



Rep. Stephanie A. Kifowit

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1 AMENDMENT TO HOUSE BILL 3823

2 AMENDMENT NO. _____. Amend House Bill 3823 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section
5 17-2 as follows:

6 (105 ILCS 5/17-2) (from Ch. 122, par. 17-2)

7 Sec. 17-2. Tax levies; purposes; rates. Except as otherwise
8 provided in Articles 12 and 13 of this Act, the following
9 maximum rates shall apply to all taxes levied after August 10,
10 1965, in districts having a population of less than 500,000
11 inhabitants, including those districts organized under Article
12 11 of the School Code. The school board of any district having
13 a population of less than 500,000 inhabitants may levy a tax
14 annually, at not to exceed the maximum rates and for the
15 specified purposes, upon all the taxable property of the
16 district at the value, as equalized or assessed by the

1 Department of Revenue as follows:

2 (1) districts maintaining only grades 1 through 8, .92%
3 for educational purposes and .25% for operations and
4 maintenance purposes;

5 (2) districts maintaining only grades 9 through 12,
6 .92% for educational purposes and .25% for operations and
7 maintenance purposes;

8 (3) districts maintaining grades 1 through 12, 1.63%
9 for the 1985-86 school year, 1.68% for the 1986-87 school
10 year, 1.75% for the 1987-88 school year and 1.84% for the
11 1988-89 school year and thereafter for educational
12 purposes and .405% for the 1989-90 school year, .435% for
13 the 1990-91 school year, .465% for the 1991-92 school year,
14 and .50% for the 1992-93 school year and thereafter for
15 operations and maintenance purposes;

16 (4) all districts, 0.75% for capital improvement
17 purposes (which is in addition to the levy for operations
18 and maintenance purposes), which tax is to be levied,
19 accumulated for not more than 6 years, and spent for
20 capital improvement purposes (including but not limited to
21 the construction of a new school building or buildings or
22 the purchase of school grounds on which any new school
23 building is to be constructed or located, or both) only in
24 accordance with Section 17-2.3 of this Act;

25 (5) districts maintaining only grades 1 through 8, .12%
26 for transportation purposes, provided that districts

1 maintaining only grades kindergarten through 8 which have
2 an enrollment of at least 2600 students may levy, subject
3 to Section 17-2.2, at not to exceed a maximum rate of .20%
4 for transportation purposes for any school year in which
5 the number of students requiring transportation in the
6 district exceeds by at least 2% the number of students
7 requiring transportation in the district during the
8 preceding school year, as verified in the district's claim
9 for pupil transportation and reimbursement and as
10 certified by the State Board of Education to the county
11 clerk of the county in which such district is located not
12 later than November 15 following the submission of such
13 claim; districts maintaining only grades 9 through 12, .12%
14 for transportation purposes; and districts maintaining
15 grades 1 through 12, .14% for the 1985-86 school year, .16%
16 for the 1986-87 school year, .18% for the 1987-88 school
17 year and .20% for the 1988-89 school year and thereafter,
18 for transportation purposes;

19 (6) districts providing summer classes, .15% for
20 educational purposes, subject to Section 17-2.1 of this
21 Act.

22 Whenever any special charter school district operating
23 grades 1 through 12~~7~~ has organized or shall organize under the
24 general school law, the district so organized may continue to
25 levy taxes at not to exceed the rate at which taxes were last
26 actually extended by the special charter district, except that

1 if such rate at which taxes were last actually extended by such
2 special charter district was less than the maximum rate for
3 districts maintaining grades 1 through 12 authorized under this
4 Section, such special charter district nevertheless may levy
5 taxes at a rate not to exceed the maximum rate for districts
6 maintaining grades 1 through 12 authorized under this Section,
7 and except that if any such district maintains only grades 1
8 through 8, the board may levy, for educational purposes, at a
9 rate not to exceed the maximum rate for elementary districts
10 authorized under this Section.

11 Maximum rates before or after established in excess of
12 those prescribed shall not be affected by the amendatory Act of
13 1965.

14 Maximum rates established under this Section are subject to
15 subsection (b-10) of Section 5-35 of the School Construction
16 Law.

17 (Source: P.A. 87-984; 87-1023; 88-45.)

18 Section 10. The School Construction Law is amended by
19 changing Section 5-35 as follows:

20 (105 ILCS 230/5-35)

21 Sec. 5-35. School construction project grant amounts;
22 permitted use; prohibited use.

23 (a) The product of the district's grant index and the
24 recognized project cost, as determined by the Capital

1 Development Board, for an approved school construction project
2 shall equal the amount of the grant the Capital Development
3 Board shall provide to the eligible district. The grant index
4 shall not be used in cases where the General Assembly and the
5 Governor approve appropriations designated for specifically
6 identified school district construction projects.

7 The average of the grant indexes of the member districts in
8 a joint agreement shall be used to calculate the amount of a
9 school construction project grant awarded to an eligible Type
10 40 area vocational center.

11 (b) In each fiscal year in which school construction
12 project grants are awarded, 20% of the total amount awarded
13 statewide shall be awarded to a school district with a
14 population exceeding 500,000, provided such district complies
15 with the provisions of this Article.

16 In addition to the uses otherwise authorized by this Law,
17 any school district with a population exceeding 500,000 is
18 authorized to use any or all of the school construction project
19 grants (i) to pay debt service, as defined in the Local
20 Government Debt Reform Act, on bonds, as defined in the Local
21 Government Debt Reform Act, issued to finance one or more
22 school construction projects and (ii) to the extent that any
23 such bond is a lease or other installment or financing contract
24 between the school district and a public building commission
25 that has issued bonds to finance one or more qualifying school
26 construction projects, to make lease payments under the lease.

1 (b-3) The Capital Development Board shall make payment in
2 an amount equal to 20% of each amount deposited into the School
3 Infrastructure Fund pursuant to subsection (b-5) of Section
4 6z-45 of the State Finance Act to the Board of Education of the
5 City of Chicago within 10 days after such deposit. The Board of
6 Education of the City of Chicago shall use such moneys received
7 (i) for application to the costs of a school construction
8 project, (ii) to pay debt service on bonds, as those terms are
9 defined in the Local Government Debt Reform Act, that are
10 issued to finance one or more school construction projects, and
11 (iii) to the extent that any such bond is a lease or other
12 installment or financing contract between the school district
13 and a public building commission that has issued bonds to
14 finance one or more qualifying school construction projects, to
15 make lease payments under the lease. The Board of Education of
16 the City of Chicago shall submit quarterly to the Capital
17 Development Board documentation sufficient to establish that
18 this money is being used as authorized by this Section. The
19 Capital Development Board may withhold payments if the
20 documentation is not provided. The remaining 80% of each such
21 deposit shall be applied in accordance with the provisions of
22 subsection (a) of this Section; however, no portion of this
23 remaining 80% shall be awarded to a school district with a
24 population of more than 500,000.

25 (b-5) In addition to the uses otherwise authorized by this
26 Law, any school district that (1) was organized prior to 1860

1 and (2) is located in part in a city originally incorporated
2 prior to 1840 is authorized to use any or all of the school
3 construction project grants (i) to pay debt service on bonds,
4 as those terms are defined in the Local Government Debt Reform
5 Act, that are issued to finance one or more school construction
6 projects and (ii) to the extent that any such bond is a lease
7 or other installment or financing contract between the school
8 district and a public building commission that has issued bonds
9 to finance one or more qualifying school construction projects,
10 to make lease payments under the lease.

11 (b-10) Notwithstanding other uses that may be authorized by
12 this Law, if a school district, other than a school district
13 with a population exceeding 500,000, in any fiscal year
14 receives school construction project grant funds for a school
15 construction project for which the district has a bond and
16 interest levy and the district has any outstanding debt on that
17 construction project, then the district shall use a minimum of
18 80% of the grant funds to first defease or redeem any
19 outstanding debt and shall reduce the debt levy by an amount
20 equal to or greater than the amount of the grant funds used to
21 pay off outstanding debt within the first 5 levy years of
22 receiving the funds. Any remaining funds not required to
23 defease or redeem any outstanding debt shall be used at the
24 discretion of the district to fund capital improvements related
25 to school construction projects.

26 (c) No portion of a school construction project grant

1 awarded by the Capital Development Board shall be used by a
2 school district for any on-going operational costs.

3 (Source: P.A. 98-18, eff. 6-7-13.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.".