of the
20 hospitals in the hospital system if the relevant hospital
21 entity is a hospital system with members with different
22 fiscal years, that ends in the year prior to the year in
23 which the affidavit is due. However, if that fiscal year
24 ends 3 months or less before the date on which the
25 affidavit is due, the relevant hospital entity shall file
26 an interim affidavit based on the currently available

1 information, and shall file a supplemental affidavit
2 within 90 days of date on which the application was due, if
3 the information in the relevant hospital entity's audited
4 financial statements changes the interim affidavit's
5 statement concerning the entity's compliance with the
6 calculation required by Section 15-86.

7 (3) The affidavit shall be accompanied by an exhibit
8 prepared by the relevant hospital entity showing (A) the
9 value of the relevant hospital entity's services and
10 activities, if any, under items (1) through (7) of
11 subsection (e) of Section 15-86, stated separately for each
12 item, and (B) the value relating to the relevant hospital
13 entity's estimated property tax liability under paragraphs
14 (A), (B), and (C) of item (1) of subsection (g) of Section
15 15-86; under paragraphs (A), (B), and (C) of item (2) of
16 subsection (g) of Section 15-86; and under item (3) of
17 subsection (g) of Section 15-86.

18 (Source: P.A. 99-143, eff. 7-27-15.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.