



Sen. Christopher Belt

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10100SB3521sam001

LRB101 17657 CMG 71285 a

1 AMENDMENT TO SENATE BILL 3521

2 AMENDMENT NO. _____. Amend Senate Bill 3521 on page 1,
3 line 4, by replacing "Section" with "Sections 1H-115 and"; and
4 on page 1, immediately below line 5, by inserting the
5 following:

6 "(105 ILCS 5/1H-115)
7 Sec. 1H-115. Abolition of Panel.

8 (a) Except as provided in subsections (b), (c), ~~and~~ (d),
9 and (e) of this Section, the Panel shall be abolished 10 years
10 after its creation.

11 (b) The State Board, upon recommendation of the Panel or
12 petition of the school board, may abolish the Panel at any time
13 after the Panel has been in existence for 3 years if no
14 obligations of the Panel are outstanding or remain undefeased
15 and upon investigation and finding that:

16 (1) none of the factors specified in Section 1A-8 of

1 this Code remain applicable to the district; and

2 (2) there has been substantial achievement of the goals
3 and objectives established pursuant to the financial plan
4 and required under Section 1H-15 of this Code.

5 (c) The Panel of a district that otherwise meets all of the
6 requirements for abolition of a Panel under subsection (b) of
7 this Section, except for the fact that there are outstanding
8 financial obligations of the Panel, may petition the State
9 Board for reinstatement of all of the school board's powers and
10 duties assumed by the Panel; and if approved by the State
11 Board, then:

12 (1) the Panel shall continue in operation, but its
13 powers and duties shall be limited to those necessary to
14 manage and administer its outstanding obligations;

15 (2) the school board shall once again begin exercising
16 all of the powers and duties otherwise allowed by statute;
17 and

18 (3) the Panel shall be abolished as provided in
19 subsection (a) of this Section.

20 (d) If the Panel of a district otherwise meets all of the
21 requirements for abolition of a Panel under subsection (b) of
22 this Section, except for outstanding obligations of the Panel,
23 then the district may petition the State Board for abolition of
24 the Panel if the district:

25 (1) establishes an irrevocable trust fund, the purpose
26 of which is to provide moneys to defease the outstanding

1 obligations of the Panel; and

2 (2) issues funding bonds pursuant to the provisions of
3 Sections 19-8 and 19-9 of this Code.

4 A district with a Panel that falls under this subsection
5 (d) shall be abolished as provided in subsection (a) of this
6 Section.

7 (e) The duration of a Panel may be continued for more than
8 10 years after the date of its creation if the State Board
9 extends the Panel's duration under paragraph (3) of subsection
10 (e) of Section 18-8.15 of this Code.

11 (Source: P.A. 97-429, eff. 8-16-11; 98-463, eff. 8-16-13.);

12 and

13 by replacing line 12 on page 49 through line 15 on page 51 with
14 the following:

15 "(3) Subject to approval by the General Assembly as
16 provided in this paragraph (3), an Organizational Unit that
17 meets all of the following criteria, as determined by the
18 State Board, shall have District Intervention Money added
19 to its Base Funding Minimum at the time the Base Funding
20 Minimum is calculated by the State Board:

21 (A) The Organizational Unit is operating under an
22 Independent Authority under Section 2-3.25f-5 of this
23 Code for a minimum of 4 school years or is subject to
24 the control of the State Board pursuant to a court
25 order for a minimum of 4 school years.

1 (B) The Organizational Unit was designated as a
2 Tier 1 or Tier 2 Organizational Unit in the previous
3 school year under paragraph (3) of subsection (g) of
4 this Section.

5 (C) The Organizational Unit demonstrates
6 sustainability through a 5-year financial and
7 strategic plan.

8 (D) The Organizational Unit has made sufficient
9 progress and achieved sufficient stability in the
10 areas of governance, academic growth, and finances.

11 As part of its determination under this paragraph (3),
12 the State Board may consider the Organizational Unit's
13 summative designation, any accreditations of the
14 Organizational Unit, or the Organizational Unit's
15 financial profile, as calculated by the State Board.

16 If the State Board determines that an Organizational
17 Unit has met the criteria set forth in this paragraph (3),
18 it must submit a report to the General Assembly, no later
19 than January 2 of the fiscal year in which the State Board
20 makes its determination, on the amount of District
21 Intervention Money to add to the Organizational Unit's Base
22 Funding Minimum. The General Assembly must review the State
23 Board's report and may approve or disapprove, by joint
24 resolution, the addition of District Intervention Money.
25 If the General Assembly fails to act on the report within
26 40 calendar days from the receipt of the report, the

1 addition of District Intervention Money is deemed
2 approved. If the General Assembly approves the amount of
3 District Intervention Money to be added to the
4 Organizational Unit's Base Funding Minimum, the District
5 Intervention Money must be added to the Base Funding
6 Minimum annually thereafter.

7 For the first 4 years following the initial year that
8 the State Board determines that an Organizational Unit has
9 met the criteria set forth in this paragraph (3) and has
10 received funding under this Section, the Organizational
11 Unit must annually submit to the State Board, on or before
12 November 30, a progress report regarding its financial and
13 strategic plan under subparagraph (C) of this paragraph
14 (3). The plan shall include the financial data from the
15 past 4 annual financial reports or financial audits that
16 must be presented to the State Board by November 15 of each
17 year and the approved budget financial data for the current
18 year. The plan shall be developed according to the
19 guidelines presented to the Organizational Unit by the
20 State Board. The plan shall further include financial
21 projections for the next 3 fiscal years and include a
22 discussion and financial summary of the Organizational
23 Unit's facility needs. If the Organizational Unit does not
24 demonstrate sufficient progress toward its 5-year plan or
25 if it has failed to file an annual financial report, an
26 annual budget, a financial plan, a deficit reduction plan,

1 or other financial information as required by law, the
2 State Board may establish a Financial Oversight Panel under
3 Article 1H of this Code. However, if the Organizational
4 Unit already has a Financial Oversight Panel, the State
5 Board may extend the duration of the Panel."