

SB4207



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB4207

Introduced 4/6/2022, by Sen. John Connor

SYNOPSIS AS INTRODUCED:

105 ILCS 230/5-25

Amends the School Construction Law. Provides that the eligibility standards for school construction project grants shall not include minimum enrollment requirements (instead of including minimum enrollment requirements for eligibility for school construction project grants of 200 students for elementary districts, 200 students for high school districts, and 400 students for unit districts). Removes provisions concerning the total enrollment of member districts forming a cooperative high school.

LRB102 27198 RJT 38794 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 Construction Law is amended by
5 changing Section 5-25 as follows:

6 (105 ILCS 230/5-25)

7 Sec. 5-25. Eligibility and project standards.

8 (a) The State Board of Education shall establish
9 eligibility standards for school construction project grants
10 and debt service grants. These standards shall not include
11 minimum enrollment requirements for eligibility for school
12 construction project grants ~~of 200 students for elementary~~
13 ~~districts, 200 students for high school districts, and 400~~
14 ~~students for unit districts. The total enrollment of member~~
15 ~~districts forming a cooperative high school in accordance with~~
16 ~~subsection (c) of Section 10-22.22 of the School Code shall~~
17 ~~meet the minimum enrollment requirements specified in this~~
18 ~~subsection (a).~~ The State Board of Education shall approve a
19 district's eligibility for a school construction project grant
20 or a debt service grant pursuant to the established standards.

21 For purposes only of determining a Type 40 area vocational
22 center's eligibility for an entity included in a school
23 construction project grant or a school maintenance project

1 grant, an area vocational center shall be deemed eligible if
2 one or more of its member school districts satisfy the grant
3 index criteria set forth in this Law. A Type 40 area vocational
4 center that makes application for school construction funds
5 after August 25, 2009 (the effective date of Public Act
6 96-731) shall be placed on the respective application cycle
7 list. Type 40 area vocational centers must be placed last on
8 the priority listing of eligible entities for the applicable
9 fiscal year.

10 (b) The Capital Development Board shall establish project
11 standards for all school construction project grants provided
12 pursuant to this Article. These standards shall include space
13 and capacity standards as well as the determination of
14 recognized project costs that shall be eligible for State
15 financial assistance and enrichment costs that shall not be
16 eligible for State financial assistance.

17 (c) The State Board of Education and the Capital
18 Development Board shall not establish standards that
19 disapprove or otherwise establish limitations that restrict
20 the eligibility of (i) a school district with a population
21 exceeding 500,000 for a school construction project grant
22 based on the fact that any or all of the school construction
23 project grant will be used to pay debt service or to make lease
24 payments, as authorized by subsection (b) of Section 5-35 of
25 this Law, (ii) a school district located in whole or in part in
26 a county that imposes a tax for school facility or resources

1 purposes pursuant to Section 5-1006.7 of the Counties Code, or
2 (iii) a school district that (1) was organized prior to 1860
3 and (2) is located in part in a city originally incorporated
4 prior to 1840, based on the fact that all or a part of the
5 school construction project is owned by a public building
6 commission and leased to the school district or the fact that
7 any or all of the school construction project grant will be
8 used to pay debt service or to make lease payments.

9 (d) A reorganized school district or cooperative high
10 school may use a school construction application that was
11 submitted by a school district that formed the reorganized
12 school district or cooperative high school if that application
13 has not been entitled for a project by the State Board of
14 Education and any one or more of the following happen within
15 the current or prior 4 fiscal years:

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

18 (2) an existing school district annexes all of the
19 territory of one or more other school districts in
20 accordance with Article 7 of the School Code; or

21 (3) a cooperative high school is formed in accordance
22 with subsection (c) of Section 10-22.22 of the School
23 Code.

24 A new elementary district formed from a school district
25 conversion, as defined in Section 11E-15 of the School Code,
26 may use only the application of the dissolved district whose

1 territory is now included in the new elementary district and
2 must obtain the written approval of the local school board of
3 any other school district that includes territory from that
4 dissolved district. A new high school district formed from a
5 school district conversion, as defined in Section 11E-15 of
6 the School Code, may use only the application of any dissolved
7 district whose territory is now included in the new high
8 school district, but only after obtaining the written approval
9 of the local school board of any other school district that
10 includes territory from that dissolved district. A cooperative
11 high school using this Section must obtain the written
12 approval of the local school board of the member school
13 district whose application it is using. All other eligibility
14 and project standards apply to this Section.

15 (Source: P.A. 101-455, eff. 8-23-19.)