

1 AN ACT relating to school construction.

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

4 Section 5. The School Construction Law is amended by  
5 changing Sections 5-5, 5-25, and 5-35 as follows:

6 (105 ILCS 230/5-5)

7 Sec. 5-5. Definitions. As used in this Article:

8 "Approved school construction bonds" mean bonds that were  
9 approved by referendum after January 1, 1996 but prior to  
10 January 1, 1998 as provided in Sections 19-2 through 19-7 of  
11 the School Code to provide funds for the acquisition,  
12 development, construction, reconstruction, rehabilitation,  
13 improvement, architectural planning, and installation of  
14 capital facilities consisting of buildings, structures,  
15 durable-equipment, and land for educational purposes.

16 "Grant index" means a figure for each school district  
17 equal to one minus the ratio of the district's equalized  
18 assessed valuation per pupil in average daily attendance to  
19 the equalized assessed valuation per pupil in average daily  
20 attendance of the district located at the 90th percentile for  
21 all districts of the same category. For the purpose of  
22 calculating the grant index, school districts are grouped  
23 into 2 categories, Category I and Category II. Category I  
24 consists of elementary and unit school districts. The  
25 equalized assessed valuation per pupil in average daily  
26 attendance of each school district in Category I shall be  
27 computed using its grades kindergarten through 8 average  
28 daily attendance figure. A unit school district's Category I  
29 grant index shall be used for projects or portions of  
30 projects constructed for elementary school pupils. Category  
31 II consists of high school and unit school districts. The

1 equalized assessed valuation per pupil in average daily  
2 attendance of each school district in Category II shall be  
3 computed using its grades 9 through 12 average daily  
4 attendance figure. A unit school district's Category II  
5 grant index shall be used for projects or portions of  
6 projects constructed for high school pupils. The changes  
7 made by this amendatory Act of the 92nd General Assembly  
8 apply to all grants made on or after the effective date of  
9 this amendatory Act, provided that for grants not yet made on  
10 the effective date of this amendatory Act but made in fiscal  
11 year 2001 and for grants made in fiscal year 2002, the grant  
12 index for a school district shall be the greater of (i) the  
13 grant index as calculated under this Law on or after the  
14 effective date of this amendatory Act or (ii) the grant index  
15 as calculated under this Law before the effective date of  
16 this amendatory Act. The grant index shall be no less than  
17 0.50 ~~0.35~~ and no greater than 0.75 for each district;  
18 provided that the grant index for districts whose equalized  
19 assessed valuation per pupil in average daily attendance is  
20 at the 99th percentile and above for all districts of the  
21 same type shall be 0.00.

22 "School construction project" means the acquisition,  
23 development, construction, reconstruction, rehabilitation,  
24 improvement, architectural planning, and installation of  
25 capital facilities consisting of buildings, structures,  
26 durable equipment, and land for educational purposes.

27 "School maintenance project" means a project, other than  
28 a school construction project, intended to provide for the  
29 maintenance or upkeep of buildings or structures for  
30 educational purposes, but does not include ongoing  
31 operational costs.

32 (Source: P.A. 91-38, eff. 6-15-99; 92-168, eff. 7-26-01.)

1           Sec. 5-25. Eligibility and project standards.

2           (a) The State Board of Education shall establish  
3 eligibility standards for school construction project grants  
4 and debt service grants. ~~These standards shall include~~  
5 ~~minimum enrollment requirements for eligibility for school~~  
6 ~~construction project grants of 200 students for elementary~~  
7 ~~districts, 200 students for high school districts, and 400~~  
8 ~~students for unit districts.~~ The State Board of Education  
9 shall approve a district's eligibility for a school  
10 construction project grant or a debt service grant pursuant  
11 to the established standards.

12           (b) The Capital Development Board shall establish  
13 project standards for all school construction project grants  
14 provided pursuant to this Article. These standards shall  
15 include space and capacity standards as well as the  
16 determination of recognized project costs that shall be  
17 eligible for State financial assistance and enrichment costs  
18 that shall not be eligible for State financial assistance.

19           The recognized project cost initially calculated by the  
20 Capital Development Board shall establish the acceptable cost  
21 of the eligible expenditures. If the bid price received by  
22 the district from the various contractors for the eligible  
23 expenditures is less than the bid estimate amount included in  
24 this initial calculation, then the recognized project cost  
25 shall be reduced by the amount of the difference. If the bid  
26 price received by the district from the various contractors  
27 for the eligible expenditures is greater than the bid  
28 estimate amount included in this initial calculation, then  
29 the recognized project cost shall be increased by the amount  
30 of the difference.

31           (c) The State Board of Education and the Capital  
32 Development Board shall not establish standards that  
33 disapprove or otherwise establish limitations that restrict  
34 the eligibility of a school district with a population

1 exceeding 500,000 for a school construction project grant  
2 based on the fact that any or all of the school construction  
3 project grant will be used to pay debt service or to make  
4 lease payments, as authorized by subsection (b) of Section  
5 5-35 of this Law.

6 (Source: P.A. 90-548, eff. 1-1-98; 91-38, eff. 6-15-99.)

7 (105 ILCS 230/5-35)

8 Sec. 5-35. School construction project grant amounts;  
9 permitted use; prohibited use.

10 (a) The product of the district's grant index and the  
11 recognized project cost, as determined by the Capital  
12 Development Board, for an approved school construction  
13 project shall equal the amount of the grant the Capital  
14 Development Board shall provide to the eligible district.  
15 For those districts that have not received grants from the  
16 Capital Development Board prior to the effective date of this  
17 amendatory Act of the 93rd General Assembly, the district's  
18 grant index may not be less than 0.50. The grant index shall  
19 not be used in cases where the General Assembly and the  
20 Governor approve appropriations designated for specifically  
21 identified school district construction projects.

22 (b) In each fiscal year in which school construction  
23 project grants are awarded, 20% of the total amount awarded  
24 statewide shall be awarded to a school district with a  
25 population exceeding 500,000, provided such district complies  
26 with the provisions of this Article.

27 In addition to the uses otherwise authorized by this Law,  
28 any school district with a population exceeding 500,000 is  
29 authorized to use any or all of the school construction  
30 project grants (i) to pay debt service, as defined in the  
31 Local Government Debt Reform Act, on bonds, as defined in the  
32 Local Government Debt Reform Act, issued to finance one or  
33 more school construction projects and (ii) to the extent that

1 any such bond is a lease or other installment or financing  
2 contract between the school district and a public building  
3 commission that has issued bonds to finance one or more  
4 qualifying school construction projects, to make lease  
5 payments under the lease.

6 (c) No portion of a school construction project grant  
7 awarded by the Capital Development Board shall be used by a  
8 school district for any on-going operational costs.

9 (Source: P.A. 90-548, eff. 1-1-98; 91-38, eff. 6-15-99.)

10 Section 99. Effective date. This Act takes effect on  
11 July 1, 2003.