



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2898

by Rep. William Davis

SYNOPSIS AS INTRODUCED:

30 ILCS 105/6z-45
30 ILCS 350/16.5
105 ILCS 5/19-1
105 ILCS 230/5-5
105 ILCS 230/5-10
105 ILCS 230/5-15
105 ILCS 230/5-20
105 ILCS 230/5-25
105 ILCS 230/5-30
105 ILCS 230/5-35
105 ILCS 230/5-50
105 ILCS 230/5-100
105 ILCS 230/5-450 new
105 ILCS 230/5-37 rep.
105 ILCS 230/5-38 rep.
105 ILCS 230/5-45 rep.
105 ILCS 230/5-57 rep.

Amends the School Construction Law. Makes changes concerning the definition of "grant index", priority order and calculation of the grant index, grant applications and district facilities plans, eligibility and project standards, the priority of school construction projects, school construction project grant amounts and use, and school maintenance project grants. Removes references relating to grant entitlements. Repeals provisions concerning carry over projects, Fiscal Year 2002 escalation, debt service grants, and changes in the administration of powers. Makes related changes in the State Finance Act and the School Code.

LRB101 10921 AXK 56076 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 State Finance Act is amended by changing
5 Section 6z-45 as follows:

6 (30 ILCS 105/6z-45)

7 Sec. 6z-45. The School Infrastructure Fund.

8 (a) The School Infrastructure Fund is created as a special
9 fund in the State Treasury.

10 In addition to any other deposits authorized by law,
11 beginning January 1, 2000, on the first day of each month, or
12 as soon thereafter as may be practical, the State Treasurer and
13 State Comptroller shall transfer the sum of \$5,000,000 from the
14 General Revenue Fund to the School Infrastructure Fund, except
15 that, notwithstanding any other provision of law, and in
16 addition to any other transfers that may be provided for by
17 law, before June 30, 2012, the Comptroller and the Treasurer
18 shall transfer \$45,000,000 from the General Revenue Fund into
19 the School Infrastructure Fund, and, for fiscal year 2013 only,
20 the Treasurer and the Comptroller shall transfer \$1,250,000
21 from the General Revenue Fund to the School Infrastructure Fund
22 on the first day of each month; provided, however, that no such
23 transfers shall be made from July 1, 2001 through June 30,

1 2003.

2 (a-5) Money in the School Infrastructure Fund may be used
3 to pay the expenses of the State Board of Education, the
4 Governor's Office of Management and Budget, and the Capital
5 Development Board in administering programs under the School
6 Construction Law, the total expenses not to exceed \$1,315,000
7 in any fiscal year.

8 (b) Subject to the transfer provisions set forth below,
9 money in the School Infrastructure Fund shall, if and when the
10 State of Illinois incurs any bonded indebtedness for the
11 construction of school improvements under subsection (e) of
12 Section 5 of the General Obligation Bond Act, be set aside and
13 used for the purpose of paying and discharging annually the
14 principal and interest on that bonded indebtedness then due and
15 payable, and for no other purpose.

16 In addition to other transfers to the General Obligation
17 Bond Retirement and Interest Fund made pursuant to Section 15
18 of the General Obligation Bond Act, upon each delivery of bonds
19 issued for construction of school improvements under the School
20 Construction Law, the State Comptroller shall compute and
21 certify to the State Treasurer the total amount of principal
22 of, interest on, and premium, if any, on such bonds during the
23 then current and each succeeding fiscal year. With respect to
24 the interest payable on variable rate bonds, such
25 certifications shall be calculated at the maximum rate of
26 interest that may be payable during the fiscal year, after

1 taking into account any credits permitted in the related
2 indenture or other instrument against the amount of such
3 interest required to be appropriated for that period.

4 On or before the last day of each month, the State
5 Treasurer and State Comptroller shall transfer from the School
6 Infrastructure Fund to the General Obligation Bond Retirement
7 and Interest Fund an amount sufficient to pay the aggregate of
8 the principal of, interest on, and premium, if any, on the
9 bonds payable on their next payment date, divided by the number
10 of monthly transfers occurring between the last previous
11 payment date (or the delivery date if no payment date has yet
12 occurred) and the next succeeding payment date. Interest
13 payable on variable rate bonds shall be calculated at the
14 maximum rate of interest that may be payable for the relevant
15 period, after taking into account any credits permitted in the
16 related indenture or other instrument against the amount of
17 such interest required to be appropriated for that period.
18 Interest for which moneys have already been deposited into the
19 capitalized interest account within the General Obligation
20 Bond Retirement and Interest Fund shall not be included in the
21 calculation of the amounts to be transferred under this
22 subsection.

23 (b-5) The money deposited into the School Infrastructure
24 Fund from transfers pursuant to subsections (c-30) and (c-35)
25 of Section 13 of the Riverboat Gambling Act shall be applied,
26 without further direction, as provided in subsection (b-3) of

1 Section 5-35 of the School Construction Law.

2 (c) The surplus, if any, in the School Infrastructure Fund
3 after payments made pursuant to subsections (a-5), (b), and
4 (b-5) of this Section shall, subject to appropriation, be used
5 as follows:

6 First - to make 3 payments to the School Technology
7 Revolving Loan Fund as follows:

8 Transfer of \$30,000,000 in fiscal year 1999;

9 Transfer of \$20,000,000 in fiscal year 2000; and

10 Transfer of \$10,000,000 in fiscal year 2001.

11 Second - to pay any amounts due for grants for school
12 construction projects ~~and debt service~~ under the School
13 Construction Law.

14 Third - to pay any amounts due for grants for school
15 maintenance projects under the School Construction Law.

16 (Source: P.A. 100-23, eff. 7-6-17.)

17 Section 10. The Local Government Debt Reform Act is amended
18 by changing Section 16.5 as follows:

19 (30 ILCS 350/16.5)

20 Sec. 16.5. Proposition for bonds. For all elections held
21 after July 1, 2000, the form of a proposition to authorize the
22 issuance of bonds pursuant to either a referendum or backdoor
23 referendum may be as set forth in this Section as an
24 alternative to the form of proposition as otherwise set forth

1 by applicable law. The proposition authorized by this Section
2 shall be in substantially the following form:

3 Shall (name of governmental unit) (state purpose for
4 the bond issue) and issue its bonds to the amount of \$
5 (state amount) for the purpose of paying the costs thereof?

6 If a school district expects to receive a school
7 construction grant from the State of Illinois pursuant to the
8 School Construction Law for a school construction project to be
9 financed in part with proceeds of a bond authorized by
10 referendum, then the form of proposition may at the option of
11 the school district additionally contain substantially the
12 following language:

13 (Name of school district) expects to receive a school
14 construction grant from the State of Illinois in the amount
15 of \$ (state amount) pursuant to the School Construction Law
16 for the school construction project to be financed in part
17 with proceeds of the bonds, based on (i) a grant index
18 ~~entitlement~~ from the State Board of Education and (ii)
19 current recognized project costs determined by the Capital
20 Development Board.

21 (Source: P.A. 91-868, eff. 6-22-00; 92-879, eff. 1-13-03.)

22 Section 15. The School Code is amended by changing Section
23 19-1 as follows:

24 (105 ILCS 5/19-1)

1 Sec. 19-1. Debt limitations of school districts.

2 (a) School districts shall not be subject to the provisions
3 limiting their indebtedness prescribed in the Local Government
4 Debt Limitation Act.

5 No school districts maintaining grades K through 8 or 9
6 through 12 shall become indebted in any manner or for any
7 purpose to an amount, including existing indebtedness, in the
8 aggregate exceeding 6.9% on the value of the taxable property
9 therein to be ascertained by the last assessment for State and
10 county taxes or, until January 1, 1983, if greater, the sum
11 that is produced by multiplying the school district's 1978
12 equalized assessed valuation by the debt limitation percentage
13 in effect on January 1, 1979, previous to the incurring of such
14 indebtedness.

15 No school districts maintaining grades K through 12 shall
16 become indebted in any manner or for any purpose to an amount,
17 including existing indebtedness, in the aggregate exceeding
18 13.8% on the value of the taxable property therein to be
19 ascertained by the last assessment for State and county taxes
20 or, until January 1, 1983, if greater, the sum that is produced
21 by multiplying the school district's 1978 equalized assessed
22 valuation by the debt limitation percentage in effect on
23 January 1, 1979, previous to the incurring of such
24 indebtedness.

25 No partial elementary unit district, as defined in Article
26 11E of this Code, shall become indebted in any manner or for

1 any purpose in an amount, including existing indebtedness, in
2 the aggregate exceeding 6.9% of the value of the taxable
3 property of the entire district, to be ascertained by the last
4 assessment for State and county taxes, plus an amount,
5 including existing indebtedness, in the aggregate exceeding
6 6.9% of the value of the taxable property of that portion of
7 the district included in the elementary and high school
8 classification, to be ascertained by the last assessment for
9 State and county taxes. Moreover, no partial elementary unit
10 district, as defined in Article 11E of this Code, shall become
11 indebted on account of bonds issued by the district for high
12 school purposes in the aggregate exceeding 6.9% of the value of
13 the taxable property of the entire district, to be ascertained
14 by the last assessment for State and county taxes, nor shall
15 the district become indebted on account of bonds issued by the
16 district for elementary purposes in the aggregate exceeding
17 6.9% of the value of the taxable property for that portion of
18 the district included in the elementary and high school
19 classification, to be ascertained by the last assessment for
20 State and county taxes.

21 Notwithstanding the provisions of any other law to the
22 contrary, in any case in which the voters of a school district
23 have approved a proposition for the issuance of bonds of such
24 school district at an election held prior to January 1, 1979,
25 and all of the bonds approved at such election have not been
26 issued, the debt limitation applicable to such school district

1 during the calendar year 1979 shall be computed by multiplying
2 the value of taxable property therein, including personal
3 property, as ascertained by the last assessment for State and
4 county taxes, previous to the incurring of such indebtedness,
5 by the percentage limitation applicable to such school district
6 under the provisions of this subsection (a).

7 (a-5) After January 1, 2018, no school district may issue
8 bonds under Sections 19-2 through 19-7 of this Code and rely on
9 an exception to the debt limitations in this Section unless it
10 has complied with the requirements of Section 21 of the Bond
11 Issue Notification Act and the bonds have been approved by
12 referendum.

13 (b) Notwithstanding the debt limitation prescribed in
14 subsection (a) of this Section, additional indebtedness may be
15 incurred in an amount not to exceed the estimated cost of
16 acquiring or improving school sites or constructing and
17 equipping additional building facilities under the following
18 conditions:

19 (1) Whenever the enrollment of students for the next
20 school year is estimated by the board of education to
21 increase over the actual present enrollment by not less
22 than 35% or by not less than 200 students or the actual
23 present enrollment of students has increased over the
24 previous school year by not less than 35% or by not less
25 than 200 students and the board of education determines
26 that additional school sites or building facilities are

1 required as a result of such increase in enrollment; and

2 (2) When the Regional Superintendent of Schools having
3 jurisdiction over the school district and the State
4 Superintendent of Education concur in such enrollment
5 projection or increase and approve the need for such
6 additional school sites or building facilities and the
7 estimated cost thereof; and

8 (3) When the voters in the school district approve a
9 proposition for the issuance of bonds for the purpose of
10 acquiring or improving such needed school sites or
11 constructing and equipping such needed additional building
12 facilities at an election called and held for that purpose.
13 Notice of such an election shall state that the amount of
14 indebtedness proposed to be incurred would exceed the debt
15 limitation otherwise applicable to the school district.
16 The ballot for such proposition shall state what percentage
17 of the equalized assessed valuation will be outstanding in
18 bonds if the proposed issuance of bonds is approved by the
19 voters; or

20 (4) Notwithstanding the provisions of paragraphs (1)
21 through (3) of this subsection (b), if the school board
22 determines that additional facilities are needed to
23 provide a quality educational program and not less than 2/3
24 of those voting in an election called by the school board
25 on the question approve the issuance of bonds for the
26 construction of such facilities, the school district may

1 issue bonds for this purpose; or

2 (5) Notwithstanding the provisions of paragraphs (1)
3 through (3) of this subsection (b), if (i) the school
4 district has previously availed itself of the provisions of
5 paragraph (4) of this subsection (b) to enable it to issue
6 bonds, (ii) the voters of the school district have not
7 defeated a proposition for the issuance of bonds since the
8 referendum described in paragraph (4) of this subsection
9 (b) was held, (iii) the school board determines that
10 additional facilities are needed to provide a quality
11 educational program, and (iv) a majority of those voting in
12 an election called by the school board on the question
13 approve the issuance of bonds for the construction of such
14 facilities, the school district may issue bonds for this
15 purpose.

16 In no event shall the indebtedness incurred pursuant to
17 this subsection (b) and the existing indebtedness of the school
18 district exceed 15% of the value of the taxable property
19 therein to be ascertained by the last assessment for State and
20 county taxes, previous to the incurring of such indebtedness
21 or, until January 1, 1983, if greater, the sum that is produced
22 by multiplying the school district's 1978 equalized assessed
23 valuation by the debt limitation percentage in effect on
24 January 1, 1979.

25 The indebtedness provided for by this subsection (b) shall
26 be in addition to and in excess of any other debt limitation.

1 (c) Notwithstanding the debt limitation prescribed in
2 subsection (a) of this Section, in any case in which a public
3 question for the issuance of bonds of a proposed school
4 district maintaining grades kindergarten through 12 received
5 at least 60% of the valid ballots cast on the question at an
6 election held on or prior to November 8, 1994, and in which the
7 bonds approved at such election have not been issued, the
8 school district pursuant to the requirements of Section 11A-10
9 (now repealed) may issue the total amount of bonds approved at
10 such election for the purpose stated in the question.

11 (d) Notwithstanding the debt limitation prescribed in
12 subsection (a) of this Section, a school district that meets
13 all the criteria set forth in paragraphs (1) and (2) of this
14 subsection (d) may incur an additional indebtedness in an
15 amount not to exceed \$4,500,000, even though the amount of the
16 additional indebtedness authorized by this subsection (d),
17 when incurred and added to the aggregate amount of indebtedness
18 of the district existing immediately prior to the district
19 incurring the additional indebtedness authorized by this
20 subsection (d), causes the aggregate indebtedness of the
21 district to exceed the debt limitation otherwise applicable to
22 that district under subsection (a):

23 (1) The additional indebtedness authorized by this
24 subsection (d) is incurred by the school district through
25 the issuance of bonds under and in accordance with Section
26 17-2.11a for the purpose of replacing a school building

1 which, because of mine subsidence damage, has been closed
2 as provided in paragraph (2) of this subsection (d) or
3 through the issuance of bonds under and in accordance with
4 Section 19-3 for the purpose of increasing the size of, or
5 providing for additional functions in, such replacement
6 school buildings, or both such purposes.

7 (2) The bonds issued by the school district as provided
8 in paragraph (1) above are issued for the purposes of
9 construction by the school district of a new school
10 building pursuant to Section 17-2.11, to replace an
11 existing school building that, because of mine subsidence
12 damage, is closed as of the end of the 1992-93 school year
13 pursuant to action of the regional superintendent of
14 schools of the educational service region in which the
15 district is located under Section 3-14.22 or are issued for
16 the purpose of increasing the size of, or providing for
17 additional functions in, the new school building being
18 constructed to replace a school building closed as the
19 result of mine subsidence damage, or both such purposes.

20 (e) (Blank).

21 (f) Notwithstanding the provisions of subsection (a) of
22 this Section or of any other law, bonds in not to exceed the
23 aggregate amount of \$5,500,000 and issued by a school district
24 meeting the following criteria shall not be considered
25 indebtedness for purposes of any statutory limitation and may
26 be issued in an amount or amounts, including existing

1 indebtedness, in excess of any heretofore or hereafter imposed
2 statutory limitation as to indebtedness:

3 (1) At the time of the sale of such bonds, the board of
4 education of the district shall have determined by
5 resolution that the enrollment of students in the district
6 is projected to increase by not less than 7% during each of
7 the next succeeding 2 school years.

8 (2) The board of education shall also determine by
9 resolution that the improvements to be financed with the
10 proceeds of the bonds are needed because of the projected
11 enrollment increases.

12 (3) The board of education shall also determine by
13 resolution that the projected increases in enrollment are
14 the result of improvements made or expected to be made to
15 passenger rail facilities located in the school district.

16 Notwithstanding the provisions of subsection (a) of this
17 Section or of any other law, a school district that has availed
18 itself of the provisions of this subsection (f) prior to July
19 22, 2004 (the effective date of Public Act 93-799) may also
20 issue bonds approved by referendum up to an amount, including
21 existing indebtedness, not exceeding 25% of the equalized
22 assessed value of the taxable property in the district if all
23 of the conditions set forth in items (1), (2), and (3) of this
24 subsection (f) are met.

25 (g) Notwithstanding the provisions of subsection (a) of
26 this Section or any other law, bonds in not to exceed an

1 aggregate amount of 25% of the equalized assessed value of the
2 taxable property of a school district and issued by a school
3 district meeting the criteria in paragraphs (i) through (iv) of
4 this subsection shall not be considered indebtedness for
5 purposes of any statutory limitation and may be issued pursuant
6 to resolution of the school board in an amount or amounts,
7 including existing indebtedness, in excess of any statutory
8 limitation of indebtedness heretofore or hereafter imposed:

9 (i) The bonds are issued for the purpose of
10 constructing a new high school building to replace two
11 adjacent existing buildings which together house a single
12 high school, each of which is more than 65 years old, and
13 which together are located on more than 10 acres and less
14 than 11 acres of property.

15 (ii) At the time the resolution authorizing the
16 issuance of the bonds is adopted, the cost of constructing
17 a new school building to replace the existing school
18 building is less than 60% of the cost of repairing the
19 existing school building.

20 (iii) The sale of the bonds occurs before July 1, 1997.

21 (iv) The school district issuing the bonds is a unit
22 school district located in a county of less than 70,000 and
23 more than 50,000 inhabitants, which has an average daily
24 attendance of less than 1,500 and an equalized assessed
25 valuation of less than \$29,000,000.

26 (h) Notwithstanding any other provisions of this Section or

1 the provisions of any other law, until January 1, 1998, a
2 community unit school district maintaining grades K through 12
3 may issue bonds up to an amount, including existing
4 indebtedness, not exceeding 27.6% of the equalized assessed
5 value of the taxable property in the district, if all of the
6 following conditions are met:

7 (i) The school district has an equalized assessed
8 valuation for calendar year 1995 of less than \$24,000,000;

9 (ii) The bonds are issued for the capital improvement,
10 renovation, rehabilitation, or replacement of existing
11 school buildings of the district, all of which buildings
12 were originally constructed not less than 40 years ago;

13 (iii) The voters of the district approve a proposition
14 for the issuance of the bonds at a referendum held after
15 March 19, 1996; and

16 (iv) The bonds are issued pursuant to Sections 19-2
17 through 19-7 of this Code.

18 (i) Notwithstanding any other provisions of this Section or
19 the provisions of any other law, until January 1, 1998, a
20 community unit school district maintaining grades K through 12
21 may issue bonds up to an amount, including existing
22 indebtedness, not exceeding 27% of the equalized assessed value
23 of the taxable property in the district, if all of the
24 following conditions are met:

25 (i) The school district has an equalized assessed
26 valuation for calendar year 1995 of less than \$44,600,000;

1 (ii) The bonds are issued for the capital improvement,
2 renovation, rehabilitation, or replacement of existing
3 school buildings of the district, all of which existing
4 buildings were originally constructed not less than 80
5 years ago;

6 (iii) The voters of the district approve a proposition
7 for the issuance of the bonds at a referendum held after
8 December 31, 1996; and

9 (iv) The bonds are issued pursuant to Sections 19-2
10 through 19-7 of this Code.

11 (j) Notwithstanding any other provisions of this Section or
12 the provisions of any other law, until January 1, 1999, a
13 community unit school district maintaining grades K through 12
14 may issue bonds up to an amount, including existing
15 indebtedness, not exceeding 27% of the equalized assessed value
16 of the taxable property in the district if all of the following
17 conditions are met:

18 (i) The school district has an equalized assessed
19 valuation for calendar year 1995 of less than \$140,000,000
20 and a best 3 months average daily attendance for the
21 1995-96 school year of at least 2,800;

22 (ii) The bonds are issued to purchase a site and build
23 and equip a new high school, and the school district's
24 existing high school was originally constructed not less
25 than 35 years prior to the sale of the bonds;

26 (iii) At the time of the sale of the bonds, the board

1 of education determines by resolution that a new high
2 school is needed because of projected enrollment
3 increases;

4 (iv) At least 60% of those voting in an election held
5 after December 31, 1996 approve a proposition for the
6 issuance of the bonds; and

7 (v) The bonds are issued pursuant to Sections 19-2
8 through 19-7 of this Code.

9 (k) Notwithstanding the debt limitation prescribed in
10 subsection (a) of this Section, a school district that meets
11 all the criteria set forth in paragraphs (1) through (4) of
12 this subsection (k) may issue bonds to incur an additional
13 indebtedness in an amount not to exceed \$4,000,000 even though
14 the amount of the additional indebtedness authorized by this
15 subsection (k), when incurred and added to the aggregate amount
16 of indebtedness of the school district existing immediately
17 prior to the school district incurring such additional
18 indebtedness, causes the aggregate indebtedness of the school
19 district to exceed or increases the amount by which the
20 aggregate indebtedness of the district already exceeds the debt
21 limitation otherwise applicable to that school district under
22 subsection (a):

23 (1) the school district is located in 2 counties, and a
24 referendum to authorize the additional indebtedness was
25 approved by a majority of the voters of the school district
26 voting on the proposition to authorize that indebtedness;

1 (2) the additional indebtedness is for the purpose of
2 financing a multi-purpose room addition to the existing
3 high school;

4 (3) the additional indebtedness, together with the
5 existing indebtedness of the school district, shall not
6 exceed 17.4% of the value of the taxable property in the
7 school district, to be ascertained by the last assessment
8 for State and county taxes; and

9 (4) the bonds evidencing the additional indebtedness
10 are issued, if at all, within 120 days of August 14, 1998
11 (the effective date of Public Act 90-757).

12 (1) Notwithstanding any other provisions of this Section or
13 the provisions of any other law, until January 1, 2000, a
14 school district maintaining grades kindergarten through 8 may
15 issue bonds up to an amount, including existing indebtedness,
16 not exceeding 15% of the equalized assessed value of the
17 taxable property in the district if all of the following
18 conditions are met:

19 (i) the district has an equalized assessed valuation
20 for calendar year 1996 of less than \$10,000,000;

21 (ii) the bonds are issued for capital improvement,
22 renovation, rehabilitation, or replacement of one or more
23 school buildings of the district, which buildings were
24 originally constructed not less than 70 years ago;

25 (iii) the voters of the district approve a proposition
26 for the issuance of the bonds at a referendum held on or

1 after March 17, 1998; and

2 (iv) the bonds are issued pursuant to Sections 19-2
3 through 19-7 of this Code.

4 (m) Notwithstanding any other provisions of this Section or
5 the provisions of any other law, until January 1, 1999, an
6 elementary school district maintaining grades K through 8 may
7 issue bonds up to an amount, excluding existing indebtedness,
8 not exceeding 18% of the equalized assessed value of the
9 taxable property in the district, if all of the following
10 conditions are met:

11 (i) The school district has an equalized assessed
12 valuation for calendar year 1995 or less than \$7,700,000;

13 (ii) The school district operates 2 elementary
14 attendance centers that until 1976 were operated as the
15 attendance centers of 2 separate and distinct school
16 districts;

17 (iii) The bonds are issued for the construction of a
18 new elementary school building to replace an existing
19 multi-level elementary school building of the school
20 district that is not accessible at all levels and parts of
21 which were constructed more than 75 years ago;

22 (iv) The voters of the school district approve a
23 proposition for the issuance of the bonds at a referendum
24 held after July 1, 1998; and

25 (v) The bonds are issued pursuant to Sections 19-2
26 through 19-7 of this Code.

1 (n) Notwithstanding the debt limitation prescribed in
2 subsection (a) of this Section or any other provisions of this
3 Section or of any other law, a school district that meets all
4 of the criteria set forth in paragraphs (i) through (vi) of
5 this subsection (n) may incur additional indebtedness by the
6 issuance of bonds in an amount not exceeding the amount
7 certified by the Capital Development Board to the school
8 district as provided in paragraph (iii) of this subsection (n),
9 even though the amount of the additional indebtedness so
10 authorized, when incurred and added to the aggregate amount of
11 indebtedness of the district existing immediately prior to the
12 district incurring the additional indebtedness authorized by
13 this subsection (n), causes the aggregate indebtedness of the
14 district to exceed the debt limitation otherwise applicable by
15 law to that district:

16 (i) The school district applies to the State Board of
17 Education for a school construction project grant and
18 submits a district facilities plan in support of its
19 application pursuant to Section 5-20 of the School
20 Construction Law.

21 (ii) The school district's application and facilities
22 plan are approved by, and the district receives a grant
23 ~~index entitlement~~ for a school construction project issued
24 by, the State Board of Education under the School
25 Construction Law.

26 (iii) The school district has exhausted its bonding

1 capacity or the unused bonding capacity of the district is
2 less than the amount certified by the Capital Development
3 Board to the district under Section 5-15 of the School
4 Construction Law as the dollar amount of the school
5 construction project's cost that the district will be
6 required to finance with non-grant funds in order to
7 receive a school construction project grant under the
8 School Construction Law.

9 (iv) The bonds are issued for a "school construction
10 project", as that term is defined in Section 5-5 of the
11 School Construction Law, in an amount that does not exceed
12 the dollar amount certified, as provided in paragraph (iii)
13 of this subsection (n), by the Capital Development Board to
14 the school district under Section 5-15 of the School
15 Construction Law.

16 (v) The voters of the district approve a proposition
17 for the issuance of the bonds at a referendum held after
18 the criteria specified in paragraphs (i) and (iii) of this
19 subsection (n) are met.

20 (vi) The bonds are issued pursuant to Sections 19-2
21 through 19-7 of the School Code.

22 (o) Notwithstanding any other provisions of this Section or
23 the provisions of any other law, until November 1, 2007, a
24 community unit school district maintaining grades K through 12
25 may issue bonds up to an amount, including existing
26 indebtedness, not exceeding 20% of the equalized assessed value

1 of the taxable property in the district if all of the following
2 conditions are met:

3 (i) the school district has an equalized assessed
4 valuation for calendar year 2001 of at least \$737,000,000
5 and an enrollment for the 2002-2003 school year of at least
6 8,500;

7 (ii) the bonds are issued to purchase school sites,
8 build and equip a new high school, build and equip a new
9 junior high school, build and equip 5 new elementary
10 schools, and make technology and other improvements and
11 additions to existing schools;

12 (iii) at the time of the sale of the bonds, the board
13 of education determines by resolution that the sites and
14 new or improved facilities are needed because of projected
15 enrollment increases;

16 (iv) at least 57% of those voting in a general election
17 held prior to January 1, 2003 approved a proposition for
18 the issuance of the bonds; and

19 (v) the bonds are issued pursuant to Sections 19-2
20 through 19-7 of this Code.

21 (p) Notwithstanding any other provisions of this Section or
22 the provisions of any other law, a community unit school
23 district maintaining grades K through 12 may issue bonds up to
24 an amount, including indebtedness, not exceeding 27% of the
25 equalized assessed value of the taxable property in the
26 district if all of the following conditions are met:

1 (i) The school district has an equalized assessed
2 valuation for calendar year 2001 of at least \$295,741,187
3 and a best 3 months' average daily attendance for the
4 2002-2003 school year of at least 2,394.

5 (ii) The bonds are issued to build and equip 3
6 elementary school buildings; build and equip one middle
7 school building; and alter, repair, improve, and equip all
8 existing school buildings in the district.

9 (iii) At the time of the sale of the bonds, the board
10 of education determines by resolution that the project is
11 needed because of expanding growth in the school district
12 and a projected enrollment increase.

13 (iv) The bonds are issued pursuant to Sections 19-2
14 through 19-7 of this Code.

15 (p-5) Notwithstanding any other provisions of this Section
16 or the provisions of any other law, bonds issued by a community
17 unit school district maintaining grades K through 12 shall not
18 be considered indebtedness for purposes of any statutory
19 limitation and may be issued in an amount or amounts, including
20 existing indebtedness, in excess of any heretofore or hereafter
21 imposed statutory limitation as to indebtedness, if all of the
22 following conditions are met:

23 (i) For each of the 4 most recent years, residential
24 property comprises more than 80% of the equalized assessed
25 valuation of the district.

26 (ii) At least 2 school buildings that were constructed

1 40 or more years prior to the issuance of the bonds will be
2 demolished and will be replaced by new buildings or
3 additions to one or more existing buildings.

4 (iii) Voters of the district approve a proposition for
5 the issuance of the bonds at a regularly scheduled
6 election.

7 (iv) At the time of the sale of the bonds, the school
8 board determines by resolution that the new buildings or
9 building additions are needed because of an increase in
10 enrollment projected by the school board.

11 (v) The principal amount of the bonds, including
12 existing indebtedness, does not exceed 25% of the equalized
13 assessed value of the taxable property in the district.

14 (vi) The bonds are issued prior to January 1, 2007,
15 pursuant to Sections 19-2 through 19-7 of this Code.

16 (p-10) Notwithstanding any other provisions of this
17 Section or the provisions of any other law, bonds issued by a
18 community consolidated school district maintaining grades K
19 through 8 shall not be considered indebtedness for purposes of
20 any statutory limitation and may be issued in an amount or
21 amounts, including existing indebtedness, in excess of any
22 heretofore or hereafter imposed statutory limitation as to
23 indebtedness, if all of the following conditions are met:

24 (i) For each of the 4 most recent years, residential
25 and farm property comprises more than 80% of the equalized
26 assessed valuation of the district.

1 (ii) The bond proceeds are to be used to acquire and
2 improve school sites and build and equip a school building.

3 (iii) Voters of the district approve a proposition for
4 the issuance of the bonds at a regularly scheduled
5 election.

6 (iv) At the time of the sale of the bonds, the school
7 board determines by resolution that the school sites and
8 building additions are needed because of an increase in
9 enrollment projected by the school board.

10 (v) The principal amount of the bonds, including
11 existing indebtedness, does not exceed 20% of the equalized
12 assessed value of the taxable property in the district.

13 (vi) The bonds are issued prior to January 1, 2007,
14 pursuant to Sections 19-2 through 19-7 of this Code.

15 (p-15) In addition to all other authority to issue bonds,
16 the Oswego Community Unit School District Number 308 may issue
17 bonds with an aggregate principal amount not to exceed
18 \$450,000,000, but only if all of the following conditions are
19 met:

20 (i) The voters of the district have approved a
21 proposition for the bond issue at the general election held
22 on November 7, 2006.

23 (ii) At the time of the sale of the bonds, the school
24 board determines, by resolution, that: (A) the building and
25 equipping of the new high school building, new junior high
26 school buildings, new elementary school buildings, early

1 childhood building, maintenance building, transportation
2 facility, and additions to existing school buildings, the
3 altering, repairing, equipping, and provision of
4 technology improvements to existing school buildings, and
5 the acquisition and improvement of school sites, as the
6 case may be, are required as a result of a projected
7 increase in the enrollment of students in the district; and
8 (B) the sale of bonds for these purposes is authorized by
9 legislation that exempts the debt incurred on the bonds
10 from the district's statutory debt limitation.

11 (iii) The bonds are issued, in one or more bond issues,
12 on or before November 7, 2011, but the aggregate principal
13 amount issued in all such bond issues combined must not
14 exceed \$450,000,000.

15 (iv) The bonds are issued in accordance with this
16 Article 19.

17 (v) The proceeds of the bonds are used only to
18 accomplish those projects approved by the voters at the
19 general election held on November 7, 2006.

20 The debt incurred on any bonds issued under this subsection
21 (p-15) shall not be considered indebtedness for purposes of any
22 statutory debt limitation.

23 (p-20) In addition to all other authority to issue bonds,
24 the Lincoln-Way Community High School District Number 210 may
25 issue bonds with an aggregate principal amount not to exceed
26 \$225,000,000, but only if all of the following conditions are

1 met:

2 (i) The voters of the district have approved a
3 proposition for the bond issue at the general primary
4 election held on March 21, 2006.

5 (ii) At the time of the sale of the bonds, the school
6 board determines, by resolution, that: (A) the building and
7 equipping of the new high school buildings, the altering,
8 repairing, and equipping of existing school buildings, and
9 the improvement of school sites, as the case may be, are
10 required as a result of a projected increase in the
11 enrollment of students in the district; and (B) the sale of
12 bonds for these purposes is authorized by legislation that
13 exempts the debt incurred on the bonds from the district's
14 statutory debt limitation.

15 (iii) The bonds are issued, in one or more bond issues,
16 on or before March 21, 2011, but the aggregate principal
17 amount issued in all such bond issues combined must not
18 exceed \$225,000,000.

19 (iv) The bonds are issued in accordance with this
20 Article 19.

21 (v) The proceeds of the bonds are used only to
22 accomplish those projects approved by the voters at the
23 primary election held on March 21, 2006.

24 The debt incurred on any bonds issued under this subsection
25 (p-20) shall not be considered indebtedness for purposes of any
26 statutory debt limitation.

1 (p-25) In addition to all other authority to issue bonds,
2 Rochester Community Unit School District 3A may issue bonds
3 with an aggregate principal amount not to exceed \$18,500,000,
4 but only if all of the following conditions are met:

5 (i) The voters of the district approve a proposition
6 for the bond issuance at the general primary election held
7 in 2008.

8 (ii) At the time of the sale of the bonds, the school
9 board determines, by resolution, that: (A) the building and
10 equipping of a new high school building; the addition of
11 classrooms and support facilities at the high school,
12 middle school, and elementary school; the altering,
13 repairing, and equipping of existing school buildings; and
14 the improvement of school sites, as the case may be, are
15 required as a result of a projected increase in the
16 enrollment of students in the district; and (B) the sale of
17 bonds for these purposes is authorized by a law that
18 exempts the debt incurred on the bonds from the district's
19 statutory debt limitation.

20 (iii) The bonds are issued, in one or more bond issues,
21 on or before December 31, 2012, but the aggregate principal
22 amount issued in all such bond issues combined must not
23 exceed \$18,500,000.

24 (iv) The bonds are issued in accordance with this
25 Article 19.

26 (v) The proceeds of the bonds are used to accomplish

1 only those projects approved by the voters at the primary
2 election held in 2008.

3 The debt incurred on any bonds issued under this subsection
4 (p-25) shall not be considered indebtedness for purposes of any
5 statutory debt limitation.

6 (p-30) In addition to all other authority to issue bonds,
7 Prairie Grove Consolidated School District 46 may issue bonds
8 with an aggregate principal amount not to exceed \$30,000,000,
9 but only if all of the following conditions are met:

10 (i) The voters of the district approve a proposition
11 for the bond issuance at an election held in 2008.

12 (ii) At the time of the sale of the bonds, the school
13 board determines, by resolution, that (A) the building and
14 equipping of a new school building and additions to
15 existing school buildings are required as a result of a
16 projected increase in the enrollment of students in the
17 district and (B) the altering, repairing, and equipping of
18 existing school buildings are required because of the age
19 of the existing school buildings.

20 (iii) The bonds are issued, in one or more bond
21 issuances, on or before December 31, 2012; however, the
22 aggregate principal amount issued in all such bond
23 issuances combined must not exceed \$30,000,000.

24 (iv) The bonds are issued in accordance with this
25 Article.

26 (v) The proceeds of the bonds are used to accomplish

1 only those projects approved by the voters at an election
2 held in 2008.

3 The debt incurred on any bonds issued under this subsection
4 (p-30) shall not be considered indebtedness for purposes of any
5 statutory debt limitation.

6 (p-35) In addition to all other authority to issue bonds,
7 Prairie Hill Community Consolidated School District 133 may
8 issue bonds with an aggregate principal amount not to exceed
9 \$13,900,000, but only if all of the following conditions are
10 met:

11 (i) The voters of the district approved a proposition
12 for the bond issuance at an election held on April 17,
13 2007.

14 (ii) At the time of the sale of the bonds, the school
15 board determines, by resolution, that (A) the improvement
16 of the site of and the building and equipping of a school
17 building are required as a result of a projected increase
18 in the enrollment of students in the district and (B) the
19 repairing and equipping of the Prairie Hill Elementary
20 School building is required because of the age of that
21 school building.

22 (iii) The bonds are issued, in one or more bond
23 issuances, on or before December 31, 2011, but the
24 aggregate principal amount issued in all such bond
25 issuances combined must not exceed \$13,900,000.

26 (iv) The bonds are issued in accordance with this

1 Article.

2 (v) The proceeds of the bonds are used to accomplish
3 only those projects approved by the voters at an election
4 held on April 17, 2007.

5 The debt incurred on any bonds issued under this subsection
6 (p-35) shall not be considered indebtedness for purposes of any
7 statutory debt limitation.

8 (p-40) In addition to all other authority to issue bonds,
9 Mascoutah Community Unit District 19 may issue bonds with an
10 aggregate principal amount not to exceed \$55,000,000, but only
11 if all of the following conditions are met:

12 (1) The voters of the district approve a proposition
13 for the bond issuance at a regular election held on or
14 after November 4, 2008.

15 (2) At the time of the sale of the bonds, the school
16 board determines, by resolution, that (i) the building and
17 equipping of a new high school building is required as a
18 result of a projected increase in the enrollment of
19 students in the district and the age and condition of the
20 existing high school building, (ii) the existing high
21 school building will be demolished, and (iii) the sale of
22 bonds is authorized by statute that exempts the debt
23 incurred on the bonds from the district's statutory debt
24 limitation.

25 (3) The bonds are issued, in one or more bond
26 issuances, on or before December 31, 2011, but the

1 aggregate principal amount issued in all such bond
2 issuances combined must not exceed \$55,000,000.

3 (4) The bonds are issued in accordance with this
4 Article.

5 (5) The proceeds of the bonds are used to accomplish
6 only those projects approved by the voters at a regular
7 election held on or after November 4, 2008.

8 The debt incurred on any bonds issued under this subsection
9 (p-40) shall not be considered indebtedness for purposes of any
10 statutory debt limitation.

11 (p-45) Notwithstanding the provisions of subsection (a) of
12 this Section or of any other law, bonds issued pursuant to
13 Section 19-3.5 of this Code shall not be considered
14 indebtedness for purposes of any statutory limitation if the
15 bonds are issued in an amount or amounts, including existing
16 indebtedness of the school district, not in excess of 18.5% of
17 the value of the taxable property in the district to be
18 ascertained by the last assessment for State and county taxes.

19 (p-50) Notwithstanding the provisions of subsection (a) of
20 this Section or of any other law, bonds issued pursuant to
21 Section 19-3.10 of this Code shall not be considered
22 indebtedness for purposes of any statutory limitation if the
23 bonds are issued in an amount or amounts, including existing
24 indebtedness of the school district, not in excess of 43% of
25 the value of the taxable property in the district to be
26 ascertained by the last assessment for State and county taxes.

1 (p-55) In addition to all other authority to issue bonds,
2 Belle Valley School District 119 may issue bonds with an
3 aggregate principal amount not to exceed \$47,500,000, but only
4 if all of the following conditions are met:

5 (1) The voters of the district approve a proposition
6 for the bond issuance at an election held on or after April
7 7, 2009.

8 (2) Prior to the issuance of the bonds, the school
9 board determines, by resolution, that (i) the building and
10 equipping of a new school building is required as a result
11 of mine subsidence in an existing school building and
12 because of the age and condition of another existing school
13 building and (ii) the issuance of bonds is authorized by
14 statute that exempts the debt incurred on the bonds from
15 the district's statutory debt limitation.

16 (3) The bonds are issued, in one or more bond
17 issuances, on or before March 31, 2014, but the aggregate
18 principal amount issued in all such bond issuances combined
19 must not exceed \$47,500,000.

20 (4) The bonds are issued in accordance with this
21 Article.

22 (5) The proceeds of the bonds are used to accomplish
23 only those projects approved by the voters at an election
24 held on or after April 7, 2009.

25 The debt incurred on any bonds issued under this subsection
26 (p-55) shall not be considered indebtedness for purposes of any

1 statutory debt limitation. Bonds issued under this subsection
2 (p-55) must mature within not to exceed 30 years from their
3 date, notwithstanding any other law to the contrary.

4 (p-60) In addition to all other authority to issue bonds,
5 Wilmington Community Unit School District Number 209-U may
6 issue bonds with an aggregate principal amount not to exceed
7 \$2,285,000, but only if all of the following conditions are
8 met:

9 (1) The proceeds of the bonds are used to accomplish
10 only those projects approved by the voters at the general
11 primary election held on March 21, 2006.

12 (2) Prior to the issuance of the bonds, the school
13 board determines, by resolution, that (i) the projects
14 approved by the voters were and are required because of the
15 age and condition of the school district's prior and
16 existing school buildings and (ii) the issuance of the
17 bonds is authorized by legislation that exempts the debt
18 incurred on the bonds from the district's statutory debt
19 limitation.

20 (3) The bonds are issued in one or more bond issuances
21 on or before March 1, 2011, but the aggregate principal
22 amount issued in all those bond issuances combined must not
23 exceed \$2,285,000.

24 (4) The bonds are issued in accordance with this
25 Article.

26 The debt incurred on any bonds issued under this subsection

1 (p-60) shall not be considered indebtedness for purposes of any
2 statutory debt limitation.

3 (p-65) In addition to all other authority to issue bonds,
4 West Washington County Community Unit School District 10 may
5 issue bonds with an aggregate principal amount not to exceed
6 \$32,200,000 and maturing over a period not exceeding 25 years,
7 but only if all of the following conditions are met:

8 (1) The voters of the district approve a proposition
9 for the bond issuance at an election held on or after
10 February 2, 2010.

11 (2) Prior to the issuance of the bonds, the school
12 board determines, by resolution, that (A) all or a portion
13 of the existing Okawville Junior/Senior High School
14 Building will be demolished; (B) the building and equipping
15 of a new school building to be attached to and the
16 alteration, repair, and equipping of the remaining portion
17 of the Okawville Junior/Senior High School Building is
18 required because of the age and current condition of that
19 school building; and (C) the issuance of bonds is
20 authorized by a statute that exempts the debt incurred on
21 the bonds from the district's statutory debt limitation.

22 (3) The bonds are issued, in one or more bond
23 issuances, on or before March 31, 2014, but the aggregate
24 principal amount issued in all such bond issuances combined
25 must not exceed \$32,200,000.

26 (4) The bonds are issued in accordance with this

1 Article.

2 (5) The proceeds of the bonds are used to accomplish
3 only those projects approved by the voters at an election
4 held on or after February 2, 2010.

5 The debt incurred on any bonds issued under this subsection
6 (p-65) shall not be considered indebtedness for purposes of any
7 statutory debt limitation.

8 (p-70) In addition to all other authority to issue bonds,
9 Cahokia Community Unit School District 187 may issue bonds with
10 an aggregate principal amount not to exceed \$50,000,000, but
11 only if all the following conditions are met:

12 (1) The voters of the district approve a proposition
13 for the bond issuance at an election held on or after
14 November 2, 2010.

15 (2) Prior to the issuance of the bonds, the school
16 board determines, by resolution, that (i) the building and
17 equipping of a new school building is required as a result
18 of the age and condition of an existing school building and
19 (ii) the issuance of bonds is authorized by a statute that
20 exempts the debt incurred on the bonds from the district's
21 statutory debt limitation.

22 (3) The bonds are issued, in one or more issuances, on
23 or before July 1, 2016, but the aggregate principal amount
24 issued in all such bond issuances combined must not exceed
25 \$50,000,000.

26 (4) The bonds are issued in accordance with this

1 Article.

2 (5) The proceeds of the bonds are used to accomplish
3 only those projects approved by the voters at an election
4 held on or after November 2, 2010.

5 The debt incurred on any bonds issued under this subsection
6 (p-70) shall not be considered indebtedness for purposes of any
7 statutory debt limitation. Bonds issued under this subsection
8 (p-70) must mature within not to exceed 25 years from their
9 date, notwithstanding any other law, including Section 19-3 of
10 this Code, to the contrary.

11 (p-75) Notwithstanding the debt limitation prescribed in
12 subsection (a) of this Section or any other provisions of this
13 Section or of any other law, the execution of leases on or
14 after January 1, 2007 and before July 1, 2011 by the Board of
15 Education of Peoria School District 150 with a public building
16 commission for leases entered into pursuant to the Public
17 Building Commission Act shall not be considered indebtedness
18 for purposes of any statutory debt limitation.

19 This subsection (p-75) applies only if the State Board of
20 Education or the Capital Development Board makes one or more
21 grants to Peoria School District 150 pursuant to the School
22 Construction Law. The amount exempted from the debt limitation
23 as prescribed in this subsection (p-75) shall be no greater
24 than the amount of one or more grants awarded to Peoria School
25 District 150 by the State Board of Education or the Capital
26 Development Board.

1 (p-80) In addition to all other authority to issue bonds,
2 Ridgeland School District 122 may issue bonds with an aggregate
3 principal amount not to exceed \$50,000,000 for the purpose of
4 refunding or continuing to refund bonds originally issued
5 pursuant to voter approval at the general election held on
6 November 7, 2000, and the debt incurred on any bonds issued
7 under this subsection (p-80) shall not be considered
8 indebtedness for purposes of any statutory debt limitation.
9 Bonds issued under this subsection (p-80) may be issued in one
10 or more issuances and must mature within not to exceed 25 years
11 from their date, notwithstanding any other law, including
12 Section 19-3 of this Code, to the contrary.

13 (p-85) In addition to all other authority to issue bonds,
14 Hall High School District 502 may issue bonds with an aggregate
15 principal amount not to exceed \$32,000,000, but only if all the
16 following conditions are met:

17 (1) The voters of the district approve a proposition
18 for the bond issuance at an election held on or after April
19 9, 2013.

20 (2) Prior to the issuance of the bonds, the school
21 board determines, by resolution, that (i) the building and
22 equipping of a new school building is required as a result
23 of the age and condition of an existing school building,
24 (ii) the existing school building should be demolished in
25 its entirety or the existing school building should be
26 demolished except for the 1914 west wing of the building,

1 and (iii) the issuance of bonds is authorized by a statute
2 that exempts the debt incurred on the bonds from the
3 district's statutory debt limitation.

4 (3) The bonds are issued, in one or more issuances, not
5 later than 5 years after the date of the referendum
6 approving the issuance of the bonds, but the aggregate
7 principal amount issued in all such bond issuances combined
8 must not exceed \$32,000,000.

9 (4) The bonds are issued in accordance with this
10 Article.

11 (5) The proceeds of the bonds are used to accomplish
12 only those projects approved by the voters at an election
13 held on or after April 9, 2013.

14 The debt incurred on any bonds issued under this subsection
15 (p-85) shall not be considered indebtedness for purposes of any
16 statutory debt limitation. Bonds issued under this subsection
17 (p-85) must mature within not to exceed 30 years from their
18 date, notwithstanding any other law, including Section 19-3 of
19 this Code, to the contrary.

20 (p-90) In addition to all other authority to issue bonds,
21 Lebanon Community Unit School District 9 may issue bonds with
22 an aggregate principal amount not to exceed \$7,500,000, but
23 only if all of the following conditions are met:

24 (1) The voters of the district approved a proposition
25 for the bond issuance at the general primary election on
26 February 2, 2010.

1 (2) At or prior to the time of the sale of the bonds,
2 the school board determines, by resolution, that (i) the
3 building and equipping of a new elementary school building
4 is required as a result of a projected increase in the
5 enrollment of students in the district and the age and
6 condition of the existing Lebanon Elementary School
7 building, (ii) a portion of the existing Lebanon Elementary
8 School building will be demolished and the remaining
9 portion will be altered, repaired, and equipped, and (iii)
10 the sale of bonds is authorized by a statute that exempts
11 the debt incurred on the bonds from the district's
12 statutory debt limitation.

13 (3) The bonds are issued, in one or more bond
14 issuances, on or before April 1, 2014, but the aggregate
15 principal amount issued in all such bond issuances combined
16 must not exceed \$7,500,000.

17 (4) The bonds are issued in accordance with this
18 Article.

19 (5) The proceeds of the bonds are used to accomplish
20 only those projects approved by the voters at the general
21 primary election held on February 2, 2010.

22 The debt incurred on any bonds issued under this subsection
23 (p-90) shall not be considered indebtedness for purposes of any
24 statutory debt limitation.

25 (p-95) In addition to all other authority to issue bonds,
26 Monticello Community Unit School District 25 may issue bonds

1 with an aggregate principal amount not to exceed \$35,000,000,
2 but only if all of the following conditions are met:

3 (1) The voters of the district approve a proposition
4 for the bond issuance at an election held on or after
5 November 4, 2014.

6 (2) Prior to the issuance of the bonds, the school
7 board determines, by resolution, that (i) the building and
8 equipping of a new school building is required as a result
9 of the age and condition of an existing school building and
10 (ii) the issuance of bonds is authorized by a statute that
11 exempts the debt incurred on the bonds from the district's
12 statutory debt limitation.

13 (3) The bonds are issued, in one or more issuances, on
14 or before July 1, 2020, but the aggregate principal amount
15 issued in all such bond issuances combined must not exceed
16 \$35,000,000.

17 (4) The bonds are issued in accordance with this
18 Article.

19 (5) The proceeds of the bonds are used to accomplish
20 only those projects approved by the voters at an election
21 held on or after November 4, 2014.

22 The debt incurred on any bonds issued under this subsection
23 (p-95) shall not be considered indebtedness for purposes of any
24 statutory debt limitation. Bonds issued under this subsection
25 (p-95) must mature within not to exceed 25 years from their
26 date, notwithstanding any other law, including Section 19-3 of

1 this Code, to the contrary.

2 (p-100) In addition to all other authority to issue bonds,
3 the community unit school district created in the territory
4 comprising Milford Community Consolidated School District 280
5 and Milford Township High School District 233, as approved at
6 the general primary election held on March 18, 2014, may issue
7 bonds with an aggregate principal amount not to exceed
8 \$17,500,000, but only if all the following conditions are met:

9 (1) The voters of the district approve a proposition
10 for the bond issuance at an election held on or after
11 November 4, 2014.

12 (2) Prior to the issuance of the bonds, the school
13 board determines, by resolution, that (i) the building and
14 equipping of a new school building is required as a result
15 of the age and condition of an existing school building and
16 (ii) the issuance of bonds is authorized by a statute that
17 exempts the debt incurred on the bonds from the district's
18 statutory debt limitation.

19 (3) The bonds are issued, in one or more issuances, on
20 or before July 1, 2020, but the aggregate principal amount
21 issued in all such bond issuances combined must not exceed
22 \$17,500,000.

23 (4) The bonds are issued in accordance with this
24 Article.

25 (5) The proceeds of the bonds are used to accomplish
26 only those projects approved by the voters at an election

1 held on or after November 4, 2014.

2 The debt incurred on any bonds issued under this subsection
3 (p-100) shall not be considered indebtedness for purposes of
4 any statutory debt limitation. Bonds issued under this
5 subsection (p-100) must mature within not to exceed 25 years
6 from their date, notwithstanding any other law, including
7 Section 19-3 of this Code, to the contrary.

8 (p-105) In addition to all other authority to issue bonds,
9 North Shore School District 112 may issue bonds with an
10 aggregate principal amount not to exceed \$150,000,000, but only
11 if all of the following conditions are met:

12 (1) The voters of the district approve a proposition
13 for the bond issuance at an election held on or after March
14 15, 2016.

15 (2) Prior to the issuance of the bonds, the school
16 board determines, by resolution, that (i) the building and
17 equipping of new buildings and improving the sites thereof
18 and the building and equipping of additions to, altering,
19 repairing, equipping, and renovating existing buildings
20 and improving the sites thereof are required as a result of
21 the age and condition of the district's existing buildings
22 and (ii) the issuance of bonds is authorized by a statute
23 that exempts the debt incurred on the bonds from the
24 district's statutory debt limitation.

25 (3) The bonds are issued, in one or more issuances, not
26 later than 5 years after the date of the referendum

1 approving the issuance of the bonds, but the aggregate
2 principal amount issued in all such bond issuances combined
3 must not exceed \$150,000,000.

4 (4) The bonds are issued in accordance with this
5 Article.

6 (5) The proceeds of the bonds are used to accomplish
7 only those projects approved by the voters at an election
8 held on or after March 15, 2016.

9 The debt incurred on any bonds issued under this subsection
10 (p-105) and on any bonds issued to refund or continue to refund
11 such bonds shall not be considered indebtedness for purposes of
12 any statutory debt limitation. Bonds issued under this
13 subsection (p-105) and any bonds issued to refund or continue
14 to refund such bonds must mature within not to exceed 30 years
15 from their date, notwithstanding any other law, including
16 Section 19-3 of this Code, to the contrary.

17 (p-110) In addition to all other authority to issue bonds,
18 Sandoval Community Unit School District 501 may issue bonds
19 with an aggregate principal amount not to exceed \$2,000,000,
20 but only if all of the following conditions are met:

21 (1) The voters of the district approved a proposition
22 for the bond issuance at an election held on March 20,
23 2012.

24 (2) Prior to the issuance of the bonds, the school
25 board determines, by resolution, that (i) the building and
26 equipping of a new school building is required because of

1 the age and current condition of the Sandoval Elementary
2 School building and (ii) the issuance of bonds is
3 authorized by a statute that exempts the debt incurred on
4 the bonds from the district's statutory debt limitation.

5 (3) The bonds are issued, in one or more bond
6 issuances, on or before March 19, 2022, but the aggregate
7 principal amount issued in all such bond issuances combined
8 must not exceed \$2,000,000.

9 (4) The bonds are issued in accordance with this
10 Article.

11 (5) The proceeds of the bonds are used to accomplish
12 only those projects approved by the voters at the election
13 held on March 20, 2012.

14 The debt incurred on any bonds issued under this subsection
15 (p-110) and on any bonds issued to refund or continue to refund
16 the bonds shall not be considered indebtedness for purposes of
17 any statutory debt limitation.

18 (p-115) In addition to all other authority to issue bonds,
19 Bureau Valley Community Unit School District 340 may issue
20 bonds with an aggregate principal amount not to exceed
21 \$25,000,000, but only if all of the following conditions are
22 met:

23 (1) The voters of the district approve a proposition
24 for the bond issuance at an election held on or after March
25 15, 2016.

26 (2) Prior to the issuances of the bonds, the school

1 board determines, by resolution, that (i) the renovating
2 and equipping of some existing school buildings, the
3 building and equipping of new school buildings, and the
4 demolishing of some existing school buildings are required
5 as a result of the age and condition of existing school
6 buildings and (ii) the issuance of bonds is authorized by a
7 statute that exempts the debt incurred on the bonds from
8 the district's statutory debt limitation.

9 (3) The bonds are issued, in one or more issuances, on
10 or before July 1, 2021, but the aggregate principal amount
11 issued in all such bond issuances combined must not exceed
12 \$25,000,000.

13 (4) The bonds are issued in accordance with this
14 Article.

15 (5) The proceeds of the bonds are used to accomplish
16 only those projects approved by the voters at an election
17 held on or after March 15, 2016.

18 The debt incurred on any bonds issued under this subsection
19 (p-115) shall not be considered indebtedness for purposes of
20 any statutory debt limitation. Bonds issued under this
21 subsection (p-115) must mature within not to exceed 30 years
22 from their date, notwithstanding any other law, including
23 Section 19-3 of this Code, to the contrary.

24 (p-120) In addition to all other authority to issue bonds,
25 Paxton-Buckley-Loda Community Unit School District 10 may
26 issue bonds with an aggregate principal amount not to exceed

1 \$28,500,000, but only if all the following conditions are met:

2 (1) The voters of the district approve a proposition
3 for the bond issuance at an election held on or after
4 November 8, 2016.

5 (2) Prior to the issuance of the bonds, the school
6 board determines, by resolution, that (i) the projects as
7 described in said proposition, relating to the building and
8 equipping of one or more school buildings or additions to
9 existing school buildings, are required as a result of the
10 age and condition of the District's existing buildings and
11 (ii) the issuance of bonds is authorized by a statute that
12 exempts the debt incurred on the bonds from the district's
13 statutory debt limitation.

14 (3) The bonds are issued, in one or more issuances, not
15 later than 5 years after the date of the referendum
16 approving the issuance of the bonds, but the aggregate
17 principal amount issued in all such bond issuances combined
18 must not exceed \$28,500,000.

19 (4) The bonds are issued in accordance with this
20 Article.

21 (5) The proceeds of the bonds are used to accomplish
22 only those projects approved by the voters at an election
23 held on or after November 8, 2016.

24 The debt incurred on any bonds issued under this subsection
25 (p-120) and on any bonds issued to refund or continue to refund
26 such bonds shall not be considered indebtedness for purposes of

1 any statutory debt limitation. Bonds issued under this
2 subsection (p-120) and any bonds issued to refund or continue
3 to refund such bonds must mature within not to exceed 25 years
4 from their date, notwithstanding any other law, including
5 Section 19-3 of this Code, to the contrary.

6 (p-125) In addition to all other authority to issue bonds,
7 Hillsboro Community Unit School District 3 may issue bonds with
8 an aggregate principal amount not to exceed \$34,500,000, but
9 only if all the following conditions are met:

10 (1) The voters of the district approve a proposition
11 for the bond issuance at an election held on or after March
12 15, 2016.

13 (2) Prior to the issuance of the bonds, the school
14 board determines, by resolution, that (i) altering,
15 repairing, and equipping the high school
16 agricultural/vocational building, demolishing the high
17 school main, cafeteria, and gym buildings, building and
18 equipping a school building, and improving sites are
19 required as a result of the age and condition of the
20 district's existing buildings and (ii) the issuance of
21 bonds is authorized by a statute that exempts the debt
22 incurred on the bonds from the district's statutory debt
23 limitation.

24 (3) The bonds are issued, in one or more issuances, not
25 later than 5 years after the date of the referendum
26 approving the issuance of the bonds, but the aggregate

1 principal amount issued in all such bond issuances combined
2 must not exceed \$34,500,000.

3 (4) The bonds are issued in accordance with this
4 Article.

5 (5) The proceeds of the bonds are used to accomplish
6 only those projects approved by the voters at an election
7 held on or after March 15, 2016.

8 The debt incurred on any bonds issued under this subsection
9 (p-125) and on any bonds issued to refund or continue to refund
10 such bonds shall not be considered indebtedness for purposes of
11 any statutory debt limitation. Bonds issued under this
12 subsection (p-125) and any bonds issued to refund or continue
13 to refund such bonds must mature within not to exceed 25 years
14 from their date, notwithstanding any other law, including
15 Section 19-3 of this Code, to the contrary.

16 (p-130) In addition to all other authority to issue bonds,
17 Waltham Community Consolidated School District 185 may incur
18 indebtedness in an aggregate principal amount not to exceed
19 \$9,500,000 to build and equip a new school building and improve
20 the site thereof, but only if all the following conditions are
21 met:

22 (1) A majority of the voters of the district voting on
23 an advisory question voted in favor of the question
24 regarding the use of funding sources to build a new school
25 building without increasing property tax rates at the
26 general election held on November 8, 2016.

1 (2) Prior to incurring the debt, the school board
2 enters into intergovernmental agreements with the City of
3 LaSalle to pledge moneys in a special tax allocation fund
4 associated with tax increment financing districts LaSalle
5 I and LaSalle III and with the Village of Utica to pledge
6 moneys in a special tax allocation fund associated with tax
7 increment financing district Utica I for the purposes of
8 repaying the debt issued pursuant to this subsection
9 (p-130). Notwithstanding any other provision of law to the
10 contrary, the intergovernmental agreement may extend these
11 tax increment financing districts as necessary to ensure
12 repayment of the debt.

13 (3) Prior to incurring the debt, the school board
14 determines, by resolution, that (i) the building and
15 equipping of a new school building is required as a result
16 of the age and condition of the district's existing
17 buildings and (ii) the debt is authorized by a statute that
18 exempts the debt from the district's statutory debt
19 limitation.

20 (4) The debt is incurred, in one or more issuances, not
21 later than January 1, 2021, and the aggregate principal
22 amount of debt issued in all such issuances combined must
23 not exceed \$9,500,000.

24 The debt incurred under this subsection (p-130) and on any
25 bonds issued to pay, refund, or continue to refund such debt
26 shall not be considered indebtedness for purposes of any

1 statutory debt limitation. Debt issued under this subsection
2 (p-130) and any bonds issued to pay, refund, or continue to
3 refund such debt must mature within not to exceed 25 years from
4 their date, notwithstanding any other law, including Section
5 19-11 of this Code and subsection (b) of Section 17 of the
6 Local Government Debt Reform Act, to the contrary.

7 (p-133) Notwithstanding the provisions of subsection (a)
8 of this Section or of any other law, bonds heretofore or
9 hereafter issued by East Prairie School District 73 with an
10 aggregate principal amount not to exceed \$47,353,147 and
11 approved by the voters of the district at the general election
12 held on November 8, 2016, and any bonds issued to refund or
13 continue to refund the bonds, shall not be considered
14 indebtedness for the purposes of any statutory debt limitation
15 and may mature within not to exceed 25 years from their date,
16 notwithstanding any other law, including Section 19-3 of this
17 Code, to the contrary.

18 (p-135) In addition to all other authority to issue bonds,
19 Brookfield LaGrange Park School District Number 95 may issue
20 bonds with an aggregate principal amount not to exceed
21 \$20,000,000, but only if all the following conditions are met:

22 (1) The voters of the district approve a proposition
23 for the bond issuance at an election held on or after April
24 4, 2017.

25 (2) Prior to the issuance of the bonds, the school
26 board determines, by resolution, that (i) the additions and

1 renovations to the Brook Park Elementary and S. E. Gross
2 Middle School buildings are required to accommodate
3 enrollment growth, replace outdated facilities, and create
4 spaces consistent with 21st century learning and (ii) the
5 issuance of the bonds is authorized by a statute that
6 exempts the debt incurred on the bonds from the district's
7 statutory debt limitation.

8 (3) The bonds are issued, in one or more issuances, not
9 later than 5 years after the date of the referendum
10 approving the issuance of the bonds, but the aggregate
11 principal amount issued in all such bond issuances combined
12 must not exceed \$20,000,000.

13 (4) The bonds are issued in accordance with this
14 Article.

15 (5) The proceeds of the bonds are used to accomplish
16 only those projects approved by the voters at an election
17 held on or after April 4, 2017.

18 The debt incurred on any bonds issued under this
19 subsection (p-135) and on any bonds issued to refund or
20 continue to refund such bonds shall not be considered
21 indebtedness for purposes of any statutory debt
22 limitation.

23 (p-140) The debt incurred on any bonds issued by Wolf
24 Branch School District 113 under Section 17-2.11 of this Code
25 for the purpose of repairing or replacing all or a portion of a
26 school building that has been damaged by mine subsidence in an

1 aggregate principal amount not to exceed \$17,500,000 and on any
2 bonds issued to refund or continue to refund those bonds shall
3 not be considered indebtedness for purposes of any statutory
4 debt limitation and must mature no later than 25 years from the
5 date of issuance, notwithstanding any other provision of law to
6 the contrary, including Section 19-3 of this Code. The maximum
7 allowable amount of debt exempt from statutory debt limitations
8 under this subsection (p-140) shall be reduced by an amount
9 equal to any grants awarded by the State Board of Education or
10 Capital Development Board for the explicit purpose of repairing
11 or reconstructing a school building damaged by mine subsidence.

12 (q) A school district must notify the State Board of
13 Education prior to issuing any form of long-term or short-term
14 debt that will result in outstanding debt that exceeds 75% of
15 the debt limit specified in this Section or any other provision
16 of law.

17 (Source: P.A. 99-78, eff. 7-20-15; 99-143, eff. 7-27-15;
18 99-390, eff. 8-18-15; 99-642, eff. 7-28-16; 99-735, eff.
19 8-5-16; 99-926, eff. 1-20-17, 100-503, eff. 6-1-18; 100-531,
20 eff. 9-22-17; 100-650, eff. 7-31-18; 100-863, eff. 8-14-18.)

21 Section 20. The School Construction Law is amended by
22 changing Sections 5-5, 5-10, 5-15, 5-20, 5-25, 5-30, 5-35,
23 5-50, and 5-100 and by adding Section 5-450 as follows:

24 (105 ILCS 230/5-5)

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

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

10 "Grant index" means a figure for each school district equal
11 to one minus the ratio of the district's equalized assessed
12 valuation per pupil in average daily attendance to the
13 equalized assessed valuation per pupil in average daily
14 attendance of the district located at the 90th percentile for
15 all districts of the same category. For the purpose of
16 calculating the grant index, school districts are grouped into
17 3 ~~2~~ categories, Category I, ~~and~~ Category II, ~~and~~ Category III.
18 Category I consists of elementary ~~and unit~~ school districts.
19 The equalized assessed valuation per pupil in average daily
20 attendance of each school district in Category I shall be
21 computed using its grades kindergarten through 8 average daily
22 attendance figure. ~~A unit school district's Category I grant~~
23 ~~index shall be used for projects or portions of projects~~
24 ~~constructed for elementary school pupils.~~ Category II consists
25 of high school ~~and unit school~~ districts. The equalized
26 assessed valuation per pupil in average daily attendance of

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

24 The grant index shall be calculated for each of those
25 school districts forming a reorganized school district or
26 cooperative high school if one or more of the following happen

1 within the current or prior 2 fiscal years:

2 (1) a new school district is created in accordance with
3 Article 11E of the School Code;

4 (2) an existing school district annexes all of the
5 territory of one or more entire other school districts in
6 accordance with Article 7 of the School Code; or

7 (3) a cooperative high school is formed in accordance
8 with Section 10-22.22c of the School Code.

9 The average grant index of those school districts shall be used
10 as the grant index for the newly reorganized district or
11 cooperative high school.

12 "School construction project" means the acquisition,
13 development, construction, reconstruction, rehabilitation,
14 improvement, architectural planning, and installation of
15 capital facilities consisting of buildings, structures,
16 durable equipment, and land for educational purposes.

17 "School district" means a school district or a Type 40 area
18 vocational center that is jointly owned if the joint agreement
19 includes language that specifies how the debt obligation is to
20 be paid, including in the event that an entity withdraws from
21 the joint agreement.

22 "School district" includes a cooperative high school,
23 which shall be considered a high school district for the
24 purpose of calculating its grant index.

25 "School maintenance project" means a project, other than a
26 school construction project, intended to provide for the

1 maintenance or upkeep of buildings or structures for
2 educational purposes, but does not include ongoing operational
3 costs.

4 (Source: P.A. 96-731, eff. 8-25-09; 96-1381, eff. 1-1-11.)

5 (105 ILCS 230/5-10)

6 Sec. 5-10. Grant awards. The Capital Development Board is
7 authorized to make grants to school districts for school
8 construction projects with funds appropriated by the General
9 Assembly from the School Infrastructure Fund or the School
10 Construction Fund pursuant to the provisions of this Article.
11 ~~The State Board of Education is authorized to make grants to~~
12 ~~school districts for debt service with funds appropriated by~~
13 ~~the General Assembly from the School Infrastructure Fund~~
14 ~~pursuant to the provisions of this Article.~~

15 (Source: P.A. 90-548, eff. 1-1-98.)

16 (105 ILCS 230/5-15)

17 Sec. 5-15. Grant priority order and calculation of grant
18 index entitlements. Upon the appropriation of funds by the
19 General Assembly from the School Infrastructure Fund or School
20 Construction Fund and approval of a bond issuance for school
21 construction project grants and upon the release of the
22 appropriated funds to the Capital Development Board pursuant to
23 the provisions of this Law, the ~~The~~ State Board of Education is
24 authorized to open a school construction application cycle

1 ~~issue grant entitlements~~ for school construction projects ~~and~~
2 ~~debt service~~ and shall determine the priority order and
3 calculate the grant index for school construction project
4 grants to be made by the Capital Development Board. For
5 construction projects that have not been started before the
6 effective date of this amendatory Act of the 101st General
7 Assembly, the approval of the application, priority order, and
8 grant indexes shall be determined, within the opened
9 application cycle, as established by the State Board of
10 Education. A school district that has an application for a
11 school construction project grant on file with the State Board
12 of Education on the effective date of this amendatory Act of
13 the 101st General Assembly must reapply when an application
14 cycle is opened by the State Board of Education under this
15 amendatory Act of the 101st General Assembly to be considered
16 for a school construction project grant.

17 The ~~When issuing a grant entitlement for a school~~
18 ~~construction project, the Capital Development Board, as a part~~
19 ~~of that entitlement,~~ shall certify to a school ~~the~~ district
20 ~~receiving the entitlement~~ the dollar amount of the school
21 construction project's cost that the district will be required
22 to finance with non-grant funds in order to qualify to receive
23 a school construction project grant under this Article from the
24 Capital Development Board.

25 A grant award may be issued only to the extent that the
26 appropriation and release of funds have been exhausted. A

1 school district that does not receive a grant award must submit
2 a new application during the next application period to be
3 considered for another grant award.

4 (Source: P.A. 90-548, eff. 1-1-98; 91-55, eff. 6-30-99.)

5 (105 ILCS 230/5-20)

6 Sec. 5-20. Grant application; district facilities plan.
7 School districts shall apply to the State Board of Education
8 for school construction project grants ~~and debt service grants.~~
9 Districts filing grant applications shall submit to the State
10 Board a district facilities plan that shall include, but not be
11 limited to, an assessment of present and future district
12 facility needs as required by present and anticipated
13 educational programming, the availability of local financial
14 resources including current revenues, fund balances, and
15 unused bonding capacity, a fiscal plan for meeting present and
16 anticipated debt service obligations, and a maintenance plan
17 and schedule that contain necessary assurances that new,
18 renovated, and existing facilities are being or will be
19 properly maintained. If a district that applies for a school
20 construction project grant has no unused bonding capacity or if
21 its unused bonding capacity may be less than the portion of the
22 cost of the proposed school construction project that the
23 district would be required to finance with non-grant funds, the
24 amount certified by the Capital Development Board under Section
25 5-15 of this Law ~~application and facilities plan submitted by~~

1 ~~the district~~ shall set forth the estimated amount of the
2 project's cost that the district proposes to finance by the
3 issuance of bonds under subsection (n) of Section 19-1 of the
4 School Code. The State Board of Education shall review and
5 approve district facilities plans prior to prioritizing the
6 applications ~~issuing grant entitlements. Each district that~~
7 ~~receives a grant entitlement shall annually update its district~~
8 ~~facilities plan and submit the revised plan to the State Board~~
9 ~~for approval.~~

10 (Source: P.A. 90-548, eff. 1-1-98; 91-55, eff. 6-30-99.)

11 (105 ILCS 230/5-25)

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

13 (a) The State Board of Education shall establish
14 eligibility standards for school construction project grants
15 ~~and debt service grants. With the exception of school~~
16 construction project grants awarded under item (1) of Section
17 5-30, these ~~These~~ standards shall include minimum enrollment
18 requirements for eligibility for school construction project
19 grants of 450 ~~200~~ students for elementary districts, 200
20 students for high school districts, and 650 ~~400~~ students for
21 unit districts. The total enrollment of member districts
22 forming a cooperative high school in accordance with subsection
23 (c) of Section 10-22.22 of the School Code shall meet the
24 minimum enrollment requirements specified in this subsection
25 (a). The State Board of Education shall approve a district's

1 eligibility for a school construction project grant ~~or a debt~~
2 ~~service grant~~ pursuant to the established standards.

3 For purposes only of determining a Type 40 area vocational
4 center's eligibility for an entity included in a school
5 construction project grant or a school maintenance project
6 grant, an area vocational center shall be deemed eligible if
7 one or more of its member school districts satisfy the grant
8 index criteria set forth in this Law. A Type 40 area vocational
9 center that makes application for school construction funds
10 after August 25, 2009 (the effective date of Public Act 96-731)
11 shall be placed on the respective application cycle list. Type
12 40 area vocational centers must be placed last on the priority
13 listing of eligible entities for the applicable fiscal year.

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

21 (c) The State Board of Education and the Capital
22 Development Board shall not establish standards that
23 disapprove or otherwise establish limitations that restrict
24 the eligibility of (i) a school district with a population
25 exceeding 500,000 for a school construction project grant based
26 on the fact that any or all of the school construction project

1 grant will be used to pay debt service or to make lease
2 payments, as authorized by subsection (b) of Section 5-35 of
3 this Law, (ii) a school district located in whole or in part in
4 a county that imposes a tax for school facility purposes
5 pursuant to Section 5-1006.7 of the Counties Code, or (iii) a
6 school district that (1) was organized prior to 1860 and (2) is
7 located in part in a city originally incorporated prior to
8 1840, based on the fact that all or a part of the school
9 construction project is owned by a public building commission
10 and leased to the school district or the fact that any or all
11 of the school construction project grant will be used to pay
12 debt service or to make lease payments.

13 (d) (Blank). ~~A reorganized school district or cooperative~~
14 ~~high school may use a school construction application that was~~
15 ~~submitted by a school district that formed the reorganized~~
16 ~~school district or cooperative high school if that application~~
17 ~~has not been entitled for a project by the State Board of~~
18 ~~Education and any one or more of the following happen within~~
19 ~~the current or prior 4 fiscal years:~~

20 ~~(1) a new school district is created in accordance with~~
21 ~~Article 11E of the School Code;~~

22 ~~(2) an existing school district annexes all of the~~
23 ~~territory of one or more other school districts in~~
24 ~~accordance with Article 7 of the School Code; or~~

25 ~~(3) a cooperative high school is formed in accordance~~
26 ~~with subsection (c) of Section 10-22.22 of the School Code.~~

~~A new elementary district formed from a school district conversion, as defined in Section 11E-15 of the School Code, may use only the application of the dissolved district whose territory is now included in the new elementary district and must obtain the written approval of the local school board of any other school district that includes territory from that dissolved district. A new high school district formed from a school district conversion, as defined in Section 11E-15 of the School Code, may use only the application of any dissolved district whose territory is now included in the new high school district, but only after obtaining the written approval of the local school board of any other school district that includes territory from that dissolved district. A cooperative high school using this Section must obtain the written approval of the local school board of the member school district whose application it is using. All other eligibility and project standards apply to this Section.~~

(Source: P.A. 96-37, eff. 7-13-09; 96-731, eff. 8-25-09; 96-1000, eff. 7-2-10; 96-1381, eff. 1-1-11; 96-1467, eff. 8-20-10; 97-232, eff. 7-28-11; 97-333, eff. 8-12-11.)

(105 ILCS 230/5-30)

Sec. 5-30. Priority of school construction projects. The State Board of Education shall develop standards for the determination of priority needs concerning school construction projects based upon approved district facilities plans. Such

1 standards shall call for prioritization based on the degree of
2 need and project type in the following order:

3 (1) Replacement or reconstruction of school buildings
4 destroyed or damaged by flood, tornado, fire, earthquake,
5 mine subsidence, or other disasters, either man-made or
6 produced by nature;

7 (2) Projects designed to alleviate a shortage of
8 classrooms due to population growth; replacement,
9 rehabilitation, or reconstruction of school facilities
10 determined to be severe and continuing health or life
11 safety hazards; or projects designed to replace or
12 rehabilitate aging school buildings;

13 (3) Projects resulting from interdistrict
14 reorganization of school districts contingent on local
15 referenda;

16 ~~(4) Replacement, rehabilitation, or reconstruction of~~
17 ~~school facilities determined to be severe and continuing~~
18 ~~health or life safety hazards;~~

19 (4) ~~(5)~~ Alterations necessary to provide accessibility
20 for qualified individuals with disabilities; and

21 (5) ~~(6)~~ Other unique solutions to facility needs.

22 ~~Except for those changes absolutely necessary to comply with~~
23 ~~the changes made to subsection (c) of Section 5-25 of this Law~~
24 ~~by Public Act 96-37, the State Board of Education may not make~~
25 ~~any material changes to the standards in effect on May 18,~~
26 ~~2004, unless the State Board of Education is specifically~~

1 ~~authorized by law.~~

2 (Source: P.A. 96-37, eff. 7-13-09; 96-102, eff. 7-29-09;
3 96-1000, eff. 7-2-10; 97-880, eff. 8-2-12.)

4 (105 ILCS 230/5-35)

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

7 (a) The product of the district's grant index and the
8 recognized project cost, as determined by the Capital
9 Development Board, for an approved school construction project
10 shall equal the amount of the grant the Capital Development
11 Board shall provide to the eligible district. The grant index
12 shall not be used in cases where the General Assembly and the
13 Governor approve appropriations designated for specifically
14 identified school district construction projects.

15 The average of the grant indexes of the member districts in
16 a joint agreement shall be used to calculate the amount of a
17 school construction project grant awarded to an eligible Type
18 40 area vocational center.

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

24 In addition to the uses otherwise authorized by this Law,
25 any school district with a population exceeding 500,000 is

1 authorized to use any or all of the school construction project
2 grants (i) to pay debt service, as defined in the Local
3 Government Debt Reform Act, on bonds, as defined in the Local
4 Government Debt Reform Act, issued to finance one or more
5 school construction projects and (ii) to the extent that any
6 such bond is a lease or other installment or financing contract
7 between the school district and a public building commission
8 that has issued bonds to finance one or more qualifying school
9 construction projects, to make lease payments under the lease.

10 (b-3) The State Board of Education ~~Capital Development~~
11 ~~Board~~ shall make payment in an amount equal to 20% of each
12 amount deposited into the School Infrastructure Fund pursuant
13 to subsection (b-5) of Section 6z-45 of the State Finance Act
14 to the Board of Education of the City of Chicago within 10 days
15 after such deposit. The Board of Education of the City of
16 Chicago shall use such moneys received (i) for application to
17 the costs of a school construction project, (ii) to pay debt
18 service on bonds, as those terms are defined in the Local
19 Government Debt Reform Act, that are issued to finance one or
20 more school construction projects, and (iii) to the extent that
21 any such bond is a lease or other installment or financing
22 contract between the school district and a public building
23 commission that has issued bonds to finance one or more
24 qualifying school construction projects, to make lease
25 payments under the lease. The Board of Education of the City of
26 Chicago shall submit quarterly to the State ~~Capital Development~~

1 Board documentation sufficient to establish that this money is
2 being used as authorized by this Section. The State Capital
3 Development Board may withhold payments if the documentation is
4 not provided. Upon appropriation of funds by the General
5 Assembly, the ~~The~~ remaining 80% of each such deposit shall be
6 applied and the State Board shall make payments in accordance
7 with the provisions of Section 5-100 ~~subsection (a) of this~~
8 ~~Section~~; however, no portion of this remaining 80% shall be
9 awarded to a school district with a population of more than
10 500,000.

11 (b-5) In addition to the uses otherwise authorized by this
12 Law, any school district that (1) was organized prior to 1860
13 and (2) is located in part in a city originally incorporated
14 prior to 1840 is authorized to use any or all of the school
15 construction project grants (i) to pay debt service on bonds,
16 as those terms are defined in the Local Government Debt Reform
17 Act, that are issued to finance one or more school construction
18 projects and (ii) to the extent that any such bond is a lease
19 or other installment or financing contract between the school
20 district and a public building commission that has issued bonds
21 to finance one or more qualifying school construction projects,
22 to make lease payments under the lease.

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

26 (Source: P.A. 98-18, eff. 6-7-13.)

1 (105 ILCS 230/5-50)

2 Sec. 5-50. Referendum requirements. After the State Board
3 of Education has approved all or part of a district's
4 application and issued a grant index entitlement for a school
5 construction project grant, the district shall submit the
6 project or the financing of the project to a referendum when
7 such referendum is required by law, except for a project
8 financed by bonds issued pursuant to subsection (p-70) of
9 Section 19-1 of the School Code.

10 (Source: P.A. 96-1438, eff. 8-20-10; 97-333, eff. 8-12-11.)

11 (105 ILCS 230/5-100)

12 Sec. 5-100. School maintenance project grants.

13 (a) The State Board of Education is authorized to make
14 grants to school districts and special education cooperatives
15 established by school districts, without regard to enrollment,
16 for school maintenance projects. These grants shall be paid out
17 of moneys transferred, pursuant to subsection (b-5) of Section
18 6z-45 of the State Finance Act, appropriated for that purpose
19 from the School Infrastructure Fund. No grant under this
20 Section for one fiscal year shall exceed \$150,000 ~~\$50,000~~, but
21 a school district or special education cooperative may receive
22 grants for more than one project during one fiscal year. A
23 school district or special education cooperative must provide
24 local matching funds in an amount equal to the amount of the

1 grant under this Section. A school district or special
2 education cooperative has no entitlement to a grant under this
3 Section.

4 (b) The State Board of Education shall adopt rules to
5 implement this Section. These rules need not be the same as the
6 rules for school construction project grants ~~or debt service~~
7 ~~grants~~.

8 The rules may specify: (1) the manner of applying for
9 grants; (2) project eligibility requirements; (3) restrictions
10 on the use of grant moneys; (4) the manner in which school
11 districts and special education cooperatives must account for
12 the use of grant moneys; and (5) any other provision that the
13 State Board determines to be necessary or useful for the
14 administration of this Section.

15 The rules shall specify the methods and standards to be
16 used by the State Board to prioritize applications. School
17 maintenance projects shall be prioritized in the following
18 order:

19 (i) emergency projects;

20 (ii) health/life safety projects;

21 (iii) non-health/life safety and facility maintenance
22 projects, energy efficiency projects, facility security
23 projects, remodeling projects, accessibility projects, or
24 technology needs; and State Program priority projects;

25 (iv) other projects related to facilities. ~~permanent~~
26 ~~improvement projects; and~~

1 ~~(v) other projects.~~

2 (c) In each school year in which school maintenance project
3 grants are awarded, no portion of the funds transferred to the
4 School Infrastructure Fund for purposes used under this Section
5 may be 20% of the total amount awarded shall be awarded to a
6 school district with a population of more than 500,000~~7~~
7 ~~provided that the school district complies with the~~
8 ~~requirements of this Section and the rules adopted under this~~
9 ~~Section.~~

10 (Source: P.A. 98-710, eff. 7-16-14.)

11 (105 ILCS 230/5-450 new)

12 Sec. 5-450. Exemption from the Grant Accountability and
13 Transparency Act. Projects that receive grants under this Law
14 are exempt from the Grant Accountability and Transparency Act
15 based on the longstanding integrity of this Law's programs, the
16 unique nature of multi-year projects under this Law, required
17 quarterly reports, this Law's statutory and regulatory
18 framework regarding the selection and prioritization of
19 grantees, the formulas involved in the determination of grant
20 amounts, the expenditure of grant funds, and the lack of
21 federal oversight.

22 (105 ILCS 230/5-37 rep.)

23 (105 ILCS 230/5-38 rep.)

24 (105 ILCS 230/5-45 rep.)

1 (105 ILCS 230/5-57 rep.)

2 Section 25. The School Construction Law is amended by

3 repealing Sections 5-37, 5-38, 5-45, and 5-57.