

SB1722



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1722

Introduced 2/9/2023, by Sen. Kimberly A. Lightford

SYNOPSIS AS INTRODUCED:

105 ILCS 5/8-1

from Ch. 122, par. 8-1

Amends the Treasurers Article of the School Code. In provisions regarding a Class II county school unit where the trustees of schools appoint a treasurer, removes the requirement that the treasurer shall be a resident of the township.

LRB103 30679 RJT 57142 b

A BILL FOR

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 8-1 as follows:

6 (105 ILCS 5/8-1) (from Ch. 122, par. 8-1)

7 Sec. 8-1. Treasurers.

8 (a) Except as otherwise provided in subsections (b) and
9 (c), in Class II county school units the trustees of schools
10 shall appoint a treasurer who shall be ex-officio clerk of the
11 board. The term of the township treasurer shall be for a 2 year
12 period beginning and ending on the first of July. The
13 treasurer shall ~~be a resident of the township, but not~~ be a
14 trustee~~7~~ or school board member. He shall attend all meetings
15 and keep a record of the official proceedings of the trustees
16 of schools. Such record shall be open to public inspection.
17 All proceedings, when recorded, shall be signed by the
18 president and the clerk. If the clerk is absent, or refuses to
19 perform any of his duties, a clerk pro tempore may be
20 appointed. For sufficient cause the treasurer may be removed
21 from office by the trustees of schools. In case of a vacancy
22 the trustees of schools shall elect a treasurer for the
23 unexpired term.

1 (b) In Class I county school units, and in each school
2 district which forms a part of a Class II county school unit
3 but which has withdrawn from the jurisdiction and authority of
4 the trustees of schools of the township in which such school
5 district is located and from the jurisdiction and authority of
6 the township treasurer in such Class II county school unit as
7 provided in subsection (b) of Section 5-1, each school board
8 shall either elect one of its members to serve as treasurer
9 without salary for a period of one year or appoint someone, not
10 a member of the school board, as its treasurer, and, except as
11 provided in this Section the board shall fix his compensation.
12 An appointed treasurer shall serve at the pleasure of the
13 board. An appointed treasurer shall be at least 21 years of
14 age, of approved integrity, but not a member of the county
15 board of school trustees. The records of the treasurer shall
16 be open to public inspection. Two or more such districts may
17 appoint the same treasurer. In case of a vacancy caused by the
18 death, resignation or the removal from office of the school
19 treasurer the school board shall appoint a treasurer. The
20 school board may determine the temporary incapacity of its
21 treasurer occasioned by illness, absence from the district or
22 any other cause which prevents the prompt performance of his
23 duties and appoint an acting treasurer to serve until the
24 board determines such temporary incapacity no longer exists.

25 (c) The school board of each elementary school, high
26 school and unit school district that forms a part of a Class II

1 county school unit and that was under the jurisdiction and
2 authority of the township treasurer and trustees of schools of
3 a township at the time those offices were abolished in that
4 township as provided in subsection (c) of Section 5-1 shall
5 appoint a person to serve as treasurer of the school board. The
6 term of each school treasurer appointed under this subsection
7 shall be for a 2 year period beginning and ending on the first
8 day of July. A person appointed under this subsection to serve
9 as treasurer of a school board shall not be the superintendent
10 of schools of the school district. A person appointed and
11 serving under this subsection as treasurer of a school board
12 may concurrently serve as the treasurer of the regional board
13 of school trustees, if selected to serve in that capacity by
14 the regional board of school trustees, as provided in
15 subsection (c) of Section 5-1. The school board shall fix the
16 compensation of its school treasurer, and for sufficient cause
17 may remove the school treasurer from office. However, if a
18 member of the school board is also school treasurer, he or she
19 shall perform his or her duties as school treasurer without
20 compensation. In the case of a vacancy, the school board shall
21 appoint a school treasurer for the unexpired term. The school
22 board may determine the temporary incapacity of its treasurer
23 due to illness, absence from the district, or other cause that
24 prevents the prompt performance of his duties and may appoint
25 an acting treasurer to serve until the school board determines
26 that the temporary incapacity of its treasurer no longer

1 exists.

2 (d) After October 1, 1977, each treasurer in a Class I
3 county school unit appointed under this Section for his first
4 term shall have a financial background or related experience
5 or 12 semester hours of credit of college level accounting.

6 (e) After August 14, 1989, any treasurer appointed under
7 this Section for his first term in Class II county school
8 units, including any person appointed by a school board to
9 serve as its treasurer as provided in subsection (c) of this
10 Section, shall be a certified public accountant or a certified
11 chief school business official as defined in part (3) of
12 Section 21-7.3 of this Act. Experience as a township treasurer
13 in a Class II county school unit prior to July 1, 1989 shall be
14 deemed the equivalent of certification.

15 (f) Concurrently with the election or appointment of its
16 own school treasurer by the school board of a school district
17 which forms a part of a Class II county school unit but which
18 no longer is subject to the jurisdiction and authority of a
19 township treasurer or trustees of schools of a township
20 because the district has withdrawn from the jurisdiction and
21 authority of the township treasurer and trustees of schools of
22 the township or because those offices have been abolished as
23 provided in subsection (b) or (c) of Section 5-1, all funds,
24 accounts, moneys, notes, bonds, mortgages and effects then
25 held by such township treasurer on behalf or for the use and
26 benefit of, or then credited by such township treasurer to any

1 fund or account of such school district shall thereupon be
2 transferred and paid over by such township treasurer to the
3 school treasurer elected or appointed by the school board of
4 such school district. In addition the school treasurer of such
5 school district shall have the right, at all reasonable times,
6 to inspect all cash books, loan books, district account books
7 and journals kept by such township treasurer as provided in
8 Section 8-5 and to copy or otherwise reproduce such portions
9 thereof as such school treasurer deems necessary for the
10 performance of his duties.

11 (g) Upon the abolition of the offices of the township
12 treasurer and trustee of schools of a township as provided in
13 subsection (c) of Section 5-1, and subject to the limitation
14 of subsection (b) of Section 8-5 with respect to certain
15 records to be surrendered to the regional board of school
16 trustees, and except as otherwise provided in subsection (c)
17 of Section 5-1 with respect to the common school lands and
18 township loanable funds of that township and with respect to
19 the records, books and accounts relating to those common
20 school lands and township loanable funds, all school funds and
21 accounts, moneys, notes, bonds, securities, district account
22 books and other documents, records and effects then held by
23 the former township treasurer on behalf or for the use and
24 benefit of, or then credited by the former township treasurer
25 to any fund or account of any school district that was under
26 the jurisdiction and authority of the township treasurer at

1 the time the office of that township treasurer was abolished
2 shall thereupon be transferred and paid over by the former
3 township treasurer to the appropriate school treasurer
4 appointed by the school board of each such district under
5 subsection (c) of this Section 8-1.

6 (h) If the school district of a school treasurer elected
7 or appointed under this Section is receiving emergency State
8 financial assistance under Article 1B, that school treasurer
9 is subject to the provisions of Article 1B.

10 (Source: P.A. 96-538, eff. 8-14-09.)