

1 AN ACT regarding schools.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The State Finance Act is amended by changing
5 Section 8a as follows:

6 (30 ILCS 105/8a) (from Ch. 127, par. 144a)

7 Sec. 8a. Common School Fund; transfers to Common School
8 Fund and Education Assistance Fund.

9 (a) Except as provided in subsection (b) of this Section
10 and except as otherwise provided in this subsection (a) with
11 respect to amounts transferred from the General Revenue Fund
12 to the Common School Fund for distribution therefrom for the
13 benefit of the Teachers' Retirement System of the State of
14 Illinois and the Public School Teachers' Pension and
15 Retirement Fund of Chicago:

16 (0.05) With respect to all school districts, for
17 fiscal year 2004 and each fiscal year thereafter, on or
18 before the 11th and 21st days of each of the months of
19 August through the following June, at a time or times
20 designated by the Governor, the State Treasurer and the
21 State Comptroller shall transfer from the General Revenue
22 Fund to the Common School Fund and Education Assistance
23 Fund, as appropriate, 1/22 or so much thereof as may be
24 necessary of the amount appropriated to the State Board
25 of Education for distribution to all school districts
26 from the Common School Fund and Education Assistance Fund
27 for the fiscal year, including interest on the Common
28 School Fund proportionate for that distribution for such
29 year.

30 (1) With respect to all school districts, for each
31 fiscal year after ~~other-than~~ fiscal year 1994 and before

1 fiscal year 2004, on or before the eleventh and
2 twenty-first days of each of the months of August through
3 the following July, at a time or times designated by the
4 Governor, the State Treasurer and the State Comptroller
5 shall transfer from the General Revenue Fund to the
6 Common School Fund and Education Assistance Fund, as
7 appropriate, 1/24 or so much thereof as may be necessary
8 of the amount appropriated to the State Board of
9 Education for distribution to all school districts from
10 such Common School Fund and Education Assistance Fund,
11 for the fiscal year, including interest on the School
12 Fund proportionate for that distribution for such year.

13 (2) With respect to all school districts, but for
14 fiscal year 1994 only, on the 11th day of August, 1993
15 and on or before the 11th and 21st days of each of the
16 months of October, 1993 through July, 1994 at a time or
17 times designated by the Governor, the State Treasurer and
18 the State Comptroller shall transfer from the General
19 Revenue Fund to the Common School Fund 1/24 or so much
20 thereof as may be necessary of the amount appropriated to
21 the State Board of Education for distribution to all
22 school districts from such Common School Fund, for fiscal
23 year 1994, including interest on the School Fund
24 proportionate for that distribution for such year; and on
25 or before the 21st day of August, 1993 at a time or times
26 designated by the Governor, the State Treasurer and the
27 State Comptroller shall transfer from the General Revenue
28 Fund to the Common School Fund 3/24 or so much thereof as
29 may be necessary of the amount appropriated to the State
30 Board of Education for distribution to all school
31 districts from the Common School Fund, for fiscal year
32 1994, including interest proportionate for that
33 distribution on the School Fund for such fiscal year.

34 The amounts of the payments, if required, made in July of

1 each year: (i) shall be considered an outstanding liability
2 as of the 30th day of June immediately preceding those July
3 payments, within the meaning of Section 25 of this Act; (ii)
4 shall be payable from the appropriation for the fiscal year
5 that ended on that 30th day of June; and (iii) shall be
6 considered payments for claims covering the school year that
7 commenced during the immediately preceding calendar year.

8 Notwithstanding the foregoing provisions of this
9 subsection, as soon as may be after the 10th and 20th days of
10 each of the months of August through May, 1/24, and on or as
11 soon as may be after the 10th and 20th days of June, 1/12 of
12 the annual amount appropriated to the State Board of
13 Education for distribution and payment during that fiscal
14 year from the Common School Fund to and for the benefit of
15 the Teachers' Retirement System of the State of Illinois
16 (until the end of State fiscal year 1995) and the Public
17 School Teachers' Pension and Retirement Fund of Chicago as
18 provided by the Illinois Pension Code and Section 18-7 of the
19 School Code, or so much thereof as may be necessary, shall be
20 transferred by the State Treasurer and the State Comptroller
21 from the General Revenue Fund to the Common School Fund to
22 permit semi-monthly payments from the Common School Fund to
23 and for the benefit of such teacher retirement systems as
24 required by Section 18-7 of the School Code.

25 Notwithstanding the other provisions of this Section, on
26 or as soon as may be after the 15th day of each month,
27 beginning in July of 1995, 1/12 of the annual amount
28 appropriated for that fiscal year from the Common School Fund
29 to the Teachers' Retirement System of the State of Illinois
30 (other than amounts appropriated under Section 1.1 of the
31 State Pension Funds Continuing Appropriation Act), or so much
32 thereof as may be necessary, shall be transferred by the
33 State Treasurer and the State Comptroller from the General
34 Revenue Fund to the Common School Fund to permit monthly

1 payments from the Common School Fund to that retirement
2 system in accordance with Section 16-158 of the Illinois
3 Pension Code and Section 18-7 of the School Code. Amounts
4 appropriated to the Teachers' Retirement System of the State
5 of Illinois under Section 1.1 of the State Pension Funds
6 Continuing Appropriation Act shall be transferred by the
7 State Treasurer and the State Comptroller from the General
8 Revenue Fund to the Common School Fund as necessary to
9 provide for the payment of vouchers drawn against those
10 appropriations.

11 The Governor may notify the State Treasurer and the State
12 Comptroller to transfer, at a time designated by the
13 Governor, such additional amount as may be necessary to
14 effect advance distribution to school districts of amounts
15 that otherwise would be payable in the next month pursuant to
16 Sections 18-8 through 18-10 of the School Code. The State
17 Treasurer and the State Comptroller shall thereupon transfer
18 such additional amount. The aggregate amount transferred from
19 the General Revenue Fund to the Common School Fund in the
20 eleven months beginning August 1 of any fiscal year shall not
21 be in excess of the amount necessary for payment of claims
22 certified by the State Superintendent of Education pursuant
23 to the appropriation of the Common School Fund for that
24 fiscal year. Notwithstanding the provisions of the first
25 paragraph in this section, no transfer to effect an advance
26 distribution shall be made in any month except on
27 notification, as provided above, by the Governor.

28 The State Comptroller and State Treasurer shall transfer
29 from the General Revenue Fund to the Common School Fund and
30 the Education Assistance Fund such amounts as may be required
31 to honor the vouchers presented by the State Board of
32 Education pursuant to Sections 18-3, 18-4.3, 18-5, 18-6 and
33 18-7 of the School Code.

34 The State Comptroller shall report all transfers provided

1 for in this Act to the President of the Senate, Minority
2 Leader of the Senate, Speaker of the House, and Minority
3 Leader of the House.

4 (b) On or before the 11th and 21st days of each of the
5 months of June, 1982 through July, 1983, at a time or times
6 designated by the Governor, the State Treasurer and the State
7 Comptroller shall transfer from the General Revenue Fund to
8 the Common School Fund 1/24 or so much thereof as may be
9 necessary of the amount appropriated to the State Board of
10 Education for distribution from such Common School Fund, for
11 that same fiscal year, including interest on the School Fund
12 for such year. The amounts of the payments in the months of
13 July, 1982 and July, 1983 shall be considered an outstanding
14 liability as of the 30th day of June immediately preceding
15 such July payment, within the meaning of Section 25 of this
16 Act, and shall be payable from the appropriation for the
17 fiscal year which ended on such 30th day of June, and such
18 July payments shall be considered payments for claims
19 covering school years 1981-1982 and 1982-1983 respectively.

20 In the event the Governor makes notification to effect
21 advanced distribution under the provisions of subsection (a)
22 of this Section, the aggregate amount transferred from the
23 General Revenue Fund to the Common School Fund in the 12
24 months beginning August 1, 1981 or the 12 months beginning
25 August 1, 1982 shall not be in excess of the amount necessary
26 for payment of claims certified by the State Superintendent
27 of Education pursuant to the appropriation of the Common
28 School Fund for the fiscal years commencing on the first of
29 July of the years 1981 and 1982.

30 (Source: P.A. 90-372, eff. 7-1-98; 90-587, eff. 7-1-98;
31 91-96, eff. 7-9-99.)

32 Section 10. The School Code is amended by changing
33 Section 18-11 as follows:

1 (105 ILCS 5/18-11) (from Ch. 122, par. 18-11)

2 Sec. 18-11. Payment of claims.

3 (a) Except as provided in subsections (a-5), (b), and
4 (c) of this Section, with respect to payments made under
5 Sections 18-8.05 through 18-10 of this Code for fiscal year
6 2004 and each fiscal year thereafter, as soon as may be after
7 the 10th and 20th days of each of the months of August
8 through the following June, if moneys are available in the
9 Common School Fund in the State treasury for payments under
10 Sections 18-8.05 through 18-10 of this Code, then the State
11 Comptroller shall draw his or her warrants upon the State
12 Treasurer as directed by the State Board of Education
13 pursuant to Section 2-3.17b of this Code and in accordance
14 with the transfers from the General Revenue Fund to the
15 Common School Fund as specified in Section 8a of the State
16 Finance Act.

17 Each such semimonthly warrant shall be in an amount equal
18 to 1/22 of the total amount to be distributed to school
19 districts for the fiscal year. If the payments provided for
20 under Sections 18-8.05 through 18-10 of this Code have been
21 assigned as security for State aid anticipation certificates
22 pursuant to Section 18-18 of this Code, then the State Board
23 of Education shall pay the appropriate amount of the payment,
24 as specified in the notification required by Section 18-18,
25 directly to the assignee.

26 (a-5) (a) Except as provided in subsection (b) of this
27 Section with respect to payments made under Sections 18-8
28 through 18-10 of this Code for the period of June 1982
29 through July 1983⁷, and except as provided in subsection (c)
30 of this Section with respect to payments made under Sections
31 18-8 through 18-10 for fiscal year 1994 only, as soon as may
32 be after the 10th and 20th days of each of the months of
33 August through the following July, for the period of August
34 1994 through July 2003, if moneys are available in the Common

1 School Fund in the State treasury for payments under Sections
2 18-8 through 18-10 the State Comptroller shall draw his
3 warrants upon the State Treasurer as directed by the State
4 Board of Education pursuant to Section 2-3.17b of this Code
5 and in accordance with the transfers from the General Revenue
6 Fund to the Common School Fund as specified in Section 8a of
7 the State Finance Act.

8 Each such semimonthly warrant shall be in an amount equal
9 to 1/24 of the total amount to be distributed to school
10 districts for the fiscal year. The amount of payments made
11 in July of each year shall be considered as payments for
12 claims covering the school year that commenced during the
13 immediately preceding calendar year. If the payments provided
14 for under Sections 18-8 through 18-10 have been assigned as
15 security for State aid anticipation certificates pursuant to
16 Section 18-18, the State Board of Education shall pay the
17 appropriate amount of the payment, as specified in the
18 notification required by Section 18-18, directly to the
19 assignee.

20 (b) As soon as may be after the 10th and 20th days of
21 each of the months of June, 1982 through July, 1983, if
22 moneys are available in the Common School Fund in the State
23 treasury for payments under Sections 18-8 through 18-10, the
24 State Comptroller shall draw his warrants upon the State
25 Treasurer proportionate for the various counties payable to
26 the regional superintendent of schools in accordance with the
27 transfers from the General Revenue Fund to the Common School
28 Fund as specified in Section 8a of the State Finance Act.

29 Each such semimonthly warrant for the months of June and
30 July, 1982 shall be in an amount equal to 1/24 of the total
31 amount to be distributed to school districts by the regional
32 superintendent for school year 1981-1982.

33 Each such semimonthly warrant for the months of August,
34 1982 through July, 1983 shall be in an amount equal to 1/24

1 of the total amount to be distributed to school districts by
2 the regional superintendent for school year 1982-1983.

3 The State Superintendent of Education shall, from monies
4 appropriated for such purpose, compensate districts for
5 interest lost arising from the change in payments in June,
6 1982 to payments in the months of June and July, 1982, for
7 claims arising from school year 1981-1982. The amount
8 appropriated for such purpose shall be based upon the Prime
9 Commercial Rate in effect May 15, 1982. The amount of such
10 compensation shall be equal to the ratio of the district's
11 net State aid entitlement for school year 1981-1982 divided
12 by the total net State aid entitlement times the funds
13 appropriated for such purpose. Payment in full of the amount
14 of compensation derived from the computation required in the
15 preceding sentence shall be made as soon as may be after July
16 1, 1982 upon warrants payable to the several regional
17 superintendents of schools.

18 The State Superintendent of Education shall, from monies
19 appropriated for such purpose, compensate districts for
20 interest lost arising from the change in payments in June,
21 1983 to payments in the months of June and July, 1983, for
22 claims arising from school year 1982-1983. The amount
23 appropriated for such purpose shall be based upon an interest
24 rate of no less than 15 per cent or the Prime Commercial Rate
25 in effect May 15, 1983, whichever is greater. The amount of
26 such compensation shall be equal to the ratio of the
27 district's net State aid entitlement for school year
28 1982-1983 divided by the total net State aid entitlement
29 times the funds appropriated for such purpose. Payment in
30 full of the amount of compensation derived from the
31 computation required in the preceding sentence shall be made
32 as soon as may be after July 1, 1983 upon warrants payable to
33 the several regional superintendents of schools.

34 The State Superintendent of Education shall, from monies

1 appropriated for such purpose, compensate districts for
2 interest lost arising from the change in payments in June,
3 1992 and each year thereafter to payments in the months of
4 June and July, 1992 and each year thereafter. The amount
5 appropriated for such purpose shall be based upon the Prime
6 Commercial Rate in effect June 15, 1992 and June 15 annually
7 thereafter. The amount of such compensation shall be equal
8 to the ratio of the district's net State aid entitlement
9 divided by the total net State aid entitlement times the
10 amount of funds appropriated for such purpose. Payment of
11 the compensation shall be made as soon as may be after July 1
12 upon warrants payable to the several regional superintendents
13 of schools.

14 The regional superintendents shall make payments to their
15 respective school districts as soon as may be after receipt
16 of the warrants unless the payments have been assigned as
17 security for State aid anticipation certificates pursuant to
18 Section 18-18. If such an assignment has been made, the
19 regional superintendent shall, as soon as may be after
20 receipt of the warrants, pay the appropriate amount of the
21 payment as specified in the notification required by Section
22 18-18, directly to the assignee.

23 As used in this Section, "Prime Commercial Rate" means
24 such prime rate as from time to time is publicly announced by
25 the largest commercial banking institution in this State,
26 measured in terms of total assets.

27 (c) With respect to all school districts but for fiscal
28 year 1994 only, as soon as may be after the 10th and 20th
29 days of August, 1993 and as soon as may be after the 10th and
30 20th days of each of the months of October, 1993 through
31 July, 1994 if moneys are available in the Common School Fund
32 in the State treasury for payments under Sections 18-8
33 through 18-10, the State Comptroller shall draw his warrants
34 upon the State Treasurer as directed by the State Board of

1 Education in accordance with transfers from the General
2 Revenue Fund to the Common School Fund as specified in
3 Section 8a of the State Finance Act. The warrant for the
4 10th day of August, 1993 and each semimonthly warrant for the
5 months of October, 1993 through July, 1994 shall be in an
6 amount equal to 1/24 of the total amount to be distributed to
7 that school district for fiscal year 1994, and the warrant
8 for the 20th day of August, 1993 shall be in an amount equal
9 to 3/24 of that total. The amount of payments made in July
10 of 1994 shall be considered as payments for claims covering
11 the school year that commenced during the immediately
12 preceding calendar year.

13 (Source: P.A. 87-14; 87-887; 87-895; 88-45; 88-89; 88-641,
14 eff. 9-9-94.)

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