



Sen. James F. Clayborne, Jr.

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LRB096 03242 NHT 40804 a

1 AMENDMENT TO HOUSE BILL 19

2 AMENDMENT NO. _____. Amend House Bill 19, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The School Code is amended by changing Sections
6 10-22.36, 19-1, and 19-3 as follows:

7 (105 ILCS 5/10-22.36) (from Ch. 122, par. 10-22.36)

8 Sec. 10-22.36. Buildings for school purposes. To build or
9 purchase a building for school classroom or instructional
10 purposes upon the approval of a majority of the voters upon the
11 proposition at a referendum held for such purpose or in
12 accordance with Section 17-2.11, 19-3, 19-3.5, or 19-3.10. The
13 board may initiate such referendum by resolution. The board
14 shall certify the resolution and proposition to the proper
15 election authority for submission in accordance with the
16 general election law.

1 The questions of building one or more new buildings for
2 school purposes or office facilities, and issuing bonds for the
3 purpose of borrowing money to purchase one or more buildings or
4 sites for such buildings or office sites, to build one or more
5 new buildings for school purposes or office facilities or to
6 make additions and improvements to existing school buildings,
7 may be combined into one or more propositions on the ballot.

8 Before erecting, or purchasing or remodeling such a
9 building the board shall submit the plans and specifications
10 respecting heating, ventilating, lighting, seating, water
11 supply, toilets and safety against fire to the regional
12 superintendent of schools having supervision and control over
13 the district, for approval in accordance with Section 2-3.12.

14 Notwithstanding any of the foregoing, no referendum shall
15 be required if the purchase, construction, or building of any
16 such building is completed (1) while the building is being
17 leased by the school district or (2) with the expenditure of
18 (A) funds derived from the sale or disposition of other
19 buildings, land, or structures of the school district or (B)
20 funds received (i) as a grant under the School Construction
21 Law, (ii) as gifts or donations, provided that no funds to
22 complete such building, other than lease payments, are derived
23 from the district's bonded indebtedness or the tax levy of the
24 district, or (iii) from the County School Facility Occupation
25 Tax Law under Section 5-1006.7 of the Counties Code.

26 (Source: P.A. 95-675, eff. 10-11-07; 96-517, eff. 8-14-09.)

1 (105 ILCS 5/19-1)

2 Sec. 19-1. Debt limitations of school districts.

3 (a) School districts shall not be subject to the provisions
4 limiting their indebtedness prescribed in "An Act to limit the
5 indebtedness of counties having a population of less than
6 500,000 and townships, school districts and other municipal
7 corporations having a population of less than 300,000",
8 approved February 15, 1928, as amended.

9 No school districts maintaining grades K through 8 or 9
10 through 12 shall become indebted in any manner or for any
11 purpose to an amount, including existing indebtedness, in the
12 aggregate exceeding 6.9% on the value of the taxable property
13 therein to be ascertained by the last assessment for State and
14 county taxes or, until January 1, 1983, if greater, the sum
15 that is produced by multiplying the school district's 1978
16 equalized assessed valuation by the debt limitation percentage
17 in effect on January 1, 1979, previous to the incurring of such
18 indebtedness.

19 No school districts maintaining grades K through 12 shall
20 become indebted in any manner or for any purpose to an amount,
21 including existing indebtedness, in the aggregate exceeding
22 13.8% on the value of the taxable property therein to be
23 ascertained by the last assessment for State and county taxes
24 or, until January 1, 1983, if greater, the sum that is produced
25 by multiplying the school district's 1978 equalized assessed

1 valuation by the debt limitation percentage in effect on
2 January 1, 1979, previous to the incurring of such
3 indebtedness.

4 No partial elementary unit district, as defined in Article
5 11E of this Code, shall become indebted in any manner or for
6 any purpose in an amount, including existing indebtedness, in
7 the aggregate exceeding 6.9% of the value of the taxable
8 property of the entire district, to be ascertained by the last
9 assessment for State and county taxes, plus an amount,
10 including existing indebtedness, in the aggregate exceeding
11 6.9% of the value of the taxable property of that portion of
12 the district included in the elementary and high school
13 classification, to be ascertained by the last assessment for
14 State and county taxes. Moreover, no partial elementary unit
15 district, as defined in Article 11E of this Code, shall become
16 indebted on account of bonds issued by the district for high
17 school purposes in the aggregate exceeding 6.9% of the value of
18 the taxable property of the entire district, to be ascertained
19 by the last assessment for State and county taxes, nor shall
20 the district become indebted on account of bonds issued by the
21 district for elementary purposes in the aggregate exceeding
22 6.9% of the value of the taxable property for that portion of
23 the district included in the elementary and high school
24 classification, to be ascertained by the last assessment for
25 State and county taxes.

26 Notwithstanding the provisions of any other law to the

1 contrary, in any case in which the voters of a school district
2 have approved a proposition for the issuance of bonds of such
3 school district at an election held prior to January 1, 1979,
4 and all of the bonds approved at such election have not been
5 issued, the debt limitation applicable to such school district
6 during the calendar year 1979 shall be computed by multiplying
7 the value of taxable property therein, including personal
8 property, as ascertained by the last assessment for State and
9 county taxes, previous to the incurring of such indebtedness,
10 by the percentage limitation applicable to such school district
11 under the provisions of this subsection (a).

12 (b) Notwithstanding the debt limitation prescribed in
13 subsection (a) of this Section, additional indebtedness may be
14 incurred in an amount not to exceed the estimated cost of
15 acquiring or improving school sites or constructing and
16 equipping additional building facilities under the following
17 conditions:

18 (1) Whenever the enrollment of students for the next
19 school year is estimated by the board of education to
20 increase over the actual present enrollment by not less
21 than 35% or by not less than 200 students or the actual
22 present enrollment of students has increased over the
23 previous school year by not less than 35% or by not less
24 than 200 students and the board of education determines
25 that additional school sites or building facilities are
26 required as a result of such increase in enrollment; and

1 (2) When the Regional Superintendent of Schools having
2 jurisdiction over the school district and the State
3 Superintendent of Education concur in such enrollment
4 projection or increase and approve the need for such
5 additional school sites or building facilities and the
6 estimated cost thereof; and

7 (3) When the voters in the school district approve a
8 proposition for the issuance of bonds for the purpose of
9 acquiring or improving such needed school sites or
10 constructing and equipping such needed additional building
11 facilities at an election called and held for that purpose.
12 Notice of such an election shall state that the amount of
13 indebtedness proposed to be incurred would exceed the debt
14 limitation otherwise applicable to the school district.
15 The ballot for such proposition shall state what percentage
16 of the equalized assessed valuation will be outstanding in
17 bonds if the proposed issuance of bonds is approved by the
18 voters; or

19 (4) Notwithstanding the provisions of paragraphs (1)
20 through (3) of this subsection (b), if the school board
21 determines that additional facilities are needed to
22 provide a quality educational program and not less than 2/3
23 of those voting in an election called by the school board
24 on the question approve the issuance of bonds for the
25 construction of such facilities, the school district may
26 issue bonds for this purpose; or

1 (5) Notwithstanding the provisions of paragraphs (1)
2 through (3) of this subsection (b), if (i) the school
3 district has previously availed itself of the provisions of
4 paragraph (4) of this subsection (b) to enable it to issue
5 bonds, (ii) the voters of the school district have not
6 defeated a proposition for the issuance of bonds since the
7 referendum described in paragraph (4) of this subsection
8 (b) was held, (iii) the school board determines that
9 additional facilities are needed to provide a quality
10 educational program, and (iv) a majority of those voting in
11 an election called by the school board on the question
12 approve the issuance of bonds for the construction of such
13 facilities, the school district may issue bonds for this
14 purpose.

15 In no event shall the indebtedness incurred pursuant to
16 this subsection (b) and the existing indebtedness of the school
17 district exceed 15% of the value of the taxable property
18 therein to be ascertained by the last assessment for State and
19 county taxes, previous to the incurring of such indebtedness
20 or, until January 1, 1983, if greater, the sum that is produced
21 by multiplying the school district's 1978 equalized assessed
22 valuation by the debt limitation percentage in effect on
23 January 1, 1979.

24 The indebtedness provided for by this subsection (b) shall
25 be in addition to and in excess of any other debt limitation.

26 (c) Notwithstanding the debt limitation prescribed in

1 subsection (a) of this Section, in any case in which a public
2 question for the issuance of bonds of a proposed school
3 district maintaining grades kindergarten through 12 received
4 at least 60% of the valid ballots cast on the question at an
5 election held on or prior to November 8, 1994, and in which the
6 bonds approved at such election have not been issued, the
7 school district pursuant to the requirements of Section 11A-10
8 (now repealed) may issue the total amount of bonds approved at
9 such election for the purpose stated in the question.

10 (d) Notwithstanding the debt limitation prescribed in
11 subsection (a) of this Section, a school district that meets
12 all the criteria set forth in paragraphs (1) and (2) of this
13 subsection (d) may incur an additional indebtedness in an
14 amount not to exceed \$4,500,000, even though the amount of the
15 additional indebtedness authorized by this subsection (d),
16 when incurred and added to the aggregate amount of indebtedness
17 of the district existing immediately prior to the district
18 incurring the additional indebtedness authorized by this
19 subsection (d), causes the aggregate indebtedness of the
20 district to exceed the debt limitation otherwise applicable to
21 that district under subsection (a):

22 (1) The additional indebtedness authorized by this
23 subsection (d) is incurred by the school district through
24 the issuance of bonds under and in accordance with Section
25 17-2.11a for the purpose of replacing a school building
26 which, because of mine subsidence damage, has been closed

1 as provided in paragraph (2) of this subsection (d) or
2 through the issuance of bonds under and in accordance with
3 Section 19-3 for the purpose of increasing the size of, or
4 providing for additional functions in, such replacement
5 school buildings, or both such purposes.

6 (2) The bonds issued by the school district as provided
7 in paragraph (1) above are issued for the purposes of
8 construction by the school district of a new school
9 building pursuant to Section 17-2.11, to replace an
10 existing school building that, because of mine subsidence
11 damage, is closed as of the end of the 1992-93 school year
12 pursuant to action of the regional superintendent of
13 schools of the educational service region in which the
14 district is located under Section 3-14.22 or are issued for
15 the purpose of increasing the size of, or providing for
16 additional functions in, the new school building being
17 constructed to replace a school building closed as the
18 result of mine subsidence damage, or both such purposes.

19 (e) (Blank).

20 (f) Notwithstanding the provisions of subsection (a) of
21 this Section or of any other law, bonds in not to exceed the
22 aggregate amount of \$5,500,000 and issued by a school district
23 meeting the following criteria shall not be considered
24 indebtedness for purposes of any statutory limitation and may
25 be issued in an amount or amounts, including existing
26 indebtedness, in excess of any heretofore or hereafter imposed

1 statutory limitation as to indebtedness:

2 (1) At the time of the sale of such bonds, the board of
3 education of the district shall have determined by
4 resolution that the enrollment of students in the district
5 is projected to increase by not less than 7% during each of
6 the next succeeding 2 school years.

7 (2) The board of education shall also determine by
8 resolution that the improvements to be financed with the
9 proceeds of the bonds are needed because of the projected
10 enrollment increases.

11 (3) The board of education shall also determine by
12 resolution that the projected increases in enrollment are
13 the result of improvements made or expected to be made to
14 passenger rail facilities located in the school district.

15 Notwithstanding the provisions of subsection (a) of this
16 Section or of any other law, a school district that has availed
17 itself of the provisions of this subsection (f) prior to July
18 22, 2004 (the effective date of Public Act 93-799) may also
19 issue bonds approved by referendum up to an amount, including
20 existing indebtedness, not exceeding 25% of the equalized
21 assessed value of the taxable property in the district if all
22 of the conditions set forth in items (1), (2), and (3) of this
23 subsection (f) are met.

24 (g) Notwithstanding the provisions of subsection (a) of
25 this Section or any other law, bonds in not to exceed an
26 aggregate amount of 25% of the equalized assessed value of the

1 taxable property of a school district and issued by a school
2 district meeting the criteria in paragraphs (i) through (iv) of
3 this subsection shall not be considered indebtedness for
4 purposes of any statutory limitation and may be issued pursuant
5 to resolution of the school board in an amount or amounts,
6 including existing indebtedness, in excess of any statutory
7 limitation of indebtedness heretofore or hereafter imposed:

8 (i) The bonds are issued for the purpose of
9 constructing a new high school building to replace two
10 adjacent existing buildings which together house a single
11 high school, each of which is more than 65 years old, and
12 which together are located on more than 10 acres and less
13 than 11 acres of property.

14 (ii) At the time the resolution authorizing the
15 issuance of the bonds is adopted, the cost of constructing
16 a new school building to replace the existing school
17 building is less than 60% of the cost of repairing the
18 existing school building.

19 (iii) The sale of the bonds occurs before July 1, 1997.

20 (iv) The school district issuing the bonds is a unit
21 school district located in a county of less than 70,000 and
22 more than 50,000 inhabitants, which has an average daily
23 attendance of less than 1,500 and an equalized assessed
24 valuation of less than \$29,000,000.

25 (h) Notwithstanding any other provisions of this Section or
26 the provisions of any other law, until January 1, 1998, a

1 community unit school district maintaining grades K through 12
2 may issue bonds up to an amount, including existing
3 indebtedness, not exceeding 27.6% of the equalized assessed
4 value of the taxable property in the district, if all of the
5 following conditions are met:

6 (i) The school district has an equalized assessed
7 valuation for calendar year 1995 of less than \$24,000,000;

8 (ii) The bonds are issued for the capital improvement,
9 renovation, rehabilitation, or replacement of existing
10 school buildings of the district, all of which buildings
11 were originally constructed not less than 40 years ago;

12 (iii) The voters of the district approve a proposition
13 for the issuance of the bonds at a referendum held after
14 March 19, 1996; and

15 (iv) The bonds are issued pursuant to Sections 19-2
16 through 19-7 of this Code.

17 (i) Notwithstanding any other provisions of this Section or
18 the provisions of any other law, until January 1, 1998, a
19 community unit school district maintaining grades K through 12
20 may issue bonds up to an amount, including existing
21 indebtedness, not exceeding 27% of the equalized assessed value
22 of the taxable property in the district, if all of the
23 following conditions are met:

24 (i) The school district has an equalized assessed
25 valuation for calendar year 1995 of less than \$44,600,000;

26 (ii) The bonds are issued for the capital improvement,

1 renovation, rehabilitation, or replacement of existing
2 school buildings of the district, all of which existing
3 buildings were originally constructed not less than 80
4 years ago;

5 (iii) The voters of the district approve a proposition
6 for the issuance of the bonds at a referendum held after
7 December 31, 1996; and

8 (iv) The bonds are issued pursuant to Sections 19-2
9 through 19-7 of this Code.

10 (j) Notwithstanding any other provisions of this Section or
11 the provisions of any other law, until January 1, 1999, a
12 community unit school district maintaining grades K through 12
13 may issue bonds up to an amount, including existing
14 indebtedness, not exceeding 27% of the equalized assessed value
15 of the taxable property in the district if all of the following
16 conditions are met:

17 (i) The school district has an equalized assessed
18 valuation for calendar year 1995 of less than \$140,000,000
19 and a best 3 months average daily attendance for the
20 1995-96 school year of at least 2,800;

21 (ii) The bonds are issued to purchase a site and build
22 and equip a new high school, and the school district's
23 existing high school was originally constructed not less
24 than 35 years prior to the sale of the bonds;

25 (iii) At the time of the sale of the bonds, the board
26 of education determines by resolution that a new high

1 school is needed because of projected enrollment
2 increases;

3 (iv) At least 60% of those voting in an election held
4 after December 31, 1996 approve a proposition for the
5 issuance of the bonds; and

6 (v) The bonds are issued pursuant to Sections 19-2
7 through 19-7 of this Code.

8 (k) Notwithstanding the debt limitation prescribed in
9 subsection (a) of this Section, a school district that meets
10 all the criteria set forth in paragraphs (1) through (4) of
11 this subsection (k) may issue bonds to incur an additional
12 indebtedness in an amount not to exceed \$4,000,000 even though
13 the amount of the additional indebtedness authorized by this
14 subsection (k), when incurred and added to the aggregate amount
15 of indebtedness of the school district existing immediately
16 prior to the school district incurring such additional
17 indebtedness, causes the aggregate indebtedness of the school
18 district to exceed or increases the amount by which the
19 aggregate indebtedness of the district already exceeds the debt
20 limitation otherwise applicable to that school district under
21 subsection (a):

22 (1) the school district is located in 2 counties, and a
23 referendum to authorize the additional indebtedness was
24 approved by a majority of the voters of the school district
25 voting on the proposition to authorize that indebtedness;

26 (2) the additional indebtedness is for the purpose of

1 financing a multi-purpose room addition to the existing
2 high school;

3 (3) the additional indebtedness, together with the
4 existing indebtedness of the school district, shall not
5 exceed 17.4% of the value of the taxable property in the
6 school district, to be ascertained by the last assessment
7 for State and county taxes; and

8 (4) the bonds evidencing the additional indebtedness
9 are issued, if at all, within 120 days of the effective
10 date of this amendatory Act of 1998.

11 (1) Notwithstanding any other provisions of this Section or
12 the provisions of any other law, until January 1, 2000, a
13 school district maintaining grades kindergarten through 8 may
14 issue bonds up to an amount, including existing indebtedness,
15 not exceeding 15% of the equalized assessed value of the
16 taxable property in the district if all of the following
17 conditions are met:

18 (i) the district has an equalized assessed valuation
19 for calendar year 1996 of less than \$10,000,000;

20 (ii) the bonds are issued for capital improvement,
21 renovation, rehabilitation, or replacement of one or more
22 school buildings of the district, which buildings were
23 originally constructed not less than 70 years ago;

24 (iii) the voters of the district approve a proposition
25 for the issuance of the bonds at a referendum held on or
26 after March 17, 1998; and

1 (iv) the bonds are issued pursuant to Sections 19-2
2 through 19-7 of this Code.

3 (m) Notwithstanding any other provisions of this Section or
4 the provisions of any other law, until January 1, 1999, an
5 elementary school district maintaining grades K through 8 may
6 issue bonds up to an amount, excluding existing indebtedness,
7 not exceeding 18% of the equalized assessed value of the
8 taxable property in the district, if all of the following
9 conditions are met:

10 (i) The school district has an equalized assessed
11 valuation for calendar year 1995 or less than \$7,700,000;

12 (ii) The school district operates 2 elementary
13 attendance centers that until 1976 were operated as the
14 attendance centers of 2 separate and distinct school
15 districts;

16 (iii) The bonds are issued for the construction of a
17 new elementary school building to replace an existing
18 multi-level elementary school building of the school
19 district that is not handicapped accessible at all levels
20 and parts of which were constructed more than 75 years ago;

21 (iv) The voters of the school district approve a
22 proposition for the issuance of the bonds at a referendum
23 held after July 1, 1998; and

24 (v) The bonds are issued pursuant to Sections 19-2
25 through 19-7 of this Code.

26 (n) Notwithstanding the debt limitation prescribed in

1 subsection (a) of this Section or any other provisions of this
2 Section or of any other law, a school district that meets all
3 of the criteria set forth in paragraphs (i) through (vi) of
4 this subsection (n) may incur additional indebtedness by the
5 issuance of bonds in an amount not exceeding the amount
6 certified by the Capital Development Board to the school
7 district as provided in paragraph (iii) of this subsection (n),
8 even though the amount of the additional indebtedness so
9 authorized, when incurred and added to the aggregate amount of
10 indebtedness of the district existing immediately prior to the
11 district incurring the additional indebtedness authorized by
12 this subsection (n), causes the aggregate indebtedness of the
13 district to exceed the debt limitation otherwise applicable by
14 law to that district:

15 (i) The school district applies to the State Board of
16 Education for a school construction project grant and
17 submits a district facilities plan in support of its
18 application pursuant to Section 5-20 of the School
19 Construction Law.

20 (ii) The school district's application and facilities
21 plan are approved by, and the district receives a grant
22 entitlement for a school construction project issued by,
23 the State Board of Education under the School Construction
24 Law.

25 (iii) The school district has exhausted its bonding
26 capacity or the unused bonding capacity of the district is

1 less than the amount certified by the Capital Development
2 Board to the district under Section 5-15 of the School
3 Construction Law as the dollar amount of the school
4 construction project's cost that the district will be
5 required to finance with non-grant funds in order to
6 receive a school construction project grant under the
7 School Construction Law.

8 (iv) The bonds are issued for a "school construction
9 project", as that term is defined in Section 5-5 of the
10 School Construction Law, in an amount that does not exceed
11 the dollar amount certified, as provided in paragraph (iii)
12 of this subsection (n), by the Capital Development Board to
13 the school district under Section 5-15 of the School
14 Construction Law.

15 (v) The voters of the district approve a proposition
16 for the issuance of the bonds at a referendum held after
17 the criteria specified in paragraphs (i) and (iii) of this
18 subsection (n) are met.

19 (vi) The bonds are issued pursuant to Sections 19-2
20 through 19-7 of the School Code.

21 (o) Notwithstanding any other provisions of this Section or
22 the provisions of any other law, until November 1, 2007, a
23 community unit school district maintaining grades K through 12
24 may issue bonds up to an amount, including existing
25 indebtedness, not exceeding 20% of the equalized assessed value
26 of the taxable property in the district if all of the following

1 conditions are met:

2 (i) the school district has an equalized assessed
3 valuation for calendar year 2001 of at least \$737,000,000
4 and an enrollment for the 2002-2003 school year of at least
5 8,500;

6 (ii) the bonds are issued to purchase school sites,
7 build and equip a new high school, build and equip a new
8 junior high school, build and equip 5 new elementary
9 schools, and make technology and other improvements and
10 additions to existing schools;

11 (iii) at the time of the sale of the bonds, the board
12 of education determines by resolution that the sites and
13 new or improved facilities are needed because of projected
14 enrollment increases;

15 (iv) at least 57% of those voting in a general election
16 held prior to January 1, 2003 approved a proposition for
17 the issuance of the bonds; and

18 (v) the bonds are issued pursuant to Sections 19-2
19 through 19-7 of this Code.

20 (p) Notwithstanding any other provisions of this Section or
21 the provisions of any other law, a community unit school
22 district maintaining grades K through 12 may issue bonds up to
23 an amount, including indebtedness, not exceeding 27% of the
24 equalized assessed value of the taxable property in the
25 district if all of the following conditions are met:

26 (i) The school district has an equalized assessed

1 valuation for calendar year 2001 of at least \$295,741,187
2 and a best 3 months' average daily attendance for the
3 2002-2003 school year of at least 2,394.

4 (ii) The bonds are issued to build and equip 3
5 elementary school buildings; build and equip one middle
6 school building; and alter, repair, improve, and equip all
7 existing school buildings in the district.

8 (iii) At the time of the sale of the bonds, the board
9 of education determines by resolution that the project is
10 needed because of expanding growth in the school district
11 and a projected enrollment increase.

12 (iv) The bonds are issued pursuant to Sections 19-2
13 through 19-7 of this Code.

14 (p-5) Notwithstanding any other provisions of this Section
15 or the provisions of any other law, bonds issued by a community
16 unit school district maintaining grades K through 12 shall not
17 be considered indebtedness for purposes of any statutory
18 limitation and may be issued in an amount or amounts, including
19 existing indebtedness, in excess of any heretofore or hereafter
20 imposed statutory limitation as to indebtedness, if all of the
21 following conditions are met:

22 (i) For each of the 4 most recent years, residential
23 property comprises more than 80% of the equalized assessed
24 valuation of the district.

25 (ii) At least 2 school buildings that were constructed
26 40 or more years prior to the issuance of the bonds will be

1 demolished and will be replaced by new buildings or
2 additions to one or more existing buildings.

3 (iii) Voters of the district approve a proposition for
4 the issuance of the bonds at a regularly scheduled
5 election.

6 (iv) At the time of the sale of the bonds, the school
7 board determines by resolution that the new buildings or
8 building additions are needed because of an increase in
9 enrollment projected by the school board.

10 (v) The principal amount of the bonds, including
11 existing indebtedness, does not exceed 25% of the equalized
12 assessed value of the taxable property in the district.

13 (vi) The bonds are issued prior to January 1, 2007,
14 pursuant to Sections 19-2 through 19-7 of this Code.

15 (p-10) Notwithstanding any other provisions of this
16 Section or the provisions of any other law, bonds issued by a
17 community consolidated school district maintaining grades K
18 through 8 shall not be considered indebtedness for purposes of
19 any statutory limitation and may be issued in an amount or
20 amounts, including existing indebtedness, in excess of any
21 heretofore or hereafter imposed statutory limitation as to
22 indebtedness, if all of the following conditions are met:

23 (i) For each of the 4 most recent years, residential
24 and farm property comprises more than 80% of the equalized
25 assessed valuation of the district.

26 (ii) The bond proceeds are to be used to acquire and

1 improve school sites and build and equip a school building.

2 (iii) Voters of the district approve a proposition for
3 the issuance of the bonds at a regularly scheduled
4 election.

5 (iv) At the time of the sale of the bonds, the school
6 board determines by resolution that the school sites and
7 building additions are needed because of an increase in
8 enrollment projected by the school board.

9 (v) The principal amount of the bonds, including
10 existing indebtedness, does not exceed 20% of the equalized
11 assessed value of the taxable property in the district.

12 (vi) The bonds are issued prior to January 1, 2007,
13 pursuant to Sections 19-2 through 19-7 of this Code.

14 (p-15) In addition to all other authority to issue bonds,
15 the Oswego Community Unit School District Number 308 may issue
16 bonds with an aggregate principal amount not to exceed
17 \$450,000,000, but only if all of the following conditions are
18 met:

19 (i) The voters of the district have approved a
20 proposition for the bond issue at the general election held
21 on November 7, 2006.

22 (ii) At the time of the sale of the bonds, the school
23 board determines, by resolution, that: (A) the building and
24 equipping of the new high school building, new junior high
25 school buildings, new elementary school buildings, early
26 childhood building, maintenance building, transportation

1 facility, and additions to existing school buildings, the
2 altering, repairing, equipping, and provision of
3 technology improvements to existing school buildings, and
4 the acquisition and improvement of school sites, as the
5 case may be, are required as a result of a projected
6 increase in the enrollment of students in the district; and
7 (B) the sale of bonds for these purposes is authorized by
8 legislation that exempts the debt incurred on the bonds
9 from the district's statutory debt limitation.

10 (iii) The bonds are issued, in one or more bond issues,
11 on or before November 7, 2011, but the aggregate principal
12 amount issued in all such bond issues combined must not
13 exceed \$450,000,000.

14 (iv) The bonds are issued in accordance with this
15 Article 19.

16 (v) The proceeds of the bonds are used only to
17 accomplish those projects approved by the voters at the
18 general election held on November 7, 2006.

19 The debt incurred on any bonds issued under this subsection
20 (p-15) shall not be considered indebtedness for purposes of any
21 statutory debt limitation.

22 (p-20) In addition to all other authority to issue bonds,
23 the Lincoln-Way Community High School District Number 210 may
24 issue bonds with an aggregate principal amount not to exceed
25 \$225,000,000, but only if all of the following conditions are
26 met:

1 (i) The voters of the district have approved a
2 proposition for the bond issue at the general primary
3 election held on March 21, 2006.

4 (ii) At the time of the sale of the bonds, the school
5 board determines, by resolution, that: (A) the building and
6 equipping of the new high school buildings, the altering,
7 repairing, and equipping of existing school buildings, and
8 the improvement of school sites, as the case may be, are
9 required as a result of a projected increase in the
10 enrollment of students in the district; and (B) the sale of
11 bonds for these purposes is authorized by legislation that
12 exempts the debt incurred on the bonds from the district's
13 statutory debt limitation.

14 (iii) The bonds are issued, in one or more bond issues,
15 on or before March 21, 2011, but the aggregate principal
16 amount issued in all such bond issues combined must not
17 exceed \$225,000,000.

18 (iv) The bonds are issued in accordance with this
19 Article 19.

20 (v) The proceeds of the bonds are used only to
21 accomplish those projects approved by the voters at the
22 primary election held on March 21, 2006.

23 The debt incurred on any bonds issued under this subsection
24 (p-20) shall not be considered indebtedness for purposes of any
25 statutory debt limitation.

26 (p-25) In addition to all other authority to issue bonds,

1 Rochester Community Unit School District 3A may issue bonds
2 with an aggregate principal amount not to exceed \$18,500,000,
3 but only if all of the following conditions are met:

4 (i) The voters of the district approve a proposition
5 for the bond issuance at the general primary election held
6 in 2008.

7 (ii) At the time of the sale of the bonds, the school
8 board determines, by resolution, that: (A) the building and
9 equipping of a new high school building; the addition of
10 classrooms and support facilities at the high school,
11 middle school, and elementary school; the altering,
12 repairing, and equipping of existing school buildings; and
13 the improvement of school sites, as the case may be, are
14 required as a result of a projected increase in the
15 enrollment of students in the district; and (B) the sale of
16 bonds for these purposes is authorized by a law that
17 exempts the debt incurred on the bonds from the district's
18 statutory debt limitation.

19 (iii) The bonds are issued, in one or more bond issues,
20 on or before December 31, 2012, but the aggregate principal
21 amount issued in all such bond issues combined must not
22 exceed \$18,500,000.

23 (iv) The bonds are issued in accordance with this
24 Article 19.

25 (v) The proceeds of the bonds are used to accomplish
26 only those projects approved by the voters at the primary

1 election held in 2008.

2 The debt incurred on any bonds issued under this subsection
3 (p-25) shall not be considered indebtedness for purposes of any
4 statutory debt limitation.

5 (p-30) In addition to all other authority to issue bonds,
6 Prairie Grove Consolidated School District 46 may issue bonds
7 with an aggregate principal amount not to exceed \$30,000,000,
8 but only if all of the following conditions are met:

9 (i) The voters of the district approve a proposition
10 for the bond issuance at an election held in 2008.

11 (ii) At the time of the sale of the bonds, the school
12 board determines, by resolution, that (A) the building and
13 equipping of a new school building and additions to
14 existing school buildings are required as a result of a
15 projected increase in the enrollment of students in the
16 district and (B) the altering, repairing, and equipping of
17 existing school buildings are required because of the age
18 of the existing school buildings.

19 (iii) The bonds are issued, in one or more bond
20 issuances, on or before December 31, 2012; however, the
21 aggregate principal amount issued in all such bond
22 issuances combined must not exceed \$30,000,000.

23 (iv) The bonds are issued in accordance with this
24 Article.

25 (v) The proceeds of the bonds are used to accomplish
26 only those projects approved by the voters at an election

1 held in 2008.

2 The debt incurred on any bonds issued under this subsection
3 (p-30) shall not be considered indebtedness for purposes of any
4 statutory debt limitation.

5 (p-35) In addition to all other authority to issue bonds,
6 Prairie Hill Community Consolidated School District 133 may
7 issue bonds with an aggregate principal amount not to exceed
8 \$13,900,000, but only if all of the following conditions are
9 met:

10 (i) The voters of the district approved a proposition
11 for the bond issuance at an election held on April 17,
12 2007.

13 (ii) At the time of the sale of the bonds, the school
14 board determines, by resolution, that (A) the improvement
15 of the site of and the building and equipping of a school
16 building are required as a result of a projected increase
17 in the enrollment of students in the district and (B) the
18 repairing and equipping of the Prairie Hill Elementary
19 School building is required because of the age of that
20 school building.

21 (iii) The bonds are issued, in one or more bond
22 issuances, on or before December 31, 2011, but the
23 aggregate principal amount issued in all such bond
24 issuances combined must not exceed \$13,900,000.

25 (iv) The bonds are issued in accordance with this
26 Article.

1 (v) The proceeds of the bonds are used to accomplish
2 only those projects approved by the voters at an election
3 held on April 17, 2007.

4 The debt incurred on any bonds issued under this subsection
5 (p-35) shall not be considered indebtedness for purposes of any
6 statutory debt limitation.

7 (p-40) In addition to all other authority to issue bonds,
8 Mascoutah Community Unit District 19 may issue bonds with an
9 aggregate principal amount not to exceed \$55,000,000, but only
10 if all of the following conditions are met:

11 (1) The voters of the district approve a proposition
12 for the bond issuance at a regular election held on or
13 after November 4, 2008.

14 (2) At the time of the sale of the bonds, the school
15 board determines, by resolution, that (i) the building and
16 equipping of a new high school building is required as a
17 result of a projected increase in the enrollment of
18 students in the district and the age and condition of the
19 existing high school building, (ii) the existing high
20 school building will be demolished, and (iii) the sale of
21 bonds is authorized by statute that exempts the debt
22 incurred on the bonds from the district's statutory debt
23 limitation.

24 (3) The bonds are issued, in one or more bond
25 issuances, on or before December 31, 2011, but the
26 aggregate principal amount issued in all such bond

1 issuances combined must not exceed \$55,000,000.

2 (4) The bonds are issued in accordance with this
3 Article.

4 (5) The proceeds of the bonds are used to accomplish
5 only those projects approved by the voters at a regular
6 election held on or after November 4, 2008.

7 The debt incurred on any bonds issued under this subsection
8 (p-40) shall not be considered indebtedness for purposes of any
9 statutory debt limitation.

10 (p-43) Notwithstanding any other provisions of this
11 Section or the provisions of any other law, non-referendum
12 bonds issued in accordance with Section 19-3 of this Code shall
13 not be considered indebtedness for purposes of any statutory
14 debt limitation.

15 (p-45) Notwithstanding the provisions of subsection (a) of
16 this Section or of any other law, bonds issued pursuant to
17 Section 19-3.5 of this Code shall not be considered
18 indebtedness for purposes of any statutory limitation if the
19 bonds are issued in an amount or amounts, including existing
20 indebtedness of the school district, not in excess of 18.5% of
21 the value of the taxable property in the district to be
22 ascertained by the last assessment for State and county taxes.

23 (p-50) Notwithstanding the provisions of subsection (a) of
24 this Section or of any other law, bonds issued pursuant to
25 Section 19-3.10 of this Code shall not be considered
26 indebtedness for purposes of any statutory limitation if the

1 bonds are issued in an amount or amounts, including existing
2 indebtedness of the school district, not in excess of 43% of
3 the value of the taxable property in the district to be
4 ascertained by the last assessment for State and county taxes.

5 ~~(p-55) (p-45)~~ In addition to all other authority to issue
6 bonds, Belle Valley School District 119 may issue bonds with an
7 aggregate principal amount not to exceed \$47,500,000, but only
8 if all of the following conditions are met:

9 (1) The voters of the district approve a proposition
10 for the bond issuance at an election held on or after April
11 7, 2009.

12 (2) Prior to the issuance of the bonds, the school
13 board determines, by resolution, that (i) the building and
14 equipping of a new school building is required as a result
15 of mine subsidence in an existing school building and
16 because of the age and condition of another existing school
17 building and (ii) the issuance of bonds is authorized by
18 statute that exempts the debt incurred on the bonds from
19 the district's statutory debt limitation.

20 (3) The bonds are issued, in one or more bond
21 issuances, on or before March 31, 2014, but the aggregate
22 principal amount issued in all such bond issuances combined
23 must not exceed \$47,500,000.

24 (4) The bonds are issued in accordance with this
25 Article.

26 (5) The proceeds of the bonds are used to accomplish

1 only those projects approved by the voters at an election
2 held on or after April 7, 2009.

3 The debt incurred on any bonds issued under this subsection
4 ~~(p-55)~~~~(p-45)~~ shall not be considered indebtedness for purposes
5 of any statutory debt limitation. Bonds issued under this
6 subsection ~~(p-55)~~~~(p-45)~~ must mature within not to exceed 30
7 years from their date, notwithstanding any other law to the
8 contrary.

9 (q) A school district must notify the State Board of
10 Education prior to issuing any form of long-term or short-term
11 debt that will result in outstanding debt that exceeds 75% of
12 the debt limit specified in this Section or any other provision
13 of law.

14 (Source: P.A. 95-331, eff. 8-21-07; 95-594, eff. 9-10-07;
15 95-792, eff. 1-1-09; 96-63, eff. 7-23-09; 96-273, eff. 8-11-09;
16 96-517, eff. 8-14-09; revised 9-15-09.)

17 (105 ILCS 5/19-3) (from Ch. 122, par. 19-3)

18 Sec. 19-3. Boards of education. Any school district
19 governed by a board of education and having a population of not
20 more than 500,000 inhabitants, and not governed by a special
21 Act may borrow money for the purpose of building, equipping,
22 altering or repairing school buildings or purchasing or
23 improving school sites, or acquiring and equipping
24 playgrounds, recreation grounds, athletic fields, and other
25 buildings or land used or useful for school purposes or for the

1 purpose of purchasing a site, with or without a building or
2 buildings thereon, or for the building of a house or houses on
3 such site, or for the building of a house or houses on the
4 school site of the school district, for residential purposes of
5 the superintendent, principal, or teachers of the school
6 district, and issue its negotiable coupon bonds therefor signed
7 by the president and secretary of the board, in denominations
8 of not less than \$100 nor more than \$5,000, payable at such
9 place and at such time or times, not exceeding 20 years, with
10 the exception of Lockport High School not exceeding 25 years,
11 from date of issuance, as the board of education may prescribe,
12 and bearing interest at a rate not to exceed the maximum rate
13 authorized by the Bond Authorization Act, as amended at the
14 time of the making of the contract, payable annually,
15 semiannually or quarterly, but no such bonds shall be issued
16 unless the proposition to issue them is submitted to the voters
17 of the district at a referendum held at a regularly scheduled
18 election after the board has certified the proposition to the
19 proper election authorities in accordance with the general
20 election law, a majority of all the votes cast on the
21 proposition is in favor of the proposition, and notice of such
22 bond referendum has been given either (i) in accordance with
23 the second paragraph of Section 12-1 of the Election Code
24 irrespective of whether such notice included any reference to
25 the public question as it appeared on the ballot, or (ii) for
26 an election held on or after November 1, 1998, in accordance

1 with Section 12-5 of the Election Code, or (iii) by publication
2 of a true and legible copy of the specimen ballot label
3 containing the proposition in the form in which it appeared or
4 will appear on the official ballot label on the day of the
5 election at least 5 days before the day of the election in at
6 least one newspaper published in and having a general
7 circulation in the district, irrespective of any other
8 requirements of Article 12 or Section 24A-18 of the Election
9 Code, nor shall any residential site be acquired unless such
10 proposition to acquire a site is submitted to the voters of the
11 district at a referendum held at a regularly scheduled election
12 after the board has certified the proposition to the proper
13 election authorities in accordance with the general election
14 law and a majority of all the votes cast on the proposition is
15 in favor of the proposition. Nothing in this Act or in any
16 other law shall be construed to require the notice of the bond
17 referendum to be published over the name or title of the
18 election authority or the listing of maturity dates of any
19 bonds either in the notice of bond election or ballot used in
20 the bond election. The provisions of this Section concerning
21 notice of the bond referendum apply only to (i) consolidated
22 primary elections held prior to January 1, 2002 and the
23 consolidated election held on April 17, 2007 at which not less
24 than 60% of the voters voting on the bond proposition voted in
25 favor of the bond proposition, and (ii) other elections held
26 before July 1, 1999; otherwise, notices required in connection

1 with the submission of public questions shall be as set forth
2 in Section 12-5 of the Election Code. Such proposition may be
3 initiated by resolution of the school board.

4 Nothing in this Section or in any other law shall require
5 that either bonds issued by Cahokia Community Unit School
6 District 187 or the project financed by these bonds be approved
7 by referendum if the bonds are issued (i) for a purpose set
8 forth in this Section, (ii) in an amount not to exceed the
9 aggregate principal amount of \$50,000,000, and (iii) in one or
10 more series, prior to July 1, 2015. Any bonds issued in
11 accordance with this paragraph may be payable at such time or
12 times not exceeding 25 years from the date of issuance.

13 With respect to instruments for the payment of money issued
14 under this Section either before, on, or after the effective
15 date of this amendatory Act of 1989, it is and always has been
16 the intention of the General Assembly (i) that the Omnibus Bond
17 Acts are and always have been supplementary grants of power to
18 issue instruments in accordance with the Omnibus Bond Acts,
19 regardless of any provision of this Act that may appear to be
20 or to have been more restrictive than those Acts, (ii) that the
21 provisions of this Section are not a limitation on the
22 supplementary authority granted by the Omnibus Bond Acts, and
23 (iii) that instruments issued under this Section within the
24 supplementary authority granted by the Omnibus Bond Acts are
25 not invalid because of any provision of this Act that may
26 appear to be or to have been more restrictive than those Acts.

1 The proceeds of any bonds issued under authority of this
2 Section shall be deposited and accounted for separately within
3 the Site and Construction/Capital Improvements Fund.

4 (Source: P.A. 95-30, eff. 8-7-07; 96-787, eff. 8-28-09.)

5 Section 10. The School Construction Law is amended by
6 changing Section 5-25 as follows:

7 (105 ILCS 230/5-25)

8 Sec. 5-25. Eligibility and project standards.

9 (a) The State Board of Education shall establish
10 eligibility standards for school construction project grants
11 and debt service grants. These standards shall include minimum
12 enrollment requirements for eligibility for school
13 construction project grants of 200 students for elementary
14 districts, 200 students for high school districts, and 400
15 students for unit districts. The State Board of Education shall
16 approve a district's eligibility for a school construction
17 project grant or a debt service grant pursuant to the
18 established standards.

19 For purposes only of determining a Type 40 area vocational
20 center's eligibility for an entity included in a school
21 construction project grant or a school maintenance project
22 grant, an area vocational center shall be deemed eligible if
23 one or more of its member school districts satisfy the grant
24 index criteria set forth in this Law. A Type 40 area vocational

1 center that makes application for school construction funds
2 after August 25, 2009 (the effective date of Public Act
3 96-731)~~this amendatory Act of the 96th General Assembly~~ shall
4 be placed on the respective application cycle list. Type 40
5 area vocational centers must be placed last on the priority
6 listing of eligible entities for the applicable fiscal year.

7 (b) The Capital Development Board shall establish project
8 standards for all school construction project grants provided
9 pursuant to this Article. These standards shall include space
10 and capacity standards as well as the determination of
11 recognized project costs that shall be eligible for State
12 financial assistance and enrichment costs that shall not be
13 eligible for State financial assistance.

14 (c) The State Board of Education and the Capital
15 Development Board shall not establish standards that
16 disapprove or otherwise establish limitations that restrict
17 the eligibility of (i) a school district with a population
18 exceeding 500,000 for a school construction project grant based
19 on the fact that any or all of the school construction project
20 grant will be used to pay debt service or to make lease
21 payments, as authorized by subsection (b) of Section 5-35 of
22 this Law, or (ii) a school district located in whole or in part
23 in a county that imposes a tax for school facility purposes
24 pursuant to Section 5-1006.7 of the Counties Code.

25 (d) The State Board of Education and the Capital
26 Development Board shall not establish standards that

1 disapprove or otherwise establish limitations that restrict
2 the eligibility of Cahokia Community Unit School District 187
3 for a school construction project grant based on the fact that
4 the school construction project will be leased by the school
5 district.

6 (Source: P.A. 96-37, eff. 7-13-09; 96-731, eff. 8-25-09;
7 revised 9-15-09.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.".