



Sen. Adriane Johnson

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10300SB0464sam001

LRB103 02915 RJT 71922 a

1 AMENDMENT TO SENATE BILL 464

2 AMENDMENT NO. _____. Amend Senate Bill 464 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section
5 10-22.36 as follows:

6 (105 ILCS 5/10-22.36) (from Ch. 122, par. 10-22.36)

7 Sec. 10-22.36. Buildings for school purposes.

8 (a) To build or purchase a building for school classroom
9 or instructional purposes upon the approval of a majority of
10 the voters upon the proposition at a referendum held for such
11 purpose or in accordance with Section 17-2.11, 19-3.5, or
12 19-3.10. The board may initiate such referendum by resolution.
13 The board shall certify the resolution and proposition to the
14 proper election authority for submission in accordance with
15 the general election law.

16 The questions of building one or more new buildings for

1 school purposes or office facilities, and issuing bonds for
2 the purpose of borrowing money to purchase one or more
3 buildings or sites for such buildings or office sites, to
4 build one or more new buildings for school purposes or office
5 facilities or to make additions and improvements to existing
6 school buildings, may be combined into one or more
7 propositions on the ballot.

8 Before erecting, or purchasing or remodeling such a
9 building the board shall submit the plans and specifications
10 respecting heating, ventilating, lighting, seating, water
11 supply, toilets and safety against fire to the regional
12 superintendent of schools having supervision and control over
13 the district, for approval in accordance with Section 2-3.12.

14 Notwithstanding any of the foregoing, no referendum shall
15 be required if the purchase, construction, or building of any
16 such building (1) occurs while the building is being leased by
17 the school district or (2) is paid with (A) funds derived from
18 the sale or disposition of other buildings, land, or
19 structures of the school district or (B) funds received (i) as
20 a grant under the School Construction Law or (ii) as gifts or
21 donations, provided that no funds to purchase, construct, or
22 build such building, other than lease payments, are derived
23 from the district's bonded indebtedness or the tax levy of the
24 district.

25 Notwithstanding any of the foregoing, no referendum shall
26 be required if the purchase, construction, or building of any

1 such building is paid with funds received from the County
2 School Facility and Resources Occupation Tax Law under Section
3 5-1006.7 of the Counties Code or from the proceeds of bonds or
4 other debt obligations secured by revenues obtained from that
5 Law.

6 Notwithstanding any of the foregoing, for Decatur School
7 District Number 61, no referendum shall be required if at
8 least 50% of the cost of the purchase, construction, or
9 building of any such building is paid, or will be paid, with
10 funds received or expected to be received as part of, or
11 otherwise derived from, any COVID-19 pandemic relief program
12 or funding source, including, but not limited to, Elementary
13 and Secondary School Emergency Relief Fund grant proceeds.

14 (b) Notwithstanding the provisions of subsection (a), for
15 any school district: (i) that is a tier 1 school, (ii) that has
16 a population of less than 50,000 inhabitants, (iii) whose
17 student population is between 5,800 and 6,300, (iv) in which
18 57% to 62% of students are low-income, and (v) whose average
19 district spending is between \$10,000 to \$12,000 per pupil,
20 until July 1, 2025, no referendum shall be required if at least
21 50% of the cost of the purchase, construction, or building of
22 any such building is paid, or will be paid, with funds received
23 or expected to be received as part of, or otherwise derived
24 from, the federal Consolidated Appropriations Act and the
25 federal American Rescue Plan Act of 2021.

26 For this subsection (b), the school board must hold at

1 least 2 public hearings, the sole purpose of which shall be to
2 discuss the decision to construct a school building and to
3 receive input from the community. The notice of each public
4 hearing that sets forth the time, date, place, and name or
5 description of the school building that the school board is
6 considering constructing must be provided at least 10 days
7 prior to the hearing by publication on the school board's
8 Internet website.

9 (c) Notwithstanding the provisions of subsections
10 ~~subsection~~ (a) and (b), for Cahokia Community Unit School
11 District 187, no referendum shall be required for the lease of
12 any building for school or educational purposes if the cost is
13 paid or will be paid with funds available at the time of the
14 lease in the district's existing fund balances to fund the
15 lease of a building during the 2023-2024 or 2024-2025 school
16 year.

17 For the purposes of this subsection (c), the school board
18 must hold at least 2 public hearings, the sole purpose of which
19 shall be to discuss the decision to lease a school building and
20 to receive input from the community. The notice of each public
21 hearing that sets forth the time, date, place, and name or
22 description of the school building that the school board is
23 considering leasing must be provided at least 10 days prior to
24 the hearing by publication on the school district's website.

25 (d) ~~(e)~~ Notwithstanding the provisions of subsections
26 ~~subsection~~ (a) and (b), for Bloomington School District 87, no

1 referendum shall be required for the purchase, construction,
2 or building of any building for school or education purposes
3 if such cost is paid~~7~~ or will be paid with funds available at
4 the time of contract, purchase, construction, or building in
5 Bloomington School District Number 87's existing fund balances
6 to fund the procurement or requisition of a building or site
7 during the 2022-2023, 2023-2024, or 2024-2025 school year
8 years.

9 For this subsection (d) ~~(e)~~, the school board must hold at
10 least 2 public hearings, the sole purpose of which shall be to
11 discuss the decision to construct a school building and to
12 receive input from the community. The notice of each public
13 hearing that sets forth the time, date, place, and name or
14 description of the school building that the school board is
15 considering constructing must be provided at least 10 days
16 prior to the hearing by publication on the school board's
17 website.

18 (e) Notwithstanding the provisions of subsection (a), for
19 any school district: (i) that is designated as a Tier 1 or Tier
20 2 school district under Section 18-8.15, (ii) with at least
21 one school that is located on federal property, (iii) whose
22 overall student population is no more than 4,500 students and
23 no less than 2,500 students, and (iv) that receives a federal
24 Public Schools on Military Installations grant until June 30,
25 2030, no referendum shall be required if at least 75% of the
26 cost of construction or building of any such building is paid

1 or will be paid with funds received or expected to be received
2 from the Public Schools on Military Installations grant.

3 For this subsection (e), the school board must hold at
4 least 2 public hearings, the sole purpose of which shall be to
5 discuss the decision to construct a school building and to
6 receive input from those community members in attendance. The
7 notice of each public hearing that sets forth the time, date,
8 place, and description of the school construction project must
9 be provided at least 10 days prior to the hearing by
10 publication on the school district's website.

11 (Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 7-1-22;
12 103-8, eff. 6-7-23; 103-509, eff. 8-4-23; revised 8-31-23.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.".