



**BOARD OF COMMISSIONERS OF COOK COUNTY  
BOARD OF COMMISSIONERS**

**Cook County Building, Board Room, 118 North Clark Street, Chicago, Illinois**

**New Items Agenda**

**Thursday, July 25, 2019, 10:00 AM**

**Second Set**

[19-4797](#)

**Sponsored by:** JOHN P. DALEY, TONI PRECKWINKLE (President), LARRY SUFFREDIN, JEFFREY R. TOBOLSKI, BRIDGET GAINER, LUIS ARROYO JR, DENNIS DEER, DONNA MILLER, STANLEY MOORE, SEAN M. MORRISON, PETER N. SILVESTRI and DEBORAH SIMS, Cook County Board of Commissioners

**PROPOSED ORDINANCE**

**SURVIVING SPOUSE TAX ABATEMENT**

**WHEREAS,** a 2012 Property Tax Code Act amendment (35 ILCS 200/18-178) permits the governing body of any county or municipality, by ordinance, to require the abatement of any percentage of the property taxes levied by the county or municipality on each parcel of a qualified property within the boundaries of the county or municipality that is owned by the surviving spouse of a fallen police officer, soldier or rescue worker; and

**WHEREAS,** 35 ILCS 200/18-178 defines a "Fallen police officer, soldier, or rescue worker" as an individual who dies: (1) as a result of or in the course of employment as a police officer; (2) while in the active service of a fire, rescue, or emergency medical service; or (3) while on active duty as a member of the United States Armed Services, including the National Guard, serving in Iraq or Afghanistan; and

**WHEREAS,** fallen police officers, soldiers, and rescue workers have put their lives on the line and have sacrificed for their family as a result of fulfilling their duties or aiding others; and

**WHEREAS,** the families of these brave individuals who have died in the line of duty should be supported as there are overwhelming financial, emotional and psychological costs associated with the loss of a loved one who dies in the line of duty; and

**WHEREAS,** in accordance with 35 ILCS 200/18-178, Cook County should implement a property tax abatement application that would permit the surviving spouse of a fallen police officer, soldier or rescue worker as defined in 35 ILCS 200/18-178(a) to seek abatement of the property taxes levied by the county on a qualified property; and

**WHEREAS,** the Cook County Board of Review ("Board of Review") currently processes applications for exemptions, conducts hearings and makes recommendations to grant or not grant complete exemptions from property taxes; and

**WHEREAS,** the Board of Review and Cook County should develop an application process for property tax abatement permissible under 35 ILCS 200/18-178 that would be administered by the Board of Review; and

**WHEREAS,** the Board of Review should make itself available to the City of Chicago and any other municipality in the County of Cook to vet applications for such abatements permitted under 35 ILCS

200/18-178 and make recommendations for abatement eligibility to the applicable governing body for abatement authorization.

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 74 TAXATION, ARTICLE II REAL PROPERTY TAXATION, DIVISION 1. GENERALLY, SECTION 74-47 the Cook County Code is hereby enacted as Follows:

**Sec. 74-47. Surviving Spouse Tax Abatement.**

(a) *Purpose.* To permit application to the Cook County Board of Review ("Board of Review") for the abatement of Cook County's portion of property taxes levied on a qualified property for surviving spouses of a fallen police officer, soldier or rescue worker in accordance with 35 ILCS 200/18-178. Upon receipt of said application to the Board of Review for a surviving spouse tax abatement, the Board of Review shall review and process the application and make a recommendation to the Cook County Chief Financial Officer, the Board President ("President") and the Cook County Board of Commissioners ("Board of Commissioners") regarding said abatement request, the percentage of taxes permissible for abatement and the duration of the abatement. The Board of Commissioners may approve said abatement request recommended by the Board of Review by Ordinance and order the abatement of the County's portion of the taxes levied on the qualified property.

(b) *Definitions.*

*Fallen police officer, soldier, or rescue worker* means an individual who dies: (1) as a result of or in the course of employment as a police officer; (2) while in the active service of a fire, rescue, or emergency medical service; or (3) while on active duty as a member of the United States Armed Services, including the National Guard, serving in Iraq or Afghanistan. Fallen police officer, soldier, or rescue worker, however, does not include any individual whose death was the result of that individual's own willful misconduct or abuse of alcohol or drugs.

*Qualified property* means a parcel of real property that is occupied by not more than two families, that is used as the principal residence by a surviving spouse, and that: (1) was owned by the fallen police officer, soldier, or rescue worker or surviving spouse at the time of the police officer's, soldier's, or rescue worker's death; (2) was acquired by the surviving spouse within two years after the police officer's, soldier's, or rescue worker's death if the surviving spouse was domiciled in the State at the time of that death; or (3) was acquired more than two years after the police officer's, soldier's, or rescue worker's death if surviving spouse qualified for an abatement for a former qualified property located in Cook County.

*Surviving spouse* means a spouse of a fallen police officer, soldier, or rescue worker who has not remarried.

(c) *Application for Surviving Spouse Tax Abatement.* The Board of Review shall develop and implement an application process for a surviving spouse of a fallen police officer, soldier, or rescue worker in which the surviving spouse may apply for an abatement of Cook County's portion of property taxes

levied against a qualified property.

- (1) *Abatement Period and Percentage.* The duration of the abatement period on a qualified property to be considered by the Board of Review and the Board of Commissioners may revert to July 9, 2012. The percentage and duration of the abatement shall be recommended by the Board of Review to the Board of Commissioners following review of the application for abatement.
- (2) Rules and Regulations. The Board of Review is permitted to implement rules and regulations in order to implement and process the applications for a surviving spouse tax abatement and issue any recommendations for abatement under this Section to the Board of Commissioners.
- (d) Review, Recommendation and Approval of a Surviving Spouse Tax Abatement.
  - (1) The Board of Review shall review and process the applications for a surviving spouse tax abatement on a qualified property. Should the Board of Review recommend the abatement of taxes on a qualified property to a surviving spouse, the Board of Review shall issue its recommendation to the Chief Financial Officer of Cook County, the President and Board of Commissioners for the percentage and duration period of the surviving spouse tax abatement for each recommended surviving spouse applicant.
  - (2) Following receipt of the Board of Review's abatement recommendation, the Board of Commissioners may by ordinance approve the Board of Review's abatement recommendation.
  - (3) The Cook County Board of Commissioners shall provide a certified copy of any ordinance approving a surviving spouse tax abatement on a qualified property to the County Clerk and any other Cook County tax official in order to process an approved surviving spouse tax abatement.

**Effective date:** This ordinance shall be in effect December 1, 2019

[19-4807](#)

**Sponsored by:** BRIDGET GAINER, Cook County Board of Commissioners

#### **PROPOSED RESOLUTION**

#### **REQUESTING A HEARING TO DISCUSS RETIREE MEDICAL OPTIONS FOR THE COOK COUNTY AND FOREST PRESERVE EMPLOYEES' AND OFFICERS' ANNUITY AND BENEFIT FUNDS**

**WHEREAS**, the Pension Committee of the Cook County Board of Commissioners would like to hold a hearing to discuss retiree medical options for the Cook County and Forest Preserve Employees' and Officers' Annuity and Benefit Funds (the Fund).

**NOW THEREFORE BE IT RESOLVED**, the Pension Committee requests that representatives from

the Fund and from the Cook County Health and Hospital System attend the hearing to discuss current retiree medical options and explore potential new options.

[19-4820](#)

**Sponsored by:** LARRY SUFFREDIN, Cook County Board of Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**REQUIRED NOTICE BY BOARDS, COMMISSIONS, ADVISORY COMMITTEES AND TASK FORCES**

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 2 - Administration, Article VI, BOARDS, COMMISSIONS AND COMMITTEES, DIVISION 1. - GENERALLY, of the Cook County Code is hereby amended as Follows:

**Sec. 2-470. Required Notice of Meetings.**

To comply with the Open Meetings Act, every Board, Commission, Advisory Committee, or Task Force created by this Board shall post notice of its meetings with the Secretary to the Cook County Board of Commissioners.

**Effective date:** This ordinance shall be in effect immediately upon adoption.

[19-4770](#)

**Presented by:** N. KEITH CHAMBERS, Executive Director, Department of Human Rights and Ethics

**PROPOSED CHANGES TO PUBLIC FACING RULES AND REGULATIONS**

**Department:** Cook County Department of Human Rights and Ethics

**Summary:**

**PART 700      JUST HOUSING AMENDMENT INTERPRETIVE RULES**

Section 700.100      **Prohibition of Discrimination**

Article II of the Cook County Human Rights Ordinance ("Ordinance") prohibits unlawful discrimination, as defined in §42-31, against a person because of any of the following: race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge, source of income, gender identity or housing status.

Additionally, any written or unwritten housing policy or practice that discriminates against applicants based on their criminal history, as defined in § 42-38(a) of the Ordinance, is a violation of the Ordinance. Any

written or unwritten housing policy or practice which discriminates against applicants based on their convictions, as defined in § 42-38(a) of the Ordinance, prior to the completion of an individualized assessment violates the Ordinance.

Nothing in this section shall be interpreted as prohibiting a housing provider from denying housing to an applicant based on their criminal conviction history when required by federal or state law.

Nothing in these rules shall be construed as prohibiting any public housing agency from denying housing to any applicant based on the applicant's criminal conviction history when required by federal or state law mandate or permits such denial.

**SUBPART 710      AUTHORITY AND APPLICABILITY**

**Section 710.100      Authority**

These rules are adopted in accordance with the authority vested in the Cook County Commission on Human Rights, pursuant to § 42-34(e)(5) and §42-38(c)(5)(c) of the Ordinance, to adopt rules and regulations necessary to implement the Commission's powers.

**Section 710.110      Applicability**

These rules shall go into effect on the effective date of the Just Housing Amendment (No. 19-2394) to the Ordinance and shall only apply to claims that arise out of actions that occur on or after the effective date of the amendments.

**SUBPART 720      DEFINITIONS**

**Section 720.100      Definition of Business Day**

"Business Day" means any day except any Saturday, Sunday, or any day which is a federal or State of Illinois legal holiday.

**Section 720.110      Definition of Criminal Background Check**

"Criminal background check," as referenced in § 42-38(e)(2)(a), includes any report containing information about an individual's criminal background, including but not limited to those produced by federal, state, and local law enforcement agencies, federal and state courts or consumer reporting agencies.

**Section 720.120      Definition of Demonstrable Risk**

"Demonstrable risk," as referenced in § 42-38(c)(5)(c), refers to the likelihood of harm to other residents' personal safety and/or likelihood of serious damage to property based on the applicant's history of criminal

conviction(s) within the last five (5) years and the factors considered in the individualized assessment.

Criminal convictions that are five (5) years old or older do not represent a demonstrable risk to personal safety or property; housing providers may only consider criminal convictions that have occurred within the last five (5) years. Categories of criminal convictions that may represent a demonstrable risk to personal safety or property, unless rebutted by factors considered in the individualized assessment, include:

- (A) Felony drug-related criminal activity defined as the illegal manufacture, sale, distribution of drugs or the intention to manufacture, sell, or distribute the drug, except such drug-related criminal activity that has been decriminalized or legalized after the date of conviction.
- (B) Violent criminal activity defined as any criminal activity that involves the use, attempted use, or threatened use of physical force that causes or that is substantial enough to cause serious bodily injury or property damage.
- (C) Criminal Sexual Conduct including, sexual assault, incest, open and gross lewdness or child sexual abuse.

Section 720.130      **Definition of Public Housing Agency**

“Public Housing Agency” means any state, county, municipal or other governmental entity that is authorized to develop or operate low income housing under the U.S. Housing Act of 1937 (12 U.S.C. 1701), as amended.

Section 720.140      **Definition of Relevance**

“Relevance,” as referenced in § 42-38(e)(2), refers to the degree to which an individual’s conviction history makes it more or less likely that if the criminal conduct reoccurred, the act would impact the personal safety and/or property of others.

Section 720.150      **Definition of Tenant Screening Criteria**

“Tenant screening criteria,” as referenced in § 42-38(e)(2)(a), means the criteria, standards and/or policies used to evaluate an applicant’s conviction history. The criteria, standards and/or policies shall apply ONLY AFTER a housing applicant has been pre-qualified. The criteria must explain how applicants’ criminal conviction history will be evaluated to determine whether their conviction history poses a demonstrable risk to personal safety or property.

SUBPART 730      **TWO-STEP SCREENING PROCESS**

Section 730.100      **Notice of Tenant Screening Criteria and Two-Step Screening Process**

Before accepting an application fee, a housing provider must disclose to the applicant the following information:

- (A) The tenant screening criteria, which describes how an applicant's criminal conviction history will be evaluated to determine whether to rent or lease to the applicant;
- (B) The applicant's right to provide evidence demonstrating inaccuracies within the applicant's conviction history, or evidence of rehabilitation and other mitigating factors as described in §750.100 below; and
- (C) A copy the Cook County Commission on Human Rights ("Commission") interpretative rules, or a link to the Commission's website, or address and phone number of the Commission.

Section 730.110      **Step One: Pre-Qualification**

No person shall inquire about, consider or require disclosure of criminal conviction history before the prequalification process is complete and the housing provider has determined the applicant has satisfied all other application criteria for housing or continued occupancy.

Section 730.120      **Notice of Pre-Qualification**

Once a housing provider determines an applicant has satisfied the pre-qualification standards for housing, the housing provider shall notify the applicant that the first step of the screening procedure has been satisfied and notify the applicant that a criminal background check will be performed or solicited.

Section 730.130      **Step Two: Criminal Background Check**

After or at the same time a housing provider sends the notice of prequalification required by Section 730.120, a housing provider may perform or solicit a criminal background check on the pre-qualified applicant.

SUBPART 740      **CONVICTION DISPUTE PROCEDURES**

Section 740.100      **General**

Before denying admission or continued occupancy based on criminal conviction history, a housing provider must provide the housing applicant or resident with:

- (A) a copy of any criminal background check and other screening material relied upon; and
- (B) notice of the applicant's right to dispute the accuracy or relevance of any conviction(s) in accordance with Section 740.110 of these rules.
- (C) A copy of these rules, or a link to the Human Right's Commission website, or the address and



phone number of the Commission.

Section 740.110      **Opportunity to Dispute the Accuracy and Relevance of Convictions**

- (A) Once a copy of the criminal background check is provided to the applicant, the applicant shall have five (5) business days from the postal or electronic mail date stamp to notify the housing provider in writing of the applicant's intent to dispute the accuracy or the relevance of the information.
- (B) The applicant shall have an additional five (5) business days to produce evidence that disputes the accuracy and/or relevance of any information contained within the criminal background check.

Section 740.120      **Dispute Procedures and Other Applicants**

If a pre-qualified applicant provides notice of their intent to dispute the accuracy or relevance of criminal conviction history in accordance with §740.110, the housing provider must complete the notice and dispute process of §740.110 before extending housing to another applicant.

If a housing applicant does not dispute the accuracy or relevance of the criminal conviction history and the housing provider determines that the applicant poses a demonstrable risk, the housing provider can extend housing to another pre-qualified applicant.

SUBPART 750      **INDIVIDUALIZED ASSESSMENT**

Section 750.100      **Review Process**

After giving an applicant the opportunity to dispute the accuracy and/or relevance of their conviction(s) listed in the criminal background check, a housing provider must conduct an individualized assessment, as defined in §42-38(a) of the Ordinance. The individualized assessment is used to determine whether denial based on criminal conviction history is necessary to protect against a demonstrable risk to personal safety and/or property.

The factors that may be considered in performing the individualized assessment include, but are not limited to:

- (A) the nature and severity of the criminal offense and how recently it occurred;
- (B) the conduct underlying the conviction;
- (C) the nature of the sentencing;
- (D) the number of the applicant's criminal convictions;
- (E) the length of time that has passed since the applicant's most recent conviction;
- (F) the age of the individual at the time the criminal offense occurred;
- (G) evidence of rehabilitation;
- (H) the individual history as a tenant before and/or after the conviction;

- (I) whether the criminal conviction(s) was/were related to or a product of the applicant's disability;
- (J) whether, if the applicant is an individual with a disability, any reasonable accommodation could be provided to ameliorate any purported demonstrable risk; and
- (K) other mitigating factors.

SUBPART 760      **NOTICE OF FINAL DECISION**

Section 760.100      **Decision Deadline**

A housing provider must either approve or deny an individual's housing application within three (3) business days of a final decision to deny admission or continued occupancy based on criminal conviction history.

Section 760.110      **Written Notice of Denial**

- (A) Any denial of admission or continued occupancy based on a conviction must be in writing and must provide the applicant an explanation of why denial based on criminal conviction is necessary protect against a demonstrable risk of harm to personal safety and/or property.
- (B) The written denial must also contain a statement informing the housing applicant of their right to file a complaint with the Human Rights Commission of Cook County.

Section 760.120      **Confidentiality**

The housing provider must also limit the use and distribution of information obtained in performing the applicant's criminal background check. The housing provider must keep any information gathered confidential and in keeping with the requirements of the Ordinance.