



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4496

by Rep. Jim Durkin

SYNOPSIS AS INTRODUCED:

105 ILCS 5/5-1

from Ch. 122, par. 5-1

Amends the Trustees of Schools Article of the School Code. Allows the governing board of Lyons Township High School District 204, Western Springs School District 101, LaGrange School District 102, LaGrange School District 105, LaGrange Highlands School District 106, Pleasantdale School District 107, and the LaGrange Area Department of Special Education to withdraw from the jurisdiction and authority of the trustees of schools of Lyons Township and the township treasurer, provided that the board elects or appoints its own treasurer. Provides that these amendatory changes are prospective only, starting from the effective date of the amendatory Act, and, with respect to Lyons Township High School District 204, shall not affect any legal action pending on the effective date of the amendatory Act in the Illinois courts in which Lyons Township High School District 204 is a listed party. Effective immediately.

LRB100 16881 NHT 32022 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 5-1 as follows:

6 (105 ILCS 5/5-1) (from Ch. 122, par. 5-1)

7 Sec. 5-1. County school units.

8 (a) The territory in each county, exclusive of any school
9 district governed by any special act which requires the
10 district to appoint its own school treasurer, shall constitute
11 a county school unit. County school units of less than
12 2,000,000 inhabitants shall be known as Class I county school
13 units and the office of township trustees, where existing on
14 July 1, 1962, in such units shall be abolished on that date and
15 all books and records of such former township trustees shall be
16 forthwith thereafter transferred to the county board of school
17 trustees. County school units of 2,000,000 or more inhabitants
18 shall be known as Class II county school units and shall retain
19 the office of township trustees unless otherwise provided in
20 subsection (b) or (c).

21 (b) Notwithstanding subsections (a) and (c), the school
22 board of any elementary school district having a fall, 1989
23 aggregate enrollment of at least 2,500 but less than 6,500

1 pupils and having boundaries that are coterminous with the
2 boundaries of a high school district, and the school board of
3 any high school district having a fall, 1989 aggregate
4 enrollment of at least 2,500 but less than 6,500 pupils and
5 having boundaries that are coterminous with the boundaries of
6 an elementary school district, may, whenever the territory of
7 such school district forms a part of a Class II county school
8 unit, by proper resolution withdraw such school district from
9 the jurisdiction and authority of the trustees of schools of
10 the township in which such school district is located and from
11 the jurisdiction and authority of the township treasurer in
12 such Class II county school unit; provided that the school
13 board of any such school district shall, upon the adoption and
14 passage of such resolution, thereupon elect or appoint its own
15 school treasurer as provided in Section 8-1. Upon the adoption
16 and passage of such resolution and the election or appointment
17 by the school board of its own school treasurer: (1) the
18 trustees of schools in such township shall no longer have or
19 exercise any powers and duties with respect to the school
20 district governed by such school board or with respect to the
21 school business, operations or assets of such school district;
22 and (2) all books and records of the township trustees relating
23 to the school business and affairs of such school district
24 shall be transferred and delivered to the school board of such
25 school district. Upon the effective date of this amendatory Act
26 of 1993, the legal title to, and all right, title and interest

1 formerly held by the township trustees in any school buildings
2 and school sites used and occupied by the school board of such
3 school district for school purposes, that legal title, right,
4 title and interest thereafter having been transferred to and
5 vested in the regional board of school trustees under P.A.
6 87-473 until the abolition of that regional board of school
7 trustees by P.A. 87-969, shall be deemed transferred by
8 operation of law to and shall vest in the school board of that
9 school district.

10 Notwithstanding subsections (a) and (c), the school boards
11 of Oak Park & River Forest District 200, Oak Park Elementary
12 School District 97, and River Forest School District 90 may, by
13 proper resolution, withdraw from the jurisdiction and
14 authority of the trustees of schools of Proviso and Cicero
15 Townships and the township treasurer, provided that the school
16 board shall, upon the adoption and passage of the resolution,
17 elect or appoint its own school treasurer as provided in
18 Section 8-1 of this Code. Upon the adoption and passage of the
19 resolution and the election or appointment by the school board
20 of its own school treasurer: (1) the trustees of schools in the
21 township or townships shall no longer have or exercise any
22 powers or duties with respect to the school district or with
23 respect to the school business, operations, or assets of the
24 school district; (2) all books and records of the trustees of
25 schools and all moneys, securities, loanable funds, and other
26 assets relating to the school business and affairs of the

1 school district shall be transferred and delivered to the
2 school board; and (3) all legal title to and all right, title,
3 and interest formerly held by the trustees of schools in any
4 common school lands, school buildings, or school sites used and
5 occupied by the school board and all rights of property and
6 causes of action pertaining to or constituting a part of the
7 common school lands, buildings, or sites shall be deemed
8 transferred by operation of law to and shall vest in the school
9 board.

10 Notwithstanding subsections (a) and (c), the respective
11 school boards of Berwyn North School District 98, Berwyn South
12 School District 100, Cicero School District 99, and J.S. Morton
13 High School District 201 may, by proper resolution, withdraw
14 from the jurisdiction and authority of the trustees of schools
15 of Cicero Township and the township treasurer, provided that
16 the school board shall, upon the adoption and passage of the
17 resolution, elect or appoint its own school treasurer as
18 provided in Section 8-1 of this Code. Upon the adoption and
19 passage of the resolution and the election or appointment by
20 the school board of its own school treasurer: (1) the trustees
21 of schools in the township shall no longer have or exercise any
22 powers or duties with respect to the school district or with
23 respect to the school business, operations, or assets of the
24 school district; (2) all books and records of the trustees of
25 schools and all moneys, securities, loanable funds, and other
26 assets relating to the school business and affairs of the

1 school district shall be transferred and delivered to the
2 school board; and (3) all legal title to and all right, title,
3 and interest formerly held by the trustees of schools in any
4 common school lands, school buildings, or school sites used and
5 occupied by the school board and all rights of property and
6 causes of action pertaining to or constituting a part of the
7 common school lands, buildings, or sites shall be deemed
8 transferred by operation of law to and shall vest in the school
9 board.

10 Notwithstanding subsections (a) and (c) of this Section,
11 the school board of Lyons Township High School District 204
12 may, by proper resolution, withdraw from the jurisdiction and
13 authority of the trustees of schools of Lyons Township and the
14 township treasurer, provided that the school board shall, upon
15 the adoption and passage of the resolution, elect or appoint
16 its own school treasurer as provided in Section 8-1 of this
17 Code. Upon the adoption and passage of the resolution and the
18 election or appointment by the school board of its own school
19 treasurer: (1) the trustees of schools in the township shall no
20 longer have or exercise any powers or duties with respect to
21 the school district or with respect to the school business,
22 operations, or assets of the school district; (2) all books and
23 records of the trustees of schools and all moneys, securities,
24 loanable funds, and other assets relating to the school
25 business and affairs of the school district shall be
26 transferred and delivered to the school board; and (3) legal

1 title to and all right, title, and interest formerly held by
2 the trustees of schools in any common school lands, school
3 buildings, or school sites used and occupied by the school
4 board and all rights of property and causes of action
5 pertaining to or constituting a part of the common school
6 lands, buildings, or sites shall be deemed transferred by
7 operation of law to and shall vest in the school board. The
8 changes made to this Section by this amendatory Act of the
9 100th General Assembly are prospective only, starting from the
10 effective date of this amendatory Act of the 100th General
11 Assembly, and shall not affect any legal action pending on the
12 effective date of this amendatory Act of the 100th General
13 Assembly in the Illinois courts in which Lyons Township High
14 School District 204 is a listed party.

15 Notwithstanding subsections (a) and (c) of this Section,
16 the school board of Western Springs School District 101 may, by
17 proper resolution, withdraw from the jurisdiction and
18 authority of the trustees of schools of Lyons Township and the
19 township treasurer, provided that the school board shall, upon
20 the adoption and passage of the resolution, elect or appoint
21 its own school treasurer as provided in Section 8-1 of this
22 Code. Upon the adoption and passage of the resolution and the
23 election or appointment by the school board of its own school
24 treasurer: (1) the trustees of schools in the township shall no
25 longer have or exercise any powers or duties with respect to
26 the school district or with respect to the school business,

1 operations, or assets of the school district; (2) all books and
2 records of the trustees of schools and all moneys, securities,
3 loanable funds, and other assets relating to the school
4 business and affairs of the school district shall be
5 transferred and delivered to the school board; and (3) legal
6 title to and all right, title, and interest formerly held by
7 the trustees of schools in any common school lands, school
8 buildings, or school sites used and occupied by the school
9 board and all rights of property and causes of action
10 pertaining to or constituting a part of the common school
11 lands, buildings, or sites shall be deemed transferred by
12 operation of law to and shall vest in the school board. The
13 changes made to this Section by this amendatory Act of the
14 100th General Assembly are prospective only, starting from the
15 effective date of this amendatory Act of the 100th General
16 Assembly.

17 Notwithstanding subsections (a) and (c) of this Section,
18 the school board of LaGrange School District 102 may, by proper
19 resolution, withdraw from the jurisdiction and authority of the
20 trustees of schools of Lyons Township and the township
21 treasurer, provided that the school board shall, upon the
22 adoption and passage of the resolution, elect or appoint its
23 own school treasurer as provided in Section 8-1 of this Code.
24 Upon the adoption and passage of the resolution and the
25 election or appointment by the school board of its own school
26 treasurer: (1) the trustees of schools in the township shall no

1 longer have or exercise any powers or duties with respect to
2 the school district or with respect to the school business,
3 operations, or assets of the school district; (2) all books and
4 records of the trustees of schools and all moneys, securities,
5 loanable funds, and other assets relating to the school
6 business and affairs of the school district shall be
7 transferred and delivered to the school board; and (3) legal
8 title to and all right, title, and interest formerly held by
9 the trustees of schools in any common school lands, school
10 buildings, or school sites used and occupied by the school
11 board and all rights of property and causes of action
12 pertaining to or constituting a part of the common school
13 lands, buildings, or sites shall be deemed transferred by
14 operation of law to and shall vest in the school board. The
15 changes made to this Section by this amendatory Act of the
16 100th General Assembly are prospective only, starting from the
17 effective date of this amendatory Act of the 100th General
18 Assembly.

19 Notwithstanding subsections (a) and (c) of this Section,
20 the school board of LaGrange School District 105 may, by proper
21 resolution, withdraw from the jurisdiction and authority of the
22 trustees of schools of Lyons Township and the township
23 treasurer, provided that the school board shall, upon the
24 adoption and passage of the resolution, elect or appoint its
25 own school treasurer as provided in Section 8-1 of this Code.
26 Upon the adoption and passage of the resolution and the

1 election or appointment by the school board of its own school
2 treasurer: (1) the trustees of schools in the township shall no
3 longer have or exercise any powers or duties with respect to
4 the school district or with respect to the school business,
5 operations, or assets of the school district; (2) all books and
6 records of the trustees of schools and all moneys, securities,
7 loanable funds, and other assets relating to the school
8 business and affairs of the school district shall be
9 transferred and delivered to the school board; and (3) legal
10 title to and all right, title, and interest formerly held by
11 the trustees of schools in any common school lands, school
12 buildings, or school sites used and occupied by the school
13 board and all rights of property and causes of action
14 pertaining to or constituting a part of the common school
15 lands, buildings, or sites shall be deemed transferred by
16 operation of law to and shall vest in the school board. The
17 changes made to this Section by this amendatory Act of the
18 100th General Assembly are prospective only, starting from the
19 effective date of this amendatory Act of the 100th General
20 Assembly.

21 Notwithstanding subsections (a) and (c) of this Section,
22 the school board of LaGrange Highlands School District 106 may,
23 by proper resolution, withdraw from the jurisdiction and
24 authority of the trustees of schools of Lyons Township and the
25 township treasurer, provided that the school board shall, upon
26 the adoption and passage of the resolution, elect or appoint

1 its own school treasurer as provided in Section 8-1 of this
2 Code. Upon the adoption and passage of the resolution and the
3 election or appointment by the school board of its own school
4 treasurer: (1) the trustees of schools in the township shall no
5 longer have or exercise any powers or duties with respect to
6 the school district or with respect to the school business,
7 operations, or assets of the school district; (2) all books and
8 records of the trustees of schools and all moneys, securities,
9 loanable funds, and other assets relating to the school
10 business and affairs of the school district shall be
11 transferred and delivered to the school board; and (3) legal
12 title to and all right, title, and interest formerly held by
13 the trustees of schools in any common school lands, school
14 buildings, or school sites used and occupied by the school
15 board and all rights of property and causes of action
16 pertaining to or constituting a part of the common school
17 lands, buildings, or sites shall be deemed transferred by
18 operation of law to and shall vest in the school board. The
19 changes made to this Section by this amendatory Act of the
20 100th General Assembly are prospective only, starting from the
21 effective date of this amendatory Act of the 100th General
22 Assembly.

23 Notwithstanding subsections (a) and (c) of this Section,
24 the school board of Pleasantdale School District 107 may, by
25 proper resolution, withdraw from the jurisdiction and
26 authority of the trustees of schools of Lyons Township and the

1 township treasurer, provided that the school board shall, upon
2 the adoption and passage of the resolution, elect or appoint
3 its own school treasurer as provided in Section 8-1 of this
4 Code. Upon the adoption and passage of the resolution and the
5 election or appointment by the school board of its own school
6 treasurer: (1) the trustees of schools in the township shall no
7 longer have or exercise any powers or duties with respect to
8 the school district or with respect to the school business,
9 operations, or assets of the school district; (2) all books and
10 records of the trustees of schools and all moneys, securities,
11 loanable funds, and other assets relating to the school
12 business and affairs of the school district shall be
13 transferred and delivered to the school board; and (3) legal
14 title to and all right, title, and interest formerly held by
15 the trustees of schools in any common school lands, school
16 buildings, or school sites used and occupied by the school
17 board and all rights of property and causes of action
18 pertaining to or constituting a part of the common school
19 lands, buildings, or sites shall be deemed transferred by
20 operation of law to and shall vest in the school board. The
21 changes made to this Section by this amendatory Act of the
22 100th General Assembly are prospective only, starting from the
23 effective date of this amendatory Act of the 100th General
24 Assembly.

25 Notwithstanding subsections (a) and (c) of this Section,
26 the directing board of the LaGrange Area Department of Special

1 Education may, by proper resolution, withdraw from the
2 jurisdiction and authority of the trustees of schools of Lyons
3 Township and the township treasurer, provided that the
4 directing board shall, upon the adoption and passage of the
5 resolution, elect or appoint its own department treasurer as
6 provided in Section 8-1 of this Code. Upon the adoption and
7 passage of the resolution and the election or appointment by
8 the directing board of its own department treasurer: (1) the
9 trustees of schools in the township shall no longer have or
10 exercise any powers or duties with respect to the Department or
11 with respect to the business, operations, or assets of the
12 Department; (2) all books and records of the trustees of
13 schools and all moneys, securities, loanable funds, and other
14 assets relating to the business and affairs of the Department
15 shall be transferred and delivered to the directing board; and
16 (3) legal title to and all right, title, and interest formerly
17 held by the trustees of schools in any common school lands,
18 school buildings, or school sites used and occupied by the
19 directing board and all rights of property and causes of action
20 pertaining to or constituting a part of the common school
21 lands, buildings, or sites shall be deemed transferred by
22 operation of law to and shall vest in the directing board. The
23 changes made to this Section by this amendatory Act of the
24 100th General Assembly are prospective only, starting from the
25 effective date of this amendatory Act of the 100th General
26 Assembly.

1 (c) Notwithstanding the provisions of subsection (a), the
2 offices of township treasurer and trustee of schools of any
3 township located in a Class II county school unit shall be
4 abolished as provided in this subsection if all of the
5 following conditions are met:

6 (1) During the same 30 day period, each school board of
7 each elementary and unit school district that is subject to
8 the jurisdiction and authority of the township treasurer
9 and trustees of schools of the township in which those
10 offices are sought to be abolished gives written notice by
11 certified mail, return receipt requested to the township
12 treasurer and trustees of schools of that township of the
13 date of a meeting of the school board, to be held not more
14 than 90 nor less than 60 days after the date when the
15 notice is given, at which meeting the school board is to
16 consider and vote upon the question of whether there shall
17 be submitted to the electors of the school district a
18 proposition to abolish the offices of township treasurer
19 and trustee of schools of that township. None of the
20 notices given under this paragraph to the township
21 treasurer and trustees of schools of a township shall be
22 deemed sufficient or in compliance with the requirements of
23 this paragraph unless all of those notices are given within
24 the same 30 day period.

25 (2) Each school board of each elementary and unit
26 school district that is subject to the jurisdiction and

1 authority of the township treasurer and trustees of schools
2 of the township in which those offices are sought to be
3 abolished, by the affirmative vote of at least 5 members of
4 the school board at a school board meeting of which notice
5 is given as required by paragraph (1) of this subsection,
6 adopts a resolution requiring the secretary of the school
7 board to certify to the proper election authorities for
8 submission to the electors of the school district at the
9 next consolidated election in accordance with the general
10 election law a proposition to abolish the offices of
11 township treasurer and trustee of schools of that township.
12 None of the resolutions adopted under this paragraph by any
13 elementary or unit school districts that are subject to the
14 jurisdiction and authority of the township treasurer and
15 trustees of schools of the township in which those offices
16 are sought to be abolished shall be deemed in compliance
17 with the requirements of this paragraph or sufficient to
18 authorize submission of the proposition to abolish those
19 offices to a referendum of the electors in any such school
20 district unless all of the school boards of all of the
21 elementary and unit school districts that are subject to
22 the jurisdiction and authority of the township treasurer
23 and trustees of schools of that township adopt such a
24 resolution in accordance with the provisions of this
25 paragraph.

26 (3) The school boards of all of the elementary and unit

1 school districts that are subject to the jurisdiction and
 2 authority of the township treasurer and trustees of schools
 3 of the township in which those offices are sought to be
 4 abolished submit a proposition to abolish the offices of
 5 township treasurer and trustee of schools of that township
 6 to the electors of their respective school districts at the
 7 same consolidated election in accordance with the general
 8 election law, the ballot in each such district to be in
 9 substantially the following form:

10 -----

11 OFFICIAL BALLOT

12	Shall the offices of township	
13	treasurer and	YES
14	trustee of	-----
15	schools of Township	NO
16	Range be abolished?	

17 -----

18 (4) At the consolidated election at which the
 19 proposition to abolish the offices of township treasurer
 20 and trustee of schools of a township is submitted to the
 21 electors of each elementary and unit school district that
 22 is subject to the jurisdiction and authority of the
 23 township treasurer and trustee of schools of that township,
 24 a majority of the electors voting on the proposition in
 25 each such elementary and unit school district votes in
 26 favor of the proposition as submitted to them.

1 If in each elementary and unit school district that is
2 subject to the jurisdiction and authority of the township
3 treasurer and trustees of schools of the township in which
4 those offices are sought to be abolished a majority of the
5 electors in each such district voting at the consolidated
6 election on the proposition to abolish the offices of township
7 treasurer and trustee of schools of that township votes in
8 favor of the proposition as submitted to them, the proposition
9 shall be deemed to have passed; but if in any such elementary
10 or unit school district a majority of the electors voting on
11 that proposition in that district fails to vote in favor of the
12 proposition as submitted to them, then notwithstanding the vote
13 of the electors in any other such elementary or unit school
14 district on that proposition the proposition shall not be
15 deemed to have passed in any of those elementary or unit school
16 districts, and the offices of township treasurer and trustee of
17 schools of the township in which those offices were sought to
18 be abolished shall not be abolished, unless in each of those
19 elementary and unit school districts remaining subject to the
20 jurisdiction and authority of the township treasurer and
21 trustees of schools of that township proceedings are again
22 initiated to abolish those offices and all of the proceedings
23 and conditions prescribed in paragraphs (1) through (4) of this
24 subsection are repeated and met in each of those elementary and
25 unit school districts.

26 Notwithstanding the foregoing provisions of this Section

1 or any other provision of the School Code, the offices of
2 township treasurer and trustee of schools of a township that
3 has a population of less than 200,000 and that contains a unit
4 school district and is located in a Class II county school unit
5 shall also be abolished as provided in this subsection if all
6 of the conditions set forth in paragraphs (1), (2), and (3) of
7 this subsection are met and if the following additional
8 condition is met:

9 The electors in all of the school districts subject to
10 the jurisdiction and authority of the township treasurer
11 and trustees of schools of the township in which those
12 offices are sought to be abolished shall vote at the
13 consolidated election on the proposition to abolish the
14 offices of township treasurer and trustee of schools of
15 that township. If a majority of the electors in all of the
16 school districts combined voting on the proposition vote in
17 favor of the proposition, then the proposition shall be
18 deemed to have passed; but if a majority of the electors
19 voting on the proposition in all of the school district
20 fails to vote in favor of the proposition as submitted to
21 them, then the proposition shall not be deemed to have
22 passed and the offices of township treasurer and trustee of
23 schools of the township in which those offices were sought
24 to be abolished shall not be abolished, unless and until
25 the proceedings detailed in paragraphs (1) through (3) of
26 this subsection and the conditions set forth in this

1 paragraph are met.

2 If the proposition to abolish the offices of township
3 treasurer and trustee of schools of a township is deemed to
4 have passed at the consolidated election as provided in this
5 subsection, those offices shall be deemed abolished by
6 operation of law effective on January 1 of the calendar year
7 immediately following the calendar year in which that
8 consolidated election is held, provided that if after the
9 election, the trustees of schools by resolution elect to
10 abolish the offices of township treasurer and trustee of
11 schools effective on July 1 immediately following the election,
12 then the offices shall be abolished on July 1 immediately
13 following the election. On the date that the offices of
14 township treasurer and trustee of schools of a township are
15 deemed abolished by operation of law, the school board of each
16 elementary and unit school district and the school board of
17 each high school district that is subject to the jurisdiction
18 and authority of the township treasurer and trustees of schools
19 of that township at the time those offices are abolished: (i)
20 shall appoint its own school treasurer as provided in Section
21 8-1; and (ii) unless the term of the contract of a township
22 treasurer expires on the date that the office of township
23 treasurer is abolished, shall pay to the former township
24 treasurer its proportionate share of any aggregate
25 compensation that, were the office of township treasurer not
26 abolished at that time, would have been payable to the former

1 township treasurer after that date over the remainder of the
2 term of the contract of the former township treasurer that
3 began prior to but ends after that date. In addition, on the
4 date that the offices of township treasurer and trustee of
5 schools of a township are deemed abolished as provided in this
6 subsection, the school board of each elementary school, high
7 school and unit school district that until that date is subject
8 to the jurisdiction and authority of the township treasurer and
9 trustees of schools of that township shall be deemed by
10 operation of law to have agreed and assumed to pay and, when
11 determined, shall pay to the Illinois Municipal Retirement Fund
12 a proportionate share of the unfunded liability existing in
13 that Fund at the time these offices are abolished in that
14 calendar year for all annuities or other benefits then or
15 thereafter to become payable from that Fund with respect to all
16 periods of service performed prior to that date as a
17 participating employee in that Fund by persons serving during
18 those periods of service as a trustee of schools, township
19 treasurer or regular employee in the office of the township
20 treasurer of that township. That unfunded liability shall be
21 actuarially determined by the board of trustees of the Illinois
22 Municipal Retirement Fund, and the board of trustees shall
23 thereupon notify each school board required to pay a
24 proportionate share of that unfunded liability of the aggregate
25 amount of the unfunded liability so determined. The amount so
26 paid to the Illinois Municipal Retirement Fund by each of those

1 school districts shall be credited to the account of the
2 township in that Fund. For each elementary school, high school
3 and unit school district under the jurisdiction and authority
4 of a township treasurer and trustees of schools of a township
5 in which those offices are abolished as provided in this
6 subsection, each such district's proportionate share of the
7 aggregate compensation payable to the former township
8 treasurer as provided in this paragraph and each such
9 district's proportionate share of the aggregate amount of the
10 unfunded liability payable to the Illinois Municipal
11 Retirement Fund as provided in this paragraph shall be computed
12 in accordance with the ratio that the number of pupils in
13 average daily attendance in each such district for the school
14 year last ending prior to the date on which the offices of
15 township treasurer and trustee of schools of that township are
16 abolished bears to the aggregate number of pupils in average
17 daily attendance in all of those districts as so reported for
18 that school year.

19 Upon abolition of the offices of township treasurer and
20 trustee of schools of a township as provided in this
21 subsection: (i) the regional board of school trustees, in its
22 corporate capacity, shall be deemed the successor in interest
23 to the former trustees of schools of that township with respect
24 to the common school lands and township loanable funds of the
25 township; (ii) all right, title and interest existing or vested
26 in the former trustees of schools of that township in the

1 common school lands and township loanable funds of the
2 township, and all records, moneys, securities and other assets,
3 rights of property and causes of action pertaining to or
4 constituting a part of those common school lands or township
5 loanable funds, shall be transferred to and deemed vested by
6 operation of law in the regional board of school trustees,
7 which shall hold legal title to, manage and operate all common
8 school lands and township loanable funds of the township,
9 receive the rents, issues and profits therefrom, and have and
10 exercise with respect thereto the same powers and duties as are
11 provided by this Code to be exercised by regional boards of
12 school trustees when acting as township land commissioners in
13 counties having at least 220,000 but fewer than 2,000,000
14 inhabitants; (iii) the regional board of school trustees shall
15 select to serve as its treasurer with respect to the common
16 school lands and township loanable funds of the township a
17 person from time to time also serving as the appointed school
18 treasurer of any school district that was subject to the
19 jurisdiction and authority of the township treasurer and
20 trustees of schools of that township at the time those offices
21 were abolished, and the person selected to also serve as
22 treasurer of the regional board of school trustees shall have
23 his compensation for services in that capacity fixed by the
24 regional board of school trustees, to be paid from the township
25 loanable funds, and shall make to the regional board of school
26 trustees the reports required to be made by treasurers of

1 township land commissioners, give bond as required by
2 treasurers of township land commissioners, and perform the
3 duties and exercise the powers of treasurers of township land
4 commissioners; (iv) the regional board of school trustees shall
5 designate in the manner provided by Section 8-7, insofar as
6 applicable, a depository for its treasurer, and the proceeds of
7 all rents, issues and profits from the common school lands and
8 township loanable funds of that township shall be deposited and
9 held in the account maintained for those purposes with that
10 depository and shall be expended and distributed therefrom as
11 provided in Section 15-24 and other applicable provisions of
12 this Code; and (v) whenever there is vested in the trustees of
13 schools of a township at the time that office is abolished
14 under this subsection the legal title to any school buildings
15 or school sites used or occupied for school purposes by any
16 elementary school, high school or unit school district subject
17 to the jurisdiction and authority of those trustees of school
18 at the time that office is abolished, the legal title to those
19 school buildings and school sites shall be deemed transferred
20 by operation of law to and invested in the school board of that
21 school district, in its corporate capacity under Section
22 10-22.35B of this Code, the same to be held, sold, exchanged
23 leased or otherwise transferred in accordance with applicable
24 provisions of this Code.

25 Notwithstanding Section 2-3.25g of this Code, a waiver of a
26 mandate established under this Section may not be requested.

1 (Source: P.A. 100-374, eff. 8-25-17.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.