



Sen. Pamela J. Althoff

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09700SB3252sam001

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1 AMENDMENT TO SENATE BILL 3252

2 AMENDMENT NO. _____. Amend Senate Bill 3252 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 17-3 and 17-5 and 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

1 purposes shall not exceed 3.5% of the value as equalized or
2 assessed by the Department of Revenue;

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, if a unit district is being
16 established from an elementary district or districts and a high
17 school district, pursuant to Article 11E of this Code, and the
18 combined rate of the elementary district or districts and the
19 high school district prior to the formation of the unit
20 district is greater than 4.00% for educational purposes, then
21 the maximum rate for educational purposes for the unit district
22 shall be the following:

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

1 or 6.40%.

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

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 5.20%.

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 4.60%.

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 4.00%.

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

18 (105 ILCS 5/17-5) (from Ch. 122, par. 17-5)
19 Sec. 17-5. Increase tax rates for operations and
20 maintenance purposes- Maximum.

21 (a) The school board in any district having a population of
22 less than 500,000 inhabitants may, by proper resolution, cause
23 a proposition to increase the annual tax rate for operations
24 and maintenance purposes to be submitted to the voters of the
25 district at a regular scheduled election. The board shall

1 certify the proposition to the proper election authority for
2 submission to the elector in accordance with the general
3 election law. In districts maintaining grades 1 through 8, or
4 grades 9 through 12, the maximum rate for operations and
5 maintenance purposes shall not exceed .55%; and in districts
6 maintaining grades 1 through 12, the maximum rates for
7 operations and maintenance purposes shall not exceed .75%,
8 except that if a single elementary district and a secondary
9 district having boundaries that are coterminous on the
10 effective date of this amendatory Act form a community unit
11 district as authorized under Section 11-6, the maximum rate for
12 operation and maintenance purposes for such district shall not
13 exceed 1.10% of the value as equalized or assessed by the
14 Department of Revenue; and in such district maintaining grades
15 1 through 12, funds may, subject to the provisions of Section
16 17-5.1 accumulate to not more than 5% of the equalized assessed
17 valuation of the district. No such accumulation shall ever be
18 transferred or used for any other purpose. If a majority of the
19 votes cast on the proposition is in favor thereof, the school
20 board may thereafter, until such authority is revoked in like
21 manner, levy annually a tax as authorized.

22 (b) Beginning on the effective date of this amendatory Act
23 of the 97th General Assembly, if a unit district is being
24 established from an elementary district or districts and a high
25 school district, pursuant to Article 11E of this Code, and the
26 combined rate of the elementary district or districts and the

1 high school district prior to the formation of the unit
2 district is greater than 0.75% for operations and maintenance
3 purposes, then the maximum rate for operations and maintenance
4 purposes for the unit district shall be the following:

5 (1) For the first year following formation of the new
6 unit district, the maximum rate shall equal the lesser of
7 the actual combined rate of the previous highest elementary
8 district rate and the high school district rate or 1.03%.

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

13 (3) For the third year after the formation of the new
14 unit district, the maximum rate shall equal the lesser of
15 the actual combined rate of the previous highest elementary
16 district rate and the high school district rate or 0.89%.

17 (4) For the fourth year after the formation of the new
18 unit district, the maximum rate shall equal the lesser of
19 the actual combined rate of the previous highest elementary
20 district rate and the high school district rate or 0.82%.

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

24 (Source: P.A. 86-1334.)".