

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 Sections  
5 17-3 and 17-5 as follows:

6 (105 ILCS 5/17-3) (from Ch. 122, par. 17-3)

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

8 (a) The school board in any district having a population of  
9 less than 500,000 inhabitants may, by proper resolution, cause  
10 a proposition to increase, for a limited period of not less  
11 than 3 nor more than 10 years or for an unlimited period, the  
12 annual tax rate for educational purposes to be submitted to the  
13 voters of such district at a regular scheduled election as  
14 follows:

15 (1) in districts maintaining grades 1 through 8, or  
16 grades 9 through 12, the maximum rate for educational  
17 purposes shall not exceed 3.5% of the value as equalized or  
18 assessed by the Department of Revenue;

19 (2) in districts maintaining grades 1 through 12 the  
20 maximum rate for educational purposes shall not exceed  
21 4.00% of the value as equalized or assessed by the  
22 Department of Revenue except that if a single elementary  
23 district and a secondary district having boundaries that

1 are coterminous form a community unit district on or after  
2 the effective date of this amendatory Act of the 94th  
3 General Assembly and the actual combined rate of the  
4 elementary district and secondary district prior to the  
5 formation of the community unit district is greater than  
6 4.00%, then the maximum rate for educational purposes for  
7 such district shall be the following:

8 (A) For 2 years following the formation of the  
9 community unit district, the maximum rate shall equal  
10 the actual combined rate of the previous elementary  
11 district and secondary district.

12 (B) In each subsequent year, the maximum rate shall  
13 be reduced by 0.10% or reduced to 4.00%, whichever  
14 reduction is less. The school board may, by proper  
15 resolution, cause a proposition to increase the  
16 reduced rate, not to exceed the maximum rate in clause  
17 (A), to be submitted to the voters of the district at a  
18 regular scheduled election as provided under this  
19 Section. Nothing in this Section shall require that the  
20 maximum rate for educational purpose for a district  
21 maintaining grades one through 12 be reduced below  
22 4.00%.

23 If the resolution of the school board seeks to increase the  
24 annual tax rate for educational purposes for a limited period  
25 of not less than 3 nor more than 10 years, the proposition  
26 shall so state and shall identify the years for which the tax

1 increase is sought.

2 If a majority of the votes cast on the proposition is in  
3 favor thereof at an election for which the election authorities  
4 have given notice either (i) in accordance with Section 12-5 of  
5 the Election Code or (ii) by publication of a true and legible  
6 copy of the specimen ballot label containing the proposition in  
7 the form in which it appeared or will appear on the official  
8 ballot label on the day of the election at least 5 days before  
9 the day of the election in at least one newspaper published in  
10 and having a general circulation in the district, the school  
11 board may thereafter, until such authority is revoked in like  
12 manner, levy annually the tax so authorized; provided that if  
13 the proposition as approved limits the increase in the annual  
14 tax rate of the district for educational purposes to a period  
15 of not less than 3 nor more than 10 years, the district may,  
16 unless such authority is sooner revoked in like manner, levy  
17 annually the tax so authorized for the limited number of years  
18 approved by a majority of the votes cast on the proposition.  
19 Upon expiration of that limited period, the rate at which the  
20 district may annually levy its tax for educational purposes  
21 shall be the rate provided under Section 17-2, or the rate at  
22 which the district last levied its tax for educational purposes  
23 prior to approval of the proposition authorizing the levy of  
24 that tax at an increased rate, whichever is greater.

25 The school board shall certify the proposition to the  
26 proper election authorities in accordance with the general

1 election law.

2 The provisions of this Section concerning notice of the tax  
3 rate increase referendum apply only to consolidated primary  
4 elections held prior to January 1, 2002 at which not less than  
5 55% of the voters voting on the tax rate increase proposition  
6 voted in favor of the tax rate increase proposition.

7 (b) Beginning on the effective date of this amendatory Act  
8 of the 97th General Assembly, if a unit district is being  
9 established from an elementary district or districts and a high  
10 school district, pursuant to Article 11E of this Code, and the  
11 combined rate of the elementary district or districts and the  
12 high school district prior to the formation of the unit  
13 district is greater than 4.00% for educational purposes, then  
14 the maximum rate for educational purposes for the unit district  
15 shall be the following:

16 (1) For the first year following the formation of the  
17 new unit district, the maximum rate shall equal the lesser  
18 of the actual combined rate of the previous highest  
19 elementary district rate and the high school district rate  
20 or 6.40%.

21 (2) For the second year after the formation of the new  
22 unit district, the maximum rate shall equal the lesser of  
23 the actual combined rate of the previous highest elementary  
24 district rate and the high school district rate or 5.80%.

25 (3) For the third year after the formation of the new  
26 unit district, the maximum rate shall equal the lesser of

1 the actual combined rate of the previous highest elementary  
2 district rate and the high school district rate or 5.20%.

3 (4) For the fourth year after the formation of the new  
4 unit district, the maximum rate shall equal the lesser of  
5 the actual combined rate of the previous highest elementary  
6 district rate and the high school district rate or 4.60%.

7 (5) For the fifth year after the formation of the new  
8 unit district and thereafter, the maximum rate shall be no  
9 greater than 4.00%.

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

11 (105 ILCS 5/17-5) (from Ch. 122, par. 17-5)

12 Sec. 17-5. Increase tax rates for operations and  
13 maintenance purposes- Maximum.

14 (a) The school board in any district having a population of  
15 less than 500,000 inhabitants may, by proper resolution, cause  
16 a proposition to increase the annual tax rate for operations  
17 and maintenance purposes to be submitted to the voters of the  
18 district at a regular scheduled election. The board shall  
19 certify the proposition to the proper election authority for  
20 submission to the elector in accordance with the general  
21 election law. In districts maintaining grades 1 through 8, or  
22 grades 9 through 12, the maximum rate for operations and  
23 maintenance purposes shall not exceed .55%; and in districts  
24 maintaining grades 1 through 12, the maximum rates for  
25 operations and maintenance purposes shall not exceed .75%,

1 except that if a single elementary district and a secondary  
2 district having boundaries that are coterminous on the  
3 effective date of this amendatory Act form a community unit  
4 district as authorized under Section 11-6, the maximum rate for  
5 operation and maintenance purposes for such district shall not  
6 exceed 1.10% of the value as equalized or assessed by the  
7 Department of Revenue; and in such district maintaining grades  
8 1 through 12, funds may, subject to the provisions of Section  
9 17-5.1 accumulate to not more than 5% of the equalized assessed  
10 valuation of the district. No such accumulation shall ever be  
11 transferred or used for any other purpose. If a majority of the  
12 votes cast on the proposition is in favor thereof, the school  
13 board may thereafter, until such authority is revoked in like  
14 manner, levy annually a tax as authorized.

15 (b) Beginning on the effective date of this amendatory Act  
16 of the 97th General Assembly, if a unit district is being  
17 established from an elementary district or districts and a high  
18 school district, pursuant to Article 11E of this Code, and the  
19 combined rate of the elementary district or districts and the  
20 high school district prior to the formation of the unit  
21 district is greater than 0.75% for operations and maintenance  
22 purposes, then the maximum rate for operations and maintenance  
23 purposes for the unit district shall be the following:

24 (1) For the first year following formation of the new  
25 unit district, the maximum rate shall equal the lesser of  
26 the actual combined rate of the previous highest elementary

1 district rate and the high school district rate or 1.03%.

2 (2) For the second year after formation of the new unit  
3 district, the maximum rate shall equal the lesser of the  
4 actual combined rate of the previous highest elementary  
5 district rate and the high school district rate or 0.96%.

6 (3) For the third year after the formation of the new  
7 unit district, the maximum rate shall equal the lesser of  
8 the actual combined rate of the previous highest elementary  
9 district rate and the high school district rate or 0.89%.

10 (4) For the fourth year after the formation of the new  
11 unit district, the maximum rate shall equal the lesser of  
12 the actual combined rate of the previous highest elementary  
13 district rate and the high school district rate or 0.82%.

14 (5) For the fifth year after the formation of the new  
15 unit district and thereafter, the maximum rate shall be no  
16 greater than 0.75%.

17 (Source: P.A. 86-1334.)