



Rep. Mark H. Beaubien Jr.

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1 AMENDMENT TO SENATE BILL 1853

2 AMENDMENT NO. _____. Amend Senate Bill 1853 on page 1,
3 line 5, after "1B-8," by inserting "1E-25, 1E-35,"; and

4 on page 8, immediately below line 35, by inserting the
5 following:

6 "(105 ILCS 5/1E-25)

7 Sec. 1E-25. General powers. The purposes of the Authority
8 shall be to exercise financial control over the district and to
9 furnish financial assistance so that the district can provide
10 public education within the district's jurisdiction while
11 permitting the district to meet its obligations to its
12 creditors and the holders of its debt. Except as expressly
13 limited by this Article, the Authority shall have all powers
14 granted to a voluntary or involuntary Financial Oversight Panel
15 and to a Financial Administrator under Article 1B of this Code
16 and all other powers necessary to meet its responsibilities and
17 to carry out its purposes and the purposes of this Article,
18 including without limitation all of the following powers,
19 provided that the Authority shall have no power to violate any
20 statutory provision, to impair any contract or obligation of
21 the district, or to terminate any employee without following
22 the statutory procedures for such terminations set forth in
23 this Code:

24 (1) To sue and to be sued.

1 (2) To make and execute contracts, leases, subleases
2 and all other instruments or agreements necessary or
3 convenient for the exercise of the powers and functions
4 granted by this Article.

5 (3) To purchase real or personal property necessary or
6 convenient for its purposes; to execute and deliver deeds
7 for real property held in its own name; and to sell, lease,
8 or otherwise dispose of such of its property as, in the
9 judgment of the Authority, is no longer necessary for its
10 purposes.

11 (4) To appoint officers, agents, and employees of the
12 Authority, including a chief executive officer, a chief
13 fiscal officer, and a chief educational officer to
14 administer and manage, under the direction of the
15 Authority, the operations and educational programs of the
16 district, in accordance with this Article and all other
17 provisions of this Code; to define their duties and
18 qualifications; and to fix their compensation and employee
19 benefits.

20 (5) To transfer to the district such sums of money as
21 are not required for other purposes.

22 (6) To borrow money and to issue obligations pursuant
23 to this Article; to fund, refund, or advance refund the
24 same; to provide for the rights of the holders of its
25 obligations; and to repay any advances.

26 (7) Subject to the provisions of any contract with or
27 for the benefit of the holders of its obligations, to
28 purchase or redeem its obligations.

29 (8) To procure all necessary goods and services for the
30 Authority in compliance with the purchasing laws and
31 requirements applicable to the district.

32 (8.5) To take action on behalf of the district as the
33 Authority deems necessary and in accordance with this
34 Article and all other provisions of this Code, based on the

1 recommendation of the chief executive officer, chief
2 educational officer, or chief fiscal officer, and the
3 district shall be bound by such action in all respects as
4 if the action had been approved by the district itself.

5 (9) To do any and all things necessary or convenient to
6 carry out its purposes and exercise the powers given to it
7 by this Article.

8 (Source: P.A. 92-547, eff. 6-13-02.)

9 (105 ILCS 5/1E-35)

10 Sec. 1E-35. Chief educational officer. Upon expiration of
11 the contract of the school district's superintendent who is
12 serving at the time the Authority is established, the Authority
13 shall, following consultation with the district, employ a chief
14 educational officer for the district. The chief educational
15 officer shall report to the Authority or the chief executive
16 officer appointed by the Authority.

17 The chief educational officer shall have authority to
18 determine the agenda and order of business at school board
19 meetings, as needed in order to carry forward and implement the
20 objectives and priorities of the Authority in the
21 administration and management of the district.

22 The chief educational officer shall have all of the powers
23 and duties of a school district superintendent under this Code
24 and such other duties as may be assigned by the Authority, in
25 accordance with this Code. The district shall not thereafter
26 employ a superintendent during the period that a chief
27 educational officer is serving in the district. The chief
28 educational officer shall hold a certificate with a
29 superintendent endorsement issued under Article 21 of this
30 Code.

31 (Source: P.A. 92-547, eff. 6-13-02.)"; and

32 on page 36, line 13, by replacing "Act takes" with "Section and

1 the provisions changing Section 1E-25 and 1E-35 of the School
2 Code in Section 5 take effect upon becoming law. All of the
3 other provisions of this Act take".