



Rep. Thomas M. Bennett

Filed: 2/22/2022

10200HB3637ham003

LRB102 16919 RJT 36304 a

1 AMENDMENT TO HOUSE BILL 3637

2 AMENDMENT NO. _____. Amend House Bill 3637 by replacing
3 everything after the enacting clause with the following:

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
13 and State Comptroller shall transfer the sum of \$5,000,000
14 from the General Revenue Fund to the School Infrastructure
15 Fund, except that, notwithstanding any other provision of law,
16 and in addition to any other transfers that may be provided for

1 by law, before June 30, 2012, the Comptroller and the
2 Treasurer shall transfer \$45,000,000 from the General Revenue
3 Fund into the School Infrastructure Fund, and, for fiscal year
4 2013 only, the Treasurer and the Comptroller shall transfer
5 \$1,250,000 from the General Revenue Fund to the School
6 Infrastructure Fund on the first day of each month; provided,
7 however, that no such transfers shall be made from July 1, 2001
8 through June 30, 2003.

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

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

23 In addition to other transfers to the General Obligation
24 Bond Retirement and Interest Fund made pursuant to Section 15
25 of the General Obligation Bond Act, upon each delivery of
26 bonds issued for construction of school improvements under the

1 School Construction Law, the State Comptroller shall compute
2 and certify to the State Treasurer the total amount of
3 principal of, interest on, and premium, if any, on such bonds
4 during the then current and each succeeding fiscal year. With
5 respect to the interest payable on variable rate bonds, such
6 certifications shall be calculated at the maximum rate of
7 interest that may be payable during the fiscal year, after
8 taking into account any credits permitted in the related
9 indenture or other instrument against the amount of such
10 interest required to be appropriated for that period.

11 On or before the last day of each month, the State
12 Treasurer and State Comptroller shall transfer from the School
13 Infrastructure Fund to the General Obligation Bond Retirement
14 and Interest Fund an amount sufficient to pay the aggregate of
15 the principal of, interest on, and premium, if any, on the
16 bonds payable on their next payment date, divided by the
17 number of monthly transfers occurring between the last
18 previous payment date (or the delivery date if no payment date
19 has yet occurred) and the next succeeding payment date.
20 Interest payable on variable rate bonds shall be calculated at
21 the maximum rate of interest that may be payable for the
22 relevant period, after taking into account any credits
23 permitted in the related indenture or other instrument against
24 the amount of such interest required to be appropriated for
25 that period. Interest for which moneys have already been
26 deposited into the capitalized interest account within the

1 General Obligation Bond Retirement and Interest Fund shall not
2 be included in the calculation of the amounts to be
3 transferred under this subsection.

4 (b-5) The money deposited into the School Infrastructure
5 Fund from transfers pursuant to subsections (c-30) and (c-35)
6 of Section 13 of the Illinois Gambling Act shall be applied,
7 without further direction, as provided in subsection (b-3) of
8 Section 5-35 of the School Construction Law.

9 (b-7) In fiscal year 2021 only, of the surplus, if any, in
10 the School Infrastructure Fund after payments made pursuant to
11 subsections (a-5), (b), and (b-5) of this Section, \$20,000,000
12 shall be transferred to the General Revenue Fund.

13 (c) The surplus, if any, in the School Infrastructure Fund
14 after payments made pursuant to subsections (a-5), (b), (b-5),
15 and (b-7) of this Section shall, subject to appropriation, be
16 used as follows:

17 First - to make 3 payments to the School Technology
18 Revolving Loan Fund as follows:

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

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

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

22 Second - to pay any amounts due for grants for school
23 construction projects ~~and debt service~~ under the School
24 Construction Law.

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

1 (Source: P.A. 100-23, eff. 7-6-17; 101-31, eff. 6-28-19;
2 101-636, eff. 6-10-20.)

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

5 (30 ILCS 350/16.5)

6 Sec. 16.5. Proposition for bonds. For all elections held
7 after July 1, 2000, the form of a proposition to authorize the
8 issuance of bonds pursuant to either a referendum or backdoor
9 referendum may be as set forth in this Section as an
10 alternative to the form of proposition as otherwise set forth
11 by applicable law. The proposition authorized by this Section
12 shall be in substantially the following form:

13 Shall (name of governmental unit) (state purpose for
14 the bond issue) and issue its bonds to the amount of \$
15 (state amount) for the purpose of paying the costs
16 thereof?

17 If a school district receives a conditional grant award
18 from the Capital Development Board ~~expects to receive a school~~
19 ~~construction grant from the State of Illinois~~ pursuant to
20 Section 5-15 of the School Construction Law for the ~~a~~ school
21 construction project to be financed in part with proceeds of
22 the bonds ~~a bond~~ authorized by referendum, then the form of
23 proposition may at the option of the school district
24 additionally contain substantially the following language:

1 (Name of school district) expects to receive a school
2 construction grant from the State of Illinois in the
3 amount of \$ (state amount) pursuant to the School
4 Construction Law to cover a portion of the total project
5 costs for the school construction project to be financed
6 in part with the proceeds of the bonds, based on the
7 conditional grant award received from the Capital
8 Development Board pursuant to the School Construction Law
9 ~~(i) a grant entitlement from the State Board of Education~~
10 ~~and (ii) current recognized project costs determined by~~
11 ~~the Capital Development Board.~~

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

13 Section 15. The School Construction Law is amended by
14 changing Sections 5-5, 5-10, 5-15, 5-20, 5-25, 5-30, 5-35, and
15 5-50 as follows:

16 (105 ILCS 230/5-5)

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

18 "Conditional grant award" means the formal notification by
19 the Capital Development Board to a school district of its
20 conditional intent to award a grant to a school district to pay
21 a portion of the recognized project cost for a school
22 construction project. The grant award is conditioned upon
23 receiving proof from the school district that it has funds
24 available to cover the cost of the required local match.

1 "Grant award amount" means an amount equal to the
2 recognized project cost determined by the Capital Development
3 Board for a school construction project multiplied by the
4 grant award percentage and then adjusted as may be required
5 pursuant to subsection (d) of Section 5-15.

6 "Grant award percentage" means a percentage equal to one
7 minus the required local match percentage.

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

16 "Grant index" means a figure for each school district
17 equal to one minus the ratio of the district's equalized
18 assessed valuation per pupil in average daily attendance to
19 the equalized assessed valuation per pupil in average daily
20 attendance of the district located at the 90th percentile for
21 all districts of the same category. This definition applies
22 only to completed school construction projects for which a
23 grant application was filed for the 2004, 2005, or 2006
24 application cycle by a school district included on the State
25 Board of Education's 2004, 2005, or 2006 School Construction
26 Project Application Cycle listing and only for the purpose of

1 determining the amount of any adjustment pursuant to
2 subsection (d) of Section 5-15 to a grant award amount for a
3 project funded during the first application cycle opened after
4 June 30, 2022. For the purpose of calculating the grant index,
5 school districts are grouped into 2 categories, Category I and
6 Category II. Category I consists of elementary and unit school
7 districts. The equalized assessed valuation per pupil in
8 average daily attendance of each school district in Category I
9 shall be computed using its grades kindergarten through 8
10 average daily attendance figure. A unit school district's
11 Category I grant index shall be used for projects or portions
12 of projects constructed for elementary school pupils. Category
13 II consists of high school and unit school districts. The
14 equalized assessed valuation per pupil in average daily
15 attendance of each school district in Category II shall be
16 computed using its grades 9 through 12 average daily
17 attendance figure. A unit school district's Category II grant
18 index shall be used for projects or portions of projects
19 constructed for high school pupils. The changes made by this
20 amendatory Act of the 92nd General Assembly apply to all
21 grants made on or after the effective date of this amendatory
22 Act, provided that for grants not yet made on the effective
23 date of this amendatory Act but made in fiscal year 2001 and
24 for grants made in fiscal year 2002, the grant index for a
25 school district shall be the greater of (i) the grant index as
26 calculated under this Law on or after the effective date of

1 this amendatory Act or (ii) the grant index as calculated
2 under this Law before the effective date of this amendatory
3 Act. The grant index shall be no less than 0.35 and no greater
4 than 0.75 for each district; provided that the grant index for
5 districts whose equalized assessed valuation per pupil in
6 average daily attendance is at the 99th percentile and above
7 for all districts of the same type shall be 0.00.

8 The grant index shall be calculated for each of those
9 school districts forming a reorganized school district or
10 cooperative high school if one or more of the following happen
11 within the current or prior 2 fiscal years:

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

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

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

19 The average grant index of those school districts shall be
20 used as the grant index for the newly reorganized district or
21 cooperative high school.

22 "Recognized project cost" means the total project cost for
23 a school construction project determined by the Capital
24 Development Board to be taken into account in calculating the
25 grant award amount and the required local match for a school
26 construction project.

1 "Required local match" means an amount equal to the
2 product of the recognized project cost determined by the
3 Capital Development Board multiplied by a school district's
4 required local match percentage, and then adjusted as may be
5 required pursuant to Section 5-15.

6 "Required local match percentage" means a percentage equal
7 to a school district's Local Capacity Percentage, as defined
8 in Section 18-8.15 of the School Code, and as calculated by the
9 State Superintendent of Education in the fiscal year in which
10 the school district applies for a grant to be awarded pursuant
11 to this Article, provided that the required local match
12 percentage shall be no less than 10% and no greater than 90%
13 for any district. With respect to a Type 40 area vocational
14 center cooperative, a special education cooperative, or a
15 cooperative high school, the required local match percentage
16 is calculated by first multiplying each cooperative member
17 district's average student enrollment utilized to calculate
18 its latest Evidence-Based Funding, as defined in Section
19 18-8.15 of the School Code, by the respective district's
20 latest Local Capacity Percentage, as defined in Section
21 18-8.15 of the School Code, to obtain a weighted average
22 student enrollment. Then, the required local match percentage
23 is calculated by taking the sum of all the member districts'
24 weighted average student enrollment and dividing that sum by
25 the sum of all the member districts' average student
26 enrollment utilized to calculate the latest Evidence-Based

1 Funding.

2 "School construction project" means the acquisition,
3 development, construction, reconstruction, rehabilitation,
4 improvement, architectural planning, and installation of
5 capital facilities consisting of buildings, structures,
6 durable equipment, and land for educational purposes.

7 "School district" means a school district or a Type 40
8 area vocational center or special education cooperative that
9 is jointly owned, if the joint agreement includes language
10 that specifies how the debt obligation is to be paid,
11 including in the event that an entity withdraws from the joint
12 agreement.

13 "School district" includes a cooperative high school, if
14 the cooperative agreement includes language that specifies how
15 the debt obligation is to be paid, including if an entity
16 withdraws from the cooperative agreement or the cooperative
17 agreement is terminated ~~which shall be considered a high~~
18 ~~school district for the purpose of calculating its grant~~
19 ~~index.~~

20 "School maintenance project" means a project, other than a
21 school construction project, intended to provide for the
22 maintenance or upkeep of buildings or structures for
23 educational purposes, but does not include ongoing operational
24 costs.

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

1 (105 ILCS 230/5-10)

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

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

12 (105 ILCS 230/5-15)

13 Sec. 5-15. Grant award amounts and required local match
14 entitlements.

15 (a) After June 30, 2022, any time there is an
16 appropriation of funds by the General Assembly from the School
17 Infrastructure Fund or School Construction Fund and a release
18 of the appropriated funds to the Capital Development Board for
19 expenditure on grant awards pursuant to the provisions of this
20 Article, the ~~The~~ State Board of Education is authorized to
21 open an application cycle to receive grant applications from
22 school districts ~~issue grant entitlements~~ for school
23 construction projects. No grant application filed before the
24 start of the first application cycle after June 30, 2022 may be
25 considered. After the close of each application cycle, the

1 State Board of Education ~~and debt service and~~ shall determine
2 the approval of applications, the required local match
3 percentage for each approved application, and the priority
4 order for school construction project grants to be made by the
5 Capital Development Board and shall then notify all applicants
6 regarding their eligibility for a grant. Such notification
7 shall include an estimate of the required local match. The
8 State Board of Education shall publish a list of applicants
9 eligible for grants and forward it to the Capital Development
10 Board. ~~When issuing a grant entitlement for a school~~
11 ~~construction project, the Capital Development Board, as a part~~
12 ~~of that entitlement, shall certify to the district receiving~~
13 ~~the entitlement the dollar amount of the school construction~~
14 ~~project's cost that the district will be required to finance~~
15 ~~with non grant funds in order to qualify to receive a school~~
16 ~~construction project grant under this Article from the Capital~~
17 ~~Development Board.~~

18 (b) The Capital Development Board, to the extent that
19 appropriated funds have been released and proceeding through
20 the list of eligible applicants in the order of priority
21 determined by the State Board of Education, shall issue
22 conditional grant awards to eligible school districts. An
23 applicant that does not receive a conditional grant award
24 notification must submit a new application during another
25 application cycle in order to receive future consideration for
26 a grant award.

1 (c) The conditional grant award certifies to a school
2 district the recognized project costs for its school
3 construction project determined by the Capital Development
4 Board, the applicable required local match percentage and
5 grant award percentage, the required local match and grant
6 award amount calculated by multiplying the required local
7 match percentage and the grant award percentage by the
8 recognized project cost, and the required local match and
9 grant award amount as those amounts may be adjusted as
10 required in subsection (d).

11 (d) The required local match and grant award amount are
12 calculated by multiplying the required local match percentage
13 and the grant award percentage by the recognized project cost,
14 provided that, only during the first application cycle after
15 June 30, 2022, these amounts may be adjusted if the applicant
16 had previously expended funds on a school construction project
17 on the 2004, 2005, or 2006 School Construction Grant List. In
18 that case, the required local match shall be reduced (but not
19 below zero) and the grant award amount shall be increased (to
20 an amount no greater than the recognized project cost) by an
21 amount determined by the Capital Development Board to be equal
22 to the amount of the grant the applicant would have received
23 pursuant to Section 5-35 had it been awarded a grant in 2004,
24 2005, or 2006 based on the 2004, 2005, or 2006 School
25 Construction Grant List and the year in which the school
26 district applied for the grant.

1 (e) A school district shall have 2 years from the date the
2 school district was issued a conditional grant award from the
3 Capital Development Board to obtain the school district's
4 required local match and receive a final grant award from the
5 Capital Development Board. If the required local match is not
6 obtained within the 2-year time frame, the school district
7 shall be required to reapply in another application cycle,
8 after the 2-year time frame, to be considered for a grant
9 award. The State share of the grant amount in a conditional
10 grant award that is not claimed by a school district within the
11 2-year time frame shall be reallocated to future application
12 cycles after the 2-year time frame expires.

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

14 (105 ILCS 230/5-20)

15 Sec. 5-20. Grant application; district facilities plan.
16 School districts shall apply to the State Board of Education
17 for school construction project grants ~~and debt service~~
18 ~~grants~~. Districts filing grant applications shall submit to
19 the State Board a district facilities plan that shall include,
20 but not be limited to, an assessment of present and future
21 district facility needs as required by present and anticipated
22 educational programming, the availability of local financial
23 resources including current revenues, fund balances, and
24 unused bonding capacity, a fiscal plan for meeting present and
25 anticipated debt service obligations, and a maintenance plan

1 and schedule that contain necessary assurances that new,
2 renovated, and existing facilities are being or will be
3 properly maintained. If a district that applies for a school
4 construction project grant has no unused bonding capacity or
5 if its unused bonding capacity may be less than the portion of
6 the cost of the proposed school construction project that the
7 district would be required to finance with non-grant funds,
8 the amount certified by the Capital Development Board under
9 Section 5-15 ~~application and facilities plan submitted by the~~
10 ~~district~~ shall set forth the estimated amount of the project's
11 cost that the district proposes to finance by the issuance of
12 bonds under subsection (n) of Section 19-1 of the School Code.
13 The State Board of Education shall review and approve district
14 facilities plans prior to prioritizing the applications
15 ~~issuing grant entitlements. Each district that receives a~~
16 ~~grant entitlement shall annually update its district~~
17 ~~facilities plan and submit the revised plan to the State Board~~
18 ~~for approval.~~

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

20 (105 ILCS 230/5-25)

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

22 (a) The State Board of Education shall establish
23 eligibility standards for school construction project grants
24 ~~and debt service grants~~. These standards shall include minimum
25 enrollment requirements for eligibility for school

1 construction project grants of 200 students for elementary
2 districts, 200 students for high school districts, and 400
3 students for unit districts. The total enrollment of member
4 districts forming a cooperative high school in accordance with
5 subsection (c) of Section 10-22.22 of the School Code shall
6 meet the minimum enrollment requirements specified in this
7 subsection (a). The State Board of Education shall approve a
8 district's eligibility for a school construction project grant
9 ~~or a debt service grant~~ pursuant to the established standards.

10 ~~For purposes only of determining a Type 40 area vocational~~
11 ~~center's eligibility for an entity included in a school~~
12 ~~construction project grant or a school maintenance project~~
13 ~~grant, an area vocational center shall be deemed eligible if~~
14 ~~one or more of its member school districts satisfy the grant~~
15 ~~index criteria set forth in this Law.~~ A Type 40 area vocational
16 center that makes application for school construction funds
17 after August 25, 2009 (the effective date of Public Act
18 96-731) shall be placed on the respective application cycle
19 list. Type 40 area vocational centers must be placed last on
20 the priority listing of eligible entities for the applicable
21 fiscal year.

22 (b) The Capital Development Board shall establish project
23 standards for all school construction project grants provided
24 pursuant to this Article. These standards shall include space
25 and capacity standards as well as the determination of
26 recognized project costs that shall be eligible for State

1 financial assistance and enrichment costs that shall not be
2 eligible for State financial assistance.

3 (c) The State Board of Education and the Capital
4 Development Board shall not establish standards that
5 disapprove or otherwise establish limitations that restrict
6 the eligibility of (i) a school district with a population
7 exceeding 500,000 for a school construction project grant
8 based on the fact that any or all of the school construction
9 project grant will be used to pay debt service or to make lease
10 payments, as authorized by subsection (b) of Section 5-35 of
11 this Law, (ii) a school district located in whole or in part in
12 a county that imposes a tax for school facility or resources
13 purposes pursuant to Section 5-1006.7 of the Counties Code, or
14 (iii) a school district that (1) was organized prior to 1860
15 and (2) is located in part in a city originally incorporated
16 prior to 1840, based on the fact that all or a part of the
17 school construction project is owned by a public building
18 commission and leased to the school district or the fact that
19 any or all of the school construction project grant will be
20 used to pay debt service or to make lease payments.

21 (d) (Blank). ~~A reorganized school district or cooperative~~
22 ~~high school may use a school construction application that was~~
23 ~~submitted by a school district that formed the reorganized~~
24 ~~school district or cooperative high school if that application~~
25 ~~has not been entitled for a project by the State Board of~~
26 ~~Education and any one or more of the following happen within~~

1 ~~the current or prior 4 fiscal years:~~

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

4 ~~(2) an existing school district annexes all of the~~
5 ~~territory of one or more 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 subsection (c) of Section 10-22.22 of the School~~
9 ~~Code.~~

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

1 (Source: P.A. 101-455, eff. 8-23-19.)

2 (105 ILCS 230/5-30)

3 Sec. 5-30. Priority of school construction projects. The
4 State Board of Education shall develop standards for the
5 determination of priority needs concerning school construction
6 projects based upon approved district facilities plans. Such
7 standards shall call for prioritization based on the degree of
8 need and project type in the following order:

9 (1) Replacement or reconstruction of school buildings
10 destroyed or damaged by flood, tornado, fire, earthquake,
11 mine subsidence, or other disasters, either man-made or
12 produced by nature;

13 (2) Projects designed to alleviate a shortage of
14 classrooms due to population growth or to replace or
15 rehabilitate aging school buildings;

16 (3) Projects resulting from interdistrict
17 reorganization of school districts contingent on local
18 referenda;

19 (4) Replacement, rehabilitation, or reconstruction of
20 school facilities determined to be severe and continuing
21 health or life safety hazards;

22 (5) Alterations necessary to provide accessibility for
23 qualified individuals with disabilities; and

24 (6) Other unique solutions to facility needs.

25 ~~Except for those changes absolutely necessary to comply with~~

1 ~~the changes made to subsection (c) of Section 5-25 of this Law~~
2 ~~by Public Act 96-37, the State Board of Education may not make~~
3 ~~any material changes to the standards in effect on May 18,~~
4 ~~2004, unless the State Board of Education is specifically~~
5 ~~authorized by law.~~

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

8 (105 ILCS 230/5-35)

9 Sec. 5-35. School construction project grant award
10 amounts; permitted use; prohibited use.

11 (a) The grant award percentage is equal to one minus the
12 required local match percentage. The grant award amount is
13 equal to the grant award percentage multiplied by ~~The product~~
14 ~~of the district's grant index and the recognized project cost,~~
15 ~~as~~ determined by the Capital Development Board, ~~for an~~
16 approved school construction project, which amount may be
17 adjusted as required in Section 5-15. The grant award amount
18 shall equal the amount of the grant the Capital Development
19 Board shall provide to the eligible district. ~~The grant index~~
20 ~~shall not be used in cases where the General Assembly and the~~
21 ~~Governor approve appropriations designated for specifically~~
22 ~~identified school district construction projects.~~

23 ~~The average of the grant indexes of the member districts~~
24 ~~in a joint agreement shall be used to calculate the amount of a~~
25 ~~school construction project grant awarded to an eligible Type~~

1 ~~40 area vocational center.~~

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

7 In addition to the uses otherwise authorized by this Law,
8 any school district with a population exceeding 500,000 is
9 authorized to use any or all of the school construction
10 project grants (i) to pay debt service, as defined in the Local
11 Government Debt Reform Act, on bonds, as defined in the Local
12 Government Debt Reform Act, issued to finance one or more
13 school construction projects and (ii) to the extent that any
14 such bond is a lease or other installment or financing
15 contract between the school district and a public building
16 commission that has issued bonds to finance one or more
17 qualifying school construction projects, to make lease
18 payments under the lease.

19 (b-3) The Capital Development Board shall make payment in
20 an amount equal to 20% of each amount deposited into the School
21 Infrastructure Fund pursuant to subsection (b-5) of Section
22 6z-45 of the State Finance Act to the Board of Education of the
23 City of Chicago within 10 days after such deposit. The Board of
24 Education of the City of Chicago shall use such moneys
25 received (i) for application to the costs of a school
26 construction project, (ii) to pay debt service on bonds, as

1 those terms are defined in the Local Government Debt Reform
2 Act, that are issued to finance one or more school
3 construction projects, and (iii) to the extent that any such
4 bond is a lease or other installment or financing contract
5 between the school district and a public building commission
6 that has issued bonds to finance one or more qualifying school
7 construction projects, to make lease payments under the lease.
8 The Board of Education of the City of Chicago shall submit
9 quarterly to the Capital Development Board documentation
10 sufficient to establish that this money is being used as
11 authorized by this Section. The Capital Development Board may
12 withhold payments if the documentation is not provided. The
13 remaining 80% of each such deposit shall be applied in
14 accordance with the provisions of subsection (a) of this
15 Section; however, no portion of this remaining 80% shall be
16 awarded to a school district with a population of more than
17 500,000.

18 (b-5) In addition to the uses otherwise authorized by this
19 Law, any school district that (1) was organized prior to 1860
20 and (2) is located in part in a city originally incorporated
21 prior to 1840 is authorized to use any or all of the school
22 construction project grants (i) to pay debt service on bonds,
23 as those terms are defined in the Local Government Debt Reform
24 Act, that are issued to finance one or more school
25 construction projects and (ii) to the extent that any such
26 bond is a lease or other installment or financing contract

1 between the school district and a public building commission
2 that has issued bonds to finance one or more qualifying school
3 construction projects, to make lease payments under the lease.

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

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

8 (105 ILCS 230/5-50)

9 Sec. 5-50. Referendum requirements. A school district may
10 submit a school construction project or the financing of a
11 school construction project to referendum at any time.
12 However, the proposition may include a reference to the school
13 district's expectation of receiving a school construction
14 grant from the State of Illinois only if the school district
15 has received a conditional grant award for the project from
16 the Capital Development Board. After the State Board of
17 Education has approved all or part of a district's application
18 and issued a grant entitlement for a school construction
19 project grant, the district shall submit the project or the
20 financing of the project to a referendum when such referendum
21 is required by law, except for a project financed by bonds
22 issued pursuant to subsection (p-70) of Section 19-1 of the
23 School Code.

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

1 (105 ILCS 230/5-37 rep.)

2 (105 ILCS 230/5-38 rep.)

3 (105 ILCS 230/5-45 rep.)

4 (105 ILCS 230/5-57 rep.)

5 Section 20. The School Construction Law is amended by
6 repealing Sections 5-37, 5-38, 5-45, and 5-57.

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