

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 changing Section
5 2-3.77 as follows:

6 (105 ILCS 5/2-3.77) (from Ch. 122, par. 2-3.77)
7 Sec. 2-3.77. Temporary relocation expenses.

8 (a) The State Board of Education may distribute loan or
9 grant moneys appropriated for temporary relocation expenses
10 incurred by school districts as a result of fires, earthquakes,
11 tornados, mine subsidence, or other natural or man-made
12 disasters which destroy school buildings, or as a result of the
13 condemnation of a school building under Section 3-14.22. The
14 State Board of Education shall by rule prescribe those expenses
15 which qualify as temporary relocation expenses and the manner
16 of determining and reporting the same, provided that such
17 expenses shall be deemed to include amounts reasonably required
18 to be expended for the lease, rental, and renovation of
19 educational facilities and for additional transportation and
20 other expenses directly associated with the temporary
21 relocation and housing of the normal operations, activities,
22 and affairs of a school district.

23 (b) Except as provided in subsection (c), no moneys

1 appropriated to the State Board of Education for purposes of
2 distribution in accordance with the provisions of this Section
3 shall be distributed to any school district unless the school
4 board of such district, as an express condition of any such
5 distribution, agrees to levy the tax provided for by Section
6 17-2.2c at the maximum rate permitted thereunder and to pay to
7 the State of Illinois for deposit in the Temporary Relocation
8 Expenses Revolving Grant Fund (i) all proceeds of such tax
9 attributable to the first year and succeeding years for which
10 the tax is levied after moneys appropriated for purposes of
11 this Section have been distributed to the school district, and
12 (ii) all insurance proceeds which become payable to the
13 district under those provisions of any contract or policy of
14 insurance which provide reimbursement for or other coverage
15 against loss with respect to any temporary relocation expenses
16 of the school district; provided, that the aggregate of any tax
17 and insurance proceeds paid by the school district to the State
18 pursuant to this Section shall not exceed in amount the moneys
19 distributed to the school district pursuant to this Section.

20 (c) The State Board of Education may, from appropriations
21 made for this purpose from the Temporary Relocation Expenses
22 Revolving Grant Fund, make grants that do not require repayment
23 to school districts that qualify for temporary relocation
24 assistance under this Section to the extent that the amount of
25 temporary relocation expenses incurred by a district exceeds
26 the amount that the district is able to repay to the State

1 through insurance proceeds and the tax levy authorized in
2 Section 17-2.2c.

3 (d) The Temporary Relocation Expenses Revolving Grant Fund
4 is hereby established as a special fund within the State
5 treasury. Appropriations and amounts that school districts
6 repay to the State under subsection (b) of this Section shall
7 be deposited into that Fund. If the balance in that Fund
8 exceeds \$3,000,000, the excess shall be transferred into the
9 General Revenue Fund.

10 (e) The State Board of Education shall promulgate such
11 rules and regulations, not inconsistent with the provisions of
12 this Section, as are necessary to provide for the distribution
13 of loan and grant moneys and for the repayment of loan moneys
14 distributed pursuant to this Section.

15 (Source: P.A. 90-464, eff. 8-17-97.)

16 Section 10. The School Construction Law is amended by
17 changing Section 5-30 as follows:

18 (105 ILCS 230/5-30)

19 Sec. 5-30. Priority of school construction projects. The
20 State Board of Education shall develop standards for the
21 determination of priority needs concerning school construction
22 projects based upon approved district facilities plans. Such
23 standards shall call for prioritization based on the degree of
24 need and project type in the following order:

1 (1) Replacement or reconstruction of school buildings
2 destroyed or damaged by flood, tornado, fire, earthquake,
3 mine subsidence, or other disasters, either man-made or
4 produced by nature;

5 (2) Projects designed to alleviate a shortage of
6 classrooms due to population growth or to replace aging
7 school buildings;

8 (3) Projects resulting from interdistrict
9 reorganization of school districts contingent on local
10 referenda;

11 (4) Replacement or reconstruction of school facilities
12 determined to be severe and continuing health or life
13 safety hazards;

14 (5) Alterations necessary to provide accessibility for
15 qualified individuals with disabilities; and

16 (6) Other unique solutions to facility needs.

17 The State Board of Education may not make any material changes
18 to the standards in effect on May 18, 2004, unless the State
19 Board of Education is specifically authorized by law.

20 (Source: P.A. 93-679, eff. 6-30-04.)

21 Section 99. Effective date. This Act takes effect July 1,
22 2009.