



Sen. Miguel del Valle

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1 AMENDMENT TO HOUSE BILL 756

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 756 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Capital Development Board Act is amended by  
5 changing Section 9.04 as follows:

6 (20 ILCS 3105/9.04) (from Ch. 127, par. 779.04)

7 Sec. 9.04. To succeed to and exercise the rights, powers  
8 and duties which have been vested in the School Building  
9 Commission by Article 35 (now repealed) of the ~~The~~ School Code.  
10 (Source: P.A. 77-1995.)

11 Section 10. The Building Authority Act is amended by  
12 changing Sections 3, 4, 5, and 9 as follows:

13 (20 ILCS 3110/3) (from Ch. 127, par. 213.3)

14 Sec. 3. Duties. The Authority shall make thorough and  
15 continuous studies and investigations of the following  
16 building needs of the State of Illinois as they may from time  
17 to time develop:

18 (a) Office structures, recreational facilities, fixed  
19 equipment of any kind, electric, gas, steam, water and sewer  
20 utilities, motor parking facilities, hospitals, penitentiaries  
21 and facilities of every kind and character, other than movable  
22 equipment, considered by the Authority necessary or convenient

1 for the efficient operation of any unit which is used by any  
2 officer, department, board, commission or other agency of the  
3 State.

4 (b) Buildings and other facilities intended for use as  
5 classrooms, laboratories, libraries, student residence halls,  
6 instructional and administrative facilities for students,  
7 faculty, officers, and employees, and motor vehicle parking  
8 facilities and fixed equipment for any institution or unit  
9 under the control of the Board of Trustees of the University of  
10 Illinois, the Board of Trustees of Southern Illinois  
11 University, the Board of Trustees of Chicago State University,  
12 the Board of Trustees of Eastern Illinois University, the Board  
13 of Trustees of Governors State University, the Board of  
14 Trustees of Illinois State University, the Board of Trustees of  
15 Northeastern Illinois University, the Board of Trustees of  
16 Northern Illinois University, the Board of Trustees of Western  
17 Illinois University, the School Building Commission or any  
18 public community college district board.

19 (c) School sites, buildings and fixed equipment to meet the  
20 needs of school districts unable to provide such facilities  
21 because of lack of funds and constitutional bond limitations,  
22 whenever any General Assembly has declared the acquisition of  
23 sites, construction of buildings and installation of fixed  
24 equipment for such school districts to be in the public  
25 interest, and allocations of said declarations shall be made as  
26 provided in Section 5 of this Act.

27 Whenever the General Assembly declares by law that it is in  
28 the public interest for the Authority to acquire any real  
29 estate, construct, complete and remodel buildings, and install  
30 fixed equipment in buildings and other facilities for public  
31 community college districts, or for school districts ~~that~~  
32 ~~qualify under Article 35 of The School Code, as amended or as~~  
33 ~~may hereafter be amended,~~ the amount of any declaration to be  
34 allocated to any public community college district shall be

1 determined by the Illinois Community College Board, and the  
2 amount of any declaration to be allocated to any school  
3 district ~~School District qualifying under Article 35 of The~~  
4 ~~School Code~~ shall be determined by the School Building  
5 Commission or its successor, unless otherwise provided by law.  
6 (Source: P.A. 89-4, eff. 1-1-96.)

7 (20 ILCS 3110/4) (from Ch. 127, par. 213.4)

8 Sec. 4. Any department, board, commission, agency or  
9 officer of this State or the Board of Trustees of the  
10 University of Illinois, the Board of Trustees of Southern  
11 Illinois University, the Board of Trustees of Chicago State  
12 University, the Board of Trustees of Eastern Illinois  
13 University, the Board of Trustees of Governors State  
14 University, the Board of Trustees of Illinois State University,  
15 the Board of Trustees of Northeastern Illinois University, the  
16 Board of Trustees of Northern Illinois University, the Board of  
17 Trustees of Western Illinois University, the School Building  
18 Commission (or its successor), or any public community college  
19 district board, may transfer jurisdiction of or title to any  
20 property under its or his control to the Authority when such  
21 transfer is approved in writing by the Governor as being  
22 advantageous to the State.

23 (Source: P.A. 89-4, eff. 1-1-96.)

24 (20 ILCS 3110/5) (from Ch. 127, par. 213.5)

25 Sec. 5. Powers. To accomplish projects of the kind listed  
26 in Section 3 above, the Authority shall possess the following  
27 powers:

28 (a) Acquire by purchase or otherwise (including the power  
29 of condemnation in the manner provided for the exercise of the  
30 right of eminent domain under Article VII of the Code of Civil  
31 Procedure, as amended), construct, complete, remodel and  
32 install fixed equipment in any and all buildings and other

1 facilities as the General Assembly by law declares to be in the  
2 public interest.

3 Whenever the General Assembly has by law declared it to be  
4 in the public interest for the Authority to acquire any real  
5 estate, construct, complete, remodel and install fixed  
6 equipment in buildings and other facilities for public  
7 community college districts, the Director of the Department of  
8 Central Management Services shall, when requested by any such  
9 public community college district board, enter into a lease by  
10 and on behalf of and for the use of such public community  
11 college district board to the extent appropriations have been  
12 made by the General Assembly to pay the rents under the terms  
13 of such lease.

14 In the course of such activities, acquire property of any  
15 and every kind and description, whether real, personal or  
16 mixed, by gift, purchase or otherwise. It may also acquire real  
17 estate of the State of Illinois controlled by any officer,  
18 department, board, commission, or other agency of the State, or  
19 the Board of Trustees of the University of Illinois, the Board  
20 of Trustees of Southern Illinois University, the Board of  
21 Trustees of Chicago State University, the Board of Trustees of  
22 Eastern Illinois University, the Board of Trustees of Governors  
23 State University, the Board of Trustees of Illinois State  
24 University, the Board of Trustees of Northeastern Illinois  
25 University, the Board of Trustees of Northern Illinois  
26 University, the Board of Trustees of Western Illinois  
27 University, the School Building Commission (or its successor),  
28 or any public community college district board, the  
29 jurisdiction of which is transferred by such officer,  
30 department, board, commission, or other agency, or the Board of  
31 Trustees of Southern Illinois University, the Board of Trustees  
32 of Chicago State University, the Board of Trustees of Eastern  
33 Illinois University, the Board of Trustees of Governors State  
34 University, the Board of Trustees of Illinois State University,

1 the Board of Trustees of Northeastern Illinois University, the  
2 Board of Trustees of Northern Illinois University, the Board of  
3 Trustees of Western Illinois University, or the School Building  
4 Commission (or its successor), or any public community college  
5 district board, to the Authority. The Board of Trustees of the  
6 University of Illinois, the Board of Trustees of Southern  
7 Illinois University, the Board of Trustees of Chicago State  
8 University, the Board of Trustees of Eastern Illinois  
9 University, the Board of Trustees of Governors State  
10 University, the Board of Trustees of Illinois State University,  
11 the Board of Trustees of Northeastern Illinois University, the  
12 Board of Trustees of Northern Illinois University, the Board of  
13 Trustees of Western Illinois University, or the School Building  
14 Commission (or its successor) and any public community college  
15 district board, respectively, shall prepare plans and  
16 specifications for and have supervision over any project to be  
17 undertaken by the Authority for their use. Before any other  
18 particular construction is undertaken, plans and  
19 specifications shall be approved by the lessee provided for  
20 under (b) below, except as indicated above.

21 (b) Execute leases of facilities and sites to, and charge  
22 for the use of any such facilities and sites by, any officer,  
23 department, board, commission or other agency of the State of  
24 Illinois, or the Director of the Department of Central  
25 Management Services when the Director is requested to, by and  
26 on behalf of, or for the use of, any officer, department,  
27 board, commission or other agency of the State of Illinois, or  
28 by the Board of Trustees of the University of Illinois, the  
29 Board of Trustees of Southern Illinois University, the Board of  
30 Trustees of Chicago State University, the Board of Trustees of  
31 Eastern Illinois University, the Board of Trustees of Governors  
32 State University, the Board of Trustees of Illinois State  
33 University, the Board of Trustees of Northeastern Illinois  
34 University, the Board of Trustees of Northern Illinois

1 University, the Board of Trustees of Western Illinois  
2 University, or the School Building Commission (or its  
3 successor) or any public community college district board. Such  
4 leases may be entered into contemporaneously with any financing  
5 to be done by the Authority and payments under the terms of the  
6 lease shall begin at any time after execution of any such  
7 lease.

8 (c) In the event of non-payment of rents reserved in such  
9 leases, maintain and operate such facilities and sites or  
10 execute leases thereof to others for any suitable purposes.  
11 Such leases to the officers, departments, boards, commissions,  
12 other agencies, the respective Boards of Trustees,~~r~~ or the  
13 School Building Commission (or its successor) or any public  
14 community college district board shall contain the provision  
15 that rents under such leases shall be payable solely from  
16 appropriations to be made by the General Assembly for the  
17 payment of such rent and any revenues derived from the  
18 operation of the leased premises.

19 (d) Borrow money and issue and sell bonds in such amount or  
20 amounts as the Authority may determine for the purpose of  
21 acquiring, constructing, completing or remodeling, or putting  
22 fixed equipment in any such facility; refund and refinance the  
23 same from time to time as often as advantageous and in the  
24 public interest to do so; and pledge any and all income of such  
25 Authority, and any revenues derived from such facilities, or  
26 any combination thereof, to secure the payment of such bonds  
27 and to redeem such bonds. All such bonds are subject to the  
28 provisions of Section 6 of this Act.

29 In addition to the permanent financing authorized by  
30 Sections 5 and 6 of this Act, the Illinois Building Authority  
31 may borrow money and issue interim notes in evidence thereof  
32 for any of the projects, or to perform any of the duties  
33 authorized under this Act, and in addition may borrow money and  
34 issue interim notes for planning, architectural and

1 engineering, acquisition of land, and purchase of fixed  
2 equipment as follows:

3 1. Whenever the Authority considers it advisable and in  
4 the interests of the Authority to borrow funds temporarily  
5 for any of the purposes enumerated in this Section, the  
6 Authority may from time to time, and pursuant to  
7 appropriate resolution, issue interim notes to evidence  
8 such borrowings including funds for the payment of interest  
9 on such borrowings and funds for all necessary and  
10 incidental expenses in connection with any of the purposes  
11 provided for by this Section and this Act until the date of  
12 the permanent financing. Any resolution authorizing the  
13 issuance of such notes shall describe the project to be  
14 undertaken and shall specify the principal amount, rate of  
15 interest (not exceeding the maximum rate authorized by the  
16 Bond Authorization Act, as amended at the time of the  
17 making of the contract,) and maturity date, but not to  
18 exceed 5 years from date of issue, and such other terms as  
19 may be specified in such resolution; however, time of  
20 payment of any such notes may be extended for a period of  
21 not exceeding 3 years from the maturity date thereof.

22 The Authority may provide for the registration of the  
23 notes in the name of the owner either as to principal  
24 alone, or as to both principal and interest, on such terms  
25 and conditions as the Authority may determine by the  
26 resolution authorizing their issue. The notes shall be  
27 issued from time to time by the Authority as funds are  
28 borrowed, in the manner the Authority may determine.  
29 Interest on the notes may be made payable semiannually,  
30 annually or at maturity. The notes may be made redeemable,  
31 prior to maturity, at the option of the Authority, in the  
32 manner and upon the terms fixed by the resolution  
33 authorizing their issuance. The notes may be executed in  
34 the name of the Authority by the Chairman of the Authority

1 or by any other officer or officers of the Authority as the  
2 Authority by resolution may direct, shall be attested by  
3 the Secretary or such other officer or officers of the  
4 Authority as the Authority may by resolution direct, and be  
5 sealed with the Authority's corporate seal. All such notes  
6 and the interest thereon may be secured by a pledge of any  
7 income and revenue derived by the Authority from the  
8 project to be undertaken with the proceeds of the notes and  
9 shall be payable solely from such income and revenue and  
10 from the proceeds to be derived from the sale of any  
11 revenue bonds for permanent financing authorized to be  
12 issued under Sections 5 and 6 of this Act, and from the  
13 property acquired with the proceeds of the notes.

14 Contemporaneously with the issue of revenue bonds as  
15 provided by this Act, all interim notes, even though they  
16 may not then have matured, shall be paid, both principal  
17 and interest to date of payment, from the funds derived  
18 from the sale of revenue bonds for the permanent financing  
19 and such interim notes shall be surrendered and canceled.

20 2. The Authority, in order further to secure the  
21 payment of the interim notes, is, in addition to the  
22 foregoing, authorized and empowered to make any other or  
23 additional covenants, terms and conditions not  
24 inconsistent with the provisions of subparagraph (a) of  
25 this Section, and do any and all acts and things as may be  
26 necessary or convenient or desirable in order to secure  
27 payment of its interim notes, or in the discretion of the  
28 Authority, as will tend to make the interim notes more  
29 acceptable to lenders, notwithstanding that the covenants,  
30 acts or things may not be enumerated herein; however,  
31 nothing contained in this subparagraph shall authorize the  
32 Authority to secure the payment of the interim notes out of  
33 property or facilities, other than the facilities acquired  
34 with the proceeds of the interim notes, and any net income



1           and revenue derived from the facilities and the proceeds of  
2           revenue bonds as hereinabove provided.

3           (e) Convey property, without charge, to the State or to the  
4           appropriate corporate agency of the State or to any public  
5           community college district board if and when all debts which  
6           have been secured by the income from such property have been  
7           paid.

8           (f) Enter into contracts regarding any matter connected  
9           with any corporate purpose within the objects and purposes of  
10          this Act.

11          (g) Employ agents and employees necessary to carry out the  
12          duties and purposes of the Authority.

13          (h) Adopt all necessary by-laws, rules and regulations for  
14          the conduct of the business and affairs of the Authority, and  
15          for the management and use of facilities and sites acquired  
16          under the powers granted by this Act.

17          (i) Have and use a common seal and alter the same at  
18          pleasure.

19          The Interim notes shall constitute State debt of the State  
20          of Illinois within the meaning of any of the provisions of the  
21          Constitution and statutes of the State of Illinois.

22          No member, officer, agent or employee of the Authority, nor  
23          any other person who executes interim notes, shall be liable  
24          personally by reason of the issuance thereof.

25          With respect to instruments for the payment of money issued  
26          under this Section either before, on, or after the effective  
27          date of this amendatory Act of 1989, it is and always has been  
28          the intention of the General Assembly (i) that the Omnibus Bond  
29          Acts are and always have been supplementary grants of power to  
30          issue instruments in accordance with the Omnibus Bond Acts,  
31          regardless of any provision of this Act that may appear to be  
32          or to have been more restrictive than those Acts, (ii) that the  
33          provisions of this Section are not a limitation on the  
34          supplementary authority granted by the Omnibus Bond Acts, and

1 (iii) that instruments issued under this Section within the  
2 supplementary authority granted by the Omnibus Bond Acts are  
3 not invalid because of any provision of this Act that may  
4 appear to be or to have been more restrictive than those Acts.

5 (Source: P.A. 89-4, eff. 1-1-96.)

6 (20 ILCS 3110/9) (from Ch. 127, par. 213.9)

7 Sec. 9. Limitation on disbursements. The Authority shall  
8 keep account of the gross total income derived from each  
9 separate project or any combination thereof undertaken  
10 pursuant to this Act. Disbursements from a given account in The  
11 Public Building Fund shall be ordered by the Authority only for  
12 the payment of (1) the principal of and interest on the bonds  
13 issued for each project, or combination thereof, and (2) any  
14 other purposes set forth in the resolution authorizing the  
15 issuance of such bonds.

16 An accurate record shall be kept of the rental payments  
17 under each lease entered into by the Authority and any officer,  
18 department, board, commission or other agency of the State of  
19 Illinois, the Director of the Department of Central Management  
20 Services, the Board of Trustees of the University of Illinois,  
21 the Board of Trustees of Southern Illinois University, the  
22 Board of Trustees of Chicago State University, the Board of  
23 Trustees of Eastern Illinois University, the Board of Trustees  
24 of Governors State University, the Board of Trustees of  
25 Illinois State University, the Board of Trustees of  
26 Northeastern Illinois University, the Board of Trustees of  
27 Northern Illinois University, the Board of Trustees of Western  
28 Illinois University, the School Building Commission (or its  
29 successor), or any public community college district board, and  
30 when the rentals applicable to each project or facility, or any  
31 combination thereof, constructed, completed, remodeled,  
32 maintained and equipped, have been paid in (1) amounts  
33 sufficient to amortize and pay the principal of and interest

1 upon the total principal amount of bonds of the Authority  
2 issued to pay the cost of each project or facility, including  
3 maintenance and operation expenses and that proportion of the  
4 administrative expense of the Authority as provided for by each  
5 lease, or (2) amounts which when invested in direct obligations  
6 of the United States of America are, together with earnings  
7 thereon, sufficient to amortize and pay the principal of and  
8 interest upon the total principal amount of bonds of the  
9 Authority issued to pay the cost of each project or facility,  
10 including maintenance and operation expenses and that  
11 proportion of the administrative expense of the Authority as  
12 provided for by each lease, the property shall be conveyed  
13 without charge to the lessee.

14 (Source: P.A. 89-4, eff. 1-1-96.)

15 Section 15. The School Code is amended by changing Sections  
16 2-3.12, 2-3.62, 7-03, 7-14, 7A-11, 11A-12, 11B-11, 11D-9, and  
17 34-74 as follows:

18 (105 ILCS 5/2-3.12) (from Ch. 122, par. 2-3.12)

19 Sec. 2-3.12. School building code. To prepare for school  
20 boards with the advice of the Department of Public Health, the  
21 Capital Development Board, and the State Fire Marshal a school  
22 building code that will conserve the health and safety and  
23 general welfare of the pupils and school personnel and others  
24 who use public school facilities.

25 The document known as "Efficient and Adequate Standards for  
26 the Construction of Schools" applies only to temporary school  
27 facilities, new school buildings, and additions to existing  
28 schools whose construction contracts are awarded after July 1,  
29 1965. On or before July 1, 1967, each school board shall have  
30 its school district buildings that were constructed prior to  
31 January 1, 1955, surveyed by an architect or engineer licensed  
32 in the State of Illinois as to minimum standards necessary to

1 conserve the health and safety of the pupils enrolled in the  
2 school buildings of the district. Buildings constructed  
3 between January 1, 1955 and July 1, 1965, not owned by the  
4 State of Illinois, shall be surveyed by an architect or  
5 engineer licensed in the State of Illinois beginning 10 years  
6 after acceptance of the completed building by the school board.  
7 Buildings constructed between January 1, 1955 and July 1, 1955  
8 and previously exempt under the provisions of Section 35-27  
9 (now repealed) shall be surveyed prior to July 1, 1977 by an  
10 architect or engineer licensed in the State of Illinois. The  
11 architect or engineer, using the document known as "Building  
12 Specifications for Health and Safety in Public Schools" as a  
13 guide, shall make a report of the findings of the survey to the  
14 school board, giving priority in that report to fire safety  
15 problems and recommendations thereon if any such problems  
16 exist. The school board of each district so surveyed and  
17 receiving a report of needed recommendations to be made to  
18 improve standards of safety and health of the pupils enrolled  
19 has until July 1, 1970, or in case of buildings not owned by  
20 the State of Illinois and completed between January 1, 1955 and  
21 July 1, 1965 or in the case of buildings previously exempt  
22 under the provisions of Section 35-27 has a period of 3 years  
23 after the survey is commenced, to effectuate those  
24 recommendations, giving first attention to the recommendations  
25 in the survey report having priority status, and is authorized  
26 to levy the tax provided for in Section 17-2.11, according to  
27 the provisions of that Section, to make such improvements.  
28 School boards unable to effectuate those recommendations prior  
29 to July 1, 1970, on July 1, 1980 in the case of buildings  
30 previously exempt under the provisions of Section 35-27, may  
31 petition the State Superintendent of Education upon the  
32 recommendation of the Regional Superintendent for an extension  
33 of time. The extension of time may be granted by the State  
34 Superintendent of Education for a period of one year, but may

1 be extended from year to year provided substantial progress, in  
2 the opinion of the State Superintendent of Education, is being  
3 made toward compliance. However, for fire protection issues,  
4 only one one-year extension may be made, and no other provision  
5 of this Code or an applicable code may supersede this  
6 requirement. For routine inspections, fire officials shall  
7 provide written notice to the principal of the school to  
8 schedule a mutually agreed upon time for the fire safety check.  
9 However, no more than 2 routine inspections may be made in a  
10 calendar year.

11 Within 2 years after the effective date of this amendatory  
12 Act of 1983, and every 10 years thereafter, or at such other  
13 times as the State Board of Education deems necessary or the  
14 regional superintendent so orders, each school board subject to  
15 the provisions of this Section shall again survey its school  
16 buildings and effectuate any recommendations in accordance  
17 with the procedures set forth herein. An architect or engineer  
18 licensed in the State of Illinois is required to conduct the  
19 surveys under the provisions of this Section and shall make a  
20 report of the findings of the survey titled "safety survey  
21 report" to the school board. The school board shall approve the  
22 safety survey report, including any recommendations to  
23 effectuate compliance with the code, and submit it to the  
24 Regional Superintendent. The Regional Superintendent shall  
25 render a decision regarding approval or denial and submit the  
26 safety survey report to the State Superintendent of Education.  
27 The State Superintendent of Education shall approve or deny the  
28 report including recommendations to effectuate compliance with  
29 the code and, if approved, issue a certificate of approval.  
30 Upon receipt of the certificate of approval, the Regional  
31 Superintendent shall issue an order to effect any approved  
32 recommendations included in the report. Items in the report  
33 shall be prioritized. Urgent items shall be considered as those  
34 items related to life safety problems that present an immediate

1 hazard to the safety of students. Required items shall be  
2 considered as those items that are necessary for a safe  
3 environment but present less of an immediate hazard to the  
4 safety of students. Urgent and required items shall reference a  
5 specific rule in the code authorized by this Section that is  
6 currently being violated or will be violated within the next 12  
7 months if the violation is not remedied. The school board of  
8 each district so surveyed and receiving a report of needed  
9 recommendations to be made to maintain standards of safety and  
10 health of the pupils enrolled shall effectuate the correction  
11 of urgent items as soon as achievable to ensure the safety of  
12 the students, but in no case more than one year after the date  
13 of the State Superintendent of Education's approval of the  
14 recommendation. Required items shall be corrected in a timely  
15 manner, but in no case more than 5 years from the date of the  
16 State Superintendent of Education's approval of the  
17 recommendation. Once each year the school board shall submit a  
18 report of progress on completion of any recommendations to  
19 effectuate compliance with the code. For each year that the  
20 school board does not effectuate any or all approved  
21 recommendations, it shall petition the Regional Superintendent  
22 and the State Superintendent of Education detailing what work  
23 was completed in the previous year and a work plan for  
24 completion of the remaining work. If in the judgement of the  
25 Regional Superintendent and the State Superintendent of  
26 Education substantial progress has been made and just cause has  
27 been shown by the school board, the petition for a one year  
28 extension of time may be approved.

29 As soon as practicable, but not later than 2 years after  
30 the effective date of this amendatory Act of 1992, the State  
31 Board of Education shall combine the document known as  
32 "Efficient and Adequate Standards for the Construction of  
33 Schools" with the document known as "Building Specifications  
34 for Health and Safety in Public Schools" together with any

1 modifications or additions that may be deemed necessary. The  
2 combined document shall be known as the "Health/Life Safety  
3 Code for Public Schools" and shall be the governing code for  
4 all facilities that house public school students or are  
5 otherwise used for public school purposes, whether such  
6 facilities are permanent or temporary and whether they are  
7 owned, leased, rented, or otherwise used by the district.  
8 Facilities owned by a school district but that are not used to  
9 house public school students or are not used for public school  
10 purposes shall be governed by separate provisions within the  
11 code authorized by this Section.

12 The 10 year survey cycle specified in this Section shall  
13 continue to apply based upon the standards contained in the  
14 "Health/Life Safety Code for Public Schools", which shall  
15 specify building standards for buildings that are constructed  
16 prior to the effective date of this amendatory Act of 1992 and  
17 for buildings that are constructed after that date.

18 The "Health/Life Safety Code for Public Schools" shall be  
19 the governing code for public schools; however, the provisions  
20 of this Section shall not preclude inspection of school  
21 premises and buildings pursuant to Section 9 of the Fire  
22 Investigation Act, provided that the provisions of the  
23 "Health/Life Safety Code for Public Schools", or such  
24 predecessor document authorized by this Section as may be  
25 applicable are used, and provided that those inspections are  
26 coordinated with the Regional Superintendent having  
27 jurisdiction over the public school facility. Nothing in this  
28 Section shall be construed to prohibit a local fire department,  
29 fire protection district, or the Office of the State Fire  
30 Marshal from conducting a fire safety check in a public school.  
31 Upon being notified by a fire official that corrective action  
32 must be taken to resolve a violation, the school board shall  
33 take corrective action within one year. However, violations  
34 that present imminent danger must be addressed immediately.

1 Any agency having jurisdiction beyond the scope of the  
2 applicable document authorized by this Section may issue a  
3 lawful order to a school board to effectuate recommendations,  
4 and the school board receiving the order shall certify to the  
5 Regional Superintendent and the State Superintendent of  
6 Education when it has complied with the order.

7 The State Board of Education is authorized to adopt any  
8 rules that are necessary relating to the administration and  
9 enforcement of the provisions of this Section. The code  
10 authorized by this Section shall apply only to those school  
11 districts having a population of less than 500,000 inhabitants.  
12 (Source: P.A. 92-593, eff. 1-1-03.)

13 (105 ILCS 5/2-3.62) (from Ch. 122, par. 2-3.62)

14 Sec. 2-3.62. Educational Service Centers.

15 (a) A regional network of educational service centers shall  
16 be established by the State Board of Education to coordinate  
17 and combine existing services in a manner which is practical  
18 and efficient and to provide new services to schools as  
19 provided in this Section. Services to be made available by such  
20 centers shall include the planning, implementation and  
21 evaluation of:

22 (1) (blank);

23 (2) computer technology education including the  
24 evaluation, use and application of state-of-the-art  
25 technology in computer software as provided in Section  
26 2-3.117 of this Code ~~2-3.43~~;

27 (3) mathematics, science and reading resources for  
28 teachers including continuing education, inservice  
29 training and staff development.

30 The centers may provide training, technical assistance,  
31 coordination and planning in other program areas such as school  
32 improvement, school accountability, career guidance, early  
33 childhood education, alcohol/drug education and prevention,



1 family life - sex education, electronic transmission of data  
2 from school districts to the State, alternative education and  
3 regional special education, and telecommunications systems  
4 that provide distance learning. Such telecommunications  
5 systems may be obtained through the Department of Central  
6 Management Services pursuant to Section 405-270 of the  
7 Department of Central Management Services Law (20 ILCS  
8 405/405-270). The programs and services of educational service  
9 centers may be offered to private school teachers and private  
10 school students within each service center area provided public  
11 schools have already been afforded adequate access to such  
12 programs and services.

13 The State Board of Education shall promulgate rules and  
14 regulations necessary to implement this Section. The rules  
15 shall include detailed standards which delineate the scope and  
16 specific content of programs to be provided by each Educational  
17 Service Center, as well as the specific planning,  
18 implementation and evaluation services to be provided by each  
19 Center relative to its programs. The Board shall also provide  
20 the standards by which it will evaluate the programs provided  
21 by each Center.

22 (b) Centers serving Class 1 county school units shall be  
23 governed by an 11-member board, 3 members of which shall be  
24 public school teachers nominated by the local bargaining  
25 representatives to the appropriate regional superintendent for  
26 appointment and no more than 3 members of which shall be from  
27 each of the following categories, including but not limited to  
28 superintendents, regional superintendents, school board  
29 members and a representative of an institution of higher  
30 education. The members of the board shall be appointed by the  
31 regional superintendents whose school districts are served by  
32 the educational service center. The composition of the board  
33 will reflect the revisions of this amendatory Act of 1989 as  
34 the terms of office of current members expire.

1 (c) The centers shall be of sufficient size and number to  
2 assure delivery of services to all local school districts in  
3 the State.

4 (d) From monies appropriated for this program the State  
5 Board of Education shall provide grants to qualifying  
6 Educational Service Centers applying for such grants in  
7 accordance with rules and regulations promulgated by the State  
8 Board of Education to implement this Section.

9 (e) The governing authority of each of the 18 regional  
10 educational service centers shall appoint a family life - sex  
11 education advisory board consisting of 2 parents, 2 teachers, 2  
12 school administrators, 2 school board members, 2 health care  
13 professionals, one library system representative, and the  
14 director of the regional educational service center who shall  
15 serve as chairperson of the advisory board so appointed.  
16 Members of the family life - sex education advisory boards  
17 shall serve without compensation. Each of the advisory boards  
18 appointed pursuant to this subsection shall develop a plan for  
19 regional teacher-parent family life - sex education training  
20 sessions and shall file a written report of such plan with the  
21 governing board of their regional educational service center.  
22 The directors of each of the regional educational service  
23 centers shall thereupon meet, review each of the reports  
24 submitted by the advisory boards and combine those reports into  
25 a single written report which they shall file with the Citizens  
26 Council on School Problems prior to the end of the regular  
27 school term of the 1987-1988 school year.

28 (f) The 14 educational service centers serving Class I  
29 county school units shall be disbanded on the first Monday of  
30 August, 1995, and their statutory responsibilities and  
31 programs shall be assumed by the regional offices of education,  
32 subject to rules and regulations developed by the State Board  
33 of Education. The regional superintendents of schools elected  
34 by the voters residing in all Class I counties shall serve as

1 the chief administrators for these programs and services. By  
2 rule of the State Board of Education, the 10 educational  
3 service regions of lowest population shall provide such  
4 services under cooperative agreements with larger regions.

5 (Source: P.A. 93-21, eff. 7-1-03.)

6 (105 ILCS 5/7-03) (from Ch. 122, par. 7-03)

7 Sec. 7-03. Limitation on application. The provisions of  
8 this Article shall not apply to the disconnection of territory  
9 from one high school district and the annexation of such  
10 territory to another high school district when the boundaries  
11 of such high school districts are changed under the provisions  
12 of Section 7C-1 (now repealed).

13 (Source: P.A. 85-1020.)

14 (105 ILCS 5/7-14) (from Ch. 122, par. 7-14)

15 Sec. 7-14. Bonded indebtedness-Tax rate.

16 (a) Except as provided in subsection (b), whenever the  
17 boundaries of any school district are changed by the annexation  
18 or detachment of territory, each such district as it exists on  
19 and after such action shall assume the bonded indebtedness, as  
20 well as financial obligations to the Capital Development Board  
21 with regard to rental payments pursuant to Section 35-15 of the  
22 ~~School Code~~, of all the territory included therein after such  
23 change. The tax rate for bonded indebtedness shall be  
24 determined in the manner provided in Section 19-7 of this Act,  
25 except the County Clerk shall annually extend taxes against all  
26 the taxable property situated in the county and contained in  
27 each such district as it exists after the action.  
28 Notwithstanding the provisions of this subsection, if the  
29 boundaries of a school district are changed by annexation or  
30 detachment of territory after June 30, 1987, and prior to  
31 September 15, 1987, and if the school district to which  
32 territory is being annexed has no outstanding bonded

1 indebtedness on the date such annexation occurs, then the  
2 annexing school district shall not be liable for any bonded  
3 indebtedness of the district from which the territory is  
4 detached, and the school district from which the territory is  
5 detached shall remain liable for all of its bonded  
6 indebtedness.

7 (b) Whenever a school district with bonded indebtedness has  
8 become dissolved under this Article and its territory annexed  
9 to another district, the annexing district or districts shall  
10 not, except by action pursuant to resolution of the school  
11 board of the annexing district prior to the effective date of  
12 the annexation, assume the bonded indebtedness of the dissolved  
13 district; nor, except by action pursuant to resolution of the  
14 school board of the dissolving district, shall the territory of  
15 the dissolved district assume the bonded indebtedness of the  
16 annexing district or districts. If the annexing district or  
17 districts do not assume the bonded indebtedness of the  
18 dissolved district, a tax rate for the bonded indebtedness  
19 shall be determined in the manner provided in Section 19-7, and  
20 the county clerk or clerks shall annually extend taxes for each  
21 outstanding bond issue against all the taxable property that  
22 was situated within the boundaries of the district as the  
23 boundaries existed at the time of the issuance of each bond  
24 issue regardless of whether the property is still contained in  
25 that same district at the time of the extension of the taxes by  
26 the county clerk or clerks.

27 (Source: P.A. 87-107; 87-1120; 87-1215; 88-45.)

28 (105 ILCS 5/7A-11) (from Ch. 122, par. 7A-11)

29 Sec. 7A-11. Assets, liabilities and bonded indebtedness -  
30 Tax rate.

31 (a) Upon the effective date of the change as provided in  
32 Section 7A-8, and subject to the provisions of subsection (b)  
33 of this Section 7A-11, the newly created elementary school

1 district shall receive all the assets and assume all the  
2 liabilities and obligations of the dissolved unit school  
3 district, including all the bonded indebtedness of the  
4 dissolved unit school district and its financial obligations to  
5 the Capital Development Board with regard to rental payments  
6 ~~pursuant to Section 35-15.~~

7 (b) Notwithstanding the provisions of subsection (a) of  
8 this Section, upon the stipulation of the school board of the  
9 annexing high school district and either the school board of  
10 the unit school district prior to the effective date of its  
11 dissolution, or thereafter of the school board of the newly  
12 created elementary school district, and with the approval in  
13 either case of the regional superintendent of schools of the  
14 educational service region in which the territory described in  
15 the petition filed under this Article or the greater portion of  
16 the equalized assessed valuation of such territory is situated,  
17 the assets, liabilities and obligations of the dissolved unit  
18 school district, including all the bonded indebtedness of the  
19 dissolved unit school district and its financial obligations to  
20 the Capital Development Board with regard to rental payments  
21 ~~pursuant to Section 35-15,~~ may be divided and assumed between  
22 and by such newly created elementary school district and the  
23 annexing high school district in accordance with the terms and  
24 provisions of such stipulation and approval. In such event, the  
25 provisions of Section 19-29, as now or hereafter amended, shall  
26 be applied to determine the debt incurring power of the newly  
27 created elementary school district and of the contiguous  
28 annexing high school district.

29 (c) Without regard to whether the receipt of assets and the  
30 assumption of liabilities and obligations of the dissolved unit  
31 school district is determined pursuant to subsection (a) or (b)  
32 of this Section, the tax rate for bonded indebtedness shall be  
33 determined in the manner provided in Section 19-7; and  
34 notwithstanding the creation of such new elementary school

1 district, the county clerk or clerks shall annually extend  
2 taxes for each outstanding bond issue against all the taxable  
3 property that was situated within the boundaries of the  
4 dissolved unit school district as such boundaries existed at  
5 the time of the issuance of each such bond issue, regardless of  
6 whether such property was still contained in that unit school  
7 district at the time of its dissolution and regardless of  
8 whether such property is contained in the newly created  
9 elementary school district at the time of the extension of such  
10 taxes by the county clerk or clerks.

11 (Source: P.A. 86-1028.)

12 (105 ILCS 5/11A-12) (from Ch. 122, par. 11A-12)

13 Sec. 11A-12. Bonded indebtedness - Tax rate.

14 (a) Except as provided in subsection (b), whenever a new  
15 district is created under the provisions of this Article, each  
16 such district as it exists on and after such action shall  
17 assume the financial obligations to the Capital Development  
18 Board, with regard to rental payments or otherwise pursuant to  
19 ~~Section 35-15 of the School Code and~~ the Capital Development  
20 Board Act, of all the territory included therein after such  
21 change, and the outstanding bonded indebtedness shall be  
22 treated as hereinafter provided in this Section and in Section  
23 19-29 of this Act. The tax rate for bonded indebtedness shall  
24 be determined in the manner provided in Section 19-7 of this  
25 Act, and notwithstanding the creation of any such new district,  
26 the County Clerk or Clerks shall annually extend taxes for each  
27 outstanding bond issue against all the taxable property that  
28 was situated within the boundaries of the district as such  
29 boundaries existed at the time of the issuance of each such  
30 bond issue regardless of whether such property is still  
31 contained in that same district at the time of the extension of  
32 such taxes by the County Clerk or Clerks.

33 (b) Whenever the entire territory of 2 or more school

1 districts is organized into a community unit school district  
2 pursuant to a petition filed under this Article, the petition  
3 may provide that the entire territory of the new community unit  
4 school district shall assume the bonded indebtedness of the  
5 previously existing school district. In that case the tax rate  
6 for bonded indebtedness shall be determined in the manner  
7 provided in Section 19-7 of this Act, except the County Clerk  
8 shall annually extend taxes for each outstanding bond issue  
9 against all the taxable property situated in the new community  
10 unit school district as it exists after the organization.

11 (Source: P.A. 88-555, eff. 7-27-94.)

12 (105 ILCS 5/11B-11) (from Ch. 122, par. 11B-11)

13 Sec. 11B-11. Bonded indebtedness - Tax rate. Whenever a new  
14 district is created under any of the provisions of this Act,  
15 each such district as it exists on and after such action shall  
16 assume the financial obligations to the Capital Development  
17 Board, with regard to rental payments or otherwise pursuant to  
18 ~~Section 35-15 of "The School Code"~~ and the Capital Development  
19 Board Act, of all the territory included therein after such  
20 change, and the outstanding bonded indebtedness shall be  
21 treated as hereinafter provided in this Section and in Section  
22 19-29 of this Act. The tax rate for bonded indebtedness shall  
23 be determined in the manner provided in Section 19-7 of this  
24 Act, and notwithstanding the creation of any such new district,  
25 the County Clerk or Clerks shall annually extend taxes for each  
26 outstanding bond issue against all the taxable property that  
27 was situated within the boundaries of the district as such  
28 boundaries existed at the time of the issuance of each such  
29 bond issue regardless of whether such property is still  
30 contained in that same district at the time of the extension of  
31 such taxes by the County Clerk or Clerks.

32 (Source: P.A. 83-686.)

1 (105 ILCS 5/11D-9) (from Ch. 122, par. 11D-9)

2 Sec. 11D-9. Bonded indebtedness; tax rate. Whenever new  
3 districts are created under any of the provisions of this  
4 Article, each such district as it exists on and after such  
5 action shall assume the financial obligations to the Capital  
6 Development Board, with regard to rental payments or otherwise  
7 pursuant to ~~Section 35-15 of The School Code~~ and the Capital  
8 Development Board Act, of all the territory included therein  
9 after such change, and the outstanding bonded indebtedness  
10 shall be treated as provided in this Section and in Section  
11 19-29 of this Act. The tax rate for bonded indebtedness shall  
12 be determined in the manner provided in Section 19-7 of this  
13 Act, and notwithstanding the creation of any such new  
14 districts, the county clerk or clerks shall annually extend  
15 taxes for each outstanding bond issue against all the taxable  
16 property that was situated within the boundaries of each  
17 district as such boundaries existed at the time of the issuance  
18 of each such bond issue, regardless of whether such property is  
19 still contained in that same district at the time of the  
20 extension of such taxes by the county clerk or clerks.

21 (Source: P.A. 86-1334.)

22 (105 ILCS 5/34-74) (from Ch. 122, par. 34-74)

23 Sec. 34-74. Custody of school moneys. Except as provided in  
24 Article ~~Articles~~ 34A ~~and 34B~~, and Section 34-29.2 of this Code,  
25 all moneys raised by taxation for school purposes, or received  
26 from the state common school fund, or from any other source for  
27 school purposes, shall be held by the city treasurer,  
28 ex-officio, as school treasurer, in separate funds for school  
29 purposes, subject to the order of the board upon (i) its  
30 warrants signed by its president and secretary and  
31 countersigned by the mayor and city comptroller or (ii) its  
32 checks, as defined in Section 3-104 of the Uniform Commercial  
33 Code, signed by its president, secretary, and comptroller and



1 countersigned by the mayor and city comptroller.

2 (Source: P.A. 91-151, eff. 1-1-00.)

3 (105 ILCS 5/1A-6 rep.)

4 (105 ILCS 5/2-3.35 rep.)

5 (105 ILCS 5/2-3.37 rep.)

6 (105 ILCS 5/2-3.43 rep.)

7 (105 ILCS 5/2-3.52 rep.)

8 (105 ILCS 5/2-3.54 rep.)

9 (105 ILCS 5/2-3.55 rep.)

10 (105 ILCS 5/2-3.55A rep.)

11 (105 ILCS 5/2-3.67 rep.)

12 (105 ILCS 5/2-3.69 rep.)

13 (105 ILCS 5/2-3.72 rep.)

14 (105 ILCS 5/2-3.82 rep.)

15 (105 ILCS 5/2-3.90 rep.)

16 (105 ILCS 5/2-3.91 rep.)

17 (105 ILCS 5/2-3.106 rep.)

18 (105 ILCS 5/2-3.114 rep.)

19 (105 ILCS 5/Art. 7C rep.)

20 (105 ILCS 5/10-20.16 rep.)

21 (105 ILCS 5/10-20.25 rep.)

22 (105 ILCS 5/10-20.25a rep.)

23 (105 ILCS 5/prec. Sec. 13-1 heading rep.)

24 (105 ILCS 5/13-1 rep.)

25 (105 ILCS 5/13-2 rep.)

26 (105 ILCS 5/13-3 rep.)

27 (105 ILCS 5/13-4 rep.)

28 (105 ILCS 5/13-5 rep.)

29 (105 ILCS 5/13-6 rep.)

30 (105 ILCS 5/13-7 rep.)

31 (105 ILCS 5/13-8 rep.)

32 (105 ILCS 5/13-9 rep.)

33 (105 ILCS 5/14-3.02 rep.)

1 (105 ILCS 5/14-3.03 rep.)

2 (105 ILCS 5/17-2.6 rep.)

3 (105 ILCS 5/29-6.4 rep.)

4 (105 ILCS 5/29-17 rep.)

5 (105 ILCS 5/Art. 34B rep.)

6 (105 ILCS 5/Art. 35 rep.)

7 Section 90. The School Code is amended by repealing  
8 Sections 1A-6, 2-3.35, 2-3.37, 2-3.43, 2-3.52, 2-3.54, 2-3.55,  
9 2-3.55A, 2-3.67, 2-3.69, 2-3.72, 2-3.82, 2-3.90, 2-3.91,  
10 2-3.106, 2-3.114, 10-20.16, 10-20.25, 10-20.25a, 13-1, 13-2,  
11 13-3, 13-4, 13-5, 13-6, 13-7, 13-8, 13-9, 14-3.02, 14-3.03,  
12 17-2.6, 29-6.4, 29-17, Articles 7C, 34B, and 35, and the  
13 heading preceding Section 13-1.

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law."