



Rep. Linda Chapa LaVia

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LRB099 21553 NHT 47898 a

1 AMENDMENT TO SENATE BILL 3367

2 AMENDMENT NO. _____. Amend Senate Bill 3367 as follows:

3 on page 1, lines 4 and 5, by replacing "Section 19-1" with
4 "Sections 19-1 and 19-3"; and

5 on page 42, immediately below line 14, by inserting the
6 following:

7 "(105 ILCS 5/19-3) (from Ch. 122, par. 19-3)

8 Sec. 19-3. Boards of education. Any school district
9 governed by a board of education and having a population of not
10 more than 500,000 inhabitants, and not governed by a special
11 Act may borrow money for the purpose of building, equipping,
12 altering or repairing school buildings or purchasing or
13 improving school sites, or acquiring and equipping
14 playgrounds, recreation grounds, athletic fields, and other
15 buildings or land used or useful for school purposes or for the

1 purpose of purchasing a site, with or without a building or
2 buildings thereon, or for the building of a house or houses on
3 such site, or for the building of a house or houses on the
4 school site of the school district, for residential purposes of
5 the superintendent, principal, or teachers of the school
6 district, and issue its negotiable coupon bonds therefor signed
7 by the president and secretary of the board, in denominations
8 of not less than \$100 nor more than \$5,000, payable at such
9 place and at such time or times, not exceeding 20 years, with
10 the exception of Lockport High School and bonds issued by
11 Aurora East Unit School District 131 as qualified school
12 construction bonds in accordance with applicable federal tax
13 law not exceeding 25 years, from date of issuance, as the board
14 of education may prescribe, and bearing interest at a rate not
15 to exceed the maximum rate authorized by the Bond Authorization
16 Act, as amended at the time of the making of the contract,
17 payable annually, semiannually or quarterly, but no such bonds
18 shall be issued unless the proposition to issue them is
19 submitted to the voters of the district at a referendum held at
20 a regularly scheduled election after the board has certified
21 the proposition to the proper election authorities in
22 accordance with the general election law, a majority of all the
23 votes cast on the proposition is in favor of the proposition,
24 and notice of such bond referendum has been given either (i) in
25 accordance with the second paragraph of Section 12-1 of the
26 Election Code irrespective of whether such notice included any

1 reference to the public question as it appeared on the ballot,
2 or (ii) for an election held on or after November 1, 1998, in
3 accordance with Section 12-5 of the Election Code, or (iii) by
4 publication of a true and legible copy of the specimen ballot
5 label containing the proposition in the form in which it
6 appeared or will appear on the official ballot label on the day
7 of the election at least 5 days before the day of the election
8 in at least one newspaper published in and having a general
9 circulation in the district, irrespective of any other
10 requirements of Article 12 or Section 24A-18 of the Election
11 Code, nor shall any residential site be acquired unless such
12 proposition to acquire a site is submitted to the voters of the
13 district at a referendum held at a regularly scheduled election
14 after the board has certified the proposition to the proper
15 election authorities in accordance with the general election
16 law and a majority of all the votes cast on the proposition is
17 in favor of the proposition. Nothing in this Act or in any
18 other law shall be construed to require the notice of the bond
19 referendum to be published over the name or title of the
20 election authority or the listing of maturity dates of any
21 bonds either in the notice of bond election or ballot used in
22 the bond election. The provisions of this Section concerning
23 notice of the bond referendum apply only to (i) consolidated
24 primary elections held prior to January 1, 2002 and the
25 consolidated election held on April 17, 2007 at which not less
26 than 60% of the voters voting on the bond proposition voted in

1 favor of the bond proposition, and (ii) other elections held
2 before July 1, 1999; otherwise, notices required in connection
3 with the submission of public questions shall be as set forth
4 in Section 12-5 of the Election Code. Such proposition may be
5 initiated by resolution of the school board.

6 With respect to instruments for the payment of money issued
7 under this Section either before, on, or after the effective
8 date of this amendatory Act of 1989, it is and always has been
9 the intention of the General Assembly (i) that the Omnibus Bond
10 Acts are and always have been supplementary grants of power to
11 issue instruments in accordance with the Omnibus Bond Acts,
12 regardless of any provision of this Act that may appear to be
13 or to have been more restrictive than those Acts, (ii) that the
14 provisions of this Section are not a limitation on the
15 supplementary authority granted by the Omnibus Bond Acts, and
16 (iii) that instruments issued under this Section within the
17 supplementary authority granted by the Omnibus Bond Acts are
18 not invalid because of any provision of this Act that may
19 appear to be or to have been more restrictive than those Acts.

20 The proceeds of any bonds issued under authority of this
21 Section shall be deposited and accounted for separately within
22 the Site and Construction/Capital Improvements Fund.

23 (Source: P.A. 95-30, eff. 8-7-07; 96-787, eff. 8-28-09.)".