

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.)