



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1414

Introduced 2/9/2007, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

110 ILCS 805/3-20.3.01

from Ch. 122, par. 103-20.3.01

Amends the Public Community College Act. Makes changes in a Section allowing a community college district to levy a tax or issue bonds for alteration or repair of physical facilities for certain health, safety, energy conservation, environmental protection, and handicapped accessibility purposes. Provides that the district may levy the tax if, among other conditions, a certified estimate of a licensed architect or engineer stating the estimated amount (instead of stating the estimated amount of not less than \$25,000) that is necessary to make alterations or repairs has been secured by the district. Provides that the district may borrow money in not to exceed the aggregate amount of \$4,500,000 during any one calendar year (instead of allowing the district to borrow money not in excess of \$4,500,000 in the aggregate at any one time). Provides that the district may borrow money if, among other conditions, a certified estimate of a licensed architect or engineer stating the estimated amount (instead of stating the estimated amount of not less than \$25,000) has been secured by the district.

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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 Public Community College Act is amended by
5 changing Section 3-20.3.01 as follows:

6 (110 ILCS 805/3-20.3.01) (from Ch. 122, par. 103-20.3.01)

7 Sec. 3-20.3.01. Whenever, as a result of any lawful order
8 of any agency, other than a local community college board,
9 having authority to enforce any law or regulation designed for
10 the protection, health or safety of community college students,
11 employees or visitors, or any law or regulation for the
12 protection and safety of the environment, pursuant to the
13 "Environmental Protection Act", any local community college
14 district, including any district to which Article VII of this
15 Act applies, is required to alter or repair any physical
16 facilities, or whenever any district determines that it is
17 necessary for energy conservation, health or safety,
18 environmental protection or handicapped accessibility purposes
19 that any physical facilities should be altered or repaired and
20 that such alterations or repairs will be made with funds not
21 necessary for the completion of approved and recommended
22 projects for fire prevention and safety, or whenever after the
23 effective date of this amendatory Act of 1984 any district,

1 including any district to which Article VII applies, provides
2 for alterations or repairs determined by the local community
3 college board to be necessary for health and safety,
4 environmental protection, handicapped accessibility or energy
5 conservation purposes, such district may, by proper resolution
6 which specifically identifies the project and which is adopted
7 pursuant to the provisions of the Open Meetings Act, levy a tax
8 for the purpose of paying for such alterations or repairs, or
9 survey by a licensed architect or engineer, upon the equalized
10 assessed value of all the taxable property of the district at a
11 rate not to exceed .05% per year for a period sufficient to
12 finance such alterations or repairs, upon the following
13 conditions:

14 (a) When in the judgment of the local community college
15 board of trustees there are not sufficient funds available in
16 the operations and maintenance fund of the district to
17 permanently pay for such alterations or repairs so ordered,
18 determined as necessary.

19 (b) When a certified estimate of a licensed architect or
20 engineer stating the estimated amount ~~of not less than \$25,000~~
21 that is necessary to make the alterations or repairs so ordered
22 or determined as necessary has been secured by the local
23 community college district and the project and estimated amount
24 have been approved by the Executive Director of the State
25 Board.

26 The filing of a certified copy of the resolution or

1 ordinance levying the tax when accompanied by the certificate
2 of approval of the Executive Director of the State Board shall
3 be the authority of the county clerk or clerks to extend such
4 tax; provided, however, that in no event shall the extension
5 for the current and preceding years, if any, under this Section
6 be greater than the amount so approved, and interest on bonds
7 issued pursuant to this Section and in the event such current
8 extension and preceding extensions exceed such approval and
9 interest, it shall be reduced proportionately.

10 The county clerk of each of the counties in which any
11 community college district levying a tax under the authority of
12 this Section is located, in reducing raised levies, shall not
13 consider any such tax as a part of the general levy for
14 community college purposes and shall not include the same in
15 the limitation of any other tax rate which may be extended.
16 Such tax shall be levied and collected in like manner as all
17 other taxes of community college districts.

18 The tax rate limit hereinabove specified in this Section
19 may be increased to .10% upon the approval of a proposition to
20 effect such increase by a majority of the electors voting on
21 that proposition at a regular scheduled election. Such
22 proposition may be initiated by resolution of the local
23 community college board and shall be certified by the secretary
24 of the local community college board to the proper election
25 authorities for submission in accordance with the general
26 election law.

1 Each local community college district authorized to levy
2 any tax pursuant to this Section may also or in the alternative
3 by proper resolution or ordinance borrow money for such
4 specifically identified purposes ~~not~~ in not to exceed the
5 aggregate amount ~~excess~~ of \$4,500,000 during ~~in the aggregate~~
6 ~~at~~ any one calendar year ~~time~~ when in the judgment of the local
7 community college board of trustees there are not sufficient
8 funds available in the operations and maintenance fund of the
9 district to permanently pay for such alterations or repairs so
10 ordered or determined as necessary and a certified estimate of
11 a licensed architect or engineer stating the estimated amount
12 ~~of not less than \$25,000~~ has been secured by the local
13 community college district and the project and the estimated
14 amount have been approved by the State Board, and as evidence
15 of such indebtedness may issue bonds without referendum. Such
16 bonds shall bear interest at a rate or rates authorized by "An
17 Act to authorize public corporations to issue bonds, other
18 evidences of indebtedness and tax anticipation warrants
19 subject to interest rate limitations set forth therein",
20 approved May 26, 1970, as now or hereafter amended, shall
21 mature within 20 years from date, and shall be signed by the
22 chairman, secretary and treasurer of the local community
23 college board.

24 In order to authorize and issue such bonds the local
25 community college board shall adopt a resolution fixing the
26 amount of bonds, the date thereof, the maturities thereof and

1 rates of interest thereof, and the board by such resolution, or
2 in a district to which Article VII applies the city council
3 upon demand and under the direction of the board by ordinance,
4 shall provide for the levy and collection of a direct annual
5 tax upon all the taxable property in the local community
6 college district sufficient to pay the principal and interest
7 on such bonds to maturity. Upon the filing in the office of the
8 county clerk of each of the counties in which the community
9 college district is located of a certified copy of such
10 resolution or ordinance it is the duty of the county clerk or
11 clerks to extend the tax therefor without limit as to rate or
12 amount and in addition to and in excess of all other taxes
13 heretofore or hereafter authorized to be levied by such
14 community college district.

15 The State Board shall prepare and enforce regulations and
16 specifications for minimum requirements for the construction,
17 remodeling or rehabilitation of heating, ventilating, air
18 conditioning, lighting, seating, water supply, toilet,
19 handicapped accessibility, fire safety and any other matter
20 that will conserve, preserve or provide for the protection and
21 the health or safety of individuals in or on community college
22 property and will conserve the integrity of the physical
23 facilities of the district.

24 This Section is cumulative and constitutes complete
25 authority for the issuance of bonds as provided in this Section
26 notwithstanding any other statute or law to the contrary.

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1 (Source: P.A. 90-468, eff. 8-17-97.)