



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3699

Introduced 1/21/2022, by Sen. Christopher Belt

SYNOPSIS AS INTRODUCED:

105 ILCS 230/5-5
105 ILCS 230/5-30
105 ILCS 230/5-60

Amends the School Construction Law. Provides that for school districts that have consolidated or approved a cooperative high school within a prior fiscal year, the grant index shall be calculated for each of those school districts that form the new school district or cooperative high school. Provides that whichever grant index is the highest shall be used as the grant index for the newly consolidated school district or approved cooperative high school. Amends the priority of school construction projects by adding 2 additional categories of capital needs and reordering the priority of the remaining categories of capital needs. Makes a related change. Effective immediately.

LRB102 23651 CMG 32833 b

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 Construction Law is amended by
5 changing Sections 5-5, 5-30 and 5-60 as follows:

6 (105 ILCS 230/5-5)

7 Sec. 5-5. Definitions. As used in this Article:

8 "Approved school construction bonds" mean bonds that were
9 approved by referendum after January 1, 1996 but prior to
10 January 1, 1998 as provided in Sections 19-2 through 19-7 of
11 the School Code to provide funds for the acquisition,
12 development, construction, reconstruction, rehabilitation,
13 improvement, architectural planning, and installation of
14 capital facilities consisting of buildings, structures,
15 durable-equipment, and land for educational purposes.

16 "Grant index" means a figure for each school district
17 equal to one minus the ratio of the district's equalized
18 assessed valuation per pupil in average daily attendance to
19 the equalized assessed valuation per pupil in average daily
20 attendance of the district located at the 90th percentile for
21 all districts of the same category. For the purpose of
22 calculating the grant index, school districts are grouped into
23 2 categories, Category I and Category II. Category I consists

1 of elementary and unit school districts. The equalized
2 assessed valuation per pupil in average daily attendance of
3 each school district in Category I shall be computed using its
4 grades kindergarten through 8 average daily attendance figure.
5 A unit school district's Category I grant index shall be used
6 for projects or portions of projects constructed for
7 elementary school pupils. Category II consists of high school
8 and unit school districts. The equalized assessed valuation
9 per pupil in average daily attendance of each school district
10 in Category II shall be computed using its grades 9 through 12
11 average daily attendance figure. A unit school district's
12 Category II grant index shall be used for projects or portions
13 of projects constructed for high school pupils. The changes
14 made by this amendatory Act of the 92nd General Assembly apply
15 to all grants made on or after the effective date of this
16 amendatory Act, provided that for grants not yet made on the
17 effective date of this amendatory Act but made in fiscal year
18 2001 and for grants made in fiscal year 2002, the grant index
19 for a school district shall be the greater of (i) the grant
20 index as calculated under this Law on or after the effective
21 date of this amendatory Act or (ii) the grant index as
22 calculated under this Law before the effective date of this
23 amendatory Act. The grant index shall be no less than 0.35 and
24 no greater than 0.75 for each district; provided that the
25 grant index for districts whose equalized assessed valuation
26 per pupil in average daily attendance is at the 99th

1 percentile and above for all districts of the same type shall
2 be 0.00. For school districts that have consolidated or
3 approved a cooperative high school within a prior fiscal year,
4 the grant index shall be calculated for each of those school
5 districts that form the new school district or cooperative
6 high school. Whichever grant index is the highest shall be
7 used as the grant index for the newly consolidated school
8 district or approved cooperative high school.

9 The grant index shall be calculated for each of those
10 school districts forming a reorganized school district or
11 cooperative high school if one or more of the following happen
12 within the current or prior 2 fiscal years:

13 (1) a new school district is created in accordance
14 with Article 11E of the School Code;

15 (2) an existing school district annexes all of the
16 territory of one or more entire other school districts in
17 accordance with Article 7 of the School Code; or

18 (3) a cooperative high school is formed in accordance
19 with Section 10-22.22c of the School Code.

20 The average grant index of those school districts shall be
21 used as the grant index for the newly reorganized district or
22 cooperative high school.

23 "School construction project" means the acquisition,
24 development, construction, reconstruction, rehabilitation,
25 improvement, architectural planning, and installation of
26 capital facilities consisting of buildings, structures,

1 durable equipment, and land for educational purposes.

2 "School district" means a school district or a Type 40
3 area vocational center that is jointly owned if the joint
4 agreement includes language that specifies how the debt
5 obligation is to be paid, including in the event that an entity
6 withdraws from the joint agreement.

7 "School district" includes a cooperative high school,
8 which shall be considered a high school district for the
9 purpose of calculating its grant index.

10 "School maintenance project" means a project, other than a
11 school construction project, intended to provide for the
12 maintenance or upkeep of buildings or structures for
13 educational purposes, but does not include ongoing operational
14 costs.

15 (Source: P.A. 96-731, eff. 8-25-09; 96-1381, eff. 1-1-11.)

16 (105 ILCS 230/5-30)

17 Sec. 5-30. Priority of school construction projects. The
18 State Board of Education shall develop standards for the
19 determination of priority needs concerning school construction
20 projects based upon approved district facilities plans. Such
21 standards shall call for prioritization based on the degree of
22 need and project type in the following order:

23 (1) Replacement, rehabilitation, or reconstruction of
24 school buildings destroyed or damaged by flood, tornado,
25 fire, earthquake, mine subsidence, or other disasters,

1 either man-made or produced by nature;

2 (1.5) Rehabilitation or reconstruction of school
3 facilities determined to be severe and continuing health
4 or life safety hazards;

5 (1.10) Rehabilitation of school facilities to
6 alleviate:

7 (A) a shortage of classrooms due to population
8 growth; or

9 (B) aging school buildings;

10 (2) ~~(Blank) Projects designed to alleviate a shortage~~
11 ~~of classrooms due to population growth or to replace or~~
12 ~~rehabilitate aging school buildings;~~

13 (3) Projects resulting from interdistrict
14 reorganization of school districts contingent on local
15 referenda;

16 (3.5) Projects other than rehabilitation specified in
17 paragraph (1.10) designed to alleviate a shortage of
18 classrooms due to population growth or to replace aging
19 school buildings;

20 (4) ~~Replacement, rehabilitation, or reconstruction~~ of
21 school facilities determined to be severe and continuing
22 health or life safety hazards;

23 (5) Alterations necessary to provide accessibility for
24 qualified individuals with disabilities; and

25 (6) Other unique solutions to facility needs.

26 Except for those changes absolutely necessary to comply with

1 the changes made to subsection (c) of Section 5-25 of this Law
2 by Public Act 96-37, the State Board of Education may not make
3 any material changes to the standards in effect on May 18,
4 2004, unless the State Board of Education is specifically
5 authorized by law.

6 (Source: P.A. 96-37, eff. 7-13-09; 96-102, eff. 7-29-09;
7 96-1000, eff. 7-2-10; 97-880, eff. 8-2-12.)

8 (105 ILCS 230/5-60)

9 Sec. 5-60. School capital needs assessment. The State
10 Board of Education and the Capital Development Board shall
11 file with the General Assembly a comprehensive assessment
12 report of the capital needs of all school districts in this
13 State before January 1, 2005 and every 2 years thereafter.
14 This assessment shall include without limitation an analysis
15 of the ~~6~~ categories of capital needs prioritized in Section
16 5-30 of this Law.

17 (Source: P.A. 93-489, eff. 8-8-03.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.