



Sen. John M. Sullivan

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LRB099 05815 SXM 32344 a

1 AMENDMENT TO SENATE BILL 82

2 AMENDMENT NO. _____. Amend Senate Bill 82 by replacing
3 everything after the enacting clause with the following:

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

1 townships of less than 100 inhabitants shall not be
2 considered for the purpose of this mandatory board
3 representation;

4 (2) if in the community unit school district or
5 combined school district at least 75% but not more than 90%
6 of the population is in one congressional township, then 4
7 board members shall be selected from the congressional
8 township and 3 board members shall be selected from the
9 rest of the district, except that if in the community unit
10 school district or combined school district more than 90%
11 of the population is in one congressional township, then
12 all board members may be selected from one or more
13 congressional townships; and

14 (3) if the territory of any community unit school
15 district or combined school district consists of not more
16 than 2 congressional townships or 72 square miles, but
17 consists of more than one congressional township or 36
18 square miles, outside of the corporate limits of any city,
19 village, or incorporated town within the school district,
20 then not more than 5 board members may be selected from any
21 city, village, or incorporated town in the school district.

22 (b) (1) The provisions of subsection (a) of this Section for
23 mandatory board representation shall no longer apply to a
24 community unit school district formed before January 1, 1975,
25 to a combined school district formed before July 1, 1983, or to
26 community consolidated school districts, and the members of the

1 board of education shall be elected at large from within the
2 school district and without restriction by area of residence
3 within the district if both of the following conditions are met
4 with respect to that district:

5 (A) A proposition for the election of board members at
6 large and without restriction by area of residence within
7 the school district rather than in accordance with the
8 provisions of subsection (a) of this Section for mandatory
9 board representation is submitted to the school district's
10 voters at a regular school election or at the general
11 election as provided in this subsection (b).

12 (B) A majority of those voting at the election in each
13 congressional township comprising the territory of the
14 school district, including any congressional township of
15 less than 100 inhabitants, vote in favor of the proposition
16 or two-thirds of all voters voting on the proposition vote
17 in favor of the proposition.

18 (2) The school board may, by resolution, order
19 submitted or, upon the petition of the lesser of 2,500 or
20 5% of the school district's registered voters, shall order
21 submitted to the school district's voters, at a regular
22 school election or at the general election, the proposition
23 for the election of board members at large and without
24 restriction by area of residence within the district rather
25 than in accordance with the provisions of subsection (a) of
26 this Section for mandatory board representation; and the

1 proposition shall thereupon be certified by the board's
2 secretary for submission.

3 (3) If a majority of those voting at the election in
4 each congressional township comprising the territory of
5 the school district, including any congressional township
6 of less than 100 inhabitants, vote in favor of the
7 proposition or if two-thirds of all voters voting on the
8 proposition vote in favor of the proposition:

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

12 (B) new members of the board shall be elected at
13 large and without restriction by area of residence
14 within the district at the next regular school
15 election, and

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

22 (4) In a community unit school district, a combined
23 school district, or a community consolidated school
24 district that formerly elected its members under
25 subsection (a) of this Section to successive terms not
26 exceeding 4 years, the members elected at large and without

1 restriction by area of residence within the district shall
2 be elected for a term of 4 years, and in a community unit
3 school district or combined school district that formerly
4 elected its members under subsection (a) of this Section to
5 successive terms not exceeding 6 years, the members elected
6 at large and without restriction by area of residence
7 within the district shall be elected for a term of 6 years;
8 provided that in each case the terms of the board members
9 initially elected at large and without restriction by area
10 of residence within the district as provided in this
11 subsection (b) shall be staggered and determined in
12 accordance with the provisions of Sections 10-10 and 10-16
13 of this Code.

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