



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB0345

Introduced 2/2/2023, by Sen. Christopher Belt

SYNOPSIS AS INTRODUCED:

105 ILCS 230/5-5
105 ILCS 230/5-30
105 ILCS 230/5-60

Amends the School Construction Law. Provides that for school districts that have consolidated or approved a cooperative high school within a prior fiscal year, the grant index shall be calculated for each of those school districts that form the new school district or cooperative high school. Provides that whichever grant index is the highest shall be used as the grant index for the newly consolidated school district or approved cooperative high school. Amends the priority of school construction projects by adding 2 additional categories of capital needs and reordering the priority of the remaining categories of capital needs. Makes a related change. Effective immediately.

LRB103 26215 RJT 52574 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 Construction Law is amended by
5 changing Sections 5-5, 5-30, and 5-60 as follows:

6 (105 ILCS 230/5-5)

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

8 "Conditional grant award" means the formal notification by
9 the Capital Development Board to a school district of its
10 conditional intent to award a grant to a school district to pay
11 a portion of the recognized project cost for a school
12 construction project. The grant award is conditioned upon
13 receiving proof from the school district that it has funds
14 available to cover the cost of the required local match.

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

20 "Grant award percentage" means a percentage equal to one
21 minus the required local match percentage.

22 "Grant index" means a figure for each school district
23 equal to one minus the ratio of the district's equalized

1 assessed valuation per pupil in average daily attendance to
2 the equalized assessed valuation per pupil in average daily
3 attendance of the district located at the 90th percentile for
4 all districts of the same category. This definition applies
5 only to completed or partially completed, as determined by the
6 Capital Development Board, school construction projects for
7 which a grant application was filed for the 2004, 2005, or 2006
8 application cycle by a school district included on the State
9 Board of Education's 2004, 2005, or 2006 School Construction
10 Project Application Cycle listing and only for the purpose of
11 determining the amount of any adjustment pursuant to
12 subsection (d) of Section 5-15 to a grant award amount for a
13 project funded during the first application cycle opened after
14 June 30, 2022. For the purpose of calculating the grant index,
15 school districts are grouped into 2 categories, Category I and
16 Category II. Category I consists of elementary and unit school
17 districts. The equalized assessed valuation per pupil in
18 average daily attendance of each school district in Category I
19 shall be computed using its grades kindergarten through 8
20 average daily attendance figure. A unit school district's
21 Category I grant index shall be used for projects or portions
22 of projects constructed for elementary school pupils. Category
23 II consists of high school and unit school districts. The
24 equalized assessed valuation per pupil in average daily
25 attendance of each school district in Category II shall be
26 computed using its grades 9 through 12 average daily

1 attendance figure. A unit school district's Category II grant
2 index shall be used for projects or portions of projects
3 constructed for high school pupils. The changes made by this
4 amendatory Act of the 92nd General Assembly apply to all
5 grants made on or after the effective date of this amendatory
6 Act, provided that for grants not yet made on the effective
7 date of this amendatory Act but made in fiscal year 2001 and
8 for grants made in fiscal year 2002, the grant index for a
9 school district shall be the greater of (i) the grant index as
10 calculated under this Law on or after the effective date of
11 this amendatory Act or (ii) the grant index as calculated
12 under this Law before the effective date of this amendatory
13 Act. The grant index shall be no less than 0.35 and no greater
14 than 0.75 for each district; provided that the grant index for
15 districts whose equalized assessed valuation per pupil in
16 average daily attendance is at the 99th percentile and above
17 for all districts of the same type shall be 0.00. For school
18 districts that have consolidated or approved a cooperative
19 high school within a prior fiscal year, the grant index shall
20 be calculated for each of those school districts that form the
21 new school district or cooperative high school. Whichever
22 grant index is the highest shall be used as the grant index for
23 the newly consolidated school district or approved cooperative
24 high school.

25 The grant index shall be calculated for each of those
26 school districts forming a reorganized school district or

1 cooperative high school if one or more of the following happen
2 within the current or prior 2 fiscal years:

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

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

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

10 The average grant index of those school districts shall be
11 used as the grant index for the newly reorganized district or
12 cooperative high school.

13 "Recognized project cost" means the total project cost for
14 a school construction project determined by the Capital
15 Development Board to be taken into account in calculating the
16 grant award amount and the required local match for a school
17 construction project.

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

23 "Required local match percentage" means a percentage equal
24 to a school district's Local Capacity Percentage, as defined
25 in Section 18-8.15 of the School Code, and as calculated by the
26 State Superintendent of Education in the fiscal year in which

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

19 "School construction project" means the acquisition,
20 development, construction, reconstruction, rehabilitation,
21 improvement, architectural planning, and installation of
22 capital facilities consisting of buildings, structures,
23 durable equipment, and land for educational purposes.

24 "School district" means a school district or a Type 40
25 area vocational center or special education cooperative that
26 is jointly owned, if the joint agreement includes language

1 that specifies how the debt obligation is to be paid,
2 including in the event that an entity withdraws from the joint
3 agreement.

4 "School district" includes a cooperative high school, if
5 the cooperative agreement includes language that specifies how
6 the debt obligation is to be paid, including if an entity
7 withdraws from the cooperative agreement or the cooperative
8 agreement is terminated.

9 "School maintenance project" means a project, other than a
10 school construction project, intended to provide for the
11 maintenance or upkeep of buildings or structures for
12 educational purposes, but does not include ongoing operational
13 costs.

14 (Source: P.A. 102-723, eff. 5-6-22.)

15 (105 ILCS 230/5-30)

16 Sec. 5-30. Priority of school construction projects. The
17 State Board of Education shall develop standards for the
18 determination of priority needs concerning school construction
19 projects based upon approved district facilities plans. Such
20 standards shall call for prioritization based on the degree of
21 need and project type in the following order:

22 (1) Replacement, rehabilitation, or reconstruction of
23 school buildings destroyed or damaged by flood, tornado,
24 fire, earthquake, mine subsidence, or other disasters,
25 either man-made or produced by nature;

1 (1.5) Rehabilitation or reconstruction of school
2 facilities determined to be severe and continuing health
3 or life safety hazards;

4 (1.10) Rehabilitation of school facilities to
5 alleviate:

6 (A) a shortage of classrooms due to population
7 growth; or

8 (B) aging school buildings;

9 (2) (Blank); ~~Projects designed to alleviate a shortage~~
10 ~~of classrooms due to population growth or to replace or~~
11 ~~rehabilitate aging school buildings;~~

12 (3) Projects resulting from interdistrict
13 reorganization of school districts contingent on local
14 referenda;

15 (3.5) Projects other than rehabilitation specified in
16 paragraph (1.10) designed to alleviate a shortage of
17 classrooms due to population growth or to replace aging
18 school buildings;

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 (Source: P.A. 102-723, eff. 5-6-22.)

1 (105 ILCS 230/5-60)

2 Sec. 5-60. School capital needs assessment. The State
3 Board of Education and the Capital Development Board shall
4 file with the General Assembly a comprehensive assessment
5 report of the capital needs of all school districts in this
6 State before January 1, 2005 and every 2 years thereafter.
7 This assessment shall include without limitation an analysis
8 of the 6 categories of capital needs prioritized in Section
9 5-30 of this Law.

10 (Source: P.A. 93-489, eff. 8-8-03.)

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