



Rep. Thomas Morrison

Filed: 3/14/2012

09700HB4850ham001

LRB097 17484 NHT 67208 a

1 AMENDMENT TO HOUSE BILL 4850

2 AMENDMENT NO. _____. Amend House Bill 4850 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by adding Sections
5 10-30 and 34-21.9 as follows:

6 (105 ILCS 5/10-30 new)

7 Sec. 10-30. Mandate compliance; delayed State payments.

8 (a) If any payments from the State to a school district are
9 delayed for at least one payment cycle, then the district is
10 not obligated to comply with any statutory or regulatory
11 mandate or requirement during that time.

12 (b) If payments are delayed under subsection (a) of this
13 Section, then the school district may choose to discontinue or
14 modify the mandated activity. Official action by the school
15 board must take place before a school district may discontinue
16 or modify a mandated activity due to delayed payments from the

1 State. If a school district discontinues or modifies a mandated
2 activity due to delayed payments from the State, then the
3 school district shall maintain a list of discontinued or
4 modified mandated activities. The list shall be provided to the
5 State Board of Education upon request.

6 (c) This Section does not apply to special education,
7 transportation, lunch programs, coursework required for high
8 school graduation, the health/life safety code, driver
9 education, curricula associated with Illinois learning
10 standards and State assessments (including longitudinal data
11 systems), teacher certification requirements, programs
12 impacted by federal requirements, laws related to teacher
13 tenure, evaluation, dismissal, or reduction in force, locally
14 negotiated contracts, bilingual education, criminal history
15 records checks, the Open Meetings Act, requirements for school
16 districts certified to be in financial difficulty under Section
17 1A-8 of this Code, requirements for school districts under a
18 financial oversight panel or a school finance authority, and
19 any laws related to employment under Chapter 820 of the
20 Illinois Compiled Statutes.

21 (105 ILCS 5/34-21.9 new)

22 Sec. 34-21.9. Mandate compliance; delayed State payments.

23 (a) If any payments from the State to the school district
24 are delayed for at least one payment cycle, then the district
25 is not obligated to comply with any statutory or regulatory

1 mandate or requirement during that time.

2 (b) If payments are delayed under subsection (a) of this
3 Section, then the school district may choose to discontinue or
4 modify the mandated activity. Official action by the board must
5 take place before the school district may discontinue or modify
6 a mandated activity due to delayed payments from the State. If
7 the school district discontinues or modifies a mandated
8 activity due to delayed payments from the State, then the
9 school district shall maintain a list of discontinued or
10 modified mandated activities. The list shall be provided to the
11 State Board of Education upon request.

12 (c) This Section does not apply to special education,
13 transportation, lunch programs, coursework required for high
14 school graduation, the health/life safety code, driver
15 education, curricula associated with Illinois learning
16 standards and State assessments (including longitudinal data
17 systems), teacher certification requirements, programs
18 impacted by federal requirements, laws related to teacher
19 tenure, evaluation, dismissal, or reduction in force, locally
20 negotiated contracts, bilingual education, criminal history
21 records checks, the Open Meetings Act, requirements for school
22 districts certified to be in financial difficulty under Section
23 1A-8 of this Code, requirements for school districts under a
24 financial oversight panel or a school finance authority, and
25 any laws related to employment under Chapter 820 of the
26 Illinois Compiled Statutes.

1 (105 ILCS 5/22-60 rep.)

2 Section 10. The School Code is amended by repealing Section
3 22-60.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.".