

HB5655



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5655

by Rep. C.D. Davidsmeyer

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-10.5

Amends the School Code. Permits a congressional township comprising the territory of a school district to pass, by a 2/3 vote of all voters voting on the question, a proposition to elect board members at large and without restriction by area of residence within the district.

LRB098 17833 OMW 52957 b

A BILL FOR

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 Section
5 10-10.5 as follows:

6 (105 ILCS 5/10-10.5)

7 Sec. 10-10.5. Community unit school district or combined
8 school district formation; school board election.

9 (a) Except as otherwise provided in subsection (b) of this
10 Section, for community unit school districts formed before
11 January 1, 1975 and for combined school districts formed before
12 July 1, 1983, the following provisions apply:

13 (1) if the territory of the district is greater than 2
14 congressional townships or 72 square miles, then not more
15 than 3 board members may be selected from any one
16 congressional township, except that congressional
17 townships of less than 100 inhabitants shall not be
18 considered for the purpose of this mandatory board
19 representation;

20 (2) if in the community unit school district or
21 combined school district at least 75% but not more than 90%
22 of the population is in one congressional township, then 4
23 board members shall be selected from the congressional

1 township and 3 board members shall be selected from the
2 rest of the district, except that if in the community unit
3 school district or combined school district more than 90%
4 of the population is in one congressional township, then
5 all board members may be selected from one or more
6 congressional townships; and

7 (3) if the territory of any community unit school
8 district or combined school district consists of not more
9 than 2 congressional townships or 72 square miles, but
10 consists of more than one congressional township or 36
11 square miles, outside of the corporate limits of any city,
12 village, or incorporated town within the school district,
13 then not more than 5 board members may be selected from any
14 city, village, or incorporated town in the school district.

15 (b) (1) The provisions of subsection (a) of this Section for
16 mandatory board representation shall no longer apply to a
17 community unit school district formed before January 1, 1975,
18 to a combined school district formed before July 1, 1983, or to
19 community consolidated school districts, and the members of the
20 board of education shall be elected at large from within the
21 school district and without restriction by area of residence
22 within the district if both of the following conditions are met
23 with respect to that district:

24 (A) A proposition for the election of board members at
25 large and without restriction by area of residence within
26 the school district rather than in accordance with the

1 provisions of subsection (a) of this Section for mandatory
2 board representation is submitted to the school district's
3 voters at a regular school election or at the general
4 election as provided in this subsection (b).

5 (B) A majority of those voting at the election in each
6 congressional township comprising the territory of the
7 school district, including any congressional township of
8 less than 100 inhabitants, vote in favor of the
9 proposition.

10 (2) The school board may, by resolution, order
11 submitted or, upon the petition of the lesser of 2,500 or
12 5% of the school district's registered voters, shall order
13 submitted to the school district's voters, at a regular
14 school election or at the general election, the proposition
15 for the election of board members at large and without
16 restriction by area of residence within the district rather
17 than in accordance with the provisions of subsection (a) of
18 this Section for mandatory board representation; and the
19 proposition shall thereupon be certified by the board's
20 secretary for submission.

21 (3) If a majority of those voting at the election in
22 each congressional township comprising the territory of
23 the school district, including any congressional township
24 of less than 100 inhabitants, vote in favor of the
25 proposition or if 2/3 of all voters voting on the
26 proposition vote in favor of the proposition:

1 (A) the proposition to elect board members at large
2 and without restriction by area of residence within the
3 district shall be deemed to have passed,

4 (B) new members of the board shall be elected at
5 large and without restriction by area of residence
6 within the district at the next regular school
7 election, and

8 (C) the terms of office of the board members
9 incumbent at the time the proposition is adopted shall
10 expire when the new board members that are elected at
11 large and without restriction by area of residence
12 within the district have organized in accordance with
13 Section 10-16.

14 (4) In a community unit school district, a combined
15 school district, or a community consolidated school
16 district that formerly elected its members under
17 subsection (a) of this Section to successive terms not
18 exceeding 4 years, the members elected at large and without
19 restriction by area of residence within the district shall
20 be elected for a term of 4 years, and in a community unit
21 school district or combined school district that formerly
22 elected its members under subsection (a) of this Section to
23 successive terms not exceeding 6 years, the members elected
24 at large and without restriction by area of residence
25 within the district shall be elected for a term of 6 years;
26 provided that in each case the terms of the board members

1 initially elected at large and without restriction by area
2 of residence within the district as provided in this
3 subsection (b) shall be staggered and determined in
4 accordance with the provisions of Sections 10-10 and 10-16
5 of this Code.

6 (Source: P.A. 94-1019, eff. 7-10-06.)