



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB2042

Introduced 2/10/2011, by Sen. John J. Millner

SYNOPSIS AS INTRODUCED:

110 ILCS 805/3-8	from Ch. 122, par. 103-8
110 ILCS 805/3-10	from Ch. 122, par. 103-10
110 ILCS 805/3-19	from Ch. 122, par. 103-19
110 ILCS 805/3-19.1	from Ch. 122, par. 103-19.1
110 ILCS 805/3-20.3.01	from Ch. 122, par. 103-20.3.01
110 ILCS 805/3-20.5	from Ch. 122, par. 103-20.5
110 ILCS 805/3-27	from Ch. 122, par. 103-27
110 ILCS 805/3-33.3	from Ch. 122, par. 103-33.3
110 ILCS 805/3-51	from Ch. 122, par. 103-51
110 ILCS 805/3A-1	from Ch. 122, par. 103A-1
110 ILCS 805/3A-20	from Ch. 122, par. 103A-20
110 ILCS 805/7-22	from Ch. 122, par. 107-22
110 ILCS 805/7-23	from Ch. 122, par. 107-23
110 ILCS 805/7-25	from Ch. 122, par. 107-25
110 ILCS 805/7-26	from Ch. 122, par. 107-26

Amends the Public Community College Act. Changes references from "chairman" to "chairperson" of the board of trustees of a community college district; makes related changes.

LRB097 09227 NHT 49362 b

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 Public Community College Act is amended by
5 changing Sections 3-8, 3-10, 3-19, 3-19.1, 3-20.3.01, 3-20.5,
6 3-27, 3-33.3, 3-51, 3A-1, 3A-20, 7-22, 7-23, 7-25, and 7-26 as
7 follows:

8 (110 ILCS 805/3-8) (from Ch. 122, par. 103-8)

9 Sec. 3-8. Following each election and canvass, the new
10 board shall hold its organizational meeting on or before the
11 28th day after the election. If the election is the initial
12 election ordered by the regional superintendent, the
13 organizational meeting shall be convened by the regional
14 superintendent, who shall preside over the meeting until the
15 election for chairperson ~~chairman~~, vice chairperson ~~chairman~~
16 and secretary of board is completed. At all other
17 organizational meetings, the chairperson ~~chairman~~ of the
18 board, or, in his or her absence, the president of the
19 community college or acting chief executive officer of the
20 college shall convene the new board, and conduct the election
21 for chairperson ~~chairman~~, vice chairperson ~~chairman~~ and
22 secretary. The board shall then proceed with its organization
23 under the newly elected board officers, and shall fix a time

1 and place for its regular meetings. It shall then enter upon
2 the discharge of its duties. Public notice of the schedule of
3 regular meetings for the next calendar year, as set at the
4 organizational meeting, must be given at the beginning of that
5 calendar year. The terms of board office shall be 2 years,
6 except that the board by resolution may establish a policy for
7 the terms of office to be one year, and provide for the
8 election of officers for the remaining one year period. Terms
9 of members are subject to Section 2A-54 of the Election Code.

10 Special meetings of the board may be called by the
11 chairperson ~~chairman~~ or by any 3 members of the board by giving
12 notice thereof in writing stating the time, place and purpose
13 of the meeting. Such notice may be served by mail 48 hours
14 before the meeting or by personal service 24 hours before the
15 meeting.

16 At each regular and special meeting which is open to the
17 public, members of the public and employees of the community
18 college district shall be afforded time, subject to reasonable
19 constraints, to comment to or ask questions of the board.

20 (Source: P.A. 95-116, eff. 8-13-07; 95-791, eff. 8-8-08.)

21 (110 ILCS 805/3-10) (from Ch. 122, par. 103-10)

22 Sec. 3-10. The chairperson ~~chairman~~ shall preside at all
23 meetings and shall perform such duties as are imposed upon him
24 or her by law or by action of the board. The vice-chairperson
25 ~~vice chairman~~ shall serve in the chairperson's ~~chairman's~~

1 absence. If the chairperson ~~chairman~~ and vice-chairperson
2 ~~vice-chairman~~ are absent from any meeting or refuse to perform
3 their duties, a chairperson ~~chairman~~ pro tempore shall be
4 appointed by the board from among their number.

5 The secretary shall perform the duties usually pertaining
6 to his office. If he is absent from any meeting or refuses to
7 perform his duties, a member of the board shall be appointed
8 secretary pro tempore.

9 (Source: Laws 1967, p. 1229.)

10 (110 ILCS 805/3-19) (from Ch. 122, par. 103-19)

11 Sec. 3-19. Before entering upon his duties, each treasurer
12 shall execute a bond with 2 or more persons having an interest
13 in real estate who are not members of the board of the
14 district, or with a surety company authorized to do business in
15 this State, as sureties, payable to the board of the community
16 college district for which he is treasurer and conditioned upon
17 the faithful discharge of his duties. The penalty of the bond
18 shall be 25% of the amount of all bonds, notes, mortgages,
19 moneys, and effects of which the treasurer is to have custody,
20 whether individuals act as surety or whether the surety is
21 given by a surety authorized to do business in this State. The
22 penalty of the bond of the treasurer shall be increased or
23 decreased from time to time, as the increase or decrease of the
24 amount of notes, bonds, mortgages, moneys and effects may
25 require, and whenever in the judgment of the State board the

1 penalty of the bond should be increased or decreased. The bond
2 must be approved by at least a majority of the board of the
3 community college district and filed with the State Board. A
4 copy of the bond must also be filed with the county clerk of
5 each county in which any part of the community college district
6 is situated. The bond shall be in substantially the following
7 form:

8 STATE OF ILLINOIS)

9) SS.

10 COUNTY)

11 We, and are obligated, jointly and severally, to
12 the Board of Community College District No., County (or
13 Counties) of and State of Illinois in the penal sum of
14 \$...., for the payment of which we obligate ourselves, our
15 heirs, executors and administrators.

16 Dated (insert date).

17 The condition of this obligation is such that if,
18 treasurer in the district above stated, faithfully discharges
19 the duties of his or her office, according to law, and delivers
20 to his or her successor in office, after that successor has
21 qualified by giving bond as provided by law, all moneys, books,
22 papers, securities and property, which shall come into his or
23 her possession or control, as such treasurer, from the date of
24 his or her bond to the time that his or her successor has
25 qualified as treasurer, by giving such bond as is required by
26 law, then this obligation to be void; otherwise to remain in

1 full force and effect.

2 Signed:.....
 3
 4
 5

6 Approved and accepted by Board of Community College
 7 District No. County (or Counties) of and State of
 8 Illinois. By Chairperson ~~Chairman~~ Secretary

9 No part of any State or other district funds may be paid to
 10 any treasurer or other persons authorized to receive it unless
 11 the treasurer has filed his or her bond as required herein.

12 (Source: P.A. 92-167, eff. 7-26-01; 93-163, eff. 7-10-03.)

13 (110 ILCS 805/3-19.1) (from Ch. 122, par. 103-19.1)

14 Sec. 3-19.1. When any warrant issued for the wages of an
 15 educational employee is presented to the treasurer and is not
 16 paid for want of funds, the treasurer shall endorse it over his
 17 signature, "not paid for want of funds", with the date of
 18 presentation, and shall make and keep a record of that
 19 endorsement. The warrant shall thereafter bear interest at the
 20 rate of 6% per annum, until the treasurer notifies the
 21 chairperson ~~chairman~~ of the board in writing that he has funds
 22 to pay it. The treasurer shall make and keep a record of that
 23 notice and hold the funds necessary to pay the warrant until it
 24 is presented. The warrant shall draw no interest after notice
 25 is given to the chairperson ~~chairman~~ of the board.

1 (Source: P.A. 82-622.)

2 (110 ILCS 805/3-20.3.01) (from Ch. 122, par. 103-20.3.01)

3 Sec. 3-20.3.01. Whenever, as a result of any lawful order
4 of any agency, other than a local community college board,
5 having authority to enforce any law or regulation designed for
6 the protection, health or safety of community college students,
7 employees or visitors, or any law or regulation for the
8 protection and safety of the environment, pursuant to the
9 "Environmental Protection Act", any local community college
10 district, including any district to which Article VII of this
11 Act applies, is required to alter or repair any physical
12 facilities, or whenever any district determines that it is
13 necessary for energy conservation, health or safety,
14 environmental protection or handicapped accessibility purposes
15 that any physical facilities should be altered or repaired and
16 that such alterations or repairs will be made with funds not
17 necessary for the completion of approved and recommended
18 projects for fire prevention and safety, or whenever after the
19 effective date of this amendatory Act of 1984 any district,
20 including any district to which Article VII applies, provides
21 for alterations or repairs determined by the local community
22 college board to be necessary for health and safety,
23 environmental protection, handicapped accessibility or energy
24 conservation purposes, such district may, by proper resolution
25 which specifically identifies the project and which is adopted

1 pursuant to the provisions of the Open Meetings Act, levy a tax
2 for the purpose of paying for such alterations or repairs, or
3 survey by a licensed architect or engineer, upon the equalized
4 assessed value of all the taxable property of the district at a
5 rate not to exceed .05% per year for a period sufficient to
6 finance such alterations or repairs, upon the following
7 conditions:

8 (a) When in the judgment of the local community college
9 board of trustees there are not sufficient funds available in
10 the operations and maintenance fund of the district to
11 permanently pay for such alterations or repairs so ordered,
12 determined as necessary.

13 (b) When a certified estimate of a licensed architect or
14 engineer stating the estimated amount that is necessary to make
15 the alterations or repairs so ordered or determined as
16 necessary has been secured by the local community college
17 district and the project and estimated amount have been
18 approved by the Executive Director of the State Board.

19 The filing of a certified copy of the resolution or
20 ordinance levying the tax when accompanied by the certificate
21 of approval of the Executive Director of the State Board shall
22 be the authority of the county clerk or clerks to extend such
23 tax; provided, however, that in no event shall the extension
24 for the current and preceding years, if any, under this Section
25 be greater than the amount so approved, and interest on bonds
26 issued pursuant to this Section and in the event such current

1 extension and preceding extensions exceed such approval and
2 interest, it shall be reduced proportionately.

3 The county clerk of each of the counties in which any
4 community college district levying a tax under the authority of
5 this Section is located, in reducing raised levies, shall not
6 consider any such tax as a part of the general levy for
7 community college purposes and shall not include the same in
8 the limitation of any other tax rate which may be extended.
9 Such tax shall be levied and collected in like manner as all
10 other taxes of community college districts.

11 The tax rate limit hereinabove specified in this Section
12 may be increased to .10% upon the approval of a proposition to
13 effect such increase by a majority of the electors voting on
14 that proposition at a regular scheduled election. Such
15 proposition may be initiated by resolution of the local
16 community college board and shall be certified by the secretary
17 of the local community college board to the proper election
18 authorities for submission in accordance with the general
19 election law.

20 Each local community college district authorized to levy
21 any tax pursuant to this Section may also or in the alternative
22 by proper resolution or ordinance borrow money for such
23 specifically identified purposes not in excess of \$4,500,000 in
24 the aggregate at any one time when in the judgment of the local
25 community college board of trustees there are not sufficient
26 funds available in the operations and maintenance fund of the

1 district to permanently pay for such alterations or repairs so
2 ordered or determined as necessary and a certified estimate of
3 a licensed architect or engineer stating the estimated amount
4 has been secured by the local community college district and
5 the project and the estimated amount have been approved by the
6 State Board, and as evidence of such indebtedness may issue
7 bonds without referendum. However, Community College District
8 No. 522 and Community College District No. 536 may or in the
9 alternative by proper resolution or ordinance borrow money for
10 such specifically identified purposes not in excess of
11 \$20,000,000 in the aggregate at any one time when in the
12 judgment of the community college board of trustees there are
13 not sufficient funds available in the operations and
14 maintenance fund of the district to permanently pay for such
15 alterations or repairs so ordered or determined as necessary
16 and a certified estimate of a licensed architect or engineer
17 stating the estimated amount has been secured by the community
18 college district and the project and the estimated amount have
19 been approved by the State Board, and as evidence of such
20 indebtedness may issue bonds without referendum. Such bonds
21 shall bear interest at a rate or rates authorized by "An Act to
22 authorize public corporations to issue bonds, other evidences
23 of indebtedness and tax anticipation warrants subject to
24 interest rate limitations set forth therein", approved May 26,
25 1970, as now or hereafter amended, shall mature within 20 years
26 from date, and shall be signed by the chairperson ~~chairman~~,

1 secretary and treasurer of the local community college board.

2 In order to authorize and issue such bonds the local
3 community college board shall adopt a resolution fixing the
4 amount of bonds, the date thereof, the maturities thereof and
5 rates of interest thereof, and the board by such resolution, or
6 in a district to which Article VII applies the city council
7 upon demand and under the direction of the board by ordinance,
8 shall provide for the levy and collection of a direct annual
9 tax upon all the taxable property in the local community
10 college district sufficient to pay the principal and interest
11 on such bonds to maturity. Upon the filing in the office of the
12 county clerk of each of the counties in which the community
13 college district is located of a certified copy of such
14 resolution or ordinance it is the duty of the county clerk or
15 clerks to extend the tax therefor without limit as to rate or
16 amount and in addition to and in excess of all other taxes
17 heretofore or hereafter authorized to be levied by such
18 community college district.

19 The State Board shall prepare and enforce regulations and
20 specifications for minimum requirements for the construction,
21 remodeling or rehabilitation of heating, ventilating, air
22 conditioning, lighting, seating, water supply, toilet,
23 handicapped accessibility, fire safety and any other matter
24 that will conserve, preserve or provide for the protection and
25 the health or safety of individuals in or on community college
26 property and will conserve the integrity of the physical

1 facilities of the district.

2 This Section is cumulative and constitutes complete
3 authority for the issuance of bonds as provided in this Section
4 notwithstanding any other statute or law to the contrary.

5 (Source: P.A. 96-561, eff. 1-1-10.)

6 (110 ILCS 805/3-20.5) (from Ch. 122, par. 103-20.5)

7 Sec. 3-20.5. (a) The board of each community college
8 district shall ascertain, as near as practicable, annually, how
9 much money must be raised by special tax for educational
10 purposes and for operations and maintenance of facilities
11 purposes for the next ensuing year. Such amounts shall be
12 certified and returned to the county clerk on or before the
13 last Tuesday in December, annually. The certificate shall be
14 signed by the chairperson ~~chairman~~ and secretary, and may be in
15 the following form:

16 CERTIFICATE OF TAX LEVY

17 We hereby certify that we require the sum of dollars
18 to be levied as a special tax for educational purposes, and the
19 sum of dollars to be levied as a special tax for
20 operations and maintenance of facilities purposes, on the
21 equalized assessed value of the taxable property of our
22 district, for the year (insert year).

23 Signed on (insert date).

24 A B, Chairperson ~~Chairman~~

25 C D, Secretary

1 Community College Dist. No., County (or Counties)

2 An amended certificate may be filed by the community
3 college board within 10 days of receipt of official
4 notification from the county clerk of the multiplier that will
5 be applied to assessed value of the taxable property of the
6 district, provided such multiplier will alter the amount of
7 revenue received by the district from either local or State
8 sources.

9 A failure by the board to file the certificate with the
10 county clerk in the time required shall not vitiate the
11 assessment.

12 (Source: P.A. 91-357, eff. 7-29-99.)

13 (110 ILCS 805/3-27) (from Ch. 122, par. 103-27)

14 Sec. 3-27. To pay no orders except for teachers' wages
15 unless at the time there are sufficient funds in the hands of
16 the treasurer to pay such order, except as herein provided.

17 (a) It shall be lawful for the board to submit to the
18 treasurer a certified copy of the board minutes properly signed
19 by the secretary and chairperson ~~chairman~~ or by a majority of
20 the Board, showing all bills approved for payment by the Board
21 and clearly showing to whom and for what purpose each payment
22 is to be made by the treasurer and to what budgetary item each
23 payment shall be debited and such certified copy shall serve as
24 full authority to the treasurer to make the payments as thus

1 approved; this shall not preclude the use of a voucher system,
2 or any other system of sound accounting and business procedure,
3 provided that such system reflects the facts and that the same
4 is in accordance with the regulations prescribed by or approved
5 by the State Board.

6 (b) It shall be lawful for the Board by resolution to
7 establish revolving funds provided such funds are in the
8 custody of an employee who shall be bonded as provided in
9 Section 3-19 for bonding treasurers and who shall be
10 responsible to the Board and the treasurer, subject to regular
11 annual audit by licensed public accountants and other such
12 examinations as the Board shall deem advisable and kept in
13 accordance with regulations prescribed by the State Board. A
14 monthly report and annual summary of all receipts and
15 expenditures of the fund shall be submitted to the Board and
16 the treasurer. All funds advanced by the treasurer to operate
17 the revolving funds shall be carried on the treasurer's books
18 as cash obligations due the district and all receipts of such
19 revolving funds shall be deposited daily in a bank or savings
20 and loan association to be approved by the treasurer, unless
21 there is no bank or savings and loan association in the
22 community, in which event receipts shall be deposited intact
23 not less than once a week in a bank or savings and loan
24 association approved by the treasurer. All reimbursements to
25 any such revolving funds from the district funds shall be
26 completely itemized as to whom paid, for what purpose, and

1 against what budgetary item the expenditure is chargeable.

2 No bank or savings and loan association shall receive
3 public funds as permitted by this Section, unless it has
4 complied with the requirements established pursuant to Section
5 6 of "An Act relating to certain investments of public funds by
6 public agencies", approved July 23, 1943, as now or hereafter
7 amended.

8 (c) The Board shall establish rules and regulations
9 governing conditions under which classes, clubs, and
10 associations may acquire or collect funds in the name of any
11 college and under such regulations as the State Board may
12 prescribe.

13 (Source: P.A. 83-541.)

14 (110 ILCS 805/3-33.3) (from Ch. 122, par. 103-33.3)

15 Sec. 3-33.3.

16 Before issuing any bonds under Section 3-33.2, the board
17 shall adopt a resolution designating the purpose and fixing the
18 amount of the bonds proposed to be issued, the maturity
19 thereof, the rate of interest thereon and the amount of taxes
20 to be levied annually for the purpose of paying the principal
21 and interest.

22 The bonds shall be issued in the corporate name of the
23 community college district. They shall be signed by the
24 chairperson ~~chairman~~ and secretary of the board. The bonds
25 shall be sold by the board at not less than par upon such terms

1 as may be approved by the board after advertisement for bids
2 and the proceeds thereof shall be received by the treasurer for
3 the uses herein provided.

4 (Source: P.A. 78-669.)

5 (110 ILCS 805/3-51) (from Ch. 122, par. 103-51)

6 Sec. 3-51. The Employment Advisory Board shall meet at
7 least once within each calendar quarter. It shall issue an
8 advisory report, at least once within each calendar year, to
9 its Community College District Board of Trustees concerning:

10 (a) the medium and long-term employment prospects of the
11 communities comprising their Community College District;

12 (b) the course and instruction mix most likely to produce
13 community college graduates, associates and alumni with the job
14 skills necessary for local employment; and

15 (c) the practicality of using existing community college
16 employees, contractors, instructors, professors, classrooms,
17 and facilities to train and retrain employees of existing
18 public and private enterprises within the boundaries of their
19 Community College District to enhance their continued
20 employment skills.

21 The Employment Advisory Board shall also produce special
22 advisory reports, upon the request of the chairperson ~~chairman~~
23 or acting chairperson ~~chairman~~ of the Board of Trustees of
24 their Community College District.

25 (Source: P.A. 85-458.)

1 (110 ILCS 805/3A-1) (from Ch. 122, par. 103A-1)

2 Sec. 3A-1. Any community college district may borrow money
3 for the purpose of building, equipping, altering or repairing
4 community college buildings or purchasing or improving
5 community college sites, or acquiring and equipping recreation
6 grounds, athletic fields, and other buildings or land used or
7 useful for community college purposes or for the purpose of
8 purchasing a site, with or without a building or buildings
9 thereon, or for the building of a house or houses on such site,
10 or for the building of a house or houses on the site of the
11 community college district, for residential purposes of the
12 administrators or faculty of the community college district,
13 and issue its negotiable coupon bonds therefor signed by the
14 chairperson ~~chairman~~ and secretary of the board, in
15 denominations of not less than \$100 nor more than \$5,000,
16 payable at such place and at such time or times, not exceeding
17 20 years from date of issuance, as the board may prescribe, and
18 bearing interest at a rate not to exceed the maximum rate
19 authorized by the Bond Authorization Act, as amended at the
20 time of the making of the contract, payable annually,
21 semiannually or quarterly, but no such bonds shall be issued
22 unless the proposition to issue them is submitted to the voters
23 of the community college district at a regular scheduled
24 election in such district and the board shall certify the
25 proposition to the proper election authorities for submission

1 in accordance with the general election law and a majority of
2 all the votes cast on the proposition is in favor of the
3 proposition, nor shall any residential site be acquired unless
4 such proposition to acquire a site is submitted to the voters
5 of the district at a regular scheduled election and the board
6 shall certify the proposition to the proper election
7 authorities for submission to the electors in accordance with
8 the general election law and a majority of all the votes cast
9 on the proposition is in favor of the proposition. Nothing in
10 this Act shall be construed as to require the listing of
11 maturity dates of any bonds either in the notice of bond
12 election or ballot used in the bond election.

13 Bonds issued in accordance with this Section for Elgin
14 Community College District No. 509 may be payable at such time
15 or times, not exceeding 25 years from date of issuance, as the
16 board may prescribe, if the following conditions are met:

17 (i) The voters of the district approve a proposition
18 for the bond issuance at an election held in 2009.

19 (ii) Prior to the issuance of the bonds, the board
20 determines, by resolution, that the projects built,
21 acquired, altered, renovated, repaired, purchased,
22 improved, installed, or equipped with the proceeds of the
23 bonds are required as a result of a projected increase in
24 the enrollment of students in the district, to meet demand
25 in the fields of health care or public safety, to meet
26 accreditation standards, or to maintain campus safety and

1 security.

2 (iii) The bonds are issued, in one more more bond
3 issuances, on or before April 7, 2014.

4 (iv) The proceeds of the bonds are used to accomplish
5 only those purposes approved by the voters at an election
6 held in 2009.

7 Bonds issued in accordance with this Section for Kishwaukee
8 Community College District No. 523 may be payable at such time
9 or times, not exceeding 25 years from date of issuance, as the
10 board may prescribe, if the following conditions are met:

11 (i) The voters of the district approve a
12 proposition for the bond issuance at an election held
13 in 2010 or 2011.

14 (ii) Prior to the issuance of the bonds, the board
15 determines, by resolution, that the projects built,
16 acquired, altered, renovated, repaired, purchased,
17 improved, installed, or equipped with the proceeds of
18 the bonds are required as a result of a projected
19 increase in the enrollment of students in the district,
20 to meet demand in the fields of health care or public
21 safety, to meet accreditation standards, or to
22 maintain campus safety and security.

23 (iii) The bonds are issued, in one or more bond
24 issuances, on or before November 2, 2015.

25 (iv) The proceeds of the bonds are used to
26 accomplish only those purposes approved by the voters

1 at an election held in 2010 or 2011.

2 With respect to instruments for the payment of money issued
3 under this Section either before, on, or after the effective
4 date of this amendatory Act of 1989, it is and always has been
5 the intention of the General Assembly (i) that the Omnibus Bond
6 Acts are and always have been supplementary grants of power to
7 issue instruments in accordance with the Omnibus Bond Acts,
8 regardless of any provision of this Act that may appear to be
9 or to have been more restrictive than those Acts, (ii) that the
10 provisions of this Section are not a limitation on the
11 supplementary authority granted by the Omnibus Bond Acts, and
12 (iii) that instruments issued under this Section within the
13 supplementary authority granted by the Omnibus Bond Acts are
14 not invalid because of any provision of this Act that may
15 appear to be or to have been more restrictive than those Acts.
16 (Source: P.A. 96-787, eff. 8-28-09; 96-1077, eff. 7-16-10.)

17 (110 ILCS 805/3A-20) (from Ch. 122, par. 103A-20)

18 Sec. 3A-20. Whenever refunding bonds are issued, proper
19 reduction of taxes theretofore levied for the payment of the
20 bonds refunded and next to be extended for collection shall be
21 made by the county clerk upon receipt of a certificate signed
22 by the treasurer of the community college district, or by the
23 chairperson ~~chairman~~ and secretary of the district, showing the
24 bonds refunded and the tax to be abated.

25 Money which becomes available from taxes that were levied

1 for prior years for payment of bonds or interest coupons that
2 were paid or refunded before those taxes were collected, after
3 payment of all warrants that may have been issued in
4 anticipation of these taxes, shall be placed in the sinking
5 fund account provided in Section 3A-21. It shall be used to
6 purchase, call for payment, or to pay at maturity refunding
7 bonds and interest thereon as herein provided.

8 (Source: P.A. 78-669.)

9 (110 ILCS 805/7-22) (from Ch. 122, par. 107-22)

10 Sec. 7-22. Warrants drawn and issued under Section 7-21
11 shall be numbered consecutively in the order of their issuance
12 and shall show upon their face that they are payable solely
13 from the taxes when collected, and not otherwise, and that
14 payment thereof will be made in the order of their issuance,
15 beginning with the warrant having the lowest number, and shall
16 be received by any collector of taxes in payment of taxes
17 against which they are issued. The warrants shall be signed by
18 the chairperson ~~chairman~~ and secretary of the board. The taxes
19 against which the warrants are drawn shall be set apart and
20 held for their payment, as herein provided. The warrants shall
21 bear interest, payable out of the taxes against which they are
22 drawn, at the rate of not to exceed 6% per annum, from the date
23 of their issuance until paid, or until notice is given by
24 publication in a newspaper or otherwise that the money for
25 their payment is available and that they will be paid on

1 presentation.

2 (Source: P.A. 76-1505.)

3 (110 ILCS 805/7-23) (from Ch. 122, par. 107-23)

4 Sec. 7-23. The chairperson ~~chairman~~ of the board, with the
5 approval of the board, may designate one or more persons to
6 have authority, when so directed by the chairperson ~~chairman~~ to
7 affix the signature of the chairperson ~~chairman~~ to any warrant,
8 certificate, contract or any other written instrument, which by
9 law is required to be signed by the chairperson ~~chairman~~ of the
10 board. When the signature of the chairperson ~~chairman~~ of the
11 board is so affixed to a written instrument, it is as binding
12 upon the board as if signed personally by its chairperson
13 ~~chairman~~. Whenever the chairperson ~~chairman~~ of the board
14 desires to designate a person to affix the signature of the
15 chairperson ~~chairman~~ to any warrant, certificate, contract or
16 any other written instrument, he or she shall send a written
17 notice to the board containing the name of the person he or she
18 has selected and a designation of the instruments that person
19 shall have authority to sign. Attached to the notice shall be
20 the written signature of the chairperson ~~chairman~~ of the board,
21 executed by the person so designated, with the signature of the
22 person so designated underneath. The notice shall be filed with
23 the secretary, presented at the next meeting of the board for
24 its approval and entered in the proceedings of that meeting.

25 (Source: P.A. 76-1505.)

1 (110 ILCS 805/7-25) (from Ch. 122, par. 107-25)

2 Sec. 7-25. Issuance of bonds; terms and sale. The board may
3 incur an indebtedness and issue bonds for the purpose of
4 erecting, purchasing or otherwise acquiring buildings suitable
5 for community college use, transferring funds to the Illinois
6 Building Authority for community college building purposes,
7 erecting temporary community college structures, erecting
8 additions to, repairing, rehabilitating and replacing existing
9 community college buildings and temporary community college
10 structures, furnishing and equipping community college
11 buildings and temporary community college structures, and
12 purchasing or otherwise acquiring and improving sites for such
13 purposes.

14 The bonds may not be issued until the proposition of
15 authorizing such bonds has been certified to the proper
16 election officials, who shall have submitted it to the electors
17 of the city at a regular scheduled election in accordance with
18 the general election law, and approved by a majority of the
19 electors voting upon that question.

20 The board shall adopt a resolution providing for certifying
21 that proposition for such an election. In addition to the
22 requirements of the general election law the notice of the
23 referendum must contain the amount of the bond issue, maximum
24 rate of interest and purpose for which issued. This notice
25 shall be published in accordance with the general election law.

1 The proposition shall be in substantially the following
2 form:

3 -----

4 Shall bonds in the amount of
5 \$..... be issued by the
6 Board of community College District YES
7 No....., County of.... and State of
8 Illinois for the purpose of (Here
9 print the purpose of the public -----
10 measure) bearing interest at the
11 rate of not to exceed the maximum
12 rate authorized by the Bond NO
13 Authorization Act, as amended at the
14 time of the making of the contract?

15 -----

16 Whenever the board desires to issue bonds as herein
17 authorized, it shall adopt a resolution designating the purpose
18 for which the proceeds of the bonds are to be expended and
19 fixing the amount of the bonds proposed to be issued, the
20 maturity thereof, and optional provisions, if any, the rate of
21 interest thereon, and the amount of taxes to be levied annually
22 for the purpose of paying the interest upon and the principal
23 of such bonds.

24 The bonds shall bear interest at the rate of not more than
25 the maximum rate authorized by the Bond Authorization Act, as
26 amended at the time of the making of the contract, and shall

1 mature within not to exceed 20 years from their date, and may
2 be made callable on any interest payment date at par and
3 accrued interest, after notice has been given, at the time and
4 in the manner provided in the bond resolution.

5 The bonds shall be issued in the corporate name of the
6 community college district, and they shall be signed by the
7 chairperson ~~chairman~~ and secretary of the community college
8 board. The bonds shall also be registered, numbered and
9 countersigned by the treasurer who receives the taxes of the
10 district. The registration shall be in a book in which shall be
11 entered the record of the election authorizing the board to
12 borrow money and a description of the bonds issued, including
13 the number, date, to whom issued, amount, rate of interest and
14 when due.

15 The bonds shall be sold by the board upon such terms as are
16 approved by the board after advertisement for bids, and the
17 proceeds thereof shall be received by the community college
18 treasurer, and expended by the board for the purposes provided
19 in the bond resolution.

20 The community college treasurer shall, before receiving
21 any of such money, execute a surety bond conditioned upon the
22 faithful discharge of his duties with a surety company
23 authorized to do business in this State, which surety bond
24 shall be approved by the community college board and filed as
25 otherwise required under this Act for the treasurer's bond. The
26 penalty of the surety bond shall be in the amount of such bond

1 issue. The surety bond shall be in substantially the same form
2 as the bond otherwise required under this Act for the treasurer
3 and when so given shall fully describe the bond issue which it
4 specifically covers and shall remain in force until the funds
5 of the bond issue are fully disbursed in accordance with the
6 law.

7 Before or at the time of issuing any bonds herein
8 authorized, the board shall by resolution provide for the levy
9 and collection of a direct annual tax upon all the taxable
10 property of such community college district sufficient to pay
11 and discharge the principal thereof at maturity and to pay the
12 interest thereon as it falls due. Such tax shall be levied and
13 collected in like manner with the other taxes of the community
14 college district and shall be in addition to and exclusive of
15 the maximum of all other taxes which the board is authorized by
16 law to levy for community college purposes. Upon the filing in
17 the office of the county clerk of the county wherein such
18 community college district is located of a certified copy of
19 any such ordinance, the county clerk shall extend the tax
20 therein provided for, including an amount to cover loss and
21 cost of collecting such taxes and also deferred collections
22 thereof and abatements in the amounts of such taxes as extended
23 upon the collector's books. The ordinance shall be in force
24 upon its passage.

25 With respect to instruments for the payment of money issued
26 under this Section either before, on, or after the effective

1 date of this amendatory Act of 1989, it is and always has been
2 the intention of the General Assembly (i) that the Omnibus Bond
3 Acts are and always have been supplementary grants of power to
4 issue instruments in accordance with the Omnibus Bond Acts,
5 regardless of any provision of this Act that may appear to be
6 or to have been more restrictive than those Acts, (ii) that the
7 provisions of this Section are not a limitation on the
8 supplementary authority granted by the Omnibus Bond Acts, and
9 (iii) that instruments issued under this Section within the
10 supplementary authority granted by the Omnibus Bond Acts are
11 not invalid because of any provision of this Act that may
12 appear to be or to have been more restrictive than those Acts.

13 (Source: P.A. 89-281, eff. 8-10-95.)

14 (110 ILCS 805/7-26) (from Ch. 122, par. 107-26)

15 Sec. 7-26. Issuance of bonds not exceeding \$15,000,000
16 aggregate. The board may incur an indebtedness and issue bonds
17 therefor in an amount or amounts not to exceed in the aggregate
18 \$15,000,000 for the purpose of erecting, purchasing, or
19 otherwise acquiring buildings suitable for community college
20 use, transferring funds to the Illinois Building Authority for
21 community college building purposes, erecting temporary
22 community college structures, erecting additions to,
23 repairing, rehabilitating, and replacing existing community
24 college buildings and temporary community college structures,
25 furnishing and equipping community college buildings and

1 temporary community college structures, and purchasing or
2 otherwise acquiring and improving sites for such purposes. The
3 bonds may be issued without submitting the question of issuance
4 thereof to the voters of the community college district for
5 approval.

6 Whenever the board desires to issue bonds as herein
7 authorized, it shall adopt a resolution designating the purpose
8 for which the proceeds of the bonds are to be expended and
9 fixing the amount of the bonds proposed to be issued, the
10 schedule of the maturities thereof; and optional provisions, if
11 any, and the maximum rate of interest thereon and directing the
12 sale upon such terms as are determined by the board.

13 The secretary of the board shall cause such sale to be
14 advertised by publication of a notice of sale once, as a legal
15 notice in a newspaper having general circulation in the
16 district, and once in a financial journal published in the City
17 of New York, New York, or Chicago, Illinois. Such notice of
18 sale shall be published not less than 7 nor more than 21 days
19 prior to the date set for the sale of the bonds being
20 advertised. The notice of sale shall state that sealed bids
21 will be received by the board for its bonds and shall include:
22 the amount, date, maturity or maturities of such bonds; the
23 date, time and place of receipt of bids; the maximum
24 permissible interest rate; the basis upon which the bonds will
25 be awarded; call provisions, if any; and such other information
26 as the board may deem pertinent.

1 After the bonds have been awarded to the successful bidder,
2 the board shall adopt a resolution confirming the sale of said
3 bonds to the successful bidder, setting forth the terms of
4 sale, designating the place of payment for the principal and
5 interest, prescribing the form of bond and determining the
6 amount of taxes to be levied annually for each of the years in
7 which said bonds are outstanding for the purpose of paying the
8 interest on and the principal of such bonds.

9 The bonds shall be issued in the corporate name of the
10 community college district, and they shall be signed by the
11 chairperson ~~chairman~~ and secretary of the community college
12 board. The bonds shall bear interest at a rate of not more than
13 the maximum rate authorized by the Bond Authorization Act, as
14 amended at the time of the making of the contract, and shall
15 mature within 20 years from the date of issuance, and may be
16 made callable on any interest payment date at par and accrued
17 interest, after notice has been given, at the time and in the
18 manner provided in the bond resolution. The proceeds of sale of
19 said bonds shall be received by the community college
20 treasurer, and expended by the board for the purpose provided
21 in the bond resolution.

22 The community college treasurer shall, before receiving
23 any of such money, execute a surety bond with a surety company
24 authorized to do business in this State conditioned upon the
25 faithful discharge of his duties. That surety bond must pass
26 approval by the community college board and, upon such

1 approval, shall be filed as otherwise required under this Act
2 for the treasurer's bond. The penalty of the surety bond shall
3 be in the amount of such bond issue. The surety bond shall be
4 in substantially the same form as the bond otherwise required
5 under this Act for the treasurer and when so given shall fully
6 describe the bond issue which it specifically covers and shall
7 remain in force until the funds of the bond issue are fully
8 disbursed in accordance with the law.

9 Before or at the time of issuing any bonds herein
10 authorized, the city council, upon the demand and under the
11 direction of the board shall, by ordinance, provide for the
12 levy and collection of a direct annual tax upon all the taxable
13 property within the community college district sufficient to
14 pay and discharge the principal thereof at maturity and to pay
15 the interest thereon as it falls due. Such tax shall be levied
16 and collected in like manner with the other taxes of the
17 community college district and shall be in addition to and
18 exclusive of the maximum of all other taxes which the board is
19 authorized by law to levy for community college purposes. Upon
20 the filing in the office of the county clerk of each county
21 wherein such community college district is located of a
22 certified copy of any such ordinance, the county clerk shall
23 extend the tax therein provided for, including an amount to
24 cover loss and cost of collecting such taxes and also deferred
25 collections thereof and abatements in the amounts of such taxes
26 as extended upon the collector's books.

1 With respect to instruments for the payment of money issued
2 under this Section either before, on, or after the effective
3 date of this amendatory Act of 1989, it is and always has been
4 the intention of the General Assembly (i) that the Omnibus Bond
5 Acts are and always have been supplementary grants of power to
6 issue instruments in accordance with the Omnibus Bond Acts,
7 regardless of any provision of this Act that may appear to be
8 or to have been more restrictive than those Acts, (ii) that the
9 provisions of this Section are not a limitation on the
10 supplementary authority granted by the Omnibus Bond Acts, and
11 (iii) that instruments issued under this Section within the
12 supplementary authority granted by the Omnibus Bond Acts are
13 not invalid because of any provision of this Act that may
14 appear to be or to have been more restrictive than those Acts.
15 (Source: P.A. 89-281, eff. 8-10-95.)