

**PROPOSED AMENDMENT TO FILE 16-5739  
(Finance Committee 10/26/2016)**

**Sponsored by:** JOHN A. FRITCHEY, Cook County Board of Commissioners

**COOK COUNTY TAXATION PREDICTABILITY AMENDMENT**

**NOW THEREFORE BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 74, TAXATION, Article IV. - RETAILERS' OCCUPATION TAX, Sections 74-150 through 74-151 be amended as follows:

**ARTICLE IV. - RETAILERS' OCCUPATION TAX**

**Sec. 74-150. - Short title.**

This article shall be known and may be cited as the Cook County Home Rule County Retail Occupation Tax Ordinance.

**Sec. 74-151. - Imposed.**

As authorized by 55 ILCS 5/5-1006 (home rule county retailers' occupation tax law), a tax is imposed Countywide upon all persons in the County engaged in the business of selling tangible personal property at retail, at the rate of one and one-quarter percent (1.25%) through December 31, 2011; one percent (1%) for the period of January 1, 2012 through December 31, 2012; three-quarters percent (0.75%) through December 31, 2015; and one and three-quarters percent (1.75%) thereafter of the gross receipts from such sales made in the course of such business. The County Board may adopt an increase in the Retailers' Occupation Tax if approved by a two-thirds vote of the members of the County Board then holding office, provided that the County Board shall not increase the Retailers' Occupation Tax for 36 months following any previous increase of such tax or any increase of the Cook County Property Tax Levy. The tax shall be paid in the manner provided in such statute.

**BE IT FURTHER ORDAINED**, that Chapter 74, TAXATION, Article V. - SERVICE OCCUPATION TAX, Sections 74-190 through 74-191 be amended as follows:

**ARTICLE V. - SERVICE OCCUPATION TAX**

**Sec. 74-190. - Short title.**

This article shall be known and may be cited as the Cook County Home Rule County Service Occupation Tax Ordinance.

**Sec. 74-191. - Imposed.**

As authorized by 55 ILCS 5/5-1007 (home rule county service occupation tax law), a tax is imposed Countywide upon all persons in the County engaged in the business of making sales of service at the rate of one and one-quarter percent (1.25%) through December 31, 2011; one percent (1%) for the period of January 1, 2012 through December 31, 2012; three-quarters percent (0.75%) through December 31, 2015; and one and three-quarters percent (1.75%) thereafter of the selling price of all tangible personal property transferred by such serviceperson either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The County Board may adopt an increase in the Service Occupation Tax if approved by a two-thirds vote of the members of the County Board then holding office, provided

that the County Board shall not increase the Service Occupation Tax for 36 months following any previous increase of such tax or any increase of the Cook County Property Tax Levy. The tax shall be paid in the manner provided in such statute.

**BE IT FURTHER ORDAINED**, that Chapter 74, TAXATION, Article II. - REAL PROPERTY TAXATION, Section 74-38 be amended as follows:

## **ARTICLE II. - REAL PROPERTY TAXATION**

### **Sec. 74-38. - Limitation on aggregate levy.**

(a) This Section shall be known and may be cited as the Cook County Property Tax Relief Ordinance.

(b) Except as otherwise provided in Subsections (c) and (d) of this Section, the County Board shall not increase the aggregate real estate tax levy for corporate, public safety and health (for purposes of this Section, the "aggregate levy") for any year over the prior year's aggregate levy by an amount greater than five percent or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year, whichever is less. For purposes of this Section, the term "Consumer Price Index" means the Consumer Price Index for all Urban Consumers for all items published by the United States Department of Labor.

(c) The County Board may adopt an Aggregate Levy for any year in excess of the limitation set forth in Subsection (b) of this Section if approved by a two-thirds vote of the members of the County Board then holding office.

(d) The County Board may increase the Aggregate Levy for any year in excess of the limitation set forth in Subsection (b) of this Section to include the following pursuant to the procedure set forth in the Property Tax Extension Limitation Law (35 ILCS 200/18-185 et seq.): (1) any property annexed into the County during the levy year and (2) any new property created in the County during the levy year. For purposes of this Section, the term "new property created" means the assessed value, after final Board of Appeals action, of new improvements or additions to existing improvements on any parcel of real property that increase the assessed value of that real property during the levy year.

(e) The County Board shall not increase the Aggregate Levy **in excess of the limitation set forth in Subsection (b)** for 36 months following any previous increase of such levy or any increase of the Cook County Retailers' Occupation Tax and Service Occupation Tax.

**Effective Date:** This ordinance shall take effect upon adoption.