



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB1640

Introduced 2/24/2005, by Sen. Gary G. Dahl - Dan Rutherford

SYNOPSIS AS INTRODUCED:

105 ILCS 5/17-3

from Ch. 122, par. 17-3

Amends the School Code. For school districts having a population of less than 500,000 inhabitants, increases the maximum tax rate for certain recently formed community unit school districts (subject to referendum). Effective immediately.

LRB094 11208 NHT 41914 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

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 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
25 after the effective date of this amendatory Act of the 94th
26 General Assembly and the actual combined rate of the
27 elementary district and secondary district prior to the
28 formation of the community unit district is greater than
29 4.00%, then the maximum rate for educational ~~education~~
30 purposes for such district shall be the following: ~~shall~~
31 ~~not exceed 6.00% of the value as equalized or assessed by~~
32 ~~the Department of Revenue.~~

1 (A) For 2 years following the formation of the
2 community unit district, the maximum rate shall equal
3 the actual combined rate of the previous elementary
4 district and secondary district.

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

16 If the resolution of the school board seeks to increase the
17 annual tax rate for educational purposes for a limited period
18 of not less than 3 nor more than 10 years, the proposition
19 shall so state and shall identify the years for which the tax
20 increase is sought.

21 If a majority of the votes cast on the proposition is in
22 favor thereof at an election for which the election authorities
23 have given notice either (i) in accordance with Section 12-5 of
24 the Election Code or (ii) by publication of a true and legible
25 copy of the specimen ballot label containing the proposition in
26 the form in which it appeared or will appear on the official
27 ballot label on the day of the election at least 5 days before
28 the day of the election in at least one newspaper published in
29 and having a general circulation in the district, the school
30 board may thereafter, until such authority is revoked in like
31 manner, levy annually the tax so authorized; provided that if
32 the proposition as approved limits the increase in the annual
33 tax rate of the district for educational purposes to a period
34 of not less than 3 nor more than 10 years, the district may,
35 unless such authority is sooner revoked in like manner, levy
36 annually the tax so authorized for the limited number of years

1 approved by a majority of the votes cast on the proposition.
2 Upon expiration of that limited period, the rate at which the
3 district may annually levy its tax for educational purposes
4 shall be the rate provided under Section 17-2, or the rate at
5 which the district last levied its tax for educational purposes
6 prior to approval of the proposition authorizing the levy of
7 that tax at an increased rate, whichever is greater.

8 The school board shall certify the proposition to the
9 proper election authorities in accordance with the general
10 election law.

11 The provisions of this Section concerning notice of the tax
12 rate increase referendum apply only to consolidated primary
13 elections held prior to January 1, 2002 at which not less than
14 55% of the voters voting on the tax rate increase proposition
15 voted in favor of the tax rate increase proposition.

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

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.