



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB5357

by Rep. Jim Durkin

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/5-1a

from Ch. 122, par. 5-1a

Amends the Trustees of Schools Article of the School Code. Provides that the school board of a high school district located in a Class II county school unit may, by proper resolution, withdraw from the jurisdiction and authority of the township treasurer and the trustees of schools of a township in which all or any part of the school district is located. Requires the school board to elect or appoint its own school treasurer. Thereafter, provides that the trustees of schools shall no longer have or exercise any powers and duties with respect to the school district or the school district's business, operations, or assets; requires the township trustees to transfer and deliver to the school board all books and records relating to the school district's business and affairs; and provides that legal title to school buildings and school sites located within the school district shall be deemed transferred by operation of law to and shall vest in the school board. Effective immediately.

LRB101 16921 CMG 66320 b

1 AN ACT concerning education.

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

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

6 (105 ILCS 5/5-1a) (from Ch. 122, par. 5-1a)  
7 Sec. 5-1a. High school districts.

8 (a) Notwithstanding any other provision of this Article or  
9 the School Code, the school board of any high school district  
10 that is located in a Class II county school unit and that on or  
11 after the effective date of this amendatory Act of 1991 is  
12 subject to the jurisdiction and authority of a township  
13 treasurer and trustees of schools of a township in which all or  
14 any part of that school district is located may ~~not~~ withdraw  
15 from the jurisdiction and authority of that township treasurer  
16 and those trustees of schools, by proper resolution, and upon  
17 the adoption and passage of the resolution, thereupon elect or  
18 appoint its own school treasurer as provided in Section 8-1.  
19 Upon the adoption and passage of a resolution and the election  
20 or appointment by the school board of its own school treasurer:  
21 (1) the trustees of schools shall no longer have or exercise  
22 any powers and duties with respect to the school district  
23 governed by the school board or with respect to the school

1 business, operations, or assets of the school district; and (2)  
2 all books and records of the township trustees relating to the  
3 school business and affairs of the school district shall be  
4 transferred and delivered to the school board of the school  
5 district. Upon withdrawal, the legal title to and all right,  
6 title, and interest formerly held by the township trustees in  
7 any school buildings and school sites used and occupied by the  
8 school board of the withdrawing school district for school  
9 purposes, that legal title, right, title, and interest  
10 thereafter having been transferred to and vested in the  
11 regional board of school trustees under Public Act 87-473 until  
12 the abolition of that regional board of school trustees by  
13 Public Act 87-969, shall be deemed transferred by operation of  
14 law to and shall vest in the school board of that school  
15 district. and transfer or otherwise submit to the jurisdiction  
16 and authority of a township treasurer or trustees of school of  
17 another township, unless the school board of each underlying  
18 elementary school district whose territory includes all or any  
19 part of the territory included within that high school  
20 district, by resolution, consents to the proposed withdrawal by  
21 the school board of that high school district from the  
22 jurisdiction and authority of the township treasurer and  
23 trustees of schools of the township to which that high school  
24 district is subject and the transfer or other submission by the  
25 school board of that high school district to the jurisdiction  
26 and authority of a township treasurer or trustees of schools of

1 ~~another township.~~

2       (b) A high school district that is subject to the  
3 jurisdiction and authority of the township treasurer and  
4 trustees of schools of a township in which those offices are  
5 abolished as provided in subsection (c) of Section 5-1 shall  
6 thereupon be required to appoint its own school treasurer as  
7 provided in paragraph (4) of subsection (c) of Section 5-1 and  
8 subsection (c) of Section 8-1, and shall be subject to and  
9 governed by the other changes made to the School Code by this  
10 amendatory Act of 1991, insofar as the same are applicable to a  
11 high school district.

12       (Source: P.A. 87-473.)

13       Section 99. Effective date. This Act takes effect upon  
14 becoming law.