



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB4930

by Rep. David A. Welter

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/15-7.5 new  
105 ILCS 5/15-18

from Ch. 122, par. 15-18

Amends the School Code. Provides that township land commissioners or trustees of schools that have title to any school real estate or lands may authorize by resolution the sale of common school lands to a government entity if two-thirds of the township land commissioners or trustees of schools approve the resolution. Provides that the regional superintendent of schools of the county in which the lands are located shall complete the sale and deliver a certificate of purchase to the government entity. Provides that a government entity that purchases common school lands, or its assigns, may obtain a copy of a certificate of purchase or patent by (1) for a certificate of purchase, filing an affidavit with the regional superintendent in which the lands are located proving the loss or destruction of the original; (2) for a patent, filing an affidavit with the Secretary of State proving loss or destruction of the original; and (3) presenting a copy of the certified resolution approving the sale that has been filed by the township land commissioners or trustees of schools with the county recorder of deeds to the regional superintendent or Secretary of State. Provides that the regional superintendent or the Secretary of State shall issue a replacement certificate or patent, which shall have the effect of the originals and shall reflect the effective date of the transfer of title as the date of the filing of the resolution by the township land commissioners or trustees of schools with the county recorder of deeds. Effective immediately.

LRB100 17337 AXK 32501 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 adding Section  
5 15-7.5 and by changing Section 15-18 as follows:

6 (105 ILCS 5/15-7.5 new)

7 Sec. 15-7.5. Sale of common school lands to a government  
8 entity. Notwithstanding Section 15-7 of this Code, township  
9 land commissioners or trustees of schools that have title to  
10 any school real estate or lands may authorize by resolution the  
11 sale of common school lands to a government entity. The  
12 resolution shall include, but is not limited to, a declaration  
13 that the lands are a surplus, pertinent information describing  
14 the lands, and the terms of the sale. If two-thirds of the  
15 township land commissioners or trustees of schools holding  
16 office at the time of the proposed sale approve the resolution,  
17 a certified copy of the resolution must be delivered to the  
18 regional superintendent of schools of the county in which the  
19 lands are located within a 7-day period. The regional  
20 superintendent shall complete the sale and deliver to the  
21 government entity a certificate of purchase under Section 15-16  
22 of this Code. Sections 15-8 through 15-13 of this Code do not  
23 apply to a sale under this Section.

1 (105 ILCS 5/15-18) (from Ch. 122, par. 15-18)

2 Sec. 15-18. Copies of lost certificates or patents.

3 (a) Except as provided in subsection (b) of this Section,  
4 purchasers ~~Purchasers~~ of common school lands, and their heirs  
5 or assigns, may obtain certified copies or certificates of  
6 purchase and patents upon filing an affidavit with the county  
7 superintendent in respect to certificates and with the  
8 Secretary of State in respect to patents, proving the loss or  
9 destruction of the originals, which copies shall have the  
10 effect of originals.

11 (b) A purchaser of common school lands, or its assigns,  
12 under Section 15-7.5 of this Code may obtain a copy of a  
13 certificate of purchase or patent by (i) for a certificate of  
14 purchase, filing an affidavit with the regional superintendent  
15 of schools in which the lands are located proving the loss or  
16 destruction of the original; (ii) for a patent, filing an  
17 affidavit with the Secretary of State proving loss or  
18 destruction of the original; and (iii) presenting a copy of the  
19 certified resolution approving the sale that has been filed by  
20 the township land commissioners or trustees of schools with the  
21 county recorder of deeds to the regional superintendent or  
22 Secretary of State. Upon presentation of all required documents  
23 under this subsection (b), the regional superintendent or the  
24 Secretary of State shall issue a replacement certificate or  
25 patent, which shall have the effect of the originals and shall

1 reflect the effective date of the transfer of title as the date  
2 of the filing of the resolution by the township land  
3 commissioners or trustees of schools with the county recorder  
4 of deeds.

5 (Source: Laws 1961, p. 31.)

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.