

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, resource efficiency or
5 sustainability, handicapped accessibility or energy
6 conservation purposes, such district may, by proper resolution
7 which specifically identifies the project and which is adopted
8 pursuant to the provisions of the Open Meetings Act, levy a tax
9 for the purpose of paying for such alterations or repairs, or
10 survey by a licensed architect or engineer, upon the equalized
11 assessed value of all the taxable property of the district at a
12 rate not to exceed .05% per year for a period sufficient to
13 finance such alterations or repairs, upon the following
14 conditions:

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

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

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

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

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

1 election law.

2 Each local community college district authorized to levy
3 any tax pursuant to this Section may also or in the alternative
4 by proper resolution or ordinance borrow money for such
5 specifically identified purposes not in excess of \$4,500,000 in
6 the aggregate at any one 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.
16 However, Community College District No. 522 and Community
17 College District No. 536 may or in the alternative by proper
18 resolution or ordinance borrow money for such specifically
19 identified purposes not in excess of \$20,000,000 in the
20 aggregate at any one time when in the judgment of the community
21 college board of trustees there are not sufficient funds
22 available in the operations and maintenance fund of the
23 district to permanently pay for such alterations or repairs so
24 ordered or determined as necessary and a certified estimate of
25 a licensed architect or engineer stating the estimated amount
26 has been secured by the community college district and the

1 project and the estimated amount have been approved by the
2 State Board, and as evidence of such indebtedness may issue
3 bonds without referendum. Such bonds shall bear interest at a
4 rate or rates authorized by "An Act to authorize public
5 corporations to issue bonds, other evidences of indebtedness
6 and tax anticipation warrants subject to interest rate
7 limitations set forth therein", approved May 26, 1970, as now
8 or hereafter amended, shall mature within 20 years from date,
9 and shall be signed by the chairman, secretary and treasurer of
10 the local community college board.

11 In order to authorize and issue such bonds the local
12 community college board shall adopt a resolution fixing the
13 amount of bonds, the date thereof, the maturities thereof and
14 rates of interest thereof, and the board by such resolution, or
15 in a district to which Article VII applies the city council
16 upon demand and under the direction of the board by ordinance,
17 shall provide for the levy and collection of a direct annual
18 tax upon all the taxable property in the local community
19 college district sufficient to pay the principal and interest
20 on such bonds to maturity. Upon the filing in the office of the
21 county clerk of each of the counties in which the community
22 college district is located of a certified copy of such
23 resolution or ordinance it is the duty of the county clerk or
24 clerks to extend the tax therefor without limit as to rate or
25 amount and in addition to and in excess of all other taxes
26 heretofore or hereafter authorized to be levied by such

1 community college district.

2 The State Board shall prepare and enforce regulations and
3 specifications for minimum requirements for the construction,
4 remodeling or rehabilitation of heating, ventilating, air
5 conditioning, lighting, seating, water supply, toilet,
6 handicapped accessibility, fire safety and any other matter
7 that will conserve, preserve or provide for the protection and
8 the health or safety of individuals in or on community college
9 property and will conserve the integrity of the physical
10 facilities of the district.

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

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