



Sen. John J. Cullerton

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09900HB0813sam001

LRB099 04633 NHT 37782 a

1 AMENDMENT TO HOUSE BILL 813

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 813 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section  
5 7-04 as follows:

6 (105 ILCS 5/7-04) (from Ch. 122, par. 7-04)

7 Sec. 7-04. Districts in educational service regions of  
8 2,000,000 or more inhabitants.

9 (a) In all proceedings under this Article to change by  
10 detachment, annexation, division, dissolution, or any  
11 combination of those methods the boundaries of any school  
12 district (other than a school district organized under Article  
13 34) located in an educational service region of 2,000,000 or  
14 more inhabitants in which the regional board of school trustees  
15 is abolished as provided in subsection (a) of Section 6-2, the  
16 trustees of schools of the township in which that school

1 district is located, as the successor under subsection (b) of  
2 Section 6-2 to the former regional board of school trustees  
3 with respect to all territory located in that school township,  
4 shall have, exercise, and perform all powers, duties, and  
5 responsibilities required under this Article to be exercised  
6 and performed in those proceedings by a regional board of  
7 school trustees; provided that if any school district affected  
8 by those proceedings is located in a school township referred  
9 to in subsection (b) of Section 5-1 and there are no trustees  
10 of schools acting in that township, then a hearing panel as  
11 established in this Section shall have, exercise, and perform  
12 all powers, duties, and responsibilities required under this  
13 Article to be exercised and performed in those proceedings by a  
14 regional board of school trustees and the chief administrative  
15 officers of the educational service centers shall have,  
16 exercise, and perform all powers, duties, and responsibilities  
17 required under this Article that are otherwise assigned to  
18 regional superintendents of schools. ~~the school board of any~~  
19 ~~such district, as the successor under subsection (b) of Section~~  
20 ~~6-2 to the former regional board of school trustees with~~  
21 ~~respect to the territory comprising that school district, shall~~  
22 ~~have, exercise, and perform all powers, duties, and~~  
23 ~~responsibilities required under this Article to be exercised~~  
24 ~~and performed in those proceedings with respect to the~~  
25 ~~territory of that school district by a regional board of school~~  
26 ~~trustees; and provided further that: (i) when any school~~

~~district affected by those proceedings is located not only in an educational service region of 2,000,000 or more inhabitants but also in 2 or more school townships in that region that each have trustees of schools of the township, then the boundaries of that school district may be changed under this Article by detachment, annexation, division, dissolution, or any combination of those methods only by the concurrent action of, taken following a joint hearing before the trustees of schools of those townships (in that educational service region) in which that school district is located; and (ii) if any part of the school district referred to in item (i) of this subsection also lies within an educational service region that has a regional board of school trustees, the boundaries of that district may be changed under this Article only by the concurrent action of, taken following a joint hearing before the trustees of schools of the townships referred to in item (i) of this subsection and the regional board of school trustees of the educational service region referred to in this item (ii) of this subsection. Whenever concurrent action and joint hearings are required under this subsection, the original petition shall be filed with the trustees of schools of the township in which the territory or greatest portion of the territory being detached is located, or if the territory is being detached from more than one educational service region then with the regional board of school trustees of the region or the trustees of schools of the township in which the~~

1 ~~territory or greatest portion of the territory being detached~~  
2 ~~is located.~~

3 (a-5) The hearing panel shall be made up of 3 members from  
4 the governing board of the affected educational service center  
5 and appointed by the chief administrative officer of the  
6 affected educational service center. Individuals serving on  
7 the hearing panel may not reside in the detaching or dissolving  
8 school district or the annexing school district or be employed  
9 or serve as a board member in the detaching or dissolving  
10 school district or the annexing school district.

11 (a-10) For purposes of this Section and Section 7-6 of this  
12 Code, an educational service center is affected if any portion  
13 of the territory that the petition seeks to have detached or  
14 dissolved from any school district is located within the  
15 boundaries of the educational service center. No other  
16 educational service center may hear the petition.

17 The original petition shall be filed with the chief  
18 administrative officer of the educational service center in  
19 which the territory being detached or dissolved is located, or  
20 if territory is being detached or dissolved from more than one  
21 educational service center, then the petition shall be filed  
22 with the chief administrative officer of the educational  
23 service center in which the chief administrative officer has  
24 supervision and control over the greatest portion of the  
25 detaching or dissolving territory, as described in Section  
26 3-14.2 of this Code. The chief administrative officer within

1 whose boundaries the joint hearing on the original petition is  
2 conducted shall send a certified true copy of the transcript of  
3 the hearing to each other educational service center or region  
4 affected.

5 (b) Except as otherwise provided in this Section, all other  
6 provisions of this Article shall apply to any proceedings under  
7 this Article to change the boundaries of any school district  
8 located in an educational service region having 2,000,000 or  
9 more inhabitants in the same manner that those provisions apply  
10 to any proceedings to change the boundaries of any school  
11 district located in any other educational service region;  
12 provided~~7~~ that any reference in those other provisions to the  
13 regional board of school trustees shall mean, with respect to  
14 all territory within an educational service region containing  
15 2,000,000 or more inhabitants that formerly was served by a  
16 regional board of school trustees abolished under subsection  
17 (a) of Section 6-2, the trustees of schools of the township or  
18 the hearing panel as established in this Section ~~school board~~  
19 ~~of the school district that is the successor under subsection~~  
20 ~~(b) of Section 6-2 to the former regional board of school~~  
21 ~~trustees with respect to the territory included within that~~  
22 ~~school township or school district.~~

23 (Source: P.A. 87-969.)".