



Sen. David Koehler

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1 AMENDMENT TO SENATE BILL 2647

2 AMENDMENT NO. _____. Amend Senate Bill 2647 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section
5 19-1 as follows:

6 (105 ILCS 5/19-1)

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

8 (a) School districts shall not be subject to the provisions
9 limiting their indebtedness prescribed in "An Act to limit the
10 indebtedness of counties having a population of less than
11 500,000 and townships, school districts and other municipal
12 corporations having a population of less than 300,000",
13 approved February 15, 1928, as amended.

14 No school districts maintaining grades K through 8 or 9
15 through 12 shall become indebted in any manner or for any
16 purpose to an amount, including existing indebtedness, in the

1 aggregate exceeding 6.9% on the value of the taxable property
2 therein to be ascertained by the last assessment for State and
3 county taxes or, until January 1, 1983, if greater, the sum
4 that is produced by multiplying the school district's 1978
5 equalized assessed valuation by the debt limitation percentage
6 in effect on January 1, 1979, previous to the incurring of such
7 indebtedness.

8 No school districts maintaining grades K through 12 shall
9 become indebted in any manner or for any purpose to an amount,
10 including existing indebtedness, in the aggregate exceeding
11 13.8% on the value of the taxable property therein to be
12 ascertained by the last assessment for State and county taxes
13 or, until January 1, 1983, if greater, the sum that is produced
14 by multiplying the school district's 1978 equalized assessed
15 valuation by the debt limitation percentage in effect on
16 January 1, 1979, previous to the incurring of such
17 indebtedness.

18 No partial elementary unit district, as defined in Article
19 11E of this Code, shall become indebted in any manner or for
20 any purpose in an amount, including existing indebtedness, in
21 the aggregate exceeding 6.9% of the value of the taxable
22 property of the entire district, to be ascertained by the last
23 assessment for State and county taxes, plus an amount,
24 including existing indebtedness, in the aggregate exceeding
25 6.9% of the value of the taxable property of that portion of
26 the district included in the elementary and high school

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

14 Notwithstanding the provisions of any other law to the
15 contrary, in any case in which the voters of a school district
16 have approved a proposition for the issuance of bonds of such
17 school district at an election held prior to January 1, 1979,
18 and all of the bonds approved at such election have not been
19 issued, the debt limitation applicable to such school district
20 during the calendar year 1979 shall be computed by multiplying
21 the value of taxable property therein, including personal
22 property, as ascertained by the last assessment for State and
23 county taxes, previous to the incurring of such indebtedness,
24 by the percentage limitation applicable to such school district
25 under the provisions of this subsection (a).

26 (b) Notwithstanding the debt limitation prescribed in

1 subsection (a) of this Section, additional indebtedness may be
2 incurred in an amount not to exceed the estimated cost of
3 acquiring or improving school sites or constructing and
4 equipping additional building facilities under the following
5 conditions:

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

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

21 (3) When the voters in the school district approve a
22 proposition for the issuance of bonds for the purpose of
23 acquiring or improving such needed school sites or
24 constructing and equipping such needed additional building
25 facilities at an election called and held for that purpose.
26 Notice of such an election shall state that the amount of

1 indebtedness proposed to be incurred would exceed the debt
2 limitation otherwise applicable to the school district.
3 The ballot for such proposition shall state what percentage
4 of the equalized assessed valuation will be outstanding in
5 bonds if the proposed issuance of bonds is approved by the
6 voters; or

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

15 (5) Notwithstanding the provisions of paragraphs (1)
16 through (3) of this subsection (b), if (i) the school
17 district has previously availed itself of the provisions of
18 paragraph (4) of this subsection (b) to enable it to issue
19 bonds, (ii) the voters of the school district have not
20 defeated a proposition for the issuance of bonds since the
21 referendum described in paragraph (4) of this subsection
22 (b) was held, (iii) the school board determines that
23 additional facilities are needed to provide a quality
24 educational program, and (iv) a majority of those voting in
25 an election called by the school board on the question
26 approve the issuance of bonds for the construction of such

1 facilities, the school district may issue bonds for this
2 purpose.

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

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

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

24 (d) Notwithstanding the debt limitation prescribed in
25 subsection (a) of this Section, a school district that meets
26 all the criteria set forth in paragraphs (1) and (2) of this

1 subsection (d) may incur an additional indebtedness in an
2 amount not to exceed \$4,500,000, even though the amount of the
3 additional indebtedness authorized by this subsection (d),
4 when incurred and added to the aggregate amount of indebtedness
5 of the district existing immediately prior to the district
6 incurring the additional indebtedness authorized by this
7 subsection (d), causes the aggregate indebtedness of the
8 district to exceed the debt limitation otherwise applicable to
9 that district under subsection (a):

10 (1) The additional indebtedness authorized by this
11 subsection (d) is incurred by the school district through
12 the issuance of bonds under and in accordance with Section
13 17-2.11a for the purpose of replacing a school building
14 which, because of mine subsidence damage, has been closed
15 as provided in paragraph (2) of this subsection (d) or
16 through the issuance of bonds under and in accordance with
17 Section 19-3 for the purpose of increasing the size of, or
18 providing for additional functions in, such replacement
19 school buildings, or both such purposes.

20 (2) The bonds issued by the school district as provided
21 in paragraph (1) above are issued for the purposes of
22 construction by the school district of a new school
23 building pursuant to Section 17-2.11, to replace an
24 existing school building that, because of mine subsidence
25 damage, is closed as of the end of the 1992-93 school year
26 pursuant to action of the regional superintendent of

1 schools of the educational service region in which the
2 district is located under Section 3-14.22 or are issued for
3 the purpose of increasing the size of, or providing for
4 additional functions in, the new school building being
5 constructed to replace a school building closed as the
6 result of mine subsidence damage, or both such purposes.

7 (e) (Blank).

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

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

21 (2) The board of education shall also determine by
22 resolution that the improvements to be financed with the
23 proceeds of the bonds are needed because of the projected
24 enrollment increases.

25 (3) The board of education shall also determine by
26 resolution that the projected increases in enrollment are

1 the result of improvements made or expected to be made to
2 passenger rail facilities located in the school district.

3 Notwithstanding the provisions of subsection (a) of this
4 Section or of any other law, a school district that has availed
5 itself of the provisions of this subsection (f) prior to July
6 22, 2004 (the effective date of Public Act 93-799) may also
7 issue bonds approved by referendum up to an amount, including
8 existing indebtedness, not exceeding 25% of the equalized
9 assessed value of the taxable property in the district if all
10 of the conditions set forth in items (1), (2), and (3) of this
11 subsection (f) are met.

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

22 (i) The bonds are issued for the purpose of
23 constructing a new high school building to replace two
24 adjacent existing buildings which together house a single
25 high school, each of which is more than 65 years old, and
26 which together are located on more than 10 acres and less

1 than 11 acres of property.

2 (ii) At the time the resolution authorizing the
3 issuance of the bonds is adopted, the cost of constructing
4 a new school building to replace the existing school
5 building is less than 60% of the cost of repairing the
6 existing school building.

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

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

13 (h) Notwithstanding any other provisions of this Section or
14 the provisions of any other law, until January 1, 1998, a
15 community unit school district maintaining grades K through 12
16 may issue bonds up to an amount, including existing
17 indebtedness, not exceeding 27.6% of the equalized assessed
18 value of the taxable property in the district, if all of the
19 following conditions are met:

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

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

26 (iii) The voters of the district approve a proposition

1 for the issuance of the bonds at a referendum held after
2 March 19, 1996; and

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

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

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

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

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

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

24 (j) Notwithstanding any other provisions of this Section or
25 the provisions of any other law, until January 1, 1999, a
26 community unit school district maintaining grades K through 12

1 may issue bonds up to an amount, including existing
2 indebtedness, not exceeding 27% of the equalized assessed value
3 of the taxable property in the district if all of the following
4 conditions are met:

5 (i) The school district has an equalized assessed
6 valuation for calendar year 1995 of less than \$140,000,000
7 and a best 3 months average daily attendance for the
8 1995-96 school year of at least 2,800;

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

13 (iii) At the time of the sale of the bonds, the board
14 of education determines by resolution that a new high
15 school is needed because of projected enrollment
16 increases;

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

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

22 (k) Notwithstanding the debt limitation prescribed in
23 subsection (a) of this Section, a school district that meets
24 all the criteria set forth in paragraphs (1) through (4) of
25 this subsection (k) may issue bonds to incur an additional
26 indebtedness in an amount not to exceed \$4,000,000 even though

1 the amount of the additional indebtedness authorized by this
2 subsection (k), when incurred and added to the aggregate amount
3 of indebtedness of the school district existing immediately
4 prior to the school district incurring such additional
5 indebtedness, causes the aggregate indebtedness of the school
6 district to exceed or increases the amount by which the
7 aggregate indebtedness of the district already exceeds the debt
8 limitation otherwise applicable to that school district under
9 subsection (a):

10 (1) the school district is located in 2 counties, and a
11 referendum to authorize the additional indebtedness was
12 approved by a majority of the voters of the school district
13 voting on the proposition to authorize that indebtedness;

14 (2) the additional indebtedness is for the purpose of
15 financing a multi-purpose room addition to the existing
16 high school;

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

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

25 (1) Notwithstanding any other provisions of this Section or
26 the provisions of any other law, until January 1, 2000, a

1 school district maintaining grades kindergarten through 8 may
2 issue bonds up to an amount, including existing indebtedness,
3 not exceeding 15% of the equalized assessed value of the
4 taxable property in the district if all of the following
5 conditions are met:

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

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

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

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

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

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

26 (ii) The school district operates 2 elementary

1 attendance centers that until 1976 were operated as the
2 attendance centers of 2 separate and distinct school
3 districts;

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

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

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

14 (n) Notwithstanding the debt limitation prescribed in
15 subsection (a) of this Section or any other provisions of this
16 Section or of any other law, a school district that meets all
17 of the criteria set forth in paragraphs (i) through (vi) of
18 this subsection (n) may incur additional indebtedness by the
19 issuance of bonds in an amount not exceeding the amount
20 certified by the Capital Development Board to the school
21 district as provided in paragraph (iii) of this subsection (n),
22 even though the amount of the additional indebtedness so
23 authorized, when incurred and added to the aggregate amount of
24 indebtedness of the district existing immediately prior to the
25 district incurring the additional indebtedness authorized by
26 this subsection (n), causes the aggregate indebtedness of the

1 district to exceed the debt limitation otherwise applicable by
2 law to that district:

3 (i) The school district applies to the State Board of
4 Education for a school construction project grant and
5 submits a district facilities plan in support of its
6 application pursuant to Section 5-20 of the School
7 Construction Law.

8 (ii) The school district's application and facilities
9 plan are approved by, and the district receives a grant
10 entitlement for a school construction project issued by,
11 the State Board of Education under the School Construction
12 Law.

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

22 (iv) The bonds are issued for a "school construction
23 project", as that term is defined in Section 5-5 of the
24 School Construction Law, in an amount that does not exceed
25 the dollar amount certified, as provided in paragraph (iii)
26 of this subsection (n), by the Capital Development Board to

1 the school district under Section 5-15 of the School
2 Construction Law.

3 (v) The voters of the district approve a proposition
4 for the issuance of the bonds at a referendum held after
5 the criteria specified in paragraphs (i) and (iii) of this
6 subsection (n) are met.

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

9 (o) Notwithstanding any other provisions of this Section or
10 the provisions of any other law, until November 1, 2007, 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 20% of the equalized assessed value
14 of the taxable property in the district if all of the following
15 conditions are met:

16 (i) the school district has an equalized assessed
17 valuation for calendar year 2001 of at least \$737,000,000
18 and an enrollment for the 2002-2003 school year of at least
19 8,500;

20 (ii) the bonds are issued to purchase school sites,
21 build and equip a new high school, build and equip a new
22 junior high school, build and equip 5 new elementary
23 schools, and make technology and other improvements and
24 additions to existing schools;

25 (iii) at the time of the sale of the bonds, the board
26 of education determines by resolution that the sites and

1 new or improved facilities are needed because of projected
2 enrollment increases;

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

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

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

14 (i) The school district has an equalized assessed
15 valuation for calendar year 2001 of at least \$295,741,187
16 and a best 3 months' average daily attendance for the
17 2002-2003 school year of at least 2,394.

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

22 (iii) At the time of the sale of the bonds, the board
23 of education determines by resolution that the project is
24 needed because of expanding growth in the school district
25 and a projected enrollment increase.

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

1 through 19-7 of this Code.

2 (p-5) Notwithstanding any other provisions of this Section
3 or the provisions of any other law, bonds issued by a community
4 unit school district maintaining grades K through 12 shall not
5 be considered indebtedness for purposes of any statutory
6 limitation and may be issued in an amount or amounts, including
7 existing indebtedness, in excess of any heretofore or hereafter
8 imposed statutory limitation as to indebtedness, if all of the
9 following conditions are met:

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

13 (ii) At least 2 school buildings that were constructed
14 40 or more years prior to the issuance of the bonds will be
15 demolished and will be replaced by new buildings or
16 additions to one or more existing buildings.

17 (iii) Voters of the district approve a proposition for
18 the issuance of the bonds at a regularly scheduled
19 election.

20 (iv) At the time of the sale of the bonds, the school
21 board determines by resolution that the new buildings or
22 building additions are needed because of an increase in
23 enrollment projected by the school board.

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

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

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

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

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

16 (iii) Voters of the district approve a proposition for
17 the issuance of the bonds at a regularly scheduled
18 election.

19 (iv) At the time of the sale of the bonds, the school
20 board determines by resolution that the school sites and
21 building additions are needed because of an increase in
22 enrollment projected by the school board.

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

26 (vi) The bonds are issued prior to January 1, 2007,

1 pursuant to Sections 19-2 through 19-7 of this Code.

2 (p-15) In addition to all other authority to issue bonds,
3 the Oswego Community Unit School District Number 308 may issue
4 bonds with an aggregate principal amount not to exceed
5 \$450,000,000, but only if all of the following conditions are
6 met:

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

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 the new high school building, new junior high
13 school buildings, new elementary school buildings, early
14 childhood building, maintenance building, transportation
15 facility, and additions to existing school buildings, the
16 altering, repairing, equipping, and provision of
17 technology improvements to existing school buildings, and
18 the acquisition and improvement of school sites, as the
19 case may be, are required as a result of a projected
20 increase in the enrollment of students in the district; and
21 (B) the sale of bonds for these purposes is authorized by
22 legislation that exempts the debt incurred on the bonds
23 from the district's statutory debt limitation.

24 (iii) The bonds are issued, in one or more bond issues,
25 on or before November 7, 2011, but the aggregate principal
26 amount issued in all such bond issues combined must not

1 exceed \$450,000,000.

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

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

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

10 (p-20) In addition to all other authority to issue bonds,
11 the Lincoln-Way Community High School District Number 210 may
12 issue bonds with an aggregate principal amount not to exceed
13 \$225,000,000, but only if all of the following conditions are
14 met:

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

18 (ii) At the time of the sale of the bonds, the school
19 board determines, by resolution, that: (A) the building and
20 equipping of the new high school buildings, the altering,
21 repairing, and equipping of existing school buildings, and
22 the improvement of school sites, as the case may be, are
23 required as a result of a projected increase in the
24 enrollment of students in the district; and (B) the sale of
25 bonds for these purposes is authorized by legislation that
26 exempts the debt incurred on the bonds from the district's

1 statutory debt limitation.

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

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

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

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

14 (p-25) In addition to all other authority to issue bonds,
15 Rochester Community Unit School District 3A may issue bonds
16 with an aggregate principal amount not to exceed \$18,500,000,
17 but only if all of the following conditions are met:

18 (i) The voters of the district approve a proposition
19 for the bond issuance at the general primary election held
20 in 2008.

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 a new high school building; the addition of
24 classrooms and support facilities at the high school,
25 middle school, and elementary school; the altering,
26 repairing, and equipping of existing school buildings; and

1 the improvement of school sites, as the case may be, are
2 required as a result of a projected increase in the
3 enrollment of students in the district; and (B) the sale of
4 bonds for these purposes is authorized by a law that
5 exempts the debt incurred on the bonds from the district's
6 statutory debt limitation.

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

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

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

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

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

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

25 (ii) At the time of the sale of the bonds, the school
26 board determines, by resolution, that (A) the building and

1 equipping of a new school building and additions to
2 existing school buildings are required as a result of a
3 projected increase in the enrollment of students in the
4 district and (B) the altering, repairing, and equipping of
5 existing school buildings are required because of the age
6 of the existing school buildings.

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

11 (iv) The bonds are issued in accordance with this
12 Article.

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

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

19 (p-35) In addition to all other authority to issue bonds,
20 Prairie Hill Community Consolidated School District 133 may
21 issue bonds with an aggregate principal amount not to exceed
22 \$13,900,000, but only if all of the following conditions are
23 met:

24 (i) The voters of the district approved a proposition
25 for the bond issuance at an election held on April 17,
26 2007.

1 (ii) At the time of the sale of the bonds, the school
2 board determines, by resolution, that (A) the improvement
3 of the site of and the building and equipping of a school
4 building are required as a result of a projected increase
5 in the enrollment of students in the district and (B) the
6 repairing and equipping of the Prairie Hill Elementary
7 School building is required because of the age of that
8 school building.

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

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

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

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

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

25 (1) The voters of the district approve a proposition
26 for the bond issuance at a regular election held on or

1 after November 4, 2008.

2 (2) At the time of the sale of the bonds, the school
3 board determines, by resolution, that (i) the building and
4 equipping of a new high school building is required as a
5 result of a projected increase in the enrollment of
6 students in the district and the age and condition of the
7 existing high school building, (ii) the existing high
8 school building will be demolished, and (iii) the sale of
9 bonds is authorized by statute that exempts the debt
10 incurred on the bonds from the district's statutory debt
11 limitation.

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

16 (4) The bonds are issued in accordance with this
17 Article.

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

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

24 (p-45) Notwithstanding the provisions of subsection (a) of
25 this Section or of any other law, bonds issued pursuant to
26 Section 19-3.5 of this Code shall not be considered

1 indebtedness for purposes of any statutory limitation if the
2 bonds are issued in an amount or amounts, including existing
3 indebtedness of the school district, not in excess of 18.5% of
4 the value of the taxable property in the district to be
5 ascertained by the last assessment for State and county taxes.

6 (p-50) Notwithstanding the provisions of subsection (a) of
7 this Section or of any other law, bonds issued pursuant to
8 Section 19-3.10 of this Code shall not be considered
9 indebtedness for purposes of any statutory limitation if the
10 bonds are issued in an amount or amounts, including existing
11 indebtedness of the school district, not in excess of 43% of
12 the value of the taxable property in the district to be
13 ascertained by the last assessment for State and county taxes.

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

18 (1) The voters of the district approve a proposition
19 for the bond issuance at an election held on or after April
20 7, 2009.

21 (2) Prior to the issuance of the bonds, the school
22 board determines, by resolution, that (i) the building and
23 equipping of a new school building is required as a result
24 of mine subsidence in an existing school building and
25 because of the age and condition of another existing school
26 building and (ii) the issuance of bonds is authorized by

1 statute that exempts the debt incurred on the bonds from
2 the district's statutory debt limitation.

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

7 (4) The bonds are issued in accordance with this
8 Article.

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

12 The debt incurred on any bonds issued under this subsection
13 (p-55) ~~(p-45)~~ shall not be considered indebtedness for purposes
14 of any statutory debt limitation. Bonds issued under this
15 subsection (p-55) ~~(p-45)~~ must mature within not to exceed 30
16 years from their date, notwithstanding any other law to the
17 contrary.

18 (p-60) 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, the execution of leases on or
21 after January 1, 2007 by the Board of Education of Peoria
22 School District 150 with a public building commission for
23 leases entered into pursuant to the Public Building Commission
24 Act shall not be considered indebtedness for purposes of any
25 statutory debt limitation.

26 (q) A school district must notify the State Board of

1 Education prior to issuing any form of long-term or short-term
2 debt that will result in outstanding debt that exceeds 75% of
3 the debt limit specified in this Section or any other provision
4 of law.

5 (Source: P.A. 95-331, eff. 8-21-07; 95-594, eff. 9-10-07;
6 95-792, eff. 1-1-09; 96-63, eff. 7-23-09; 96-273, eff. 8-11-09;
7 96-517, eff. 8-14-09; revised 9-15-09.)

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

10 (105 ILCS 230/5-25)

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

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

22 For purposes only of determining a Type 40 area vocational
23 center's eligibility for an entity included in a school
24 construction project grant or a school maintenance project

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

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

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

1 pursuant to Section 5-1006.7 of the Counties Code, or (iii) a
2 school district that (1) was organized prior to 1860 and (2) is
3 located in part in a city originally incorporated prior to
4 1840, based on the fact that all or a part of the school
5 construction project is owned by a public building commission
6 and leased to the school district or the fact that any or all
7 of the school construction project grant will be used to pay
8 debt service or to make lease payments.

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

11 (105 ILCS 230/5-35)

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

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

22 The average of the grant indexes of the member districts in
23 a joint agreement shall be used to calculate the amount of a
24 school construction project grant awarded to an eligible Type
25 40 area vocational center.

1 (b) In each fiscal year in which school construction
2 project grants are awarded, 20% of the total amount awarded
3 statewide shall be awarded to a school district with a
4 population exceeding 500,000, provided such district complies
5 with the provisions of this Article.

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

17 (b-5) In addition to the uses otherwise authorized by this
18 Law, any school district that (1) was organized prior to 1860
19 and (2) is located in part in a city originally incorporated
20 prior to 1840 is authorized to use any or all of the school
21 construction project grants (i) to pay debt service on bonds,
22 as those terms are defined in the Local Government Debt Reform
23 Act, that are issued to finance one or more school construction
24 projects and (ii) to the extent that any such bond is a lease
25 or other installment or financing contract between the school
26 district and a public building commission that has issued bonds

1 to finance one or more qualifying school construction projects,
2 to make lease payments under the lease.

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

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

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