



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4734

by Rep. Sidney H. Mathias

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.148 new

Amends the School Code. Requires the State Board of Education to survey all school districts that are partly or wholly contained within Cook County and that billed owners of real property in 2007, for tax year 2006, under the alternative general homestead exemption provisions of the Property Tax Code. Provides that the survey shall request each of these school districts to certify, by affidavit signed by the superintendent of the district, the losses suffered by the school district in certain areas. Requires the State Treasurer, by non-appropriated statutory transfer, to transfer to each school district, from general revenue funds, the amounts certified by the school district in its survey response, if that response has been certified by the State Board of Education. Effective immediately.

LRB095 17712 NHT 43787 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 adding Section
5 2-3.148 as follows:

6 (105 ILCS 5/2-3.148 new)

7 Sec. 2-3.148. Survey of losses; Public Act 95-644; transfer
8 of funds.

9 (a) It is the intent of this Section to make whole, from
10 State general revenue funds, all school districts that were
11 negatively affected by the failure of this State to enact
12 Public Act 95-644 in a timely manner, thereby leading to delays
13 in the mailing out of property tax bills in counties where the
14 alternative general homestead exemption is in effect and then
15 leading to delays in the transfer of property tax collections
16 to school districts, after these districts had in good faith
17 promulgated tax extensions properly as provided by law.

18 (b) The State Board of Education shall survey all school
19 districts that are partly or wholly contained within Cook
20 County and that billed owners of real property in 2007, for tax
21 year 2006, under the alternative general homestead exemption
22 provisions of Section 15-176 of the Property Tax Code. The
23 survey shall request each of these school districts to certify,

1 by affidavit signed by the superintendent of the district, the
2 losses suffered by the school district in each of the following
3 areas:

4 (1) The moneys, if any, lost by the school district as
5 a result of debt service expenses that the school district
6 was forced to pay to cover the debts incurred by the school
7 district because of delays in the receipt of their property
8 tax extension consequent to delays in the passage of Public
9 Act 95-644.

10 (2) The moneys, if any, lost by the school district as
11 a result of foregone interest receipts that the school
12 district did not receive because of delays in the receipt
13 of their property tax extension consequent to delays in the
14 passage of Public Act 95-644.

15 (3) The moneys, if any, lost by the school district as
16 a result of financial transaction costs that the school
17 district was forced to pay to float debt because of delays
18 in the receipt of their property tax extension consequent
19 to delays in the passage of Public Act 95-644.

20 (c) The State Board of Education is directed to transmit
21 this survey to all applicable school districts within 30 days
22 after the effective date of this amendatory Act of the 95th
23 General Assembly. Each school district is directed to respond
24 to this survey within 90 days after the effective date of this
25 amendatory Act of the 95th General Assembly. All surveys to
26 which a school district responds must be studied by the State

1 Board of Education within 150 days after the effective date of
2 this amendatory Act of the 95th General Assembly. If the State
3 Board of Education finds that the response to a survey is
4 accurate and in good faith, the State Board of Education shall
5 certify it and transmit it to the State Treasurer. If the
6 response to the survey is not accurate or in good faith, the
7 State Board of Education shall return the survey to the school
8 district with a finding in writing as to why the survey
9 response was not certified.

10 (d) If a school district does not respond to this survey in
11 a timely manner within the deadlines provided in this Section,
12 the school district shall forfeit the right to payment under
13 subsection (f) of this Section.

14 (e) School districts that are dissatisfied under this
15 Section may seek administrative review from the State Board of
16 Education under the procedures provided under the Illinois
17 Administrative Procedure Act.

18 (f) The State Treasurer shall, by non-appropriated
19 statutory transfer, transfer to each school district, from
20 general revenue funds, the amounts certified by the school
21 district in its survey response, if that response has been
22 certified by the State Board of Education. All transfers under
23 this subsection (f) must be completed within 180 days after the
24 effective date of this amendatory Act of the 95th General
25 Assembly.

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.