



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4043

by Rep. John E. Bradley

SYNOPSIS AS INTRODUCED:

105 ILCS 5/11E-70

Amends the School Code. Provides that if a petition is filed for the consolidation of Christopher Unit School District 99 and Zeigler-Royalton Community Unit School District 188, the change is granted and approved at election, and no appeal is taken, then the change shall become effective after one or both of the school districts have been awarded school construction grants under the School Construction Law (instead of after the time for appeal has run for the purpose of all elections). Effective immediately.

LRB097 16996 NHT 62187 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 Section
5 11E-70 as follows:

6 (105 ILCS 5/11E-70)

7 Sec. 11E-70. Effective date of change.

8 (a) Except as provided in subsection (a-5) of this Section,
9 if ~~if~~ a petition is filed under the authority of this Article,
10 the change is granted and approved at election, and no appeal
11 is taken, then the change shall become effective after the time
12 for appeal has run for the purpose of all elections; however,
13 the change shall not affect the administration of the schools
14 until July 1 following the date that the school board election
15 is held for the new district or districts and the school boards
16 of the districts as they existed prior to the change shall
17 exercise the same power and authority over the territory until
18 that date.

19 (a-5) If a petition is filed under the authority of this
20 Article for the consolidation of Christopher Unit School
21 District 99 and Zeigler-Royalton Community Unit School
22 District 188, the change is granted and approved at election,
23 and no appeal is taken, then the change shall become effective

1 after one or both of the school districts have been awarded
2 school construction grants under the School Construction Law.

3 (b) If any school district is dissolved in accordance with
4 this Article, upon the close of the then current school year,
5 the terms of office of the school board of the dissolved
6 district shall terminate.

7 (c) New districts shall be permitted to organize and elect
8 officers within the time prescribed by the general election
9 law. Additionally, between the date of the organization and the
10 election of officers and the date on which the new district
11 takes effect for all purposes, the new district shall also be
12 permitted, with the stipulation of the districts from which the
13 new district is formed and the approval of the regional
14 superintendent of schools, to take all action necessary or
15 appropriate to do the following:

16 (1) Establish the tax levy for the new district, in
17 lieu of the levies by the districts from which the new
18 district is formed, within the time generally provided by
19 law and in accordance with this Article. The funds produced
20 by the levy shall be transferred to the new district as
21 generally provided by law at such time as they are received
22 by the county collector.

23 (2) Enter into agreements with depositories and direct
24 the deposit and investment of any funds received from the
25 county collector or any other source, all as generally
26 provided by law.

1 (3) Conduct a search for the superintendent of the new
2 district and enter into a contract with the person selected
3 to serve as the superintendent of the new district in
4 accordance with the provisions of this Code generally
5 applicable to the employment of a superintendent.

6 (4) Conduct a search for other administrators and staff
7 of the new district and enter into a contract with these
8 persons in accordance with the provisions of this Code
9 generally applicable to the employment of administrators
10 and other staff.

11 (5) Engage the services of accountants, architects,
12 attorneys, and other consultants, including but not
13 limited to consultants to assist in the search for the
14 superintendent.

15 (6) Plan for the transition from the administration of
16 the schools by the districts from which the new district is
17 formed.

18 (7) Bargain collectively, pursuant to the Illinois
19 Educational Labor Relations Act, with the certified
20 exclusive bargaining representative or certified exclusive
21 bargaining representatives of the new district's
22 employees.

23 (8) Expend the funds received from the levy and any
24 funds received from the districts from which the new
25 district is formed to meet payroll and other essential
26 operating expenses or otherwise in the exercise of the

1 foregoing powers until the new district takes effect for
2 all purposes.

3 (9) Issue bonds authorized in the proposition to form
4 the new district or bonds pursuant to and in accordance
5 with all of the requirements of Section 17-2.11 of this
6 Code, levy taxes upon all of the taxable property within
7 the new district to pay the principal of and interest on
8 those bonds as provided by statute, expend the proceeds of
9 the bonds and enter into any necessary contracts for the
10 work financed therewith as authorized by statute, and avail
11 itself of the provisions of other applicable law, including
12 the Omnibus Bond Acts, in connection with the issuance of
13 those bonds.

14 (d) After the granting of a petition has become final and
15 approved at election, the date when the change becomes
16 effective for purposes of administration and attendance may be
17 accelerated or postponed by stipulation of the school board of
18 each district affected and approval by the regional
19 superintendent of schools with which the original petition is
20 required to be filed.

21 (Source: P.A. 94-1019, eff. 7-10-06.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.