

REVISED
LIMITING RATE CALCULATION
FOR LEVY ORDINANCES
AND LEVY ORDINANCE
EXPLANATION SHEET

2025 Village of Winnebago
(for 2025 Levy Ordinance)

PREVIOUS EXTENSION	\$527,485.02	This is derived from taking the total levy figure off of the district extended tax column (Total Extension with Overlaps) on the 2024 PTELL worksheet (generated in 2025) minus any total bonds figure in that same column: $\begin{array}{r} \$527,485.02 \\ - \quad \quad 0.00 \\ \hline \$527,485.02 \end{array}$ (See copy of 2024 PTELL worksheet attached.)
C.P.I. or 5%, whichever is less CPI = 2.9%--This is a figure that is obtained from Tammy Hillis of Winnebago County Clerk's office (TH), when receive the 2025 Estimated EAV Report which generally is in Summer of 2025 (This year was received with 7/23/25 e-mail from TH.)	+ 15,297.06	($\$527,485.02 \times 2.9\% = \$15,297.06$)
	\$542,782.08	
RATE INCREASE FACTOR (if applicable) This is on the Limiting Rate Calculation Estimate received from the County for tax year 2025--(see copy attached)	x 1	
	\$542,782.08	(A) ADJUSTED EXTENSION BASE
CURRENT ESTIMATED E.A.V. (figure obtained from TH) This figure is also on the Limiting Rate Calculation Estimate provided by the County.	\$78,085,232.00	
NEW PROPERTY (equalized figure obtained from TH) This figure is also on the Limiting Rate Calculation Estimate provided by the County.	- \$384,204.00	

ANNEXATION (figure obtained from TH) This is also on the Limiting Rate Calculation Estimate provided by the County.	- 0	
T.I.F.	- N/A	
DISCONNECTION (figure obtained from TH) This is also on the Limiting Rate Calculation Estimate provided by the County.	+ 0	
	\$77,701,028.00	(B) ADJUSTED VALUATION BASE (Adjusted EAV)
(A) \$542,782.08 This is the adjusted extension base		
/ (B) \$77,701,028.00 (divided by) Note: (B) is the adjusted EAV	then hit % key (but take to "Function" place on calculator for this one instead of "2" place— current program on which Co. Clerk's Office computes rate goes out to this extent when calculating the estimated extension)	
=.6986 (.698551993)	LIMITING RATE	
/ _____	CALCULATED RATE	This is for use by TH only— does not affect how figure for levy ordinance
= _____	RATE REDUCTION FACTOR	This is for use by TH only— does not affect how figure for levy ordinance
See next page		

For the levy ordinance we need to determine the maximum rate of revenue the Village may collect based on the limiting rate. To do so, multiply the limiting rate times the current estimated Equalized Assessed Value and hit the % key ($.6986 \times \$78,085,232.00 = \$545,503.43$). Thus, the maximum amount of revenue the Village may collect based on the limiting rate is \$545,503.43.

There must be a determination of whether there needs to be publication for Truth in Taxation. That requirement kicks in if the maximum amount of revenue the Village may collect under this levy is greater than 105% of the previous year's extension amount. The maximum amount of revenue the Village may collect under this year's levy without having to publish for Truth in Taxation is \$545,503.43.

The previous extension amount was \$527,485.02 (see page one). 104.9999998% of \$527,485.02 is \$553,859.27. Since the maximum amount of revenue the Village may collect under this year's levy, namely \$545,503.43 is less than \$553,859.27, there will not have to be publication for Truth in Taxation (Notice of Property Tax Increase greater than 105%) in order for the Village to levy for that maximum amount. Publication for Truth in Taxation requires that there be a public hearing on the same with notice published in a newspaper of general circulation within the community no less than 7 days nor more than 14 days prior to the public hearing. **The Village is not guaranteed it will be able to collect the full amount levied.** The Village is guaranteed it can collect the previous capped extension plus that amount times the CPI ($\$527,485.02 \times 2.9\% = \$15,297.06$. $\$527,485.02 + \$15,297.06 = \$542,782.08$). Nonetheless, the Village generally allocates among the various categories in the levy ordinance so that the total figure is just below the 105%. This way if the final limiting rate that is determined after the limiting rate is finalized after all new property is confirmed (which happens after the levy ordinance has already been passed) is higher than projected the Village can take advantage of that higher levy amount. If the numbers are not different such that the initial limiting rate does not change, then the County will reduce the numbers to match the limiting rate initially established, which will bring the total figure back to \$545,503.43. This reduction is normally done proportionately, with the agreement of the Village.

There are times when even though publication for Truth in Taxation is not required, a Board may want to levy for a higher amount and publish for Truth in Taxation if it is thought in a given year there would be enough growth so that the actual amount the Village could collect based on the limiting rate after all new property is confirmed and valued was greater than what had been calculated based on available figures at the time the levy ordinance was completed. If done, then the Village could then collect the higher amount. For example, if the normal calculation of the maximum amount the Village is entitled to levy is \$545,503.43, but when all numbers are in to the County Clerk's Office, which always happens after the due date of the levy ordinance, that amount turns out to be \$565,503.43, the Village could collect on that \$565,503.43 amount. If the Village had not levied for at least that \$565,503.43, the extra \$20,000.00 could not be collected. In some past years the Village has actually increased the levy ordinance amount by \$30,000.00 to allow for potential rapid growth. As you know, that rapid growth did not happen. The only ramification to publishing for Truth in Taxation and, thus, levying for a higher amount when the growth is not rapid, is that the Village will receive a letter from the County Clerk's Office in approximately March or April of the year following the levy (e.g. receive in 2026 for 2025 levy), indicating that when the final figures were calculated the Village was over the limiting rate, so the figures have to be adjusted and the County Clerk's Office then wants to know how the figures should be adjusted. The Village Board had previously voted at its

October 10, 2007, General Board Meeting to take the position that if during the year communication is received from the County Clerk's Office with regard to the fact that the Village is above the limiting rate, any reduction would be applied proportionally to each category for which there is a levy. I then, as Village Attorney, send a letter to the County Clerk directing the proportionate reduction. However, as stated above, there is already a factor set in to account for some growth, namely, approximately 5% before Truth in Taxation publication and public hearing requirements are triggered. However, the procedure I have stated above would deal with more rapid growth.

Please note that regardless of whether or not there is publication for Truth in Taxation, the Truth in Taxation Certificate of Compliance must be completed and filed with the levy ordinance each year.

EXPLANATION OF ALLOCATION OF AMOUNTS FOR 2025 LEVY ORDINANCE

As previously explained in the Limiting Rate Calculation for Levy Ordinance Explanation Sheet portion of this document for the Village's 2025 Levy ordinance, the maximum amount of revenue the Village may collect based on the limiting rate with the numbers currently available is \$545,503.43, but can levy up to just under 105% of the amount without having to publish for Truth in Taxation, with that number being \$553,859.27. I then need to figure how much the Village wants to levy for each fund using that maximum amount of \$553,859.27 as the parameter. As indicated on the 2024 PTELL worksheet attached, the corporate, police protection, and chlorination of sewage accounts have a maximum rate. However, we do not deal with levying for chlorination of sewage because the Village's sewer services are provided through Four Rivers Sanitation Authority. Also, it is to be noted the "revenue recapture adjustment" listed on the PTELL worksheet is not, per Tammy Hillis, to get calculated anywhere in the levy ordinance. The County lists those maximum amounts on the PTELL worksheet for the 2024 tax year (received in Spring 2025) as .4375 for corporate, .6000 for police protection, and .0200 for chlorination of sewage. That is because due to legislation passed on June 30, 2006, contained in Chapter 35 ILCS Section 200/18-190, as amended effective June 7, 2024, any tax levied for the 2005 levy year, and all subsequent levy years by any taxing district subject to the Property Tax Limitation Law may be extended at a rate exceeding the rate established for that tax by referendum or statute, provided that the rate does not exceed the statutory ceiling above which the tax is not authorized to be further increased either by referendum or in any other manner. See copy attached of statute (35 ILCS 200/18-190.) By statute or referendum, the current maximum amount for corporate is .4375, for police protection is .6000, and for chlorination is .0200. The Village cannot take corporate and police protection both at their maximum rates because that would exceed the Village's limiting rate of .6986 and that is not allowed ($.4375 + .6000 = 1.0375$). Corporate is the one fund that has the most flexibility as that money can be used for any purpose. With all the other funds, they can only be used for their specific purpose (e.g. police protection). As you know, a substantial amount is expended for police protection each year. Therefore, it makes the most sense to levy primarily for corporate and police protection, as those two alone could easily use up the whole limiting rate amount. However, I always recommend that a minimal amount be levied for each of the other funds, namely \$300.00 each for liability insurance, audit, and pension. That is because at least once every three (3) years that amount should be included, for, if any of them is not levied for at any amount for three (3) consecutive years, then the only way to get that category on again (except possibly for chlorination which has a statutory maximum rate, but is not relevant to the Village

anymore) is by referendum. To keep things simpler so there does not have to be a chart kept of which years a minimal \$300.00 amount was used for each fund so as to not miss the three (3) year period, we just levy for \$300.00 each year in each of those funds.

Thus, of the .6986 limiting rate figure, .4375 will be allocated to corporate purposes, and the remaining .2611 will be allocated to police protection, after deducting a total of \$900.00 to be allocated among liability insurance, audit, and pension.

Since the limiting rate was figured on the current equalized assessed value, that current equalized assessed value is the figure that must be used in calculating the percentages to come up with the initial levy amounts, as follows: $\$78,085,232.00 \times .4375\% = \$341,622.89$; $\$78,085,232.00 \times .2611\% = \$203,880.54$. With the sum of \$900.00 deducted from this amount, the net police protection amount is \$202,980.54, rounded to \$202,981.00. Adding to Corporate and Police Protection, proportionately, the additional amount of \$8,355.84 which is the additional amount that can be levied for without having to publish for Truth in Taxation ($\$553,859.27 - \$545,504.43 = \$8,355.84$) adds \$5,241.62 to Corporate and \$3,114.22 to Police Protection. This is because $\$341,622.00 + \$202,981.00 = \$544,603.00$; \$341,622.00 is 62.73% of \$544,603.00 and \$202,981.00 is 37.27% of \$544,603.00. Taking $\$8,355.84 \times 62.73\% = \$5,241.62$ and taking $\$8,355.84 \times 37.27\% = \$3,114.22$.

I then end up with the following calculations:

Corporate	$\$341,622.00 + \$5,241.62 = \$346,863.62$
Police Protection	$\$202,981.00 + \$3,114.22 = \$206,095.22$
Liability Insurance	\$ 300.00
Audit	\$ 300.00
Pension	\$ 300.00
Total	<u>$\\$553,858.84$</u>

With rounding, the numbers for the 2025 levy ordinance are as follows:

Corporate	\$346,863.00
Police Protection	\$206,095.00
Liability Insurance	\$ 300.00
Audit	\$ 300.00
Pension	\$ 300.00
Total	<u>\$553,858.00</u>

PREPARED BY:

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 Rockford, Illinois 61101
 (815) 962-6800
 Village Attorney
 Dated: November 24, 2025 (revised)

Tax Year: 2024

PTELL Worksheet Winnebago County

Taxing District 027 - WINNEBAGO VILLAGE

The 2023 extension was used to determine the aggregate extension base.

Aggregate Ext. Base	x	(1 + Limit)	x	Rate Increase Factor	=	Numerator
\$507,181.46		1.034000		1.0000		524,426
Current EAV	-	Annexations	+	Disconnections	=	Adjusted EAV
69,653,376		0		0		69,653,376
Adjusted EAV	-	(New Property	x	State Multiplier	-	Overlap New Prop.
69,653,376		402,606		1.000000		0
						TIF Recovery
						0
						EZ Recovery
						0
						Denominator
						69,250,870
Numerator	/	Denominator	=	Limiting Rate		
524,426		69,250,870		0.7573		District is Over the Limit
Limiting Rate	/	Computed Rate	=	Reduction Factor		
0.7573		0.764800		0.9902		

Fund/Name	Levy Request	Maximum Rate	Calc'd Rate	Actual Rate	Non-PTELL Total Extension	Limited Rate	Certified Rate	Total Extension	Total Extension After TIF & EZ	Total Extension w/Overlaps
001 CORPORATE	232,986	0.4375	0.334494	0.3345	\$232,980.54	0.3312	0.3312	\$230,691.98	\$230,691.98	\$230,691.98
005 I. M. R. F.	300	0.0000	0.000431	0.0005	\$348.27	0.0005	0.0005	\$348.27	\$348.27	\$348.27
014 POLICE PROTECTION	298,654	0.6000	0.428772	0.4288	\$288,673.68	0.4246	0.4246	\$295,748.23	\$295,748.23	\$295,748.23
027 AUDIT	300	0.0000	0.000431	0.0005	\$348.27	0.0005	0.0005	\$348.27	\$348.27	\$348.27
035 TORT JUDGMENTS, LIABILIT	300	0.0000	0.000431	0.0005	\$348.27	0.0005	0.0005	\$348.27	\$348.27	\$348.27
073 CHLORINATION OF SEWAGE	0	0.0200	0.000000	0.0000	\$0.00	0.0000	0.0000	\$0.00	\$0.00	\$0.00
200 REVENUE RECAPTURE ADJ	1,587	0.0000	0.002278	0.0023	\$1,602.03	0.0023	0.0023	\$1,602.03	\$1,602.03	\$1,602.03
207 ROAD AND BRIDGE TRANSF	0	0.0000	0.000000	0.0000	\$0.00	0.0000	0.0000	\$0.00	\$0.00	\$0.00
Totals (Capped)	532,640		0.764559	0.7648	\$532,709.03	0.7573	0.7573	\$527,485.02	\$527,485.02	\$527,485.02
Totals (Not Capped)	1,587		0.002278	0.0023	\$1,602.03	0.0023	0.0023	\$1,602.03	\$1,602.03	\$1,602.03
Totals (All)	534,127		0.766837	0.7671	\$534,311.06	0.7596	0.7586	\$529,087.04	\$529,087.05	\$529,087.05

Rate Agreement? Yes No Changing The Rates? Yes No

Please Return to the County Clerk's Office By : 04/02/2025

PTELL Reallocation Form Winnebago

SALLY JO HUGGINS - CLERK
VILLAGE HALL
108 W MAIN ST
WINNEBAGO, IL 61088

District	Computed Rate	Max Rate	Reduction Factor	PTELL Rate	Reallocation Rate	Taxable Value
027 - WINNEBAGO VILLAGE						69,653,376
<i>Fund</i>						
CORPORATE	0.3345	0.4375	0.9902	0.3312	_____	
I. M. R. F.	0.0005	0.0000	0.9902	0.0005	_____	
POLICE PROTECTION	0.4288	0.6000	0.9902	0.4246	_____	
AUDIT	0.0005	0.0000	0.9902	0.0005	_____	
TORT JUDGMENTS, LIABILITY INSURANC	0.0005	0.0000	0.9902	0.0005	_____	
CHLORINATION OF SEWAGE	0.0000	0.0200	1.0000	0.0000	_____	
REVENUE RECAPTURE ADJ	0.0023	0.0000	1.0000	0.0023	0.0023	
ROAD AND BRIDGE TRANSFER IN	0.0000	0.0000	1.0000	0.0000	0.0000	
Total Rate:	0.7671		Limiting Rate:	0.7596		

Note: The total reallocation rate CANNOT be greater than the total PTELL rate.

SIGNATURE REQUIRED:

Authorized District Signature

Village Attorney

Date

WINNEBAGO COUNTY

LIMITING RATE CALCULATION ESTIMATE

BELOW IS AN ESTIMATE OF THE LISTED TAXING DISTRICT'S LIMITING RATE BASED ON THE ANNUAL C.P.I. AND THE TAXING DISTRICT'S ESTIMATED CURRENT EAV. THIS ESTIMATE MAY CHANGE BASED UPON YOUR FINAL EAV. DISTRICTS MAY ALSO BE LIMITED BY INDIVIDUAL STATUTORY FUND RATE LIMITS SET BY THE STATE OF ILLINOIS.

TAXING DISTRICT: **WINNEBAGO VILLAGE** **TAX YEAR: 2025**

A	AGGREGATE EXTENSION BASE: 2024	=	\$527,485.02
B	ANNUAL C.P.I. or 5% (whichever is less)	The 2025 annual CPI =	2.9%
C	RATE INCREASE FACTOR	(x)	1
D	ADJUSTED EXTENSION BASE =	Extension Base x CPI (.029) =	542,782
E	ESTIMATED CURRENT EAV (RATE SETTING EAV) :		78,085,232
F	EQUALIZED NEW PROPERTY (-)		384,204
G	ESTIMATED ANNEXATIONS (-)		0
H	ESTIMATED TIF RECOVERY VALUE (-)	N/A	0
J	ESTIMATED ENTERPRISE ZONE (EZ) RECOVERY VALUE (-)	N/A	0
K	ESTIMATED DISCONNECTIONS (+)		0
M	ADJUSTED EAV:	M = E-F-G-H-J+K	77,701,028
N	ESTIMATED LIMITING RATE:	(D/M)*100	0.6986
P	ESTIMATED AGGREGATE EXTENSION AMOUNT:	(E/100)*N	\$545,503.43

TRUTH IN TAXATION:

Q PRIOR YEAR TOTAL EXTENSION (INCLUDES TIF & EZ EXTENSION - NO BONDS OR REV RECAP ADJ): \$527,485.02

MAXIMUM LEVY REQUEST (WITHIN 5% INCREASE) FOR TRUTH IN TAXATION COMPLIANCE: \$553,859.27

IF REQUESTED LEVY IS 5% OR MORE THAN LAST YEAR'S TOTAL EXTENSION \$ AMOUNT (LESS ANY \$ AMT FOR BONDS), THE TAXING DISTRICT IS REQUIRED TO HOLD A PUBLIC HEARING AND PUBLISH THE INCREASE REQUEST (35 ILCS 200/18-55 THRU 100). A LEVY REQUEST OVER 5% DOES NOT GUARANTEE AN INCREASED EXTENSION AMOUNT WITHOUT A VOTER-APPROVED REFERENDUM.

REMINDERS: 2025 LEVIES MUST BE FILED WITH THE COUNTY CLERK'S OFFICE ON OR BEFORE 12/30/2025.
A "TRUTH IN TAXATION" CERTIFICATE OF COMPLIANCE IS REQUIRED TO BE FILED WITH YOUR LEVY.

EAV - EQUALIZED ASSESSED VALUE CPI - CONSUMER PRICE INDEX TIF - TAX INCREMENT FINANCING EZ - ENTERPRISE ZONE

REPORT DATE: 7/22/25

(35 ILCS 200/18-190)

Sec. 18-190. Direct referendum; new rate or increased limiting rate.

(a) If a new rate is authorized by statute to be imposed without referendum or is subject to a backdoor referendum, as defined in Section 28-2 of the Election Code, the governing body of the affected taxing district before levying the new rate shall submit the new rate to direct referendum under the provisions of this Section and of Article 28 of the Election Code. Notwithstanding any other provision of law, the levies authorized by Sections 21-110 and 21-110.1 of the Illinois Pension Code shall not be considered new rates; however, nothing in this amendatory Act of the 98th General Assembly authorizes a taxing district to increase its limiting rate or its aggregate extension without first obtaining referendum approval as provided in this Section. Notwithstanding any other provision of law, the levy authorized by Section 18-17 is considered part of the annual corporate extension for the taxing district and is not considered a new rate. Notwithstanding the provisions, requirements, or limitations of any other law, any tax levied for the 2005 levy year and all subsequent levy years by any taxing district subject to this Law may be extended at a rate exceeding the rate established for that tax by referendum or statute, provided that the rate does not exceed the statutory ceiling above which the tax is not authorized to be further increased either by referendum or in any other manner. Notwithstanding the provisions, requirements, or limitations of any other law, all taxing districts subject to this Law shall follow the provisions of this Section whenever seeking referenda approval after March 21, 2006 to (i) levy a new tax rate authorized by statute or (ii) increase the limiting rate applicable to the taxing district. All taxing districts subject to this Law are authorized to seek referendum approval of each proposition described and set forth in this Section.

The proposition seeking to obtain referendum approval to levy a new tax rate as authorized in clause (i) shall be in substantially the following form:

Shall ... (insert legal name, number, if any, and county or counties of taxing district and geographic or other common name by which a school or community college district is known and referred to), Illinois, be authorized to levy a new tax for ... purposes and have an additional tax of ...% of the equalized assessed value of the taxable property therein extended for such purposes?

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

The proposition seeking to obtain referendum approval to increase the limiting rate as authorized in clause (ii) shall be in substantially the following form:

Shall the limiting rate under the Property Tax Extension Limitation Law for ... (insert legal name, number, if any, and county or counties of taxing district and geographic or other common name by which a school or community college district is known and referred to), Illinois, be increased by an additional amount equal to ...% above the limiting rate for the purpose of...(insert purpose) for levy year ... (insert the most recent levy year for which the limiting rate of the taxing district is known at the time the submission of the proposition is initiated by the taxing district) and be equal to ...% of the equalized assessed value of the taxable property therein for levy year(s) (insert each levy year for which the increase will be applicable, which years must be consecutive and may not exceed 4)?

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

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

(1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$..., and the approximate amount of taxes extendable if the proposition is approved is \$....

(2) For the ... (insert the first levy year for which the new rate or increased limiting rate will be applicable) levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$....

(3) Based upon an average annual percentage increase (or decrease) in the market value of such property of %... (insert percentage equal to the average annual percentage increase or decrease for the prior 3 levy years, at the time the submission of the proposition is initiated by the taxing district, in the amount of (A) the equalized assessed value of the taxable property in the taxing district less (B) the new property included in the equalized assessed value), the approximate amount of the additional tax extendable against such property for the ... levy year is estimated to be \$... and for the ... levy year is estimated to be \$

(4) If the proposition is approved, the aggregate extension for ... (insert each levy year for which the increase will apply) will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law).

The approximate amount of taxes extendable shown in paragraph (1) shall be computed upon the last known equalized assessed value of taxable property in the taxing district (at the time the submission of the proposition is initiated by the taxing district). Paragraph (3) shall be included only if the increased limiting rate will be applicable for more than one levy year and shall list each levy year for which the increased limiting rate will be applicable. The additional tax shown for each levy year shall be the approximate dollar amount of the increase over the amount of the most recently completed extension at the time the submission of the proposition is initiated by the taxing district. The approximate amount of the additional taxes extendable shown in paragraphs (2) and (3) shall be calculated by multiplying \$100,000 (the fair market value of the property without regard to any property tax exemptions) by (i) the percentage level of assessment prescribed for that property by statute, or by ordinance of the county board in counties that classify property for purposes of taxation in accordance with Section 4 of Article IX of the Illinois Constitution; (ii) the most recent final equalization factor certified to the county clerk by the Department of Revenue at the time the taxing district initiates the submission of the proposition to the electors; and (iii) either the new rate or the amount by which the limiting rate is to be increased. This amendatory Act of the 97th General Assembly is intended to clarify the existing requirements of this Section, and shall not be construed to validate any prior non-compliant referendum language. Paragraph (4) shall be included if the proposition concerns a limiting rate increase but shall not be included if the proposition concerns a new rate. Any notice required to be published in connection with the submission of the proposition shall also

contain this supplemental information and shall not contain any other supplemental information regarding the proposition. Any error, miscalculation, or inaccuracy in computing any amount set forth on the ballot and in the notice that is not deliberate shall not invalidate or affect the validity of any proposition approved. Notice of the referendum shall be published and posted as otherwise required by law, and the submission of the proposition shall be initiated as provided by law.

If a majority of all ballots cast on the proposition are in favor of the proposition, the following provisions shall be applicable to the extension of taxes for the taxing district:

(A) a new tax rate shall be first effective for the levy year in which the new rate is approved;

(B) if the proposition provides for a new tax rate, the taxing district is authorized to levy a tax after the canvass of the results of the referendum by the election authority for the purposes for which the tax is authorized;

(C) a limiting rate increase shall be first effective for the levy year in which the limiting rate increase is approved, provided that the taxing district may elect to have a limiting rate increase be effective for the levy year prior to the levy year in which the limiting rate increase is approved unless the extension of taxes for the prior levy year occurs 30 days or less after the canvass of the results of the referendum by the election authority in any county in which the taxing district is located;

(D) in order for the limiting rate increase to be first effective for the levy year prior to the levy year of the referendum, the taxing district must certify its election to have the limiting rate increase be effective for the prior levy year to the clerk of each county in which the taxing district is located not more than 2 days after the date the results of the referendum are canvassed by the election authority; and

(E) if the proposition provides for a limiting rate increase, the increase may be effective regardless of whether the proposition is approved before or after the taxing district adopts or files its levy for any levy year.

Rates required to extend taxes on levies subject to a backdoor referendum in each year there is a levy are not new rates or rate increases under this Section if a levy has been made for the fund in one or more of the preceding 3 levy years. Changes made by this amendatory Act of 1997 to this Section in reference to rates required to extend taxes on levies subject to a backdoor referendum in each year there is a levy are declarative of existing law and not a new enactment.

(b) Whenever other applicable law authorizes a taxing district subject to the limitation with respect to its aggregate extension provided for in this Law to issue bonds or other obligations either without referendum or subject to backdoor referendum, the taxing district may elect for each separate bond issuance to submit the question of the issuance of the bonds or obligations directly to the voters of the taxing district, and if the referendum passes the taxing district is not required to comply with any backdoor referendum procedures or requirements set forth in the other applicable law. The direct referendum shall be initiated by ordinance or resolution of the governing body of the taxing district, and the question shall be certified to the proper election authorities in accordance with the provisions of the Election Code.

(Source: P.A. 103-592, eff. 6-7-24.)