

Support HB3781 (Didech)

Each year, Illinois school districts refund significant amounts of money to taxpayers, sometimes totaling as much as 10% of a School District's total tax collections. The resulting fiscal unpredictability makes it difficult for districts to maintain balanced budgets and is one variable school districts consider when determining the amount of their levy each year. While taxpayers should be entitled to appeal their tax assessments, it is critical the process be transparent and fair. In order for that to occur, the taxing bodies ultimately responsible for these refunds must be provided with:

- 1) Notice of tax appeals;
- 2) Information included in the appeals so that districts can assess whether to intervene; and
- 3) The right to resolve a case based on the best interests of the district's constituents.

HB3781 Resolves these 3 Issues

1. Cook County Taxing Bodies Need Notice of All Assessment Appeals

Illinois taxpayers currently have two avenues for appealing their tax assessment following the decision of the County Boards of Review: 1) the Property Tax Appeal Board (PTAB); or 2) the Circuit Court. With the exception of Cook County, Illinois law requires that notice be given to taxing bodies in all other 101 Illinois counties of any appeal filed with either PTAB or Circuit Court. Cook County is the outlier. The Property Tax Code requires notice be provided to Cook County taxing bodies only when appeals are filed in PTAB, but not when the appeals are filed in the Circuit Court. This creates a significant loophole that HB3781 seeks to address.

It is time to finally address this inequity with a legislative solution. HB3781 provides Cook County districts with the same rights afforded all Illinois districts located in other counties.

2. Districts need Critical Information Included on the Appeal to Determine whether to Intervene

School districts typically limit their interventions to those taxpayer appeals that would have a significant adverse financial impact on the district. Unfortunately, information that is critical in making that determination is often missing from the appeal. Specifically, the taxpayers should specify the amount of the assessment reduction being sought, just as they do at the Board of Review level and in PTAB appeals. HB3781 simply requires that information be included in the complaint.

3. Once Districts Intervene, they need to Maintain the Right to Settle

Currently the State's Attorney has the right to settle a case on behalf of a taxing body, even over the objection of the taxing body. Once a taxing body determines that they have a sufficient interest in the outcome in the case and intervenes, the taxing body should have an equal voice on whether to settle. HB3781 accomplishes this.

HB3781 provides reasonable solutions. HB3781:

- Provides transparency. Cook County districts need notice of when they would be adversely impacted. Requiring that districts receive notice and that pertinent information is included in that appeal are two simple and fair ways to make this process transparent.
- Is equitable. This bill brings Cook County in line with the notice rights already afforded all other school districts in the other 101 Illinois counties.
- Is NOT burdensome. The requirement to notify parties adversely impacted is typical in litigation and a simple e-mail notification is reasonable.