



## 102ND GENERAL ASSEMBLY

### State of Illinois

### 2021 and 2022

#### HB4459

Introduced 1/21/2022, by Rep. Lance Yednock

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/7-139	from Ch. 108 1/2, par. 7-139
105 ILCS 5/3-2.5	
105 ILCS 5/3-12	from Ch. 122, par. 3-12
105 ILCS 5/3-3 rep.	
105 ILCS 230/5-100	
30 ILCS 805/8.46 new	

Amends the Illinois Municipal Retirement Fund (IMRF) of the Illinois Pension Code. In a provision of the IMRF Article concerning service credit for accumulated unused sick leave, provides that if the employee was in the service of more than one employer or regional office of education (instead of more than one employer), then sick leave days from all such employers shall be credited. Amends the School Code. Provides that beginning July 1, 2022, all regional superintendents of schools shall receive the same salary regardless of the population of the region they serve. Provides that the salary for all regional superintendents shall be equal to the highest annual salary tier. Makes a change concerning the posting of information on the institute fund. Repeals a provision of the Code that prohibits regional superintendents from practicing or from holding themselves out as practicing any other profession. Amends the School Construction Law. Authorizes the State Board of Education to make school maintenance project grants to regional offices of education and intermediate service centers. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB102 23383 NLB 32552 b

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 Illinois Pension Code is amended by  
5 changing Section 7-139 as follows:

6 (40 ILCS 5/7-139) (from Ch. 108 1/2, par. 7-139)

7 Sec. 7-139. Credits and creditable service to employees.

8 (a) Each participating employee shall be granted credits  
9 and creditable service, for purposes of determining the amount  
10 of any annuity or benefit to which he or a beneficiary is  
11 entitled, as follows:

12 1. For prior service: Each participating employee who  
13 is an employee of a participating municipality or  
14 participating instrumentality on the effective date shall  
15 be granted creditable service, but no credits under  
16 paragraph 2 of this subsection (a), for periods of prior  
17 service for which credit has not been received under any  
18 other pension fund or retirement system established under  
19 this Code, as follows:

20 If the effective date of participation for the  
21 participating municipality or participating  
22 instrumentality is on or before January 1, 1998,  
23 creditable service shall be granted for the entire period

1 of prior service with that employer without any employee  
2 contribution.

3 If the effective date of participation for the  
4 participating municipality or participating  
5 instrumentality is after January 1, 1998, creditable  
6 service shall be granted for the last 20% of the period of  
7 prior service with that employer, but no more than 5  
8 years, without any employee contribution. A participating  
9 employee may establish creditable service for the  
10 remainder of the period of prior service with that  
11 employer by making an application in writing, accompanied  
12 by payment of an employee contribution in an amount  
13 determined by the Fund, based on the employee contribution  
14 rates in effect at the time of application for the  
15 creditable service and the employee's salary rate on the  
16 effective date of participation for that employer, plus  
17 interest at the effective rate from the date of the prior  
18 service to the date of payment. Application for this  
19 creditable service may be made at any time while the  
20 employee is still in service.

21 A municipality that (i) has at least 35 employees;  
22 (ii) is located in a county with at least 2,000,000  
23 inhabitants; and (iii) maintains an independent defined  
24 benefit pension plan for the benefit of its eligible  
25 employees may restrict creditable service in whole or in  
26 part for periods of prior service with the employer if the

1 governing body of the municipality adopts an irrevocable  
2 resolution to restrict that creditable service and files  
3 the resolution with the board before the municipality's  
4 effective date of participation.

5 Any person who has withdrawn from the service of a  
6 participating municipality or participating  
7 instrumentality prior to the effective date, who reenters  
8 the service of the same municipality or participating  
9 instrumentality after the effective date and becomes a  
10 participating employee is entitled to creditable service  
11 for prior service as otherwise provided in this  
12 subdivision (a)(1) only if he or she renders 2 years of  
13 service as a participating employee after the effective  
14 date. Application for such service must be made while in a  
15 participating status. The salary rate to be used in the  
16 calculation of the required employee contribution, if any,  
17 shall be the employee's salary rate at the time of first  
18 reentering service with the employer after the employer's  
19 effective date of participation.

20 2. For current service, each participating employee  
21 shall be credited with:

22 a. Additional credits of amounts equal to each  
23 payment of additional contributions received from him  
24 under Section 7-173, as of the date the corresponding  
25 payment of earnings is payable to him.

26 b. Normal credits of amounts equal to each payment

1 of normal contributions received from him, as of the  
2 date the corresponding payment of earnings is payable  
3 to him, and normal contributions made for the purpose  
4 of establishing out-of-state service credits as  
5 permitted under the conditions set forth in paragraph  
6 of this subsection (a).

7 c. Municipality credits in an amount equal to 1.4  
8 times the normal credits, except those established by  
9 out-of-state service credits, as of the date of  
10 computation of any benefit if these credits would  
11 increase the benefit.

12 d. Survivor credits equal to each payment of  
13 survivor contributions received from the participating  
14 employee as of the date the corresponding payment of  
15 earnings is payable, and survivor contributions made  
16 for the purpose of establishing out-of-state service  
17 credits.

18 3. For periods of temporary and total and permanent  
19 disability benefits, each employee receiving disability  
20 benefits shall be granted creditable service for the  
21 period during which disability benefits are payable.  
22 Normal and survivor credits, based upon the rate of  
23 earnings applied for disability benefits, shall also be  
24 granted if such credits would result in a higher benefit  
25 to any such employee or his beneficiary.

26 4. For authorized leave of absence without pay: A

1 participating employee shall be granted credits and  
2 creditable service for periods of authorized leave of  
3 absence without pay under the following conditions:

4 a. An application for credits and creditable  
5 service is submitted to the board while the employee  
6 is in a status of active employment.

7 b. Not more than 12 complete months of creditable  
8 service for authorized leave of absence without pay  
9 shall be counted for purposes of determining any  
10 benefits payable under this Article.

11 c. Credits and creditable service shall be granted  
12 for leave of absence only if such leave is approved by  
13 the governing body of the municipality, including  
14 approval of the estimated cost thereof to the  
15 municipality as determined by the fund, and employee  
16 contributions, plus interest at the effective rate  
17 applicable for each year from the end of the period of  
18 leave to date of payment, have been paid to the fund in  
19 accordance with Section 7-173. The contributions shall  
20 be computed upon the assumption earnings continued  
21 during the period of leave at the rate in effect when  
22 the leave began.

23 d. Benefits under the provisions of Sections  
24 7-141, 7-146, 7-150 and 7-163 shall become payable to  
25 employees on authorized leave of absence, or their  
26 designated beneficiary, only if such leave of absence

1 is creditable hereunder, and if the employee has at  
2 least one year of creditable service other than the  
3 service granted for leave of absence. Any employee  
4 contributions due may be deducted from any benefits  
5 payable.

6 e. No credits or creditable service shall be  
7 allowed for leave of absence without pay during any  
8 period of prior service.

9 5. For military service: The governing body of a  
10 municipality or participating instrumentality may elect to  
11 allow creditable service to participating employees who  
12 leave their employment to serve in the armed forces of the  
13 United States for all periods of such service, provided  
14 that the person returns to active employment within 90  
15 days after completion of full time active duty, but no  
16 creditable service shall be allowed such person for any  
17 period that can be used in the computation of a pension or  
18 any other pay or benefit, other than pay for active duty,  
19 for service in any branch of the armed forces of the United  
20 States. If necessary to the computation of any benefit,  
21 the board shall establish municipality credits for  
22 participating employees under this paragraph on the  
23 assumption that the employee received earnings at the rate  
24 received at the time he left the employment to enter the  
25 armed forces. A participating employee in the armed forces  
26 shall not be considered an employee during such period of

1 service and no additional death and no disability benefits  
2 are payable for death or disability during such period.

3 Any participating employee who left his employment  
4 with a municipality or participating instrumentality to  
5 serve in the armed forces of the United States and who  
6 again became a participating employee within 90 days after  
7 completion of full time active duty by entering the  
8 service of a different municipality or participating  
9 instrumentality, which has elected to allow creditable  
10 service for periods of military service under the  
11 preceding paragraph, shall also be allowed creditable  
12 service for his period of military service on the same  
13 terms that would apply if he had been employed, before  
14 entering military service, by the municipality or  
15 instrumentality which employed him after he left the  
16 military service and the employer costs arising in  
17 relation to such grant of creditable service shall be  
18 charged to and paid by that municipality or  
19 instrumentality.

20 Notwithstanding the foregoing, any participating  
21 employee shall be entitled to creditable service as  
22 required by any federal law relating to re-employment  
23 rights of persons who served in the United States Armed  
24 Services. Such creditable service shall be granted upon  
25 payment by the member of an amount equal to the employee  
26 contributions which would have been required had the



1 employee continued in service at the same rate of earnings  
2 during the military leave period, plus interest at the  
3 effective rate.

4 5.1. In addition to any creditable service established  
5 under paragraph 5 of this subsection (a), creditable  
6 service may be granted for up to 48 months of service in  
7 the armed forces of the United States.

8 In order to receive creditable service for military  
9 service under this paragraph 5.1, a participating employee  
10 must (1) apply to the Fund in writing and provide evidence  
11 of the military service that is satisfactory to the Board;  
12 (2) obtain the written approval of the current employer;  
13 and (3) make contributions to the Fund equal to (i) the  
14 employee contributions that would have been required had  
15 the service been rendered as a member, plus (ii) an amount  
16 determined by the board to be equal to the employer's  
17 normal cost of the benefits accrued for that military  
18 service, plus (iii) interest on items (i) and (ii) from  
19 the date of first membership in the Fund to the date of  
20 payment. The required interest shall be calculated at the  
21 regular interest rate.

22 The changes made to this paragraph 5.1 by Public Acts  
23 95-483 and 95-486 apply only to participating employees in  
24 service on or after August 28, 2007 (the effective date of  
25 those Public Acts).

26 6. For out-of-state service: Creditable service shall

1 be granted for service rendered to an out-of-state local  
2 governmental body under the following conditions: The  
3 employee had participated and has irrevocably forfeited  
4 all rights to benefits in the out-of-state public  
5 employees pension system; the governing body of his  
6 participating municipality or instrumentality authorizes  
7 the employee to establish such service; the employee has 2  
8 years current service with this municipality or  
9 participating instrumentality; the employee makes a  
10 payment of contributions, which shall be computed at 8%  
11 (normal) plus 2% (survivor) times length of service  
12 purchased times the average rate of earnings for the first  
13 2 years of service with the municipality or participating  
14 instrumentality whose governing body authorizes the  
15 service established plus interest at the effective rate on  
16 the date such credits are established, payable from the  
17 date the employee completes the required 2 years of  
18 current service to date of payment. In no case shall more  
19 than 120 months of creditable service be granted under  
20 this provision.

21 7. For retroactive service: Any employee who could  
22 have but did not elect to become a participating employee,  
23 or who should have been a participant in the Municipal  
24 Public Utilities Annuity and Benefit Fund before that fund  
25 was superseded, may receive creditable service for the  
26 period of service not to exceed 50 months; however, a

1 current or former elected or appointed official of a  
2 participating municipality may establish credit under this  
3 paragraph 7 for more than 50 months of service as an  
4 official of that municipality, if the excess over 50  
5 months is approved by resolution of the governing body of  
6 the affected municipality filed with the Fund before  
7 January 1, 2002.

8 Any employee who is a participating employee on or  
9 after September 24, 1981 and who was excluded from  
10 participation by the age restrictions removed by Public  
11 Act 82-596 may receive creditable service for the period,  
12 on or after January 1, 1979, excluded by the age  
13 restriction and, in addition, if the governing body of the  
14 participating municipality or participating  
15 instrumentality elects to allow creditable service for all  
16 employees excluded by the age restriction prior to January  
17 1, 1979, for service during the period prior to that date  
18 excluded by the age restriction. Any employee who was  
19 excluded from participation by the age restriction removed  
20 by Public Act 82-596 and who is not a participating  
21 employee on or after September 24, 1981 may receive  
22 creditable service for service after January 1, 1979.  
23 Creditable service under this paragraph shall be granted  
24 upon payment of the employee contributions which would  
25 have been required had he participated, with interest at  
26 the effective rate for each year from the end of the period

1 of service established to date of payment.

2 8. For accumulated unused sick leave: A participating  
3 employee who is applying for a retirement annuity shall be  
4 entitled to creditable service for that portion of the  
5 employee's accumulated unused sick leave for which payment  
6 is not received, as follows:

7 a. Sick leave days shall be limited to those  
8 accumulated under a sick leave plan established by a  
9 participating municipality or participating  
10 instrumentality which is available to all employees or  
11 a class of employees.

12 b. Except as provided in item b-1, only sick leave  
13 days accumulated with a participating municipality or  
14 participating instrumentality with which the employee  
15 was in service within 60 days of the effective date of  
16 his retirement annuity shall be credited; If the  
17 employee was in service with more than one employer  
18 during this period only the sick leave days with the  
19 employer with which the employee has the greatest  
20 number of unpaid sick leave days shall be considered.

21 b-1. If the employee was in the service of more  
22 than one employer as defined in item (2) of paragraph  
23 (a) of subsection (A) of Section 7-132 or regional  
24 office of education, then the sick leave days from all  
25 such employers shall be credited, as long as the  
26 creditable service attributed to those sick leave days

1 does not exceed the limitation in item d of this  
2 paragraph 8. If the employee was in the service of more  
3 than one employer described in paragraph (c) of  
4 subsection (B) of Section 7-132 on or after the  
5 effective date of this amendatory Act of the 101st  
6 General Assembly, then the sick leave days from all  
7 such employers, except for employers from which the  
8 employee terminated service before the effective date  
9 of this amendatory Act of the 101st General Assembly,  
10 shall be credited, as long as the creditable service  
11 attributed to those sick leave days does not exceed  
12 the limitation in item d of this paragraph 8. In  
13 calculating the creditable service under this item  
14 b-1, the sick leave days from the last employer shall  
15 be considered first, then the remaining sick leave  
16 days shall be considered until there are no more days  
17 or the maximum creditable sick leave threshold under  
18 item d of this paragraph 8 has been reached.

19 c. The creditable service granted shall be  
20 considered solely for the purpose of computing the  
21 amount of the retirement annuity and shall not be used  
22 to establish any minimum service period required by  
23 any provision of the Illinois Pension Code, the  
24 effective date of the retirement annuity, or the final  
25 rate of earnings.

26 d. The creditable service shall be at the rate of

1 1/20 of a month for each full sick day, provided that  
2 no more than 12 months may be credited under this  
3 subdivision 8.

4 e. Employee contributions shall not be required  
5 for creditable service under this subdivision 8.

6 f. Each participating municipality and  
7 participating instrumentality with which an employee  
8 has service within 60 days of the effective date of his  
9 retirement annuity shall certify to the board the  
10 number of accumulated unpaid sick leave days credited  
11 to the employee at the time of termination of service.

12 9. For service transferred from another system:  
13 Credits and creditable service shall be granted for  
14 service under Article 4, 5, 8, 14, or 16 of this Act, to  
15 any active member of this Fund, and to any inactive member  
16 who has been a county sheriff, upon transfer of such  
17 credits pursuant to Section 4-108.3, 5-235, 8-226.7,  
18 14-105.6, or 16-131.4, and payment by the member of the  
19 amount by which (1) the employer and employee  
20 contributions that would have been required if he had  
21 participated in this Fund as a sheriff's law enforcement  
22 employee during the period for which credit is being  
23 transferred, plus interest thereon at the effective rate  
24 for each year, compounded annually, from the date of  
25 termination of the service for which credit is being  
26 transferred to the date of payment, exceeds (2) the amount

1           actually transferred to the Fund. Such transferred service  
2           shall be deemed to be service as a sheriff's law  
3           enforcement employee for the purposes of Section 7-142.1.

4           10. (Blank).

5           11. For service transferred from an Article 3 system  
6           under Section 3-110.3: Credits and creditable service  
7           shall be granted for service under Article 3 of this Act as  
8           provided in Section 3-110.3, to any active member of this  
9           Fund, upon transfer of such credits pursuant to Section  
10          3-110.3. If the board determines that the amount  
11          transferred is less than the true cost to the Fund of  
12          allowing that creditable service to be established, then  
13          in order to establish that creditable service, the member  
14          must pay to the Fund an additional contribution equal to  
15          the difference, as determined by the board in accordance  
16          with the rules and procedures adopted under this  
17          paragraph. If the member does not make the full additional  
18          payment as required by this paragraph prior to termination  
19          of his participation with that employer, then his or her  
20          creditable service shall be reduced by an amount equal to  
21          the difference between the amount transferred under  
22          Section 3-110.3, including any payments made by the member  
23          under this paragraph prior to termination, and the true  
24          cost to the Fund of allowing that creditable service to be  
25          established, as determined by the board in accordance with  
26          the rules and procedures adopted under this paragraph.

1           The board shall establish by rule the manner of making  
2           the calculation required under this paragraph 11, taking  
3           into account the appropriate actuarial assumptions; the  
4           member's service, age, and salary history, and any other  
5           factors that the board determines to be relevant.

6           12. For omitted service: Any employee who was employed  
7           by a participating employer in a position that required  
8           participation, but who was not enrolled in the Fund, may  
9           establish such credits under the following conditions:

10           a. Application for such credits is received by the  
11           Board while the employee is an active participant of  
12           the Fund or a reciprocal retirement system.

13           b. Eligibility for participation and earnings are  
14           verified by the Authorized Agent of the participating  
15           employer for which the service was rendered.

16           Creditable service under this paragraph shall be  
17           granted upon payment of the employee contributions that  
18           would have been required had he participated, which shall  
19           be calculated by the Fund using the member contribution  
20           rate in effect during the period that the service was  
21           rendered.

22           (b) Creditable service - amount:

23           1. One month of creditable service shall be allowed  
24           for each month for which a participating employee made  
25           contributions as required under Section 7-173, or for  
26           which creditable service is otherwise granted hereunder.



1 Not more than 1 month of service shall be credited and  
2 counted for 1 calendar month, and not more than 1 year of  
3 service shall be credited and counted for any calendar  
4 year. A calendar month means a nominal month beginning on  
5 the first day thereof, and a calendar year means a year  
6 beginning January 1 and ending December 31.

7 2. A seasonal employee shall be given 12 months of  
8 creditable service if he renders the number of months of  
9 service normally required by the position in a 12-month  
10 period and he remains in service for the entire 12-month  
11 period. Otherwise a fractional year of service in the  
12 number of months of service rendered shall be credited.

13 3. An intermittent employee shall be given creditable  
14 service for only those months in which a contribution is  
15 made under Section 7-173.

16 (c) No application for correction of credits or creditable  
17 service shall be considered unless the board receives an  
18 application for correction while (1) the applicant is a  
19 participating employee and in active employment with a  
20 participating municipality or instrumentality, or (2) while  
21 the applicant is actively participating in a pension fund or  
22 retirement system which is a participating system under the  
23 Retirement Systems Reciprocal Act. A participating employee or  
24 other applicant shall not be entitled to credits or creditable  
25 service unless the required employee contributions are made in  
26 a lump sum or in installments made in accordance with board

1 rule. Payments made to establish service credit under  
2 paragraph 1, 4, 5, 5.1, 6, 7, or 12 of subsection (a) of this  
3 Section must be received by the Board while the applicant is an  
4 active participant in the Fund or a reciprocal retirement  
5 system, except that an applicant may make one payment after  
6 termination of active participation in the Fund or a  
7 reciprocal retirement system.

8 (d) Upon the granting of a retirement, surviving spouse or  
9 child annuity, a death benefit or a separation benefit, on  
10 account of any employee, all individual accumulated credits  
11 shall thereupon terminate. Upon the withdrawal of additional  
12 contributions, the credits applicable thereto shall thereupon  
13 terminate. Terminated credits shall not be applied to increase  
14 the benefits any remaining employee would otherwise receive  
15 under this Article.

16 (Source: P.A. 100-148, eff. 8-18-17; 101-492, eff. 8-23-19.)

17 Section 10. The School Code is amended by changing  
18 Sections 3-2.5 and 3-12 as follows:

19 (105 ILCS 5/3-2.5)

20 Sec. 3-2.5. Salaries.

21 (a) Except as otherwise provided in this Section, the  
22 regional superintendents of schools shall receive for their  
23 services an annual salary according to the population, as  
24 determined by the last preceding federal census, of the region

1 they serve, as set out in the following schedule:

2 SALARIES OF REGIONAL SUPERINTENDENTS OF

3 SCHOOLS

4 POPULATION OF REGION	ANNUAL SALARY
5 61,000 to 99,999	\$78,000
6 100,000 to 999,999	\$81,500
7 1,000,000 and over	\$83,500

8 Beginning July 1, 2022, all regional superintendents of  
9 schools shall receive the same salary regardless of the  
10 population of the region they serve. The salary shall be equal  
11 to the highest annual salary tier.

12 The changes made by Public Act 86-98 in the annual salary  
13 that the regional superintendents of schools shall receive for  
14 their services shall apply to the annual salary received by  
15 the regional superintendents of schools during each of their  
16 elected terms of office that commence after July 26, 1989 and  
17 before the first Monday of August, 1995.

18 The changes made by Public Act 89-225 in the annual salary  
19 that regional superintendents of schools shall receive for  
20 their services shall apply to the annual salary received by  
21 the regional superintendents of schools during their elected  
22 terms of office that commence after August 4, 1995 and end on  
23 August 1, 1999.

24 The changes made by this amendatory Act of the 91st  
25 General Assembly in the annual salary that the regional  
26 superintendents of schools shall receive for their services

1 shall apply to the annual salary received by the regional  
 2 superintendents of schools during each of their elected terms  
 3 of office that commence on or after August 2, 1999.

4 Beginning July 1, 2000, the salary that the regional  
 5 superintendent of schools receives for his or her services  
 6 shall be adjusted annually to reflect the percentage increase,  
 7 if any, in the most recent Consumer Price Index, as defined and  
 8 officially reported by the United States Department of Labor,  
 9 Bureau of Labor Statistics, except that no annual increment  
 10 may exceed 2.9%. If the percentage of change in the Consumer  
 11 Price Index is a percentage decrease, the salary that the  
 12 regional superintendent of schools receives shall not be  
 13 adjusted for that year.

14 When regional superintendents are authorized by the School  
 15 Code to appoint assistant regional superintendents, the  
 16 assistant regional superintendent shall receive an annual  
 17 salary based on his or her qualifications and computed as a  
 18 percentage of the salary of the regional superintendent to  
 19 whom he or she is assistant, as set out in the following  
 20 schedule:

21 SALARIES OF ASSISTANT REGIONAL  
 22 SUPERINTENDENTS

23 QUALIFICATIONS OF	PERCENTAGE OF SALARY
24 ASSISTANT REGIONAL	OF REGIONAL
25 SUPERINTENDENT	SUPERINTENDENT
26 Bachelor's degree plus	

1 State license valid  
2 for supervising. 75%

3 Master's degree plus  
4 State license valid  
5 for supervising. 90%

6 However, in any region in which the appointment of more  
7 than one assistant regional superintendent is authorized,  
8 whether by Section 3-15.10 of this Code or otherwise, not more  
9 than one assistant may be compensated at the 90% rate and any  
10 other assistant shall be paid at not exceeding the 75% rate, in  
11 each case depending on the qualifications of the assistant.

12 The salaries provided in this Section plus an amount for  
13 other employment-related compensation or benefits for regional  
14 superintendents and assistant regional superintendents are  
15 payable monthly by the State Board of Education out of the  
16 Personal Property Tax Replacement Fund through a specific  
17 appropriation to that effect in the State Board of Education  
18 budget. The State Comptroller in making his or her warrant to  
19 any county for the amount due it from the Personal Property Tax  
20 Replacement Fund shall deduct from it the several amounts for  
21 which warrants have been issued to the regional  
22 superintendent, and any assistant regional superintendent, of  
23 the educational service region encompassing the county since  
24 the preceding apportionment from the Personal Property Tax  
25 Replacement Fund.

26 County boards may provide for additional compensation for

1 the regional superintendent or the assistant regional  
2 superintendents, or for each of them, to be paid quarterly  
3 from the county treasury.

4 (b) (Blank).

5 (c) If the State pays all or any portion of the employee  
6 contributions required under Section 16-152 of the Illinois  
7 Pension Code for employees of the State Board of Education, it  
8 shall also, subject to appropriation in the State Board of  
9 Education budget for such payments to Regional Superintendents  
10 and Assistant Regional Superintendents, pay the employee  
11 contributions required of regional superintendents of schools  
12 and assistant regional superintendents of schools on the same  
13 basis, but excluding any contributions based on compensation  
14 that is paid by the county rather than the State.

15 This subsection (c) applies to contributions based on  
16 payments of salary earned after the effective date of this  
17 amendatory Act of the 91st General Assembly, except that in  
18 the case of an elected regional superintendent of schools,  
19 this subsection does not apply to contributions based on  
20 payments of salary earned during a term of office that  
21 commenced before the effective date of this amendatory Act.

22 (d) References to "regional superintendent" in this  
23 Section shall also include the chief administrative officer of  
24 the educational service centers established under Section  
25 2-3.62 of this Code and serving that portion of a Class II  
26 county school unit outside of a city with a population of

1 500,000 or more inhabitants. References to "assistant regional  
2 superintendent" in this Section shall include one assistant  
3 appointed by the chief administrative officer of the  
4 educational service centers established under Section 2-3.62  
5 of this Code and serving that portion of a Class II county  
6 school unit outside of a city with a population of 500,000 or  
7 more inhabitants. For the purposes of calculating regional  
8 superintendent and assistant regional superintendent salaries  
9 for educational service centers established under Section  
10 2-3.62 of this Code, populations shall be established by  
11 subtracting from the total county population the population of  
12 a city with 500,000 or more inhabitants, divided by the number  
13 of educational service centers in the county.

14 (Source: P.A. 99-30, eff. 7-10-15; 100-294, eff. 1-1-18.)

15 (105 ILCS 5/3-12) (from Ch. 122, par. 3-12)

16 Sec. 3-12. Institute fund.

17 (a) All license registration fees and a portion of renewal  
18 and duplicate fees shall be kept by the regional  
19 superintendent as described in Section 21-16 or 21B-40 of this  
20 Code, together with a record of the names of the persons paying  
21 them. Such fees shall be deposited into the institute fund and  
22 shall be used by the regional superintendent to defray  
23 expenses associated with the work of the regional professional  
24 development review committees established pursuant to  
25 paragraph (2) of subsection (g) of Section 21-14 of this Code

1 to advise the regional superintendent, upon his or her  
2 request, and to hear appeals relating to the renewal of  
3 teaching licenses, in accordance with Section 21-14 of this  
4 Code; to defray expenses connected with improving the  
5 technology necessary for the efficient processing of licenses;  
6 to defray all costs associated with the administration of  
7 teaching licenses; to defray expenses incidental to teachers'  
8 institutes, workshops or meetings of a professional nature  
9 that are designed to promote the professional growth of  
10 teachers or for the purpose of defraying the expense of any  
11 general or special meeting of teachers or school personnel of  
12 the region, which has been approved by the regional  
13 superintendent.

14 (b) In addition to the use of moneys in the institute fund  
15 to defray expenses under subsection (a) of this Section, the  
16 State Superintendent of Education, as authorized under Section  
17 2-3.105 of this Code, shall use moneys in the institute fund to  
18 defray all costs associated with the administration of  
19 teaching licenses within a city having a population exceeding  
20 500,000. Moneys in the institute fund may also be used by the  
21 State Superintendent of Education to support educator  
22 recruitment and retention programs within a city having a  
23 population exceeding 500,000, to support educator preparation  
24 programs within a city having a population exceeding 500,000  
25 as those programs seek national accreditation, and to provide  
26 professional development aligned with the requirements set



1       forth in Section 21B-45 of this Code within a city having a  
2       population exceeding 500,000. A majority of the moneys in the  
3       institute fund must be dedicated to the timely and efficient  
4       processing of applications and for the renewal of licenses.

5       (c) The regional superintendent shall on or before January  
6       1 of each year post on the regional office of education's  
7       website ~~publish in a newspaper of general circulation~~  
8       ~~published in the region or shall post in each school building~~  
9       ~~under his jurisdiction an accounting of~~ (1) the balance on  
10      hand in the institute fund at the beginning of the previous  
11      year; (2) all receipts within the previous year deposited in  
12      the fund, with the sources from which they were derived; (3)  
13      the amount distributed from the fund and the purposes for  
14      which such distributions were made; and (4) the balance on  
15      hand in the fund.

16      (Source: P.A. 99-58, eff. 7-16-15.)

17               (105 ILCS 5/3-3 rep.)

18               Section 15. The School Code is amended by repealing  
19      Section 3-3.

20               Section 20. The School Construction Law is amended by  
21      changing Section 5-100 as follows:

22               (105 ILCS 230/5-100)

23               Sec. 5-100. School maintenance project grants.

1 (a) The State Board of Education is authorized to make  
2 grants to school districts, regional offices of education,  
3 intermediate service centers, and special education  
4 cooperatives established by school districts, without regard  
5 to enrollment, for school maintenance projects. These grants  
6 shall be paid out of moneys appropriated for that purpose from  
7 the School Infrastructure Fund. No grant under this Section  
8 for one fiscal year shall exceed \$50,000, but a school  
9 district, regional office of education, intermediate service  
10 center, or special education cooperative may receive grants  
11 for more than one project during one fiscal year. A school  
12 district or special education cooperative must provide local  
13 matching funds in an amount equal to the amount of the grant  
14 under this Section. A school district, regional office of  
15 education, intermediate service center, or special education  
16 cooperative has no entitlement to a grant under this Section.

17 (b) The State Board of Education shall adopt rules to  
18 implement this Section. These rules need not be the same as the  
19 rules for school construction project grants or debt service  
20 grants.

21 The rules may specify: (1) the manner of applying for  
22 grants; (2) project eligibility requirements; (3) restrictions  
23 on the use of grant moneys; (4) the manner in which school  
24 districts, regional offices of education, intermediate service  
25 centers, and special education cooperatives must account for  
26 the use of grant moneys; and (5) any other provision that the

1 State Board determines to be necessary or useful for the  
2 administration of this Section.

3 The rules shall specify the methods and standards to be  
4 used by the State Board to prioritize applications. School  
5 maintenance projects shall be prioritized in the following  
6 order:

7 (i) emergency projects;

8 (ii) health/life safety projects;

9 (iii) State Program priority projects;

10 (iv) permanent improvement projects; and

11 (v) other projects.

12 (c) In each school year in which school maintenance  
13 project grants are awarded, 20% of the total amount awarded  
14 shall be awarded to a school district with a population of more  
15 than 500,000, provided that the school district complies with  
16 the requirements of this Section and the rules adopted under  
17 this Section.

18 (Source: P.A. 98-710, eff. 7-16-14.)

19 Section 90. The State Mandates Act is amended by adding  
20 Section 8.46 as follows:

21 (30 ILCS 805/8.46 new)

22 Sec. 8.46. Exempt mandate. Notwithstanding Sections 6 and  
23 8 of this Act, no reimbursement by the State is required for  
24 the implementation of any mandate created by this amendatory

1 Act of the 102nd General Assembly.

2       Section 99. Effective date. This Act takes effect upon  
3 becoming law.