

# HB1168



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB1168

Introduced 2/17/2021, by Rep. Emanuel Chris Welch

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.33

from Ch. 122, par. 2-3.33

Amends the School Code. Makes a technical change in a Section concerning recomputation of State aid claims.

LRB102 03184 CMG 13197 b

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section  
5 2-3.33 as follows:

6 (105 ILCS 5/2-3.33) (from Ch. 122, par. 2-3.33)

7 Sec. 2-3.33. Recomputation of claims. To recompute within  
8 3 years from the ~~the~~ final date for filing of a claim any claim  
9 for general State aid reimbursement to any school district and  
10 one year from the final date for filing of a claim for  
11 evidence-based funding if the claim has been found to be  
12 incorrect and to adjust subsequent claims accordingly, and to  
13 recompute and adjust any such claims within 6 years from the  
14 final date for filing when there has been an adverse court or  
15 administrative agency decision on the merits affecting the tax  
16 revenues of the school district. However, no such adjustment  
17 shall be made regarding equalized assessed valuation unless  
18 the district's equalized assessed valuation is changed by  
19 greater than \$250,000 or 2%. Any adjustments for claims  
20 recomputed for the 2016-2017 school year and prior school  
21 years shall be applied to the apportionment of evidence-based  
22 funding in Section 18-8.15 of this Code beginning in the  
23 2017-2018 school year and thereafter. However, the

1 recomputation of a claim for evidence-based funding for a  
2 school district shall not require the recomputation of claims  
3 for all districts, and the State Board of Education shall only  
4 make recomputations of evidence-based funding for those  
5 districts where an adjustment is required.

6 Except in the case of an adverse court or administrative  
7 agency decision, no recomputation of a State aid claim shall  
8 be made pursuant to this Section as a result of a reduction in  
9 the assessed valuation of a school district from the assessed  
10 valuation of the district reported to the State Board of  
11 Education by the Department of Revenue under Section 18-8.05  
12 or 18-8.15 of this Code unless the requirements of Section  
13 16-15 of the Property Tax Code and Section 2-3.84 of this Code  
14 are complied with in all respects.

15 This paragraph applies to all requests for recomputation  
16 of a general State aid or evidence-based funding claim  
17 received after June 30, 2003. In recomputing a general State  
18 aid or evidence-based funding claim that was originally  
19 calculated using an extension limitation equalized assessed  
20 valuation under paragraph (3) of subsection (G) of Section  
21 18-8.05 of this Code or Section 18-8.15 of this Code, a  
22 qualifying reduction in equalized assessed valuation shall be  
23 deducted from the extension limitation equalized assessed  
24 valuation that was used in calculating the original claim.

25 From the total amount of general State aid or  
26 evidence-based funding to be provided to districts,

1 adjustments as a result of recomputation under this Section  
2 together with adjustments under Section 2-3.84 must not exceed  
3 \$25 million, in the aggregate for all districts under both  
4 Sections combined, of the general State aid or evidence-based  
5 funding appropriation in any fiscal year; if necessary,  
6 amounts shall be prorated among districts. If it is necessary  
7 to prorate claims under this paragraph, then that portion of  
8 each prorated claim that is approved but not paid in the  
9 current fiscal year may be resubmitted as a valid claim in the  
10 following fiscal year.

11 (Source: P.A. 100-465, eff. 8-31-17.)