

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 Public Community College Act is amended by
5 changing Sections 3-8, 3-10, and 3-33.6 and by adding Section
6 3-33.6a as follows:

7 (110 ILCS 805/3-8) (from Ch. 122, par. 103-8)

8 Sec. 3-8. In this Section, "reasonable emergency" means
9 any imminent need to maintain the operations or facilities of
10 the community college district and that such need is due to
11 circumstances beyond the control of the board.

12 Following each election and canvass, the new board shall
13 hold its organizational meeting on or before the 28th day
14 after the election. If the election is the initial election
15 ordered by the regional superintendent, the organizational
16 meeting shall be convened by the regional superintendent, who
17 shall preside over the meeting until the election for
18 chairman, vice chairman and secretary of board is completed.
19 At all other organizational meetings, the chairman of the
20 board, or, in his or her absence, the president of the
21 community college or acting chief executive officer of the
22 college shall convene the new board, and conduct the election
23 for chairman, vice chairman and secretary. The chairman and

1 vice chairman elected by the board shall be members of the
2 board, but the secretary elected by the board may be either a
3 member of the board or not a member of the board, as determined
4 by the board. The secretary, if not a member of the board, may
5 receive such compensation as shall be fixed by the board prior
6 to the election of the secretary. The board shall then proceed
7 with its organization under the newly elected board officers,
8 and shall fix a time and place for its regular meetings. It
9 shall then enter upon the discharge of its duties. Public
10 notice of the schedule of regular meetings for the next
11 calendar year, as set at the organizational meeting, must be
12 given at the beginning of that calendar year. The terms of
13 board office shall be 2 years, except that the board by
14 resolution may establish a policy for the terms of office to be
15 one year, and provide for the election of officers for the
16 remaining one year period. Terms of members are subject to
17 Section 2A-54 of the Election Code.

18 Beginning 45 days prior to the Tuesday following the first
19 Monday of April in odd-numbered years until the first
20 organizational meeting of the new board, no addendum to modify
21 or amend an employee agreement between a community college
22 district and the district's president, chancellor, or chief
23 executive officer may be agreed to or executed, nor may an
24 employment contract be made and entered into between the board
25 of an established community college district and a president,
26 chancellor, or chief executive officer. If the current board

1 must take such action at any time during the 45 days prior to
2 the Tuesday following the first Monday of April in
3 odd-numbered years until the first organizational meeting of
4 the new board due to a reasonable emergency, then that action
5 shall be terminated on the 60th day after the first
6 organizational meeting, unless the new board, by resolution,
7 reaffirms the agreed-upon addendum or new employment contract.

8 Special meetings of the board may be called by the
9 chairman or by any 3 members of the board by giving notice
10 thereof in writing stating the time, place and purpose of the
11 meeting. Such notice may be served by mail 48 hours before the
12 meeting or by personal service 24 hours before the meeting.

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

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

18 (110 ILCS 805/3-10) (from Ch. 122, par. 103-10)

19 Sec. 3-10. The chairman shall preside at all meetings and
20 shall perform such duties as are imposed upon him or her by law
21 or by action of the board. The vice-chairman shall perform the
22 duties of the chairman if there is a vacancy in the office of
23 the chairman or in case of the chairman's absence or inability
24 to act. If there is a vacancy in the office of the chairman and
25 vice-chairman or the chairman and vice-chairman are absent

1 from any meeting or refuse to perform their duties, a chairman
2 pro tempore shall be appointed by the board from among their
3 number.

4 The secretary may be a member of the board and shall
5 perform the duties usually pertaining to his or her office.
6 The secretary, if not a member of the board, may receive such
7 compensation as shall be fixed by the board prior to the
8 election of the secretary. If the secretary ~~he~~ is absent from
9 any meeting or refuses to perform his or her duties, a member
10 of the board shall be appointed secretary pro tempore.

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

12 (110 ILCS 805/3-33.6) (from Ch. 122, par. 103-33.6)

13 Sec. 3-33.6. Monies in the working cash fund may be used
14 for any and all community college purposes and may be
15 transferred in whole or in part from the working cash fund to
16 the educational fund or operations and maintenance fund only
17 upon the authority of the board, which shall by resolution
18 direct the community college treasurer to make such transfers.
19 The resolution shall set forth (a) the taxes or other funds in
20 anticipation of the collection or receipt of which the working
21 cash fund is to be reimbursed, (b) the entire amount of taxes
22 extended, or which the board shall estimate will be extended
23 or received, for any year in anticipation of the collection of
24 all or part of which such transfers are to be made, (c) the
25 aggregate amount of warrants or notes theretofore issued in

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

1 interest accrued and estimated to accrue thereon, the amount
2 estimated to be required to satisfy debt service and pension
3 or retirement obligations, as set forth in Section 12 of "An
4 Act in relation to State revenue sharing with local government
5 entities", approved July 31, 1969, as amended, and the
6 aggregate amount of such transfers theretofore made in
7 anticipation of the collection of such taxes may not exceed
8 90% of the actual or estimated amount of such taxes extended or
9 to be extended or to be received as set forth in the
10 resolution. The amount which the resolution shall direct the
11 community college treasurer so to transfer in anticipation of
12 the receipt of monies to be derived for any year from the
13 State, Federal government or from other sources, together with
14 the aggregate amount theretofore transferred in anticipation
15 of the receipt of any such monies, may not exceed the total
16 amount which it is so estimated will be received from such
17 source. Any community college district may also abolish its
18 working cash fund upon the adoption of a resolution so
19 providing and directing the transfer of any balance in such
20 fund to the operating funds at the close of the then-current
21 fiscal year or may abate its working cash fund upon the
22 adoption of a resolution so providing and directing the
23 transfer of part of the balance in such fund to the operating
24 funds at any time. If a community college district elects to
25 abolish or abate its working cash fund under this provision,
26 it shall have the authority to increase or again create a

1 ~~working cash fund at any time not establish another working~~
2 ~~cash fund, unless approved by the voters of the community~~
3 ~~college district~~ in the manner provided by Article III of this
4 Act. When monies are available in the working cash fund, they
5 shall, unless the community college district has abolished or
6 abated its working cash fund pursuant to this Section, be
7 transferred to the educational fund and operations and
8 maintenance fund and disbursed for the payment of salaries and
9 other educational purposes and operation and maintenance of
10 facilities purposes expenses so as to avoid, whenever
11 possible, the issuance of tax anticipation warrants.

12 Monies earned as interest from the investment of the
13 working cash fund, or any portion thereof, may be transferred
14 from the working cash fund to the educational fund or
15 operations and maintenance fund of the district without any
16 requirement of repayment to the working cash fund, upon the
17 authority of the board by separate resolution directing the
18 treasurer to make such transfer and stating the purpose
19 therefor.

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

21 (110 ILCS 805/3-33.6a new)

22 Sec. 3-33.6a. Abatement of working cash fund. A community
23 college district may abate its working cash fund at any time,
24 upon the adoption of a resolution so providing, and may direct
25 the transfer at any time of moneys in that fund to any fund or

1 funds of the district most in need of the money, provided that
2 the district maintains an amount to the credit of the working
3 cash fund, including amounts transferred pursuant to Section
4 3-33.6 and to be reimbursed to the working cash fund, at least
5 equal to 0.05% of the then-current value, as equalized or
6 assessed by the Department of Revenue, of the taxable property
7 in the district. If necessary to effectuate the abatement, any
8 outstanding loans to other funds of the district may be paid or
9 become payable to the fund or funds to which the abatement is
10 made.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.