



Rep. Jay Hoffman

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10200HB5070ham001

LRB102 24770 NLB 36255 a

1 AMENDMENT TO HOUSE BILL 5070

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5070 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Public Community College Act is amended by  
5 changing Sections 3-7a, 3-8, 3-10, and 3-33.6 as follows:

6 (110 ILCS 805/3-7a) (was 110 ILCS 805/3-7, subsec. (c))

7 Sec. 3-7a. Trustee districts; Community College District  
8 No. 522. In 2001, and in the year following each decennial  
9 census thereafter, the Board of Trustees of Community College  
10 District No. 522 ~~board of trustees of community college~~  
11 ~~District #522~~ shall reapportion the trustee districts to  
12 reflect the results of the census, and shall divide the  
13 community college district into 7 trustee districts, each of  
14 which shall be compact, contiguous, and substantially equal in  
15 population to each other district; except that, for the  
16 reapportionment of 2021, the Board of Trustees of Community

1 College District No. 522 shall reapportion its trustee  
2 districts by June 30, 2022. The division of the community  
3 college district into trustee districts shall be completed and  
4 formally approved by a majority of the members of the Board of  
5 Trustees of Community College District No. 522 ~~board of~~  
6 ~~trustees of community college District #522~~ in 2001 and in the  
7 year following each decennial census; except that, for the  
8 reapportionment of 2021, the division of the community college  
9 district into trustee districts shall be completed and  
10 formally approved by a majority of the members of the Board of  
11 Trustees of Community College District No. 522 by June 30,  
12 2022.

13 At the same meeting of the board of trustees, the board  
14 shall, publicly by lot, divide the trustee districts as  
15 equally as possible into 2 groups. Beginning in 2003 and every  
16 10 years thereafter, trustees or their successors from one  
17 group shall be elected for successive terms of 4 years and 6  
18 years; and members or their successors from the second group  
19 shall be elected for successive terms of 6 years and 4 years.  
20 One member shall be elected from each such trustee district.  
21 (Source: P.A. 100-884, eff. 1-1-19.)

22 (110 ILCS 805/3-8) (from Ch. 122, par. 103-8)

23 Sec. 3-8. In this Section, "reasonable emergency" means  
24 any imminent need to maintain the operations or facilities of  
25 the community college district and that such need is due to

1 circumstances beyond the control of the board.

2 Following each election and canvass, the new board shall  
3 hold its organizational meeting on or before the 28th day  
4 after the election. If the election is the initial election  
5 ordered by the regional superintendent, the organizational  
6 meeting shall be convened by the regional superintendent, who  
7 shall preside over the meeting until the election for  
8 chairman, vice chairman and secretary of board is completed.  
9 At all other organizational meetings, the chairman of the  
10 board, or, in his or her absence, the president of the  
11 community college or acting chief executive officer of the  
12 college shall convene the new board, and conduct the election  
13 for chairman, vice chairman and secretary. The secretary may  
14 be a member of the board. The secretary, if not a member of the  
15 board, may receive such compensation as shall be fixed by the  
16 board prior to the election of the secretary. The board shall  
17 then proceed with its organization under the newly elected  
18 board officers, and shall fix a time and place for its regular  
19 meetings. It shall then enter upon the discharge of its  
20 duties. Public notice of the schedule of regular meetings for  
21 the next calendar year, as set at the organizational meeting,  
22 must be given at the beginning of that calendar year. The terms  
23 of board office shall be 2 years, except that the board by  
24 resolution may establish a policy for the terms of office to be  
25 one year, and provide for the election of officers for the  
26 remaining one year period. Terms of members are subject to

1 Section 2A-54 of the Election Code.

2 Beginning 45 days prior to the Tuesday following the first  
3 Monday of April in odd-numbered years until the first  
4 organizational meeting of the new board, no addendum to modify  
5 or amend an employee agreement between a community college  
6 district and the district's president, chancellor, or chief  
7 executive officer may be agreed to or executed, nor may an  
8 employment contract be made and entered into between the board  
9 of an established community college district and a president,  
10 chancellor, or chief executive officer. If the current board  
11 must take such action at any time during the 45 days prior to  
12 the Tuesday following the first Monday of April in  
13 odd-numbered years until the first organizational meeting of  
14 the new board due to a reasonable emergency, then that action  
15 shall be terminated on the 60th day after the first  
16 organizational meeting, unless the new board, by resolution,  
17 reaffirms the agreed-upon addendum or new employment contract.

18 Special meetings of the board may be called by the  
19 chairman or by any 3 members of the board by giving notice  
20 thereof in writing stating the time, place and purpose of the  
21 meeting. Such notice may be served by mail 48 hours before the  
22 meeting or by personal service 24 hours before the meeting.

23 At each regular and special meeting which is open to the  
24 public, members of the public and employees of the community  
25 college district shall be afforded time, subject to reasonable  
26 constraints, to comment to or ask questions of the board.

1 (Source: P.A. 99-693, eff. 1-1-17.)

2 (110 ILCS 805/3-10) (from Ch. 122, par. 103-10)

3 Sec. 3-10. The chairman shall preside at all meetings and  
4 shall perform such duties as are imposed upon him or her by law  
5 or by action of the board. The vice-chairman shall perform the  
6 duties of the chairman if there is a vacancy in the office of  
7 the chairman or in case of the chairman's absence or inability  
8 to act. If there is a vacancy in the office of the chairman and  
9 vice-chairman or the chairman and vice-chairman are absent  
10 from any meeting or refuse to perform their duties, a chairman  
11 pro tempore shall be appointed by the board from among their  
12 number.

13 The secretary may be a member of the board and shall  
14 perform the duties usually pertaining to his or her office.  
15 The secretary, if not a member of the board, may receive such  
16 compensation as shall be fixed by the board prior to the  
17 election of the secretary. If the secretary ~~he~~ is absent from  
18 any meeting or refuses to perform his or her duties, a member  
19 of the board shall be appointed secretary pro tempore.

20 (Source: P.A. 100-273, eff. 8-22-17.)

21 (110 ILCS 805/3-33.6) (from Ch. 122, par. 103-33.6)

22 Sec. 3-33.6. Monies may be transferred from the working  
23 cash fund to the educational fund or operations and  
24 maintenance fund only upon the authority of the board, which

1 shall by resolution direct the community college treasurer to  
2 make such transfers. The resolution shall set forth (a) the  
3 taxes or other funds in anticipation of the collection or  
4 receipt of which the working cash fund is to be reimbursed, (b)  
5 the entire amount of taxes extended, or which the board shall  
6 estimate will be extended or received, for any year in  
7 anticipation of the collection of all or part of which such  
8 transfers are to be made, (c) the aggregate amount of warrants  
9 or notes theretofore issued in anticipation of the collection  
10 of such taxes under this Act together with the amount of  
11 interest accrued and which the community college board  
12 estimates will accrue thereon, (d) the amount of monies which  
13 the community college board estimates will be derived for any  
14 year from the State, Federal government or other sources in  
15 anticipation of the receipt of all or part of which such  
16 transfer is to be made, (e) the aggregate amount of receipts  
17 from taxes imposed to replace revenue lost by units of local  
18 government and school districts as a result of the abolition  
19 of ad valorem personal property taxes, pursuant to Article IX,  
20 Section 5(c) of the Constitution of the State of Illinois,  
21 which the corporate authorities estimate will be set aside for  
22 the payment of the proportionate amount of debt service and  
23 pension or retirement obligations, as required by Section 12  
24 of "An Act in relation to State Revenue Sharing with local  
25 government entities", approved July 31, 1969, as amended, and  
26 (f) the aggregate amount of monies theretofore transferred

1 from the working cash fund to the educational fund or  
2 operations and maintenance fund in anticipation of the  
3 collection of such taxes or of the receipt of such other monies  
4 from other sources. The amount which the resolution shall  
5 direct the community college treasurer so to transfer in  
6 anticipation of the collection of taxes levied or to be  
7 received for any year, together with the aggregate amount of  
8 such anticipation tax warrants or notes theretofore drawn  
9 against such taxes and the amount of the interest accrued and  
10 estimated to accrue thereon, the amount estimated to be  
11 required to satisfy debt service and pension or retirement  
12 obligations, as set forth in Section 12 of "An Act in relation  
13 to State revenue sharing with local government entities",  
14 approved July 31, 1969, as amended, and the aggregate amount  
15 of such transfers theretofore made in anticipation of the  
16 collection of such taxes may not exceed 90% of the actual or  
17 estimated amount of such taxes extended or to be extended or to  
18 be received as set forth in the resolution. The amount which  
19 the resolution shall direct the community college treasurer so  
20 to transfer in anticipation of the receipt of monies to be  
21 derived for any year from the State, Federal government or  
22 from other sources, together with the aggregate amount  
23 theretofore transferred in anticipation of the receipt of any  
24 such monies, may not exceed the total amount which it is so  
25 estimated will be received from such source. Any community  
26 college district may also abolish its working cash fund upon

1 the adoption of a resolution so providing and directing the  
2 transfer of any balance in such fund to the operating funds at  
3 the close of the then current fiscal year or may abate its  
4 working cash fund upon the adoption of a resolution so  
5 providing and directing the transfer of part of the balance in  
6 such fund to the operating funds at any time. If a community  
7 college district elects to abolish or abate its working cash  
8 fund under this provision, it shall have the authority to  
9 again create a working cash fund at any time ~~not establish~~  
10 ~~another working cash fund, unless approved by the voters of~~  
11 ~~the community college district~~ in the manner provided by  
12 Article III of this Act. When monies are available in the  
13 working cash fund, they shall, unless the community college  
14 district has abolished or abated its working cash fund  
15 pursuant to this Section, be transferred to the educational  
16 fund and operations and maintenance fund and disbursed for the  
17 payment of salaries and other educational purposes and  
18 operation and maintenance of facilities purposes expenses so  
19 as to avoid, whenever possible, the issuance of tax  
20 anticipation warrants.

21 Monies earned as interest from the investment of the  
22 working cash fund, or any portion thereof, may be transferred  
23 from the working cash fund to the educational fund or  
24 operations and maintenance fund of the district without any  
25 requirement of repayment to the working cash fund, upon the  
26 authority of the board by separate resolution directing the



1 treasurer to make such transfer and stating the purpose  
2 therefor.

3 (Source: P.A. 85-1335.)

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.".