

1 AMENDMENT TO HOUSE BILL 3673

2 AMENDMENT NO. _____. Amend House Bill 3673 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Section 18-9 as follows:

6 (105 ILCS 5/18-9) (from Ch. 122, par. 18-9)
7 Sec. 18-9. Requirement for special equalization and
8 supplementary State aid.

9 (a) Any school district claiming an equalization quota
10 may not increase its annual net cash balance in the
11 educational fund for the fiscal school year by failing to
12 expend for educational purposes the total of (1) the general
13 grant, (2) the equalization quota, and (3) the amount
14 determined by applying the qualifying rate to the equalized
15 assessed valuation of the district. Any district which
16 increases such annual net cash balance by failing to expend
17 the amount received from the sum of (1) the general grant,
18 (2) the equalization quota, and (3) the amount determined by
19 applying the qualifying rate to the equalized assessed
20 valuation of the district, shall have its next claim for an
21 equalization quota reduced in an amount equal to the
22 difference between its expenditures for educational purposes

1 and that sum.

2 Current expenditures made in any district receiving a
3 special equalization quota and governed by a board of
4 directors must be approved in advance by the regional
5 superintendent.

6 If, as a result of tax objections based on inequities of
7 assessment, a final decision of any court, entered not more
8 than one year before or 3 years after August 26, 1963,
9 reduces the taxes received by the educational fund of a
10 school district, for any given year, in an amount equal to or
11 more than 3% of the total amount of taxes extended for
12 educational purposes of the district, that district may amend
13 its claim for equalization aid for that year by adding
14 thereto an amount determined by multiplying the deficiency in
15 tax receipts by a percentage computed by dividing the tax
16 rate required in Section 18-8 to receive an equalization
17 quota by the tax rate originally extended for educational
18 purposes. The amended claim including any additional monies
19 to which the district may be entitled shall be filed within
20 three years of the date of such decision and the additional
21 amount paid as supplementary state equalization aid.

22 (b) Any elementary, high school or unit district which
23 for the year 1971, as compared to the year 1970, has a
24 decrease of more than 40% in the value of all its taxable
25 property as equalized or assessed by the Department of
26 Revenue, shall be entitled to file a claim for supplementary
27 State aid with the Office of the State Superintendent of
28 Education. The amount of such aid shall be determined by
29 multiplying the amount of the decrease in the value of the
30 district's taxable property times the total of the 1972 tax
31 rates for school purposes less the sum of the district's
32 qualifying tax rates for educational and transportation
33 purposes extended by such district. Such claims shall be
34 filed on forms prescribed by the Superintendent, and the

1 Superintendent upon receipt of such claims shall adjust the
2 claim of each such district in accordance with the provisions
3 of this Section.

4 (c) Where property comprising an aggregate assessed
5 valuation equal to 3% or more of the total assessed valuation
6 of all taxable property in the district is owned by a person
7 or corporation who is the subject of bankruptcy proceedings
8 or has been adjudged a bankrupt and, as a result thereof, has
9 not paid taxes on that property for 2 or more years, that
10 district may amend its claim back to the inception of such
11 bankruptcy, not to exceed 6 years, in which time such taxes
12 were not paid and for each succeeding year that such taxes
13 remain unpaid by adding to that claim an amount determined by
14 multiplying the assessed valuation of the property on which
15 taxes have not been paid due to bankruptcy by the tax rate
16 required in Section 18-8 to receive an equalization quota or
17 after July 1, 1973, by the district's operating tax rate for
18 general state aid purposes. If at any time a district which
19 receives additional State aid under the provisions of this
20 paragraph receives tax revenue from such property for the
21 years that taxes were not paid, its next claim for State aid
22 shall be reduced in an amount equal to the taxes paid on such
23 property, not to exceed the additional State aid received
24 under the provisions of this subsection (c) paragraph. Such
25 claims shall be filed on forms prescribed by the
26 Superintendent, and the Superintendent upon receipt of such
27 claims shall adjust the claim of each such district in
28 accordance with the provisions of this subsection (c)
29 paragraph.

30 (d) If property comprising an aggregate assessed
31 valuation equal to 6% or more of the total assessed valuation
32 of all taxable property in a school district is owned by a
33 person or corporation that is the subject of bankruptcy
34 proceedings or that has been adjudged a bankrupt and, as a

1 result thereof, has not paid taxes on the property, then the
2 district may amend its general State aid claim (i) back to
3 the inception of the bankruptcy, not to exceed 6 years, in
4 which time those taxes were not paid and (ii) for each
5 succeeding year that those taxes remain unpaid, by adding to
6 the claim an amount determined by multiplying the assessed
7 valuation of the property on which taxes have not been paid
8 due to the bankruptcy by the lesser of the total tax rate for
9 the district for the tax year for which the taxes are unpaid
10 or the applicable rate used in calculating the district's
11 general State aid under paragraph (3) of subsection (D) of
12 Section 18-8.05 of this Code. If at any time a district that
13 receives additional State aid under this subsection (d)
14 receives tax revenue from the property for the years that
15 taxes were not paid, the district's next claim for State aid
16 shall be reduced in an amount equal to the taxes paid on the
17 property, not to exceed the additional State aid received
18 under this subsection (d). Claims under this subsection (d)
19 shall be filed on forms prescribed by the State
20 Superintendent of Education, and the State Superintendent of
21 Education, upon receipt of a claim, shall adjust the claim in
22 accordance with the provisions of this subsection (d).
23 Supplementary State aid for each succeeding year under this
24 subsection (d) shall be paid beginning with the first general
25 State aid claim paid after the district has filed a completed
26 claim in accordance with this subsection (d).

27 (Source: P.A. 81-1509.)

28 Section 99. Effective date. This Act takes effect upon
29 becoming law."