



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB1731

Introduced 2/17/2021, 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.

LRB102 11859 CMG 17195 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
21 treasurer: (1) the trustees of schools shall no longer have or
22 exercise any powers and duties with respect to the school
23 district governed by the school board or with respect to the

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

1 ~~township treasurer or trustees of schools of 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.