

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 (30 ILCS 105/5.528 rep.)

5 Section 5. The State Finance Act is amended by repealing
6 Section 5.528.

7 Section 10. The Board of Higher Education Act is amended by
8 changing Sections 6 and 8 as follows:

9 (110 ILCS 205/6) (from Ch. 144, par. 186)

10 Sec. 6. The Board, in cooperation with the Illinois
11 Community College Board, shall analyze the present and future
12 aims, needs and requirements of higher education in the State
13 of Illinois and prepare a master plan for the development,
14 expansion, integration, coordination and efficient utilization
15 of the facilities, curricula and standards of higher education
16 for ~~the~~ public institutions of higher education in the areas of
17 teaching, research and public service. The master plan shall
18 also include higher education affordability and accessibility
19 measures. The Board, in cooperation with the Illinois Community
20 College Board, shall formulate the master plan and prepare and
21 submit to the General Assembly and the Governor drafts of
22 proposed legislation to effectuate the plan. The Board, in

1 cooperation with the Illinois Community College Board, shall
2 engage in a continuing study, an analysis, and an evaluation of
3 the master plan so developed, and it shall be its
4 responsibility to recommend, from time to time as it
5 determines, amendments and modifications of any master plan
6 enacted by the General Assembly.

7 (Source: P.A. 96-319, eff. 1-1-10.)

8 (110 ILCS 205/8) (from Ch. 144, par. 188)

9 Sec. 8. The Board of Trustees of the University of
10 Illinois, the Board of Trustees of Southern Illinois
11 University, the Board of Trustees of Chicago State University,
12 the Board of Trustees of Eastern Illinois University, the Board
13 of Trustees of Governors State University, the Board of
14 Trustees of Illinois State University, the Board of Trustees of
15 Northeastern Illinois University, the Board of Trustees of
16 Northern Illinois University, the Board of Trustees of Western
17 Illinois University, and the Illinois Community College Board
18 shall submit to the Board not later than the 15th day of
19 November of each year its budget proposals for the operation
20 and capital needs of the institutions under its governance or
21 supervision for the ensuing fiscal year. Each budget proposal
22 shall conform to the procedures developed by the Board in the
23 design of an information system for State universities and
24 colleges.

25 In order to maintain a cohesive system of higher education,

1 the Board and its staff shall communicate on a regular basis
2 with all public university presidents. They shall meet at least
3 semiannually to achieve economies of scale where possible and
4 provide the most innovative and efficient programs and
5 services.

6 The Board, in the analysis of formulating the annual budget
7 request, shall consider rates of tuition and fees and
8 undergraduate tuition and fee waiver programs at the State
9 ~~state~~ universities and colleges. The Board shall also consider
10 the current and projected utilization of the total physical
11 plant of each campus of a university or college in approving
12 the capital budget for any new building or facility.

13 The Board of Higher Education shall submit to the Governor,
14 to the General Assembly, and to the appropriate budget agencies
15 of the Governor and General Assembly its analysis and
16 recommendations on such budget proposals.

17 The Board is directed to form a broad-based group of
18 individuals representing the Office of the Governor, the
19 General Assembly, public institutions of higher education,
20 State agencies, business and industry, statewide ~~Statewide~~
21 organizations representing faculty and staff, and others as the
22 Board shall deem appropriate to devise a system for allocating
23 State resources to public institutions of higher education
24 based upon performance in achieving State goals related to
25 student success and certificate and degree completion.

26 Beginning in Fiscal Year 2013, the Board of Higher

1 Education budget recommendations to the Governor and the
2 General Assembly shall include allocations to public
3 institutions of higher education based upon performance
4 metrics designed to promote and measure student success in
5 degree and certificate completion. Public university ~~These~~
6 metrics must be adopted by the Board by rule, and public
7 community college metrics must be adopted by the Illinois
8 Community College Board by rule. These metrics must be
9 developed and promulgated in accordance with the following
10 principles:

11 (1) The metrics must be developed in consultation with
12 public institutions of higher education, as well as other
13 State educational agencies and other higher education
14 organizations, associations, interests, and stakeholders
15 as deemed appropriate by the Board.

16 (2) The metrics shall include provisions for
17 recognizing the demands on and rewarding the performance of
18 institutions in advancing the success of students who are
19 academically or financially at risk, including
20 first-generation students, low-income students, and
21 students traditionally underrepresented in higher
22 education, as specified in Section 9.16 of this Act.

23 (3) The metrics shall recognize and account for the
24 differentiated missions of institutions and sectors of
25 higher education.

26 (4) The metrics shall focus on the fundamental goal of

1 increasing completion of college courses, certificates,
2 and degrees. Performance metrics shall recognize the
3 unique and broad mission of public community colleges
4 through consideration of additional factors including, but
5 not limited to, enrollment, progress through key academic
6 milestones, transfer to a baccalaureate institution, and
7 degree completion.

8 (5) The metrics must be designed to maintain the
9 quality of degrees, certificates, courses, and programs.

10 In devising performance metrics, the Board may be guided by the
11 report of the Higher Education Finance Study Commission.

12 Each State university ~~state supported institution within~~
13 ~~the application of this Act~~ must submit its plan for capital
14 improvements of non-instructional facilities to the Board for
15 approval before final commitments are made if the total cost of
16 the project as approved by the institution's board of control
17 is in excess of \$2 million. Non-instructional uses shall
18 include but not be limited to dormitories, union buildings,
19 field houses, stadium, other recreational facilities and
20 parking lots. The Board shall determine whether or not any
21 project submitted for approval is consistent with the master
22 plan for higher education and with instructional buildings that
23 are provided for therein. If the project is found by a majority
24 of the Board not to be consistent, such capital improvement
25 shall not be constructed.

26 (Source: P.A. 97-290, eff. 8-10-11; 97-320, eff. 1-1-12;

1 97-610, eff. 1-1-12; 97-813, eff. 7-13-12.)

2 (110 ILCS 205/6.2 rep.)

3 Section 15. The Board of Higher Education Act is amended by
4 repealing Section 6.2.

5 Section 20. The Public Community College Act is amended by
6 changing Sections 2-12, 3-2, 3-3, 3-20.3.01, 3-22.1, 3-29.8,
7 3-36, 3-37, 3-38, 3-40, and 5-11 as follows:

8 (110 ILCS 805/2-12) (from Ch. 122, par. 102-12)

9 Sec. 2-12. The State Board shall have the power and it
10 shall be its duty:

11 (a) To provide statewide planning for community colleges as
12 institutions of higher education and co-ordinate the programs,
13 services and activities of all community colleges in the State
14 so as to encourage and establish a system of locally initiated
15 and administered comprehensive community colleges.

16 (b) To organize and conduct feasibility surveys for new
17 community colleges or for the inclusion of existing
18 institutions as community colleges and the locating of new
19 institutions.

20 (c) (Blank). ~~To approve all locally funded capital projects~~
21 ~~for which no State monies are required, in accordance with~~
22 ~~standards established by rule.~~

23 (d) To cooperate with the community colleges in continuing

1 studies of student characteristics, admission standards,
2 grading policies, performance of transfer students,
3 qualification and certification of facilities and any other
4 problem of community college education.

5 (e) To enter into contracts with other governmental
6 agencies and eligible providers, such as local educational
7 agencies, community-based organizations of demonstrated
8 effectiveness, volunteer literacy organizations of
9 demonstrated effectiveness, institutions of higher education,
10 public and private nonprofit agencies, libraries, and public
11 housing authorities; to accept federal funds and to plan with
12 other State agencies when appropriate for the allocation of
13 such federal funds for instructional programs and student
14 services including such funds for adult education and adult
15 literacy, vocational and technical education, and retraining
16 as may be allocated by state and federal agencies for the aid
17 of community colleges. To receive, receipt for, hold in trust,
18 expend and administer, for all purposes of this Act, funds and
19 other aid made available by the federal government or by other
20 agencies public or private, subject to appropriation by the
21 General Assembly. The changes to this subdivision (e) made by
22 this amendatory Act of the 91st General Assembly apply on and
23 after July 1, 2001.

24 (f) To determine efficient and adequate standards for
25 community colleges for the physical plant, heating, lighting,
26 ventilation, sanitation, safety, equipment and supplies,

1 instruction and teaching, curriculum, library, operation,
2 maintenance, administration and supervision, and to grant
3 recognition certificates to community colleges meeting such
4 standards.

5 (g) To determine the standards for establishment of
6 community colleges and the proper location of the site in
7 relation to existing institutions of higher education offering
8 academic, occupational and technical training curricula,
9 possible enrollment, assessed valuation, industrial, business,
10 agricultural, and other conditions reflecting educational
11 needs in the area to be served; however, no community college
12 may be considered as being recognized nor may the establishment
13 of any community college be authorized in any district which
14 shall be deemed inadequate for the maintenance, in accordance
15 with the desirable standards thus determined, of a community
16 college offering the basic subjects of general education and
17 suitable vocational and semiprofessional and technical
18 curricula.

19 (h) To approve or disapprove new units of instruction,
20 research or public service as defined in Section 3-25.1 of this
21 Act submitted by the boards of trustees of the respective
22 community college districts of this State. The State Board may
23 discontinue programs which fail to reflect the educational
24 needs of the area being served. The community college district
25 shall be granted 60 days following the State Board staff
26 recommendation and prior to the State Board's action to respond

1 to concerns regarding the program in question. If the State
2 Board acts to abolish a community college program, the
3 community college district has a right to appeal the decision
4 in accordance with administrative rules promulgated by the
5 State Board under the provisions of the Illinois Administrative
6 Procedure Act.

7 (i) To participate in, to recommend approval or
8 disapproval, and to assist in the coordination of the programs
9 of community colleges participating in programs of
10 interinstitutional cooperation with other public or nonpublic
11 institutions of higher education. If the State Board does not
12 approve a particular cooperative agreement, the community
13 college district has a right to appeal the decision in
14 accordance with administrative rules promulgated by the State
15 Board under the provisions of the Illinois Administrative
16 Procedure Act.

17 (j) To establish guidelines regarding sabbatical leaves.

18 (k) To establish guidelines for the admission into special,
19 appropriate programs conducted or created by community
20 colleges for elementary and secondary school dropouts who have
21 received truant status from the school districts of this State
22 in compliance with Section 26-14 of The School Code.

23 (l) The Community College Board shall conduct a study of
24 community college teacher education courses to determine how
25 the community college system can increase its participation in
26 the preparation of elementary and secondary teachers.

1 (m) (Blank). ~~To establish by July 1, 1997 uniform financial~~
2 ~~accounting and reporting standards and principles for~~
3 ~~community colleges and develop procedures and systems for~~
4 ~~community colleges for reporting financial data to the State~~
5 ~~Board.~~

6 (n) To create and participate in the conduct and operation
7 of any corporation, joint venture, partnership, association,
8 or other organizational entity that has the power: (i) to
9 acquire land, buildings, and other capital equipment for the
10 use and benefit of the community colleges or their students;
11 (ii) to accept gifts and make grants for the use and benefit of
12 the community colleges or their students; (iii) to aid in the
13 instruction and education of students of community colleges;
14 and (iv) to promote activities to acquaint members of the
15 community with the facilities of the various community
16 colleges.

17 (o) On and after July 1, 2001, to ensure the effective
18 teaching of adults and to prepare them for success in
19 employment and lifelong learning by administering a network of
20 providers, programs, and services to provide adult basic
21 education, adult secondary and high school equivalency testing
22 education, English as a second language, and any other
23 instruction designed to prepare adult students to function
24 successfully in society and to experience success in
25 postsecondary education and the world of work.

26 (p) On and after July 1, 2001, to supervise the

1 administration of adult education and adult literacy programs,
2 to establish the standards for such courses of instruction and
3 supervise the administration thereof, to contract with other
4 State and local agencies and eligible providers, such as local
5 educational agencies, community-based organizations of
6 demonstrated effectiveness, volunteer literacy organizations
7 of demonstrated effectiveness, institutions of higher
8 education, public and private nonprofit agencies, libraries,
9 and public housing authorities, for the purpose of promoting
10 and establishing classes for instruction under these programs,
11 to contract with other State and local agencies to accept and
12 expend appropriations for educational purposes to reimburse
13 local eligible providers for the cost of these programs, and to
14 establish an advisory council consisting of all categories of
15 eligible providers; agency partners, such as the State Board of
16 Education, the Department of Human Services, the Department of
17 Employment Security, and the Secretary of State literacy
18 program; and other stakeholders to identify, deliberate, and
19 make recommendations to the State Board on adult education
20 policy and priorities. The State Board shall support statewide
21 geographic distribution; diversity of eligible providers; and
22 the adequacy, stability, and predictability of funding so as
23 not to disrupt or diminish, but rather to enhance, adult
24 education by this change of administration.

25 (Source: P.A. 98-718, eff. 1-1-15.)

1 (110 ILCS 805/3-2) (from Ch. 122, par. 103-2)

2 Sec. 3-2. Upon the receipt of such a petition, the State
3 Board shall, in cooperation with the regional superintendent of
4 the county or counties in which the territory of the proposed
5 district is located, cause a study to be made of the territory
6 of the proposed district and the community college needs and
7 condition thereof and the area within and adjacent thereto in
8 relation to existing facilities for general education,
9 including pre-professional curricula and for training in
10 occupational activities, and in relation to a factual survey of
11 the possible enrollment, assessed valuation, industrial
12 business, agricultural and other conditions reflecting
13 educational needs in the area to be served, in order to
14 determine whether in its judgment the proposed district may
15 adequately maintain a community college in accordance with such
16 desirable standards. In reviewing the application the State
17 Board shall consider the feasibility of any proposed
18 utilization of existing public or private educational
19 facilities and land within or in near proximity to the boundary
20 of the proposed district, and of contracting with such public
21 or private institutions for the provision of educational
22 programs. If the State Board finds as the result of its study
23 that it is not possible for the proposed district to produce a
24 desirable program of community college education at a
25 reasonable cost, it shall provide a brief statement of the
26 reasons for this decision and shall thereupon cause a copy of

1 the statement to be published in a newspaper or newspapers
2 having a general circulation in the territory of the proposed
3 district and no election shall be held or further proceedings
4 had on said petition to establish such a community college
5 district. In approving a request for a new community college
6 district, if approved the State Board shall make ~~submit its~~
7 ~~findings to the Board of Higher Education for~~ a determination
8 as to whether or not the proposal is in conformity with a
9 comprehensive community college program. When the State Board
10 ~~of Higher Education~~ approves the request for a new community
11 college, the State Board shall prepare a report of such action
12 on the petition. The report shall contain a brief statement of
13 the reasons for the decision and a resume stating why the State
14 Board deems it possible for the proposed district to provide a
15 desirable 2-year ~~two-year~~ college program at reasonable cost,
16 the conditions under which such operation would be possible,
17 the estimated results of such operation in terms of local
18 taxes, the nature and probable cost of alternative methods of
19 providing adequate community college educational opportunities
20 for students in the territory involved and such other
21 information as the State Board believes may be helpful to the
22 voters in such territory in voting on the proposition to
23 establish a community college district.

24 (Source: P.A. 84-509.)

1 Sec. 3-3. If the State Board ~~of Higher Education~~
2 disapproves the request for a new community college, no
3 election shall be held or further proceedings had on such
4 petition to establish a community college district. If the
5 State Board ~~of Higher Education~~ approves the request to
6 establish a community college district, the State Board shall
7 cause notice of a hearing on the petition to be given by
8 publishing a notice thereof at least once each week for 3
9 successive weeks in at least one newspaper having general
10 circulation within the territory of the proposed district, and
11 if no such newspaper exists, then the publication shall be made
12 in 2 or more newspapers which together cover the territory with
13 general circulation. The notice shall state when and to whom
14 the petition was presented, the description of the territory of
15 the proposed district, and the day on which the hearing upon
16 the petition and the report of the State Board will be held. On
17 such day or on a day to which the State Board shall continue
18 said hearing, the State Board or a hearing officer appointed by
19 it shall hear the petition, present the report and determine
20 the sufficiency of the petition as herein prescribed, and may
21 adjourn the hearing from time to time or continue the matter
22 for want of sufficient notice or for other good cause. The
23 State Board or a hearing officer appointed by it shall hear any
24 additional evidence as to the school needs and conditions of
25 the territory and in the area within and adjacent thereto and
26 if a hearing officer is appointed he shall report a summary of

1 the testimony to the State Board. Whereupon the State Board
2 shall determine whether it is for the best interests of the
3 schools of such area and the educational welfare of the
4 students therein that such district be organized, and shall
5 determine also whether the territory described in the petition
6 is compact and contiguous for college purposes.

7 (Source: P.A. 78-669.)

8 (110 ILCS 805/3-20.3.01) (from Ch. 122, par. 103-20.3.01)

9 Sec. 3-20.3.01. Whenever, as a result of any lawful order
10 of any agency, other than a local community college board,
11 having authority to enforce any law or regulation designed for
12 the protection, health or safety of community college students,
13 employees or visitors, or any law or regulation for the
14 protection and safety of the environment, pursuant to the
15 "Environmental Protection Act", any local community college
16 district, including any district to which Article VII of this
17 Act applies, is required to alter or repair any physical
18 facilities, or whenever any district determines that it is
19 necessary for energy conservation, health or safety,
20 environmental protection or accessibility purposes that any
21 physical facilities should be altered or repaired and that such
22 alterations or repairs will be made with funds not necessary
23 for the completion of approved and recommended projects for
24 fire prevention and safety, or whenever after the effective
25 date of this amendatory Act of 1984 any district, including any

1 district to which Article VII applies, provides for alterations
2 or repairs determined by the local community college board to
3 be necessary for health and safety, environmental protection,
4 accessibility or energy conservation purposes, such district
5 may, by proper resolution which specifically identifies the
6 project and which is adopted pursuant to the provisions of the
7 Open Meetings Act, levy a tax for the purpose of paying for
8 such alterations or repairs, or survey by a licensed architect
9 or engineer, upon the equalized assessed value of all the
10 taxable property of the district at a rate not to exceed .05%
11 per year for a period sufficient to finance such alterations or
12 repairs, upon the following conditions:

13 (a) When in the judgment of the local community college
14 board of trustees there are not sufficient funds available in
15 the operations and maintenance fund of the district to
16 permanently pay for such alterations or repairs so ordered,
17 determined as necessary.

18 (b) When a certified estimate of a licensed architect or
19 engineer stating the estimated amount that is necessary to make
20 the alterations or repairs so ordered or determined as
21 necessary has been secured by the local community college
22 district ~~and the project and estimated amount have been~~
23 ~~approved by the Executive Director of the State Board.~~

24 The filing of a certified copy of the resolution or
25 ordinance levying the tax ~~when accompanied by the certificate~~
26 ~~of approval of the Executive Director of the State Board shall~~

1 be the authority of the county clerk or clerks to extend such
2 tax; provided, however, that in no event shall the extension
3 for the current and preceding years, if any, under this Section
4 be greater than the amount so approved, and interest on bonds
5 issued pursuant to this Section and in the event such current
6 extension and preceding extensions exceed such approval and
7 interest, it shall be reduced proportionately.

8 The county clerk of each of the counties in which any
9 community college district levying a tax under the authority of
10 this Section is located, in reducing raised levies, shall not
11 consider any such tax as a part of the general levy for
12 community college purposes and shall not include the same in
13 the limitation of any other tax rate which may be extended.
14 Such tax shall be levied and collected in like manner as all
15 other taxes of community college districts.

16 The tax rate limit hereinabove specified in this Section
17 may be increased to .10% upon the approval of a proposition to
18 effect such increase by a majority of the electors voting on
19 that proposition at a regular scheduled election. Such
20 proposition may be initiated by resolution of the local
21 community college board and shall be certified by the secretary
22 of the local community college board to the proper election
23 authorities for submission in accordance with the general
24 election law.

25 Each local community college district authorized to levy
26 any tax pursuant to this Section may also or in the alternative

1 by proper resolution or ordinance borrow money for such
2 specifically identified purposes not in excess of \$4,500,000 in
3 the aggregate at any one time when in the judgment of the local
4 community college board of trustees there are not sufficient
5 funds available in the operations and maintenance fund of the
6 district to permanently pay for such alterations or repairs so
7 ordered or determined as necessary and a certified estimate of
8 a licensed architect or engineer stating the estimated amount
9 has been secured by the local community college district ~~and~~
10 ~~the project and the estimated amount have been approved by the~~
11 ~~State Board,~~ and as evidence of such indebtedness may issue
12 bonds without referendum. However, Community College District
13 No. 522 and Community College District No. 536 may or in the
14 alternative by proper resolution or ordinance borrow money for
15 such specifically identified purposes not in excess of
16 \$20,000,000 in the aggregate at any one time when in the
17 judgment of the community college board of trustees there are
18 not sufficient funds available in the operations and
19 maintenance fund of the district to permanently pay for such
20 alterations or repairs so ordered or determined as necessary
21 and a certified estimate of a licensed architect or engineer
22 stating the estimated amount has been secured by the community
23 college district ~~and the project and the estimated amount have~~
24 ~~been approved by the State Board,~~ and as evidence of such
25 indebtedness may issue bonds without referendum. Such bonds
26 shall bear interest at a rate or rates authorized by "An Act to

1 authorize public corporations to issue bonds, other evidences
2 of indebtedness and tax anticipation warrants subject to
3 interest rate limitations set forth therein", approved May 26,
4 1970, as now or hereafter amended, shall mature within 20 years
5 from date, and shall be signed by the chairman, secretary and
6 treasurer of the local community college board.

7 In order to authorize and issue such bonds the local
8 community college board shall adopt a resolution fixing the
9 amount of bonds, the date thereof, the maturities thereof and
10 rates of interest thereof, and the board by such resolution, or
11 in a district to which Article VII applies the city council
12 upon demand and under the direction of the board by ordinance,
13 shall provide for the levy and collection of a direct annual
14 tax upon all the taxable property in the local community
15 college district sufficient to pay the principal and interest
16 on such bonds to maturity. Upon the filing in the office of the
17 county clerk of each of the counties in which the community
18 college district is located of a certified copy of such
19 resolution or ordinance it is the duty of the county clerk or
20 clerks to extend the tax therefor without limit as to rate or
21 amount and in addition to and in excess of all other taxes
22 heretofore or hereafter authorized to be levied by such
23 community college district.

24 The State Board shall set through administrative rule
25 ~~prepare and enforce~~ regulations and specifications for minimum
26 requirements for the construction, remodeling or

1 rehabilitation of heating, ventilating, air conditioning,
2 lighting, seating, water supply, toilet, accessibility, fire
3 safety and any other matter that will conserve, preserve or
4 provide for the protection and the health or safety of
5 individuals in or on community college property and will
6 conserve the integrity of the physical facilities of the
7 district.

8 This Section is cumulative and constitutes complete
9 authority for the issuance of bonds as provided in this Section
10 notwithstanding any other statute or law to the contrary.

11 (Source: P.A. 99-143, eff. 7-27-15.)

12 (110 ILCS 805/3-22.1) (from Ch. 122, par. 103-22.1)

13 Sec. 3-22.1. To cause an audit to be made as of the end of
14 each fiscal year by an accountant licensed to practice public
15 accounting in Illinois and appointed by the board. The auditor
16 shall perform his or her examination in accordance with
17 generally accepted auditing standards and regulations
18 prescribed by the State Board, and submit his or her report
19 thereon in accordance with generally accepted accounting
20 principles. The examination and report shall include a
21 verification of student enrollments and any other bases upon
22 which claims are filed with the State Board. The audit report
23 shall include a statement of the scope and findings of the
24 audit and a professional opinion signed by the auditor. If a
25 professional opinion is denied by the auditor he or she shall

1 set forth the reasons for that denial. The board shall not
2 limit the scope of the examination to the extent that the
3 effect of such limitation will result in the qualification of
4 the auditor's professional opinion. The procedures for payment
5 for the expenses of the audit shall be in accordance with
6 Section 9 of the Governmental Account Audit Act. Copies of the
7 audit report shall be filed with the State Board in accordance
8 with regulations prescribed by the State Board. The State Board
9 shall file one copy of the audit report with the Auditor
10 General. ~~The State Board shall file copies of the uniform~~
11 ~~financial statements from the audit report with the Board of~~
12 ~~Higher Education.~~

13 (Source: P.A. 90-468, eff. 8-17-97.)

14 (110 ILCS 805/3-29.8)

15 Sec. 3-29.8. Administrator and faculty salary and
16 benefits; report. Each board of trustees shall report to the
17 State Board of Higher Education, on or before July 1 of each
18 year, the base salary and benefits of the president or chief
19 executive officer of the community college and all
20 administrators, faculty members, and instructors employed by
21 the community college district. For the purposes of this
22 Section, "benefits" includes without limitation vacation days,
23 sick days, bonuses, annuities, and retirement enhancements.

24 (Source: P.A. 96-266, eff. 1-1-10; 96-1000, eff. 7-2-10.)

1 (110 ILCS 805/3-36) (from Ch. 122, par. 103-36)

2 Sec. 3-36. To buy one or more sites for college purposes
3 with necessary ground, and to take and purchase the site for a
4 college site either with or without the owner's consent, by
5 condemnation or otherwise; to pay the amount of any award made
6 by a jury in a condemnation proceedings; and to select and
7 purchase all sites without the submission of the question to
8 any referendum. ~~No such purchase may be made without the prior~~
9 ~~approval of the State Board.~~ Purchases under this Section may
10 be made by contract for deed when the board considers the use
11 of such a contract to be advantageous to the district but a
12 contract for deed may not provide for interest on the unpaid
13 balance of the purchase price at a rate in excess of 6% per
14 year nor for a period of more than 10 years in which that price
15 is to be paid. Title to all real estate shall be taken and held
16 in the name of the board of the community college district.

17 (Source: P.A. 78-669.)

18 (110 ILCS 805/3-37) (from Ch. 122, par. 103-37)

19 Sec. 3-37. To build, buy or lease suitable buildings upon a
20 site ~~approved by the State Board~~ and issue bonds, in the manner
21 provided in Article IIIA, or, ~~with the prior approval of the~~
22 ~~Illinois Community College Board,~~ enter into an installment
23 loan arrangement with a financial institution with a payback
24 period of less than 20 years provided the board has entered
25 into a contractual agreement which provides sufficient revenue

1 to pay such loan in full from sources other than local taxes,
2 tuition, or State appropriations and to provide adequate
3 additional operation and maintenance funding for the term of
4 the agreement, for the purpose of borrowing money to buy sites
5 and to either or both buy or build and equip buildings and
6 improvements.

7 Any provision in a contractual agreement providing for an
8 installment loan agreement authorized by this Section that
9 obligates the State of Illinois is against public policy and
10 shall be null and void.

11 (Source: P.A. 91-776, eff. 6-9-00.)

12 (110 ILCS 805/3-38) (from Ch. 122, par. 103-38)

13 Sec. 3-38. To lease, with or without an option to purchase,
14 for a period not to exceed 5 years or purchase under an
15 installment contract extending over a period of not more than 5
16 years, with interest at a rate not to exceed 6% per year on the
17 unpaid principal, such apparatus, equipment, machinery or
18 other personal property as may be required when authorized by
19 the affirmative vote of 2/3 of the members of the board. To
20 lease for a period not to exceed 20 years such rooms, buildings
21 and land, or any one or more of such items, as may be required
22 when authorized by the affirmative vote of 2/3 of the members
23 of the board. ~~Any lease for rooms, buildings or land for a~~
24 ~~period exceeding 5 years must have the prior approval of the~~
25 ~~State Board.~~ The provisions of this Section do not apply to

1 guaranteed energy savings contracts or leases entered into
2 under Article V-A.

3 (Source: P.A. 88-173.)

4 (110 ILCS 805/3-40) (from Ch. 122, par. 103-40)

5 Sec. 3-40. To enter into contracts with any person,
6 organization, association, educational institution, or
7 governmental agency for providing or securing educational
8 services. Any initial contract with a public university or a
9 private degree-granting college or university entered into on
10 or after July 1, 1985 but before July 1, 2016 shall have prior
11 approval of the State Board and the Illinois Board of Higher
12 Education. Any initial contract with a public university or a
13 private degree-granting college or university entered into on
14 or after July 1, 2016 shall have prior approval of the State
15 Board.

16 (Source: P.A. 84-509.)

17 (110 ILCS 805/5-11) (from Ch. 122, par. 105-11)

18 Sec. 5-11. Any public community college which subsequent to
19 July 1, 1972 but before July 1, 2016, commenced construction of
20 any facilities approved by the State Board and the Illinois
21 Board of Higher Education may, after completion thereof, apply
22 to the State for a grant for expenditures made by the community
23 college from its own funds for building purposes for such
24 facilities in excess of 25% of the cost of such facilities as

1 approved by the State Board and the Illinois Board of Higher
2 Education. Any public community college that, on or after July
3 1, 2016, commenced construction of any facilities approved by
4 the State Board may, after completion thereof, apply to the
5 State for a grant for expenditures made by the community
6 college from its own funds for building purposes for such
7 facilities in excess of 25% of the cost of such facilities as
8 approved by the State Board. A ~~Such~~ grant shall be contingent
9 upon said community college having otherwise complied with
10 Sections 5-3, 5-4, 5-5 and 5-10 of this Act.

11 If any payments or contributions of any kind which are
12 based upon, or are to be applied to, the cost of such
13 construction are received from the Federal government, or an
14 agency thereof, subsequent to receipt of the grant herein
15 provided, the amount of such subsequent payment or
16 contributions shall be paid over to the Capital Development
17 Board by the community college for deposit in the Capital
18 Development Bond Interest and Retirement Fund.

19 (Source: P.A. 80-1200.)

20 (110 ILCS 805/2-10 rep.)

21 (110 ILCS 805/2-19 rep.)

22 (110 ILCS 805/2-23 rep.)

23 (110 ILCS 805/2-16.05 rep.)

24 (110 ILCS 805/2-18a rep.)

25 Section 25. The Public Community College Act is amended by

1 repealing Sections 2-10, 2-19, 2-23, 2-16.05, and 2-18a.

2 Section 99. Effective date. This Act takes effect July 1,
3 2016.