Sen. Chris Lauzen

Filed: 4/11/2011

09700SB0626sam001   LRB097 04413 RPM 54272 a

1   AMENDMENT TO SENATE BILL 626

2   AMENDMENT NO. _____. Amend Senate Bill 626 by replacing

3   everything after the enacting clause with the following:

4   "Section 5. The School Code is amended by adding Section

5   11E-13 and by changing Sections 17-3 and 17-5 and as follows:

6   (105 ILCS 5/11E-13 new)

7   Sec. 11E-13. One elementary school district per high school

8   district. Notwithstanding any other provision of law to the

9   contrary, beginning on the effective date of this amendatory

10   Act of the 97th General Assembly, each high school district

11   shall contain only one elementary school district, which shall

12   have identical boundaries. Within 60 days after the effective

13   date of this amendatory Act of the 97th General Assembly, on a

14   date set by the State Board of Education, a special election

15   must be held in each high school district to elect members to

16   the school board of the newly formed elementary school

1   district, if needed. Each member of the elementary school

2   district's board shall be elected for a term of 4 years, except

3   that for the initial members of the board, 3 shall be elected

4   to serve a term that begins immediately after being elected and

5   expires upon the initial member's successor being elected at

6   the regular school election in April of 2013 and 4 shall be

7   elected to serve a term that begins immediately after being

8   elected and expires upon the initial member's successor being

9   elected at the regular school election in April of 2015.

10   (105 ILCS 5/17-3) (from Ch. 122, par. 17-3)

11   Sec. 17-3. Additional levies-Submission to voters.

12   (a) The school board in any district having a population of

13   less than 500,000 inhabitants may, by proper resolution, cause

14   a proposition to increase, for a limited period of not less

15   than 3 nor more than 10 years or for an unlimited period, the

16   annual tax rate for educational purposes to be submitted to the

17   voters of such district at a regular scheduled election as

18   follows:

19   (1) in districts maintaining grades 1 through 8, or

20   grades 9 through 12, the maximum rate for educational

21   purposes shall not exceed 3.5% of the value as equalized or

22   assessed by the Department of Revenue for taxes levied for

23   2012 or prior years, not to exceed 3.2% for taxes levied

24   for 2013, not to exceed 2.9% for taxes levied for 2014, not

25   to exceed 2.6% for taxes levied for 2015, not to exceed

1   2.3% for taxes levied for 2016, and not to exceed 2.0% for

2   taxes levied for 2017 or thereafter;

3   (2) in districts maintaining grades 1 through 12 the

4   maximum rate for educational purposes shall not exceed

5   4.00% of the value as equalized or assessed by the

6   Department of Revenue except that if a single elementary

7   district and a secondary district having boundaries that

8   are coterminous form a community unit district on or after

9   the effective date of this amendatory Act of the 94th

10   General Assembly and the actual combined rate of the

11   elementary district and secondary district prior to the

12   formation of the community unit district is greater than

13   4.00%, then the maximum rate for educational purposes for

14   such district shall be the following:

15   (A) For 2 years following the formation of the

16   community unit district, the maximum rate shall equal

17   the actual combined rate of the previous elementary

18   district and secondary district.

19   (B) In each subsequent year, the maximum rate shall

20   be reduced by 0.10% or reduced to 4.00%, whichever

21   reduction is less. The school board may, by proper

22   resolution, cause a proposition to increase the

23   reduced rate, not to exceed the maximum rate in clause

24   (A), to be submitted to the voters of the district at a

25   regular scheduled election as provided under this

26   Section. Nothing in this Section shall require that the

1   maximum rate for educational purpose for a district
2   maintaining grades one through 12 be reduced below
3   4.00%.

4   If the resolution of the school board seeks to increase the
5 annual tax rate for educational purposes for a limited period
6 of not less than 3 nor more than 10 years, the proposition
7 shall so state and shall identify the years for which the tax
8 increase is sought.

9   If a majority of the votes cast on the proposition is in
10 favor thereof at an election for which the election authorities
11 have given notice either (i) in accordance with Section 12-5 of
12 the Election Code or (ii) by publication of a true and legible
13 copy of the specimen ballot label containing the proposition in
14 the form in which it appeared or will appear on the official
15 ballot label on the day of the election at least 5 days before
16 the day of the election in at least one newspaper published in
17 and having a general circulation in the district, the school
18 board may thereafter, until such authority is revoked in like
19 manner, levy annually the tax so authorized; provided that if
20 the proposition as approved limits the increase in the annual
21 tax rate of the district for educational purposes to a period
22 of not less than 3 nor more than 10 years, the district may,
23 unless such authority is sooner revoked in like manner, levy
24 annually the tax so authorized for the limited number of years
25 approved by a majority of the votes cast on the proposition.
26 Upon expiration of that limited period, the rate at which the

1   district may annually levy its tax for educational purposes

2   shall be the rate provided under Section 17-2, or the rate at

3   which the district last levied its tax for educational purposes

4   prior to approval of the proposition authorizing the levy of

5   that tax at an increased rate, whichever is greater.

6   The school board shall certify the proposition to the

7   proper election authorities in accordance with the general

8   election law.

9   The provisions of this Section concerning notice of the tax

10   rate increase referendum apply only to consolidated primary

11   elections held prior to January 1, 2002 at which not less than

12   55% of the voters voting on the tax rate increase proposition

13   voted in favor of the tax rate increase proposition.

14   (b) Beginning on the effective date of this amendatory Act

15   of the 97th General Assembly, no elementary or high school

16   district established pursuant to Section 11E-13 of this Code

17   may levy taxes for educational purposes at a rate greater than

18   2.0% of the value as equalized or assessed by the Department of

19   Revenue.

20   (Source: P.A. 94-52, eff. 6-17-05.)

21   (105 ILCS 5/17-5) (from Ch. 122, par. 17-5)

22   Sec. 17-5. Increase tax rates for operations and

23   maintenance purposes- Maximum.

24   (a) The school board in any district having a population of

25   less than 500,000 inhabitants may, by proper resolution, cause

1   a proposition to increase the annual tax rate for operations
2   and maintenance purposes to be submitted to the voters of the
3   district at a regular scheduled election. The board shall
4   certify the proposition to the proper election authority for
5   submission to the elector in accordance with the general
6   election law. In districts maintaining grades 1 through 8, or
7   grades 9 through 12, the maximum rate for operations and
8   maintenance purposes shall not exceed .55% for taxes levied for
9   2012 or prior years, not to exceed 0.475% for taxes levied for
10   2013, not to exceed 0.45% for taxes levied for 2014, not to
11   exceed 0.425% for taxes levied for 2015, not to exceed 0.40%
12   for taxes levied for 2016, and not to exceed 0.375% for taxes
13   levied for 2017 or thereafter; and in districts maintaining
14   grades 1 through 12, the maximum rates for operations and
15   maintenance purposes shall not exceed .75%, except that if a
16   single elementary district and a secondary district having
17   boundaries that are coterminous on the effective date of this
18   amendatory Act form a community unit district as authorized
19   under Section 11-6, the maximum rate for operation and
20   maintenance purposes for such district shall not exceed 1.10%
21   of the value as equalized or assessed by the Department of
22   Revenue; and in such district maintaining grades 1 through 12,
23   funds may, subject to the provisions of Section 17-5.1
24   accumulate to not more than 5% of the equalized assessed
25   valuation of the district. No such accumulation shall ever be
26   transferred or used for any other purpose. If a majority of the

1   votes cast on the proposition is in favor thereof, the school
2   board may thereafter, until such authority is revoked in like
3   manner, levy annually a tax as authorized.
4   (b) Beginning on the effective date of this amendatory Act
5   of the 97th General Assembly, no elementary or high school
6   district established pursuant to Section 11E-13 of this Code
7   may levy taxes for operations and maintenance purposes at a
8   rate greater than 0.375% of the value as equalized or assessed
9   by the Department of Revenue.
10 (Source: P.A. 86-1334.)

11   Section 99. Effective date. This Act takes effect June 30,
12 2011.".