



Rep. Roger L. Eddy

Filed: 3/15/2005

09400HB3092ham001

LRB094 06156 NHT 43265 a

1 AMENDMENT TO HOUSE BILL 3092

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3092 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section  
5 17-3 as follows:

6 (105 ILCS 5/17-3) (from Ch. 122, par. 17-3)

7 Sec. 17-3. Additional levies-Submission to voters. The  
8 school board in any district having a population of less than  
9 500,000 inhabitants may, by proper resolution, cause a  
10 proposition to increase, for a limited period of not less than  
11 3 nor more than 10 years or for an unlimited period, the annual  
12 tax rate for educational purposes to be submitted to the voters  
13 of such district at a regular scheduled election as follows:

14 (1) in districts maintaining grades 1 through 8, or  
15 grades 9 through 12, the maximum rate for educational  
16 purposes shall not exceed 3.5% of the value as equalized or  
17 assessed by the Department of Revenue;

18 (2) in districts maintaining grades 1 through 12 the  
19 maximum rate for educational purposes shall not exceed  
20 4.00% of the value as equalized or assessed by the  
21 Department of Revenue, except that if a single elementary  
22 district and a secondary district having boundaries that  
23 are coterminous ~~on the effective date of this amendatory~~  
24 ~~Act~~ form a community unit district ~~under Section 11-6~~ on or

1       after the effective date of this amendatory Act of the 94th  
2       General Assembly and the actual combined rate of the  
3       elementary district and secondary district prior to the  
4       formation of the community unit district is greater than  
5       4.00%, then the maximum rate for educational ~~education~~  
6       purposes for such district shall be the following: shall  
7       ~~not exceed 6.00% of the value as equalized or assessed by~~  
8       ~~the Department of Revenue.~~

9               (A) For 2 years following the formation of the  
10              community unit district, the maximum rate shall equal  
11              the actual combined rate of the previous elementary  
12              district and secondary district.

13              (B) In each subsequent year, the maximum rate shall  
14              be reduced by 0.10% or reduced to 4.00%, whichever  
15              reduction is less. The school board may, by proper  
16              resolution, cause a proposition to increase the  
17              reduced rate, not to exceed the maximum rate in clause  
18              (A), to be submitted to the voters of the district at a  
19              regular scheduled election as provided under this  
20              Section. Nothing in this Section shall require that the  
21              maximum rate for educational purpose for a district  
22              maintaining grades one through 12 be reduced below  
23              4.00%.

24              If the resolution of the school board seeks to increase the  
25              annual tax rate for educational purposes for a limited period  
26              of not less than 3 nor more than 10 years, the proposition  
27              shall so state and shall identify the years for which the tax  
28              increase is sought.

29              If a majority of the votes cast on the proposition is in  
30              favor thereof at an election for which the election authorities  
31              have given notice either (i) in accordance with Section 12-5 of  
32              the Election Code or (ii) by publication of a true and legible  
33              copy of the specimen ballot label containing the proposition in  
34              the form in which it appeared or will appear on the official

1 ballot label on the day of the election at least 5 days before  
2 the day of the election in at least one newspaper published in  
3 and having a general circulation in the district, the school  
4 board may thereafter, until such authority is revoked in like  
5 manner, levy annually the tax so authorized; provided that if  
6 the proposition as approved limits the increase in the annual  
7 tax rate of the district for educational purposes to a period  
8 of not less than 3 nor more than 10 years, the district may,  
9 unless such authority is sooner revoked in like manner, levy  
10 annually the tax so authorized for the limited number of years  
11 approved by a majority of the votes cast on the proposition.  
12 Upon expiration of that limited period, the rate at which the  
13 district may annually levy its tax for educational purposes  
14 shall be the rate provided under Section 17-2, or the rate at  
15 which the district last levied its tax for educational purposes  
16 prior to approval of the proposition authorizing the levy of  
17 that tax at an increased rate, whichever is greater.

18 The school board shall certify the proposition to the  
19 proper election authorities in accordance with the general  
20 election law.

21 The provisions of this Section concerning notice of the tax  
22 rate increase referendum apply only to consolidated primary  
23 elections held prior to January 1, 2002 at which not less than  
24 55% of the voters voting on the tax rate increase proposition  
25 voted in favor of the tax rate increase proposition.

26 (Source: P.A. 92-6, eff. 6-7-01.)

27 Section 99. Effective date. This Act takes effect upon  
28 becoming law."