



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2647

Introduced 1/28/2010, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

105 ILCS 5/17-2.11 from Ch. 122, par. 17-2.11
105 ILCS 5/19-1
105 ILCS 230/5-25
105 ILCS 230/5-35

Amends the School Code and the School Construction Law. In a Section concerning a school board's power to levy a tax or borrow money and issue bonds for fire prevention, safety, energy conservation, disabled accessibility, school security, and specified repair purposes, makes changes concerning a school district's authority to replace a school building or build additions to replace portions of a building. With respect to one of the exceptions to a school district's debt limitation, allows additional indebtedness by the execution of a lease with a public building commission; makes related changes. Removes references that limit provisions to just the Chicago school district with respect to (i) the prohibition on the State Board of Education and the Capital Development Board establishing standards that disapprove or otherwise establishing limitations that restrict the eligibility of a school district for a school construction project grant based on certain facts (including based on the fact that all or a part of the school construction project is owned by a public building commission and leased to the school) and (ii) the authority of a school district to use school construction project grants for certain purposes. Effective immediately.

LRB096 19695 NHT 35098 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 changing Sections
5 17-2.11 and 19-1 as follows:

6 (105 ILCS 5/17-2.11) (from Ch. 122, par. 17-2.11)

7 Sec. 17-2.11. School board power to levy a tax or to borrow
8 money and issue bonds for fire prevention, safety, energy
9 conservation, disabled accessibility, school security, and
10 specified repair purposes.

11 (a) Whenever, as a result of any lawful order of any
12 agency, other than a school board, having authority to enforce
13 any school building code applicable to any facility that houses
14 students, or any law or regulation for the protection and
15 safety of the environment, pursuant to the Environmental
16 Protection Act, any school district having a population of less
17 than 500,000 inhabitants is required to alter or reconstruct
18 any school building or permanent, fixed equipment; the district
19 may, by proper resolution, levy a tax for the purpose of making
20 such alteration or reconstruction, based on a survey report by
21 an architect or engineer licensed in this State, upon all of
22 the taxable property of the district at the value as assessed
23 by the Department of Revenue and at a rate not to exceed 0.05%

1 per year for a period sufficient to finance such alteration or
2 reconstruction, upon the following conditions:

3 (1) When there are not sufficient funds available in
4 the operations and maintenance fund of the school district,
5 the school facility occupation tax fund of the district, or
6 the fire prevention and safety fund of the district, as
7 determined by the district on the basis of rules adopted by
8 the State Board of Education, to make such alteration or
9 reconstruction or to purchase and install such permanent,
10 fixed equipment so ordered or determined as necessary.
11 Appropriate school district records must be made available
12 to the State Superintendent of Education, upon request, to
13 confirm this insufficiency.

14 (2) When a certified estimate of an architect or
15 engineer licensed in this State stating the estimated
16 amount necessary to make the alteration or reconstruction
17 or to purchase and install the equipment so ordered has
18 been secured by the school district, and the estimate has
19 been approved by the regional superintendent of schools
20 having jurisdiction over the district and the State
21 Superintendent of Education. Approval must not be granted
22 for any work that has already started without the prior
23 express authorization of the State Superintendent of
24 Education. If the estimate is not approved or is denied
25 approval by the regional superintendent of schools within 3
26 months after the date on which it is submitted to him or

1 her, the school board of the district may submit the
2 estimate directly to the State Superintendent of Education
3 for approval or denial.

4 In the case of an emergency situation, where the estimated
5 cost to effectuate emergency repairs is less than the amount
6 specified in Section 10-20.21 of this Code, the school district
7 may proceed with such repairs prior to approval by the State
8 Superintendent of Education, but shall comply with the
9 provisions of subdivision (2) of this subsection (a) as soon
10 thereafter as may be as well as Section 10-20.21 of this Code.
11 If the estimated cost to effectuate emergency repairs is
12 greater than the amount specified in Section 10-20.21 of this
13 Code, then the school district shall proceed in conformity with
14 Section 10-20.21 of this Code and with rules established by the
15 State Board of Education to address such situations. The rules
16 adopted by the State Board of Education to deal with these
17 situations shall stipulate that emergency situations must be
18 expedited and given priority consideration. For purposes of
19 this paragraph, an emergency is a situation that presents an
20 imminent and continuing threat to the health and safety of
21 students or other occupants of a facility, requires complete or
22 partial evacuation of a building or part of a building, or
23 consumes one or more of the 5 emergency days built into the
24 adopted calendar of the school or schools or would otherwise be
25 expected to cause such school or schools to fall short of the
26 minimum school calendar requirements.

1 (b) Whenever any such district determines that it is
2 necessary for energy conservation purposes that any school
3 building or permanent, fixed equipment should be altered or
4 reconstructed and that such alterations or reconstruction will
5 be made with funds not necessary for the completion of approved
6 and recommended projects contained in any safety survey report
7 or amendments thereto authorized by Section 2-3.12 of this Act;
8 the district may levy a tax or issue bonds as provided in
9 subsection (a) of this Section.

10 (c) Whenever any such district determines that it is
11 necessary for disabled accessibility purposes and to comply
12 with the school building code that any school building or
13 equipment should be altered or reconstructed and that such
14 alterations or reconstruction will be made with funds not
15 necessary for the completion of approved and recommended
16 projects contained in any safety survey report or amendments
17 thereto authorized under Section 2-3.12 of this Act, the
18 district may levy a tax or issue bonds as provided in
19 subsection (a) of this Section.

20 (d) Whenever any such district determines that it is
21 necessary for school security purposes and the related
22 protection and safety of pupils and school personnel that any
23 school building or property should be altered or reconstructed
24 or that security systems and equipment (including but not
25 limited to intercom, early detection and warning, access
26 control and television monitoring systems) should be purchased

1 and installed, and that such alterations, reconstruction or
2 purchase and installation of equipment will be made with funds
3 not necessary for the completion of approved and recommended
4 projects contained in any safety survey report or amendment
5 thereto authorized by Section 2-3.12 of this Act and will deter
6 and prevent unauthorized entry or activities upon school
7 property by unknown or dangerous persons, assure early
8 detection and advance warning of any such actual or attempted
9 unauthorized entry or activities and help assure the continued
10 safety of pupils and school staff if any such unauthorized
11 entry or activity is attempted or occurs; the district may levy
12 a tax or issue bonds as provided in subsection (a) of this
13 Section.

14 (e) If a school district does not need funds for other fire
15 prevention and safety projects, including the completion of
16 approved and recommended projects contained in any safety
17 survey report or amendments thereto authorized by Section
18 2-3.12 of this Act, and it is determined after a public hearing
19 (which is preceded by at least one published notice (i)
20 occurring at least 7 days prior to the hearing in a newspaper
21 of general circulation within the school district and (ii)
22 setting forth the time, date, place, and general subject matter
23 of the hearing) that there is a substantial, immediate, and
24 otherwise unavoidable threat to the health, safety, or welfare
25 of pupils due to disrepair of school sidewalks, playgrounds,
26 parking lots, or school bus turnarounds and repairs must be

1 made; then the district may levy a tax or issue bonds as
2 provided in subsection (a) of this Section.

3 (f) For purposes of this Section a school district may
4 replace a school building or build additions to replace
5 portions of a building when it is determined that the
6 effectuation of the recommendations for the existing building
7 will cost more than the replacement costs to be paid for from
8 the proceeds of bonds issued pursuant to this Section. Such
9 determination shall be based on a comparison of estimated costs
10 made by an architect or engineer licensed in the State of
11 Illinois. The portion of the new building or addition paid for
12 from the proceeds of bonds issued pursuant to this Section
13 shall not exceed the ~~be equivalent in~~ area (square feet) of the
14 buildings or additions being replaced, shall be ~~and~~ comparable
15 in purpose and grades served, and may be on the same site or
16 another site. Such replacement may only be done upon order of
17 the regional superintendent of schools and the approval of the
18 State Superintendent of Education.

19 (g) The filing of a certified copy of the resolution
20 levying the tax when accompanied by the certificates of the
21 regional superintendent of schools and State Superintendent of
22 Education shall be the authority of the county clerk to extend
23 such tax.

24 (h) The county clerk of the county in which any school
25 district levying a tax under the authority of this Section is
26 located, in reducing raised levies, shall not consider any such

1 tax as a part of the general levy for school purposes and shall
2 not include the same in the limitation of any other tax rate
3 which may be extended.

4 Such tax shall be levied and collected in like manner as
5 all other taxes of school districts, subject to the provisions
6 contained in this Section.

7 (i) The tax rate limit specified in this Section may be
8 increased to .10% upon the approval of a proposition to effect
9 such increase by a majority of the electors voting on that
10 proposition at a regular scheduled election. Such proposition
11 may be initiated by resolution of the school board and shall be
12 certified by the secretary to the proper election authorities
13 for submission in accordance with the general election law.

14 (j) When taxes are levied by any school district for fire
15 prevention, safety, energy conservation, and school security
16 purposes as specified in this Section, and the purposes for
17 which the taxes have been levied are accomplished and paid in
18 full, and there remain funds on hand in the Fire Prevention and
19 Safety Fund from the proceeds of the taxes levied, including
20 interest earnings thereon, the school board by resolution shall
21 use such excess and other board restricted funds, excluding
22 bond proceeds and earnings from such proceeds, as follows:

23 (1) for other authorized fire prevention, safety,
24 energy conservation, and school security purposes; or

25 (2) for transfer to the Operations and Maintenance Fund
26 for the purpose of abating an equal amount of operations

1 and maintenance purposes taxes.

2 (k) If any transfer is made to the Operation and
3 Maintenance Fund, the secretary of the school board shall
4 within 30 days notify the county clerk of the amount of that
5 transfer and direct the clerk to abate the taxes to be extended
6 for the purposes of operations and maintenance authorized under
7 Section 17-2 of this Act by an amount equal to such transfer.

8 (l) If the proceeds from the tax levy authorized by this
9 Section are insufficient to complete the work approved under
10 this Section, the school board is authorized to sell bonds
11 without referendum under the provisions of this Section in an
12 amount that, when added to the proceeds of the tax levy
13 authorized by this Section, will allow completion of the
14 approved work.

15 (m) Any bonds issued pursuant to this Section shall bear
16 interest at a rate not to exceed the maximum rate authorized by
17 law at the time of the making of the contract, shall mature
18 within 20 years from date, and shall be signed by the president
19 of the school board and the treasurer of the school district.

20 (n) In order to authorize and issue such bonds, the school
21 board shall adopt a resolution fixing the amount of bonds, the
22 date thereof, the maturities thereof, rates of interest
23 thereof, place of payment and denomination, which shall be in
24 denominations of not less than \$100 and not more than \$5,000,
25 and provide for the levy and collection of a direct annual tax
26 upon all the taxable property in the school district sufficient

1 to pay the principal and interest on such bonds to maturity.
2 Upon the filing in the office of the county clerk of the county
3 in which the school district is located of a certified copy of
4 the resolution, it is the duty of the county clerk to extend
5 the tax therefor in addition to and in excess of all other
6 taxes heretofore or hereafter authorized to be levied by such
7 school district.

8 (o) After the time such bonds are issued as provided for by
9 this Section, if additional alterations or reconstructions are
10 required to be made because of surveys conducted by an
11 architect or engineer licensed in the State of Illinois, the
12 district may levy a tax at a rate not to exceed .05% per year
13 upon all the taxable property of the district or issue
14 additional bonds, whichever action shall be the most feasible.

15 (p) This Section is cumulative and constitutes complete
16 authority for the issuance of bonds as provided in this Section
17 notwithstanding any other statute or law to the contrary.

18 (q) With respect to instruments for the payment of money
19 issued under this Section either before, on, or after the
20 effective date of Public Act 86-004 (June 6, 1989), it is, and
21 always has been, the intention of the General Assembly (i) that
22 the Omnibus Bond Acts are, and always have been, supplementary
23 grants of power to issue instruments in accordance with the
24 Omnibus Bond Acts, regardless of any provision of this Act that
25 may appear to be or to have been more restrictive than those
26 Acts, (ii) that the provisions of this Section are not a

1 limitation on the supplementary authority granted by the
2 Omnibus Bond Acts, and (iii) that instruments issued under this
3 Section within the supplementary authority granted by the
4 Omnibus Bond Acts are not invalid because of any provision of
5 this Act that may appear to be or to have been more restrictive
6 than those Acts.

7 (r) When the purposes for which the bonds are issued have
8 been accomplished and paid for in full and there remain funds
9 on hand from the proceeds of the bond sale and interest
10 earnings therefrom, the board shall, by resolution, use such
11 excess funds in accordance with the provisions of Section
12 10-22.14 of this Act.

13 (s) Whenever any tax is levied or bonds issued for fire
14 prevention, safety, energy conservation, and school security
15 purposes, such proceeds shall be deposited and accounted for
16 separately within the Fire Prevention and Safety Fund.

17 (Source: P.A. 95-675, eff. 10-11-07; 95-793, eff. 1-1-09;
18 96-252, eff. 8-11-09.)

19 (105 ILCS 5/19-1)

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

21 (a) School districts shall not be subject to the provisions
22 limiting their indebtedness prescribed in "An Act to limit the
23 indebtedness of counties having a population of less than
24 500,000 and townships, school districts and other municipal
25 corporations having a population of less than 300,000",

1 approved February 15, 1928, as amended.

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

12 No school districts maintaining grades K through 12 shall
13 become indebted in any manner or for any purpose to an amount,
14 including existing indebtedness, in the aggregate exceeding
15 13.8% on the value of the taxable property therein to be
16 ascertained by the last assessment for State and county taxes
17 or, until January 1, 1983, if greater, the sum that is produced
18 by multiplying the school district's 1978 equalized assessed
19 valuation by the debt limitation percentage in effect on
20 January 1, 1979, previous to the incurring of such
21 indebtedness.

22 No partial elementary unit district, as defined in Article
23 11E of this Code, shall become indebted in any manner or for
24 any purpose in an amount, including existing indebtedness, in
25 the aggregate exceeding 6.9% of the value of the taxable
26 property of the entire district, to be ascertained by the last

1 assessment for State and county taxes, plus an amount,
2 including existing indebtedness, in the aggregate exceeding
3 6.9% of the value of the taxable property of that portion of
4 the district included in the elementary and high school
5 classification, to be ascertained by the last assessment for
6 State and county taxes. Moreover, no partial elementary unit
7 district, as defined in Article 11E of this Code, shall become
8 indebted on account of bonds issued by the district for high
9 school purposes in the aggregate exceeding 6.9% of the value of
10 the taxable property of the entire district, to be ascertained
11 by the last assessment for State and county taxes, nor shall
12 the district become indebted on account of bonds issued by the
13 district for elementary purposes in the aggregate exceeding
14 6.9% of the value of the taxable property for that portion of
15 the district included in the elementary and high school
16 classification, to be ascertained by the last assessment for
17 State and county taxes.

18 Notwithstanding the provisions of any other law to the
19 contrary, in any case in which the voters of a school district
20 have approved a proposition for the issuance of bonds of such
21 school district at an election held prior to January 1, 1979,
22 and all of the bonds approved at such election have not been
23 issued, the debt limitation applicable to such school district
24 during the calendar year 1979 shall be computed by multiplying
25 the value of taxable property therein, including personal
26 property, as ascertained by the last assessment for State and

1 county taxes, previous to the incurring of such indebtedness,
2 by the percentage limitation applicable to such school district
3 under the provisions of this subsection (a).

4 (b) Notwithstanding the debt limitation prescribed in
5 subsection (a) of this Section, additional indebtedness may be
6 incurred in an amount not to exceed the estimated cost of
7 acquiring or improving school sites or constructing and
8 equipping additional building facilities under the following
9 conditions:

10 (1) Whenever the enrollment of students for the next
11 school year is estimated by the board of education to
12 increase over the actual present enrollment by not less
13 than 35% or by not less than 200 students or the actual
14 present enrollment of students has increased over the
15 previous school year by not less than 35% or by not less
16 than 200 students and the board of education determines
17 that additional school sites or building facilities are
18 required as a result of such increase in enrollment; and

19 (2) When the Regional Superintendent of Schools having
20 jurisdiction over the school district and the State
21 Superintendent of Education concur in such enrollment
22 projection or increase and approve the need for such
23 additional school sites or building facilities and the
24 estimated cost thereof; and

25 (3) When the voters in the school district approve a
26 proposition for the issuance of bonds for the purpose of

1 acquiring or improving such needed school sites or
2 constructing and equipping such needed additional building
3 facilities at an election called and held for that purpose.
4 Notice of such an election shall state that the amount of
5 indebtedness proposed to be incurred would exceed the debt
6 limitation otherwise applicable to the school district.
7 The ballot for such proposition shall state what percentage
8 of the equalized assessed valuation will be outstanding in
9 bonds if the proposed issuance of bonds is approved by the
10 voters; or

11 (4) Notwithstanding the provisions of paragraphs (1)
12 through (3) of this subsection (b), if the school board
13 determines that additional facilities are needed to
14 provide a quality educational program and not less than 2/3
15 of those voting in an election called by the school board
16 on the question approve the issuance of bonds for the
17 construction of such facilities, the school district may
18 issue bonds for this purpose; or

19 (5) Notwithstanding the provisions of paragraphs (1)
20 through (3) of this subsection (b), if (i) the school
21 district has previously availed itself of the provisions of
22 paragraph (4) of this subsection (b) to enable it to issue
23 bonds, (ii) the voters of the school district have not
24 defeated a proposition for the issuance of bonds since the
25 referendum described in paragraph (4) of this subsection
26 (b) was held, (iii) the school board determines that

1 additional facilities are needed to provide a quality
2 educational program, and (iv) a majority of those voting in
3 an election called by the school board on the question
4 approve the issuance of bonds for the construction of such
5 facilities, the school district may issue bonds for this
6 purpose.

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

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

18 (c) Notwithstanding the debt limitation prescribed in
19 subsection (a) of this Section, in any case in which a public
20 question for the issuance of bonds of a proposed school
21 district maintaining grades kindergarten through 12 received
22 at least 60% of the valid ballots cast on the question at an
23 election held on or prior to November 8, 1994, and in which the
24 bonds approved at such election have not been issued, the
25 school district pursuant to the requirements of Section 11A-10
26 (now repealed) may issue the total amount of bonds approved at

1 such election for the purpose stated in the question.

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

14 (1) The additional indebtedness authorized by this
15 subsection (d) is incurred by the school district through
16 the issuance of bonds under and in accordance with Section
17 17-2.11a for the purpose of replacing a school building
18 which, because of mine subsidence damage, has been closed
19 as provided in paragraph (2) of this subsection (d) or
20 through the issuance of bonds under and in accordance with
21 Section 19-3 for the purpose of increasing the size of, or
22 providing for additional functions in, such replacement
23 school buildings, or both such purposes.

24 (2) The bonds issued by the school district as provided
25 in paragraph (1) above are issued for the purposes of
26 construction by the school district of a new school

1 building pursuant to Section 17-2.11, to replace an
2 existing school building that, because of mine subsidence
3 damage, is closed as of the end of the 1992-93 school year
4 pursuant to action of the regional superintendent of
5 schools of the educational service region in which the
6 district is located under Section 3-14.22 or are issued for
7 the purpose of increasing the size of, or providing for
8 additional functions in, the new school building being
9 constructed to replace a school building closed as the
10 result of mine subsidence damage, or both such purposes.

11 (e) (Blank).

12 (f) Notwithstanding the provisions of subsection (a) of
13 this Section or of any other law, bonds in not to exceed the
14 aggregate amount of \$5,500,000 and issued by a school district
15 meeting the following criteria shall not be considered
16 indebtedness for purposes of any statutory limitation and may
17 be issued in an amount or amounts, including existing
18 indebtedness, in excess of any heretofore or hereafter imposed
19 statutory limitation as to indebtedness:

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

25 (2) The board of education shall also determine by
26 resolution that the improvements to be financed with the

1 proceeds of the bonds are needed because of the projected
2 enrollment increases.

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

7 Notwithstanding the provisions of subsection (a) of this
8 Section or of any other law, a school district that has availed
9 itself of the provisions of this subsection (f) prior to July
10 22, 2004 (the effective date of Public Act 93-799) may also
11 issue bonds approved by referendum up to an amount, including
12 existing indebtedness, not exceeding 25% of the equalized
13 assessed value of the taxable property in the district if all
14 of the conditions set forth in items (1), (2), and (3) of this
15 subsection (f) are met.

16 (g) Notwithstanding the provisions of subsection (a) of
17 this Section or any other law, bonds in not to exceed an
18 aggregate amount of 25% of the equalized assessed value of the
19 taxable property of a school district and issued by a school
20 district meeting the criteria in paragraphs (i) through (iv) of
21 this subsection shall not be considered indebtedness for
22 purposes of any statutory limitation and may be issued pursuant
23 to resolution of the school board in an amount or amounts,
24 including existing indebtedness, in excess of any statutory
25 limitation of indebtedness heretofore or hereafter imposed:

26 (i) The bonds are issued for the purpose of

1 constructing a new high school building to replace two
2 adjacent existing buildings which together house a single
3 high school, each of which is more than 65 years old, and
4 which together are located on more than 10 acres and less
5 than 11 acres of property.

6 (ii) At the time the resolution authorizing the
7 issuance of the bonds is adopted, the cost of constructing
8 a new school building to replace the existing school
9 building is less than 60% of the cost of repairing the
10 existing school building.

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

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

17 (h) 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 27.6% of the equalized assessed
22 value 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 \$24,000,000;

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 buildings
3 were originally constructed not less than 40 years ago;

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

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

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

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

18 (ii) The bonds are issued for the capital improvement,
19 renovation, rehabilitation, or replacement of existing
20 school buildings of the district, all of which existing
21 buildings were originally constructed not less than 80
22 years ago;

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

26 (iv) The bonds are issued pursuant to Sections 19-2

1 through 19-7 of this Code.

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

9 (i) The school district has an equalized assessed
10 valuation for calendar year 1995 of less than \$140,000,000
11 and a best 3 months average daily attendance for the
12 1995-96 school year of at least 2,800;

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

17 (iii) At the time of the sale of the bonds, the board
18 of education determines by resolution that a new high
19 school is needed because of projected enrollment
20 increases;

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

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

26 (k) Notwithstanding the debt limitation prescribed in

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

14 (1) the school district is located in 2 counties, and a
15 referendum to authorize the additional indebtedness was
16 approved by a majority of the voters of the school district
17 voting on the proposition to authorize that indebtedness;

18 (2) the additional indebtedness is for the purpose of
19 financing a multi-purpose room addition to the existing
20 high school;

21 (3) the additional indebtedness, together with the
22 existing indebtedness of the school district, shall not
23 exceed 17.4% of the value of the taxable property in the
24 school district, to be ascertained by the last assessment
25 for State and county taxes; and

26 (4) the bonds evidencing the additional indebtedness

1 are issued, if at all, within 120 days of the effective
2 date of this amendatory Act of 1998.

3 (1) Notwithstanding any other provisions of this Section or
4 the provisions of any other law, until January 1, 2000, a
5 school district maintaining grades kindergarten through 8 may
6 issue bonds up to an amount, including existing indebtedness,
7 not exceeding 15% 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 district has an equalized assessed valuation
11 for calendar year 1996 of less than \$10,000,000;

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

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

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

21 (m) Notwithstanding any other provisions of this Section or
22 the provisions of any other law, until January 1, 1999, an
23 elementary school district maintaining grades K through 8 may
24 issue bonds up to an amount, excluding existing indebtedness,
25 not exceeding 18% of the equalized assessed value of the
26 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 1995 or less than \$7,700,000;

4 (ii) The school district operates 2 elementary
5 attendance centers that until 1976 were operated as the
6 attendance centers of 2 separate and distinct school
7 districts;

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

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

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

18 (n) Notwithstanding the debt limitation prescribed in
19 subsection (a) of this Section or any other provisions of this
20 Section or of any other law, a school district that meets all
21 of the criteria set forth in paragraphs (i) through (vi) or
22 paragraphs (i), (ii), and (iv) of this subsection (n) may incur
23 additional indebtedness by the issuance of bonds or the
24 execution of a lease with a public commission in an amount not
25 exceeding the amount certified by the Capital Development Board
26 to the school district as provided in paragraph (iii) of this

1 subsection (n), even though the amount of the additional
2 indebtedness so authorized, when incurred and added to the
3 aggregate amount of indebtedness of the district existing
4 immediately prior to the district incurring the additional
5 indebtedness authorized by this subsection (n), causes the
6 aggregate indebtedness of the district to exceed the debt
7 limitation otherwise applicable by law to that district:

8 (i) The school district applies to the State Board of
9 Education for a school construction project grant and
10 submits a district facilities plan in support of its
11 application pursuant to Section 5-20 of the School
12 Construction Law.

13 (ii) The school district's application and facilities
14 plan are approved by, and the district receives a grant
15 entitlement for a school construction project issued by,
16 the State Board of Education under the School Construction
17 Law.

18 (iii) The school district has exhausted its bonding
19 capacity or the unused bonding capacity of the district is
20 less than the amount certified by the Capital Development
21 Board to the district under Section 5-15 of the School
22 Construction Law as the dollar amount of the school
23 construction project's cost that the district will be
24 required to finance with non-grant funds in order to
25 receive a school construction project grant under the
26 School Construction Law.

1 (iv) The bonds are issued for a "school construction
2 project", as that term is defined in Section 5-5 of the
3 School Construction Law, in an amount that does not exceed
4 the dollar amount certified, as provided in paragraph (iii)
5 of this subsection (n), by the Capital Development Board to
6 the school district under Section 5-15 of the School
7 Construction Law.

8 (v) The voters of the district approve a proposition
9 for the issuance of the bonds at a referendum held after
10 the criteria specified in paragraphs (i) and (iii) of this
11 subsection (n) are met.

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

14 (vii) The school district will lease the school
15 construction project from a public building commission
16 pursuant to the Public Building Commission Act.

17 The indebtedness incurred on any lease under this
18 subsection (n) shall not be indebtedness for purposes of any
19 statutory debt limitation.

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

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

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

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

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

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

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

25 (i) The school district has an equalized assessed
26 valuation for calendar year 2001 of at least \$295,741,187

1 and a best 3 months' average daily attendance for the
2 2002-2003 school year of at least 2,394.

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

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

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

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

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

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

1 additions to one or more existing buildings.

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 new buildings or
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 25% 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-10) Notwithstanding any other provisions of this
15 Section or the provisions of any other law, bonds issued by a
16 community consolidated school district maintaining grades K
17 through 8 shall not be considered indebtedness for purposes of
18 any statutory limitation and may be issued in an amount or
19 amounts, including existing indebtedness, in excess of any
20 heretofore or hereafter imposed statutory limitation as to
21 indebtedness, if all of the following conditions are met:

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

25 (ii) The bond proceeds are to be used to acquire and
26 improve school sites and build and equip a school building.

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (i) The voters of the district have approved a

1 proposition for the bond issue at the general primary
2 election held on March 21, 2006.

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

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

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

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

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

25 (p-25) In addition to all other authority to issue bonds,
26 Rochester Community Unit School District 3A may issue bonds

1 with an aggregate principal amount not to exceed \$18,500,000,
2 but only if all of the following conditions are met:

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

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

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

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

24 (v) The proceeds of the bonds are used to accomplish
25 only those projects approved by the voters at the primary
26 election held in 2008.

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

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

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

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

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

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

24 (v) The proceeds of the bonds are used to accomplish
25 only those projects approved by the voters at an election
26 held in 2008.

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

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

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

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

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

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

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

1 only those projects approved by the voters at an election
2 held on April 17, 2007.

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

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

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

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

23 (3) The bonds are issued, in one or more bond
24 issuances, on or before December 31, 2011, but the
25 aggregate principal amount issued in all such bond
26 issuances combined must not exceed \$55,000,000.

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

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

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

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

17 (p-50) Notwithstanding the provisions of subsection (a) of
18 this Section or of any other law, bonds issued pursuant to
19 Section 19-3.10 of this Code shall not be considered
20 indebtedness for purposes of any statutory limitation if the
21 bonds are issued in an amount or amounts, including existing
22 indebtedness of the school district, not in excess of 43% of
23 the value of the taxable property in the district to be
24 ascertained by the last assessment for State and county taxes.

25 (p-55) ~~(p-45)~~ In addition to all other authority to issue
26 bonds, Belle Valley School District 119 may issue bonds with an

1 aggregate principal amount not to exceed \$47,500,000, but only
2 if all of the following conditions are met:

3 (1) The voters of the district approve a proposition
4 for the bond issuance at an election held on or after April
5 7, 2009.

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

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

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

20 (5) The proceeds of the bonds are used to accomplish
21 only those projects approved by the voters at an election
22 held on or after April 7, 2009.

23 The debt incurred on any bonds issued under this subsection
24 (p-55) ~~(p-45)~~ shall not be considered indebtedness for purposes
25 of any statutory debt limitation. Bonds issued under this
26 subsection (p-55) ~~(p-45)~~ must mature within not to exceed 30

1 years from their date, notwithstanding any other law to the
2 contrary.

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

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

11 Section 10. The School Construction Law is amended by
12 changing Sections 5-25 and 5-35 as follows:

13 (105 ILCS 230/5-25)

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

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

1 For purposes only of determining a Type 40 area vocational
2 center's eligibility for an entity included in a school
3 construction project grant or a school maintenance project
4 grant, an area vocational center shall be deemed eligible if
5 one or more of its member school districts satisfy the grant
6 index criteria set forth in this Law. A Type 40 area vocational
7 center that makes application for school construction funds
8 after August 25, 2009 (the effective date of Public Act 96-731)
9 ~~this amendatory Act of the 96th General Assembly~~ shall be
10 placed on the respective application cycle list. Type 40 area
11 vocational centers must be placed last on the priority listing
12 of eligible entities for the applicable fiscal year.

13 (b) The Capital Development Board shall establish project
14 standards for all school construction project grants provided
15 pursuant to this Article. These standards shall include space
16 and capacity standards as well as the determination of
17 recognized project costs that shall be eligible for State
18 financial assistance and enrichment costs that shall not be
19 eligible for State financial assistance.

20 (c) The State Board of Education and the Capital
21 Development Board shall not establish standards that
22 disapprove or otherwise establish limitations that restrict
23 the eligibility of (i) a school district ~~with a population~~
24 ~~exceeding 500,000~~ for a school construction project grant based
25 on the fact that any or all of the school construction project
26 grant will be used to pay debt service or to make lease

1 payments, as authorized by subsection (b) of Section 5-35 of
2 this Law, or based on the fact that all or a part of the school
3 construction project is owned by a public building commission
4 and leased to the school, or (ii) a school district located in
5 whole or in part in a county that imposes a tax for school
6 facility purposes pursuant to Section 5-1006.7 of the Counties
7 Code.

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

10 (105 ILCS 230/5-35)

11 Sec. 5-35. School construction project grant amounts;
12 permitted use; prohibited use.

13 (a) The product of the district's grant index and the
14 recognized project cost, as determined by the Capital
15 Development Board, for an approved school construction project
16 shall equal the amount of the grant the Capital Development
17 Board shall provide to the eligible district. The grant index
18 shall not be used in cases where the General Assembly and the
19 Governor approve appropriations designated for specifically
20 identified school district construction projects.

21 The average of the grant indexes of the member districts in
22 a joint agreement shall be used to calculate the amount of a
23 school construction project grant awarded to an eligible Type
24 40 area vocational center.

25 (b) In each fiscal year in which school construction

1 project grants are awarded, 20% of the total amount awarded
2 statewide shall be awarded to a school district with a
3 population exceeding 500,000, provided such district complies
4 with the provisions of this Article.

5 In addition to the uses otherwise authorized by this Law,
6 any school district ~~with a population exceeding 500,000~~ is
7 authorized to use any or all of the school construction project
8 grants (i) to pay debt service, as defined in the Local
9 Government Debt Reform Act, on bonds, as defined in the Local
10 Government Debt Reform Act, issued to finance one or more
11 school construction projects and (ii) to the extent that any
12 such bond is a lease or other installment or financing contract
13 between the school district and a public building commission
14 that has issued bonds to finance one or more qualifying school
15 construction projects, to make lease payments under the lease.

16 (c) No portion of a school construction project grant
17 awarded by the Capital Development Board shall be used by a
18 school district for any on-going operational costs.

19 (Source: P.A. 96-731, eff. 8-25-09.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.